

AN ORDINANCE CREATING THE OFFICE OF BUILDING COMMISSIONER, REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, LOCATION, AND USE OF BUILDINGS AND STRUCTURES IN THE TOWN OF GEORGETOWN, INDIANA; PROVIDING FOR THE PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH:

BE ORDAINED by the Town Council of the Town of Georgetown, Indiana, as follows:

SECTION 1. TITLE. This Ordinance, and all ordinances supplemental or amendatory hereon shall be known as the "Building Code of the Town of Georgetown, Indiana" may be cited as such, and will be referred to as "this code."

SECTION 2. PURPOSE. The purpose of this code is to provide minimum standards for the protection of life, limb, health, environment, public safety and welfare, for the conservation of energy in the design and construction of buildings and structures.

SECTION 3. AUTHORITY. The Building commissioner is hereby authorized and directed to administer and enforce all of the provisions of this code. Whenever in the building regulations, it is provided that anything must be done to the approval of or subject to the direction of the Building Commissioner or any other officer of the Building Department, this shall be construed to give such officer only the discretion of determining whether the rules and standards established by the ordinance has been complied with; and so such provision shall not be construed as giving any officer discretionary powers as to what such regulations, codes, or standards shall be, or power to require conditions not prescribed by ordinances or to enforce ordinance provisions in any arbitrary or discriminatory manner.

SECTION 4. SCOPE. The provisions of this code apply to the construction, alterations, repair, use, occupancy, maintenance, and additions to all buildings and structure, other than fences, in the Town of Georgetown, Indiana.

SECTION 5. ADOPTION OF RULES BY REFERENCE.

a. Building rules of the Indiana Fire Prevention and Building Safety Commission as set out in the following Articles of Title 675 of the Indiana Administrative Code are hereby incorporated by reference in this code and shall include later amendments to those articles as the same are published in the Indiana Register or the Indiana Administrative Code with effective dates are fixed therein:

(1) ARTICLE 13 - BUILDING CODES

- (a) Fire and Building Code Standards
  - (b) Indiana Building Code
  - (c) Indiana Building Code Standards
  - (d) Indiana Handicapped Accessibility Code
- (2) ARTICLE 14 - ONE AND TWO FAMILY DWELLING CODE
- (a) Council of American Building Officials  
one and two Family Dwelling Code.
  - (b) CABO one and Two Family Dwelling Code:  
Amendments
  - (c) Standard for permanent installation of  
manufactured homes.
- (3) ARTICLE 16 - PLUMBING CODES
- Indiana Plumbing code
- (4) ARTICLE 17 - ELECTRICAL CODE
- (a) Indiana Electrical Code
  - (b) Safety Code for Health Care Facilities
- (5) ARