

PITT COUNTY BUILDING CODES ENFORCEMENT ORDINANCE

Section 1. Title

Pitt County Building Codes Enforcement Ordinance.

Section 2. Purpose

The purpose of this ordinance is for the enforcement of the North Carolina State Building Code (hereafter referred to as the Code) in order to protect the health, safety, and general welfare of the residents of Pitt County and all contracted municipalities.

Section 3. Scope

The provisions of this article and the regulatory codes adopted by this article shall apply to the:

- A. Location, design, materials, equipment, construction, reconstruction, alteration, repair, maintenance, moving, demolition, removal, use and occupancy of every building or structure or any appurtenances connected or attached to such building or structure;
- B. Installation, erection, alteration, repair, use and maintenance of plumbing systems consisting of house sewers, building drains, waste and vent systems, hot and cold water supply systems, and all appurtenances thereof;
- C. Installation, erection, alteration, repair, use and maintenance of mechanical systems consisting of heating, air conditioning, ventilating, and refrigeration systems, fuel burning equipment, and appurtenances thereof;
- D. Installation, erection, alteration, repair, use and maintenance of electrical systems and appurtenances thereof; and
- E. Installation, erection, alteration, repair, use and maintenance of piping and tubing for gas and fuel burning systems.

Section 4. Authority

North Carolina General Statutes §§ 153A-350--374.

Section 5. Adoption of Code

The current edition of the North Carolina State Building Code is adopted as the Building Code of Pitt County. Any future revisions, amendments, or additions to the State Code shall be incorporated into this ordinance. For the purposes of this ordinance, the North Carolina State Building Code includes, but is not limited to, the following:

Building Code
Law and Administrative Code

Residential Code
Plumbing Code
Electrical Code
Mechanical Code
Fuel and Gas Code
National Electrical Code
Energy Code
Regulations for Mobile Homes and Modular Housing
Accessibility Code
Rehabilitation Code

Section 6. Jurisdiction

- A. The jurisdictions for codes listed in Section 5 shall be the entire planning jurisdiction of Pitt County unless a municipality enforces the Code in their own jurisdiction.
- B. The County shall also have jurisdiction to enforce the Code in any municipality which requests, and receives approval by the Pitt County Board of County Commissioners, for the County's enforcement of this ordinance within its planning jurisdiction.

Section 7. Amendments to Codes

Amendments to the regulatory codes adopted by reference in this division, which are from time to time adopted and published by the agencies or organizations referred to in this division, shall be effective in the county at the time such amendments are deemed effective by the North Carolina State Building Code Council.

Section 8. Compliance With Codes

- A. All buildings or structures that are constructed, reconstructed, erected, altered, extended, enlarged, repaired, demolished or moved after the effective date of the ordinance from which this section derives shall conform to the requirements, minimum standards, and other provisions of the North Carolina State Building Code.
- B. Every Building or structure intended for human habitation, occupancy, or use shall have plumbing systems or plumbing fixtures installed, constructed, altered, extended, repaired or reconstructed in conformance with the minimum standards, requirements and other provisions of the North Carolina State Plumbing Code. All plumbing systems shall be connected to a sanitary sewer system or other disposal system that has been approved by the county health department.
- C. All mechanical systems consisting of heating, air conditioning, ventilating, gas, refrigeration systems, fuel-burning equipment, and appurtenances shall be installed, erected, altered, repaired, used and maintained in accordance with the minimum standards, requirements, and other provisions of the North Carolina State Mechanical and Gas Codes.
- D. All electrical wiring, installations and appurtenances shall be erected, altered, repaired, used and maintained in accordance with the minimum requirements and other provisions of the North Carolina State Electrical Code.

Section 9. Exemptions

The following activities are exempt from the provisions of this ordinance:

- A. The provisions of this division shall not apply to farm use buildings located on a bona fide farm however, all trade permits (electrical, mechanical, plumbing, etc.) are still required. When questions arise as to whether or not use of certain lands constitute bona fide farming, the Chief

Code Enforcement Officer shall consult with County Extension Services and the USDA-Farm Services Administration.

- B. Equipment for storing, handling, transporting and utilizing liquefied petroleum gases for fuel purposes.
- C. Equipment or facilities, other than buildings, of a public utility, as defined in N.C.G.S. 62-3, or of an electric or telephone membership corporation, including poles, towers and other structures supporting electric or communication lines.
- D. Residential accessory buildings with dimensions that do not exceed 12 feet.
- E. Nonstructural residential repairs or alterations not to exceed five thousand dollars (\$5,000.00) in value.
- F. Any other structures that may be exempted by the North Carolina General Statutes.

Section 10. Severability

If any section, specific provision, or standard of this ordinance is found by a court of competent jurisdiction to be invalid for any reason, the decision of the court shall not affect the validity of any other section, provision or standard of this ordinance except the provision in question. The other portions of this ordinance not affected by the decision of the court shall remain in full force and effect.

Section 11. Creation of Inspections Department

A Pitt County Inspections Department is created which consists of one or more inspectors who may be given the titles of building inspector, electrical inspector, plumbing inspector, mechanical inspector, fire prevention inspector, deputy or assistant inspector, or any other title that is generally descriptive of the duties assigned. The Department may be headed by a Chief Code Enforcement Officer.

Section 12. Duties of Inspections Department

- A. *General.* The Inspections Department shall receive applications for permits, issue or deny permits, conduct necessary inspections, issue or deny certificates of occupancy, issue orders to correct violations, revoke permits, perform inspections for possible structure condemnation, bring judicial actions against actual or threatened violations, keep adequate records, and take any other actions that may be required in order to enforce the Code.
- B. *Records and Reports.*
 - 1. The Inspections Department shall keep complete, accurate records in convenient form of all applications received, permits issued, inspections and re-inspections made, defects and violations found, certificates of occupancy granted, and other actions of the Department, pursuant to the North Carolina Department of Cultural Resources Records Retention and Disposition Schedule.
 - 2. Periodic reports shall be submitted to the Pitt County Board of Commissioners and to the Commissioner of Insurance, as required.
- C. *Registration of Contractors.* Prior to performing work in Pitt County's jurisdiction, every person carrying on the business of building contractor, plumbing contractor, mechanical contractor, or electrical contractor within the County shall register at the office of the Inspections Department, giving name, place of business and address, and state contractor's license number.

Section 13. Inspectors

- A. *Qualifications of Inspectors.* Pitt County shall employ only those Inspectors to enforce the State Building Code who have one of the following types of certificates issued by the North Carolina Code Officials Qualification Board attesting to their qualifications to hold such position:
1. a probationary certificate;
 2. a standard certificate; or
 3. a limited certificate.
- B. *Conflict of Interest.* Unless an Inspector is the owner of the building, no member of the Inspections Department may have financial interest in furnishing labor, materials, or appliances for the construction, alteration, or maintenance of any building within the County's territorial jurisdiction or any part or system thereof, or in making plans or specifications. No member of the Inspections Department may engage in any work that is inconsistent with their duties or with the interest of Pitt County.

Section 14. Permits Required

Unless specifically exempted in section 9 of this ordinance, the following work requires permits:

- A. The construction, reconstruction, alteration, repair, movement to another site, removal or demolition of any building.
- B. The installation, extension or general repair of any plumbing system.
- C. The installation, extension, alteration or general repair of any heating or cooling equipment system.
- D. The installation, extension, alteration or general repair of any electrical wiring, devices, appliances or equipment without first securing from the Inspection Department each permit required by the North Carolina State Building Codes or this ordinance.
- E. *Mobile Homes.* A permit is required for setting up and installation of mobile homes.
- F. *Signs, Marquees, etc.* A permit is required to install signs, marquees, awnings, etc., when required in accordance the North Carolina State Building Code.
- G. *Change of Use.* An inspection is required whenever the use of an existing building is changed. If the building must be altered or repaired, a permit will need to be obtained so the building may be altered or repaired in order to meet the requirements of the North Carolina State Building Codes with respect to the new use.

Section 15. Fees for Permits and Inspections

Permit fees shall be the schedule of fees adopted by the Pitt County Board of Commissioners.

