

Building Code of the Town of Chichester, New Hampshire

I. That a certain document, a copy of which shall be on file in the office of the Town Clerk of the Town of Chichester being marked and designated as the *International Building Code, 2006* edition, including Appendix Chapter E, as published by the International Code Council and adopted and amended by the State Building Code Review Board et seq., be and is hereby adopted as the Building Code of the Town of Chichester in the State of New Hampshire for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the Town Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section II of this ordinance.

II. The following sections of the *International Building Code, 2006* edition, including Appendix Chapter E are hereby revised or inserted: *(New sections are notated in **Bold** typeface.)*

101.1 These regulations shall be known as the *Building Code* of the Town of Chichester, hereinafter referred to as "this code."

101.4.1 The provisions of the *National Electric Code, 2008* edition as published by the National Fire Protection Association and adopted by the State Building Code Review Board, et seq. shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. Any reference to the *ICC Electrical Code* throughout this code shall mean and intend the *National Electric Code*.

103.1 The Office of the Building Inspector (a/k/a the Department of Building Safety) is hereby created and the official in charge thereof shall be known as the building inspector or building official in accordance with this code and as provided in RSA 673:1,V.

103.2 The building official shall be appointed or hired by the local governing body of the Town of Chichester.

103.3 In accordance with the prescribed procedures of the Town of Chichester, the local governing body shall have the authority to appoint a deputy building official. Such employees shall have powers as delegated by the building official.

103.4 Staff & Finance

The Building Official shall be entitled to 50% of applicable fees for demolition, plumbing, electrical, and mechanical permits. Such fees shall compensate for the performance of any and all required inspections.

The Building Official shall also receive financial compensation for the performance of all other duties associated with the position. Such compensation shall be determined by the Board of Selectmen. Any deputy shall be compensated for the performance of duties in the absence of the building official.

- 104.2 The building official shall receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code and as provided in RSA 676:11-13.
- 105.5 Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, not more than one extension of time, for a period of not more than 90 days. The extension shall be requested in writing and justifiable cause demonstrated. Every permit for construction issued shall also become invalid unless the entire exterior frame of the structure has been completed and commercial grades of siding and roofing have been applied with eighteen (18) months of the date of the issuance of the permit.
- 106.2 The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size, location, and elevation views of new construction and existing structures on the site, distances from lot lines; and it shall be drawn in accordance with a reasonably accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.
- 107.3 The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the *National Electric Code*.
- 108.2 On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as hereby established;

108.2.1 Construction Permit Fees

All fees shall be calculated in accordance with the method prescribed within *Building Valuation Data*, as published by the International Code Council (last revised 2008) et seq.
 {Permit Fee = (Permit Valuation X Fee Multiplier)/1000}

The permit fee multiplier shall be \$1.56

Construction- Shall mean to cause to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure.

Minimum Construction Permit Fee- In any case no permit shall be assessed a fee of less than \$50.00.

108.2.2 Other Permit Fees

Such fees shall be assessed in addition to any other fees as prescribed by this code.

	Residential	Commercial
Application Fee	\$ 25.00	\$ 50.00
Application Fee- Post Facto	\$ 50.00	\$100.00
Demolition Permit	\$ 50.00	\$100.00
Electrical Permit	\$ 50.00	\$100.00
Mechanical Permit	\$ 50.00	\$100.00
Occupancy Permit	\$ 50.00	\$100.00
Permit Transfer Fee	\$ 25.00	\$ N/A
Plumbing Permit	\$ 50.00	\$100.00
Sign Permit	\$ 50.00	\$100.00

108.2.3 Fee Amendment

Pursuant to RSA 674:51, any fee schedule contained within this ordinance may be amended by authority of the local governing body in accordance with the procedures as set forth in RSA 41:9-a.

108.3 Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. Such valuations shall be determined in a method consistent with the *Building Valuation Data*, as published by the International Code Council (last revised 2008) et seq. Final building permit valuation shall be set by the building official. The type of construction use to determine the value of all permits shall be that of VA.

110.1 No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefor as provided herein and as provided in RSA 674:51, IV. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

110.3 Temporary Occupancy – Hereby repealed for the purposes and intents of the Chichester Building Code.

112.1 In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals in accordance with this code and as provided in RSA 673:1, V; 673:3,IV; and 673:5. Those members of the Zoning Board of Adjustment as appointed by the governing body and shall hold office at its pleasure shall fill the board of appeals. The board shall adopt rules of procedure for conducting its business.

112.3 Qualifications – Hereby repealed for the purposes and intents of the Chichester Building Code.

- 113.2 The building official or local governing body is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.
- 113.3 If the notice of violation is not complied with promptly, the building official and the local governing body is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.
- 503.1 The height for buildings of all construction types shall be governed by the intended use of the building and shall not exceed thirty-five (35) feet except as may be granted as a special exception by the board of appeals for silos and other non-residential buildings that require additional height as a part of their operations. This minimum ground floor living area for any structure intended for human occupancy shall be five hundred (500) square feet.
- 504 Height - Hereby repealed for the purposes and intents of the Chichester Building Code.
- 1301.1.1 Buildings shall be designed and constructed in accordance with the *International Energy Conservation Code* and as amended and administered in accordance with RSA 155-D. A Certification of Compliance issued by the State of New Hampshire Public Utilities Commission shall be provided to the building official prior to the issuance of any permit for the construction of any *public building* as defined in RSA 155-D.
- 2701.1 This chapter governs the electrical components, equipment and systems used in buildings and structures covered by this code. Electrical components, equipment and systems shall be designed and constructed in accordance with the provisions of the *National Electric Code*.
- 2901.1 The provisions of this chapter and the *International Plumbing Code* shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems. Plumbing systems and equipment shall be constructed, installed and maintained in accordance with the *International Plumbing Code*. Private sewage disposal systems shall conform to the State of New Hampshire Department of Environmental Sciences *Code of Administrative Rules*, Chapter Env-Wq 1000 et al.
- 3410.2 Structures existing prior to the tenth day of March, 2008, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or the provisions of Sections 3403 through 3407. The provisions in Sections 3410.2.1 through 3410.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.
- III That Ordinance of the Town of Chichester entitled *Building Regulations/Ordinances & Authorization of a Building Inspector*, first adopted March 1978 and amended 1981, 1985, 1986, 2001, and 2007, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

IV That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this ordinance.

The Planning Board hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

V That nothing in this ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section III of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

VI That the Town Clerk is hereby ordered and directed to cause this ordinance to be published.

VII That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take interim effect upon first legal notice of proposed changes on the seventeenth day of December, 2008 and shall be in full force and effect from and after the date of its final passage and adoption by the legislative body.