Section 16. Application for Building Permits

- A. Each permit application shall be filed, in writing, with the Inspections Department. All applications shall include the materials listed below. Failure to submit all required materials will result in the denial of applicable permit(s).
1. Name and address of the owner and authorized agent, when applicable;

2. Signed statement of ownership of property;
 3. If applicable, signed statement from owner authorizing agent to obtain requested permit(s);
 4. General description of the proposed work;
 5. Scaled drawing of work site, if required per section G below;
 6. Survey of property or deed to property, if needed;
 7. Tax parcel number;
 8. If applicable, lien agent form;
 9. Any other information deemed necessary by the Inspections Department to allow for proper plan review and field inspection.
- B. Each application shall indicate the proposed use or occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building, and shall contain other pertinent information as may be required by the Inspections Department.
- C. When required by the Inspections Department, two or more copies of specifications and of drawings, drawn to scale with sufficient clarity and detail to indicate the nature and character of the work, shall accompany each application. Such drawings and specifications shall contain information, in the form of notes or otherwise, as to the quality of materials, where quality is essential to conformity with this code. The Inspections Department may require details, computations, stress diagrams, and other data necessary to describe the construction and basis of calculations, and they shall bear the signature of the person responsible for the design. Plans for all buildings shall indicate how required structural and fire-resistive integrity will be maintained where a penetration of a required fire-resistive wall, floor, or partition will be made for electrical, mechanical, plumbing, and communication conduits, pipes, and systems and also indicate in sufficient detail how the fire integrity will be maintained where required fire-resistive floors intersect the exterior walls.
- D. No permit shall be issued unless the plans and specifications are identified by the name and address of the author thereof.
- E. Where North Carolina law requires that plans for certain types of construction be prepared only by a registered architect or a registered engineer, no permit shall be issued unless the plans and specifications bear the North Carolina seal of a registered architect or registered engineer.
- F. Where North Carolina law requires a licensed contractor for certain types of construction, no permit shall be issued for such construction except in compliance with the law.
- G. The Inspections Department may require drawings showing the location of the proposed building and of all existing buildings on the site or lot. The Department may also require a boundary line survey and a map prepared by a registered land surveyor. During inspections, Inspectors shall verify required setbacks as indicated on the relevant zoning permit, when applicable. If determined necessary by the Inspector, the builder or owner shall provide evidence that the location of the structure meets required setbacks.
- H. Where necessary to determine compliance with code standards, the Inspections Department may require tests or test reports. Such tests must be made by an approved testing laboratory or other approved agency, at the expense of the applicant. Copies of test reports or the results of tests shall be kept on file in the Inspections Department.

- I. No permit shall be issued unless the Inspections Department determines that the proposed site conforms to the Subdivision Regulations of Pitt County, the Zoning Ordinance of Pitt County, the Manufactured Home Park Ordinance of Pitt County, the Flood Damage Prevention Ordinance of Pitt County, the Pitt County Soil Erosion and Sediment Control Ordinance and all other applicable Federal, State and Local laws and regulations. No permit shall be issued on a lot in a proposed subdivision until the subdivision has received final approval by the Pitt County Planning Board and the subdivision map has been duly recorded in the office of the Pitt County Register of Deeds. Substandard lots of record shall be exempt from this provision provided the applicant can prove to the Inspections Department that the particular lot for which an application for permit is made was clearly defined and a deed has been duly recorded in the office of the Pitt County Register of Deeds prior to the adoption of the amendment to the provisions of this Section by the Pitt County Board of Commissioners.

Section 17. Issuance of Permits

- A. If the Inspections Department is satisfied that the work described in an application for a permit and the drawings and specifications filed conform to the requirements of this Code and all other applicable State and local laws, it shall issue a permit to the applicant. Permits may be withheld from contractors with uncorrected code violations.
- B. The permit shall be in writing and shall contain a provision that the work to be done shall comply with the State Building Code and all other applicable State and local laws.
- C. A permit issued for the work under this Code shall expire six months after the date of issuance if the work authorized has not been commenced. If after commencement the work is discontinued for a period of twelve months, the permit shall immediately expire. No work authorized by any permit that has expired shall be performed until a new permit has been issued.
- D. After a permit has been issued, no changes or deviations from the terms of the application, plans and specifications, or the permit (except changes or deviations clearly permissible under the Code) shall be made until specific written approval of proposed changes or deviations has been obtained from the Inspections Department.
- E. When the Inspections Department issues a permit, it shall indicate approval in writing, on all sets of plans which have been submitted. One set of plans so approved shall be retained by the Inspections Department, and the other set or sets shall be returned to the applicant; one set of which shall be kept at the site of the work and shall be open to inspection by any authorized member of the Inspections Department. Approval of the plans shall not relieve the contractor or owner from the responsibility to correct Code violations found at any time by the Inspector. The building permit card issued by the Inspections Department shall be posted on the construction site and accessible to Building Inspectors at all times until project completion.
- F. Any person may be permitted to perform building construction, electrical, plumbing, and mechanical work upon his own property, if the owner occupies the structure for at least 12 months after the work is completed, provided he first makes application for and obtains a permit from the Inspector to do the specific work contemplated, and provided the applicant satisfies the Inspector that he is competent to perform the work for which the permit is requested in a manner which will meet all statutory and ordinance requirements. If the cost of the project is \$30,000 or more, the person must execute a verified affidavit in compliance with N.C.G.S. 87-14(a)(1). If so satisfied, the Inspector shall issue a permit to the applicant personally to perform the particular work for which the permit is granted. Such permit shall extend to the applicant only and shall not authorize the applicant to employ the services of any other person to assist him unless such other person is a qualified contractor. All work done under such permit shall be subject to regular inspection requirements and fees.

No permit, except a personal permit as outlined above, shall be issued to any person, firm or corporation unless such person, firm or corporation is the holder of a contractor's license issued by the appropriate licensing board.

Section 18. Inspections Authorized; Right of Entry

- A. As work covered by the permit progresses, Pitt County Inspectors shall make as many inspections as necessary to satisfy them that the work is being done in accordance with this Code, any other applicable State and local laws, and the terms of the permit.
- B. Authorized personnel of the Inspections Department shall have a right, to the extent provided by the North Carolina General Statutes, to enter on any premises within the Department's jurisdiction, including entry into or upon all buildings or structures, for the purpose of inspection or other enforcement action, upon presentation of proper credentials.

Section 19. Inspections Required

When required, the Inspections Department shall make at least, but not limited to, the following inspections of all work being performed under the permit and shall either approve that portion of the construction as completed or shall notify the permit holder or his agent wherein the same fails to comply with the law. It shall be the responsibility of the permit holder or his agent to give timely notice to the Inspections Department when the work for these inspections is ready and to schedule the applicable inspection.

- A. *Footing Inspection.* To be made after the trenches are excavated, all grade stakes are installed, all reinforcing steel and supports are in place and appropriately tied, all necessary forms are in place and braced and before any concrete is placed.
- B. *Pre Underslab Inspection.* To be made after all forms have been placed, all electrical, plumbing and/or heating and air conditioning facilities, all crushed stone, a vapor barrier, all reinforcing steel with supports and tied and/or all welded wire fabric is installed when required but before any concrete is placed.
- C. *Foundation and Pre Sub-Floor Inspection.* To be made after all foundation supports and floor joists are installed.
- D. *Frame Inspection and Rough In.* To be made after the roof, all framing, fire-blocking, and bracing is in place and all pipes, chimneys, vents, electrical panel, electrical wire, receptacle boxes, fixture boxes, plumbing pipes, heat and air-conditioning vents and all other items in place which will be covered by insulation or interior finishes.
- E. *Insulation Inspection.* To be made after rough-ins are complete with insulation being installed and prior to finish being applied.
- F. *Final Inspection.* To be made after the building or structure is completed and ready for occupancy.

Additional inspections, or inspection trips made necessary through the failure of any contractor or property owner to give specific location of work to be inspected, or failure to properly perform work, or to otherwise create conditions making the additional inspection trips necessary, are hereby designated extra code enforcement inspections or re-inspections. For each extra code enforcement inspection or re-inspection, a fee designated in the adopted fee schedule shall be charged and paid by the contractor or property owner prior to further inspections on the subject property.

Section 20. Work Not To Proceed Without Approval

Work shall not proceed on any part of a building or structure beyond the point indicated for each inspection described in Section 19 until written approval has been received from the Inspections Department by an Inspector signing off on the relevant section of the building card posted on the job site.

- A. Reinforcing steel or structural framework of any part of any building shall not be covered or concealed in any manner without first obtaining the approval of the Inspections Department and, where appropriate, that of the designing architect or engineer.
- B. In all buildings where plaster is used for fire protection purposes, the permit holder or his agent shall notify the Inspections Department after all lathing and backing is in place. Plaster shall not be applied until the written approval of the Inspections Department has been received.

Section 21. Tests

Where necessary to determine the compliance of any work with code standards, the Inspections Department may require tests or test reports. Such tests must be made by an approved agency, at the expense of the owner. Copies of test reports or the results of tests shall be submitted to and kept on file in the Inspections Department.

Section 22. Periodic Inspections

In accordance with N.C.G.S. 153A-364 The Pitt County Inspections Department shall make periodic inspections, as directed by the Pitt County Board of Commissioners, of existing buildings to determine their compliance with this Code and to determine whether they meet minimum safety requirements. In addition, Inspectors shall make inspections when they have reasonable cause to believe that unsafe, unsanitary, hazardous, or unlawful conditions may exist in a particular structure. For purposes of this section, the term "reasonable cause" means any of the following: the landlord or owner has a history of more than two verified violations of the housing ordinances or codes within a 12-month period; there has been a complaint that substandard conditions exist within the building or there has been a request that the building be inspected; the Inspections Department has actual knowledge of an unsafe condition within the building; or violations of the local ordinances or codes are visible from the outside of the structure, or from an adjoining parcel or road. In exercising these powers, each member of the Inspections Department has a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction at any reasonable hour for the purposes of inspection or other enforcement action.

Section 23. Certificate of Occupancy

Building Occupancy: A new building shall not be occupied or a change made in the occupancy, nature, or use of a building or part of a building until after the Inspection Department has issued a certificate of occupancy. The certificate of occupancy shall not be issued until all required service systems have been inspected for compliance with the technical codes and other applicable laws and ordinances and released by the Inspection Department.

- A. **Temporary Certificate:** A temporary certificate of occupancy may be issued permitting occupancy for a stated period for specific portions of a building or service system that the Inspector finds safe for occupancy prior to final completion of the entire building or system.
- B. **Certificate of Occupancy:** Upon satisfactory completion of a building and after the final inspection, the Inspection Department may issue a certificate of occupancy. A certificate of occupancy for any existing building may be obtained by applying to the Inspection Department and supplying the information and data necessary to determine compliance with the technical codes for the occupancy intended. When, upon examination and inspection, it is found that the building conforms to the provisions of the technical codes and other applicable laws and ordinances for such occupancy, a certificate of occupancy shall be issued.

Section 24. Occupancy Without Certificate

Occupying a building or structure in violation of this ordinance will constitute a misdemeanor according to N.C.G.S. 143-138(h), and shall be grounds for the Inspector to have utility service disconnected in accordance with the North Carolina Electric Code.

Section 25. Utility Service

No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by the technical codes until approved by the Inspection Department and a certificate of occupancy is issued per section 23. The Inspector has the authority to have any unlawful utility connection disconnected in accordance with the North Carolina Electric Code.

The Inspector may authorize temporary power service to a building if, in the Inspector's judgment, such service is warranted and can be provided in a safe manner. Temporary power service may be ordered to be terminated by the Inspections Department in accordance with the North Carolina Electric Code.

Section 26. Liability for Damages

This section shall not be construed to relieve from or lessen the responsibility or liability of any party owning, operating, controlling or installing any electric wiring, devices, appliances or equipment for damages to person or property caused by any defect therein, nor shall Pitt County be held as assuming any such liability by reason of the inspection authorized herein or the certificate of approval issued as herein provided.

Section 27. Stop Work Orders

Whenever any building or structure or part thereof is being constructed, reconstructed, altered, repaired, or demolished in a hazardous manner, or in substantial violation of this Code or any other applicable State or local building laws, or in a manner that endangers life or property, the Inspector may order the specific part of the work that is in violation or presents such a hazard to be immediately stopped.

- A. The Stop Work Order shall be in writing, directed to the person doing the work, and shall state the specific work to be stopped, the specific reasons therefore, and the conditions under which the work may be resumed.
- B. An owner or builder may appeal a Stop Work Order. Any appeals of Stop Work Orders shall be done in accordance with N.C.G.S. 153A-361
- C. Violation of a Stop Order shall constitute a misdemeanor.

Section 28. Revocation of Permits

In accordance with N.C.G.S. 153A-362, the Inspections Department may revoke any permit by notifying the permit holder stating the reason for the revocation. Permits may be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of this Code or any other applicable State and local laws; or for false statements or misrepresentations made in securing the permit. Any permit mistakenly issued in violation of this Code or any other applicable State or local law may also be revoked. Any permit held by a contractor may be revoked if requested by the owner of the property on which the project is located.

Section 29. Enforcement

In any violation of this ordinance which is a misdemeanor, the County, either in addition to or in lieu of other remedies, may initiate any appropriate action or proceeding to prevent, restrain, correct, or abate the violation or to prevent the occupancy of the building involved.

Section 30. Unsafe Buildings Condemned

In accordance with N.C.G.S. 153A-366, the Inspector shall condemn as unsafe any building that appears to be especially dangerous to life, health, or other property, because of its liability of fire, bad condition of walls, over-loaded floors, defective construction, decay, unsafe wiring or heating system, inadequate means of egress, or other causes; and the Inspector shall affix a notice of the dangerous character of the building to a conspicuous place on its exterior wall.

- A. *Condemnation.* Whenever an Inspector finds that a building has not been constructed in compliance with this Code or other applicable State and local laws, or that a building because of its condition is dangerous to life, contains fire hazards, is unfit for human habitation, or constitutes a nuisance, the Inspector shall notify the owner and occupant of the building of its defects, hazardous conditions, or failure to comply with law. The Inspector shall also initiate action in accordance with N.C.G.S. 153A-368 to vacate, demolish, close, repair, or otherwise correct such conditions. The owner shall immediately remedy the defects, hazardous conditions, or violations of law in the property that each owns.
- B. *Removal of Notice.* Removal of a notice condemning a building as unsafe or failure to comply with a valid order to correct such conditions shall constitute a misdemeanor, pursuant to N.C.G.S. 153A-367.

Section 31. Procedure In the Event of Failure to Take Corrective Action

In accordance with N.C.G.S. 153A-368, if the owner of a building that has been condemned as unsafe, pursuant to Section 30 of this ordinance, fails to take prompt corrective action, the Inspector shall, by certified mail to the owner's last known address, or by personal service, give him written notice of the following:

- A. That the building is in a condition that appears to constitute a fire or safety hazard or to be dangerous to life, health, or other property;
- B. That a hearing will be held before the Inspector at a designated place and time, not later than ten (10) days after the date of the notice, at which time the owner is entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
- C. That following the hearing, the Inspector may issue any order to repair, close, vacate, or demolish the building which appears appropriate.
- D. If, after due diligence, the name or whereabouts of the owner cannot be discovered, the notice shall be considered properly and adequately served if:
 - 1. a copy thereof is posted on the outside of the building in question at least ten days before the day of the hearing; and
 - 2. a notice of the hearing is published in a newspaper having general circulation in the area at least once not later than one week before the hearing.

Section 32. Order to Take Corrective Action

In accordance with N.C.G.S. 153A-369, if, upon a hearing held pursuant to N.C.G.S. 153A-368, the Inspector finds that the building is in a condition that renders it dangerous to life, health, or other property, he shall issue a written order, directed to the owner of the building, requiring the owner to remedy the defective conditions by repairing, closing, vacating, or demolishing the building or taking other necessary steps, within a period of not less than sixty (60) days, as the Inspector may prescribe. However, if the Inspector finds that there is imminent danger to life or other property, he may order that corrective action be taken in such lesser period as may be feasible.

Section 33. Appeal of Condemnation Order to County Board of Commissioners

In accordance with N.C.G.S. 153A-370, an owner who has received an order under Section 32 of this ordinance may appeal that order to the Pitt County Board of Commissioners by giving written notice of appeal to the Inspector and to the Clerk to the Board of County Commissioners within ten (10) days following the day the order is issued. In the absence of an appeal, the order of the Inspector is final. The Pitt County Board of Commissioners shall hear any appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.

Section 34. Failure to Comply With an Order

In accordance with N.C.G.S. 153A-371, if the owner of a building fails to comply with an order issued pursuant to N.C.G.S. 153A-369 from which no appeal has been taken, or fails to comply with an order of the Pitt County Board of Commissioners following an appeal, he or she is guilty of a misdemeanor. Pitt County may also initiate appropriate action or proceedings to insure compliance with this ordinance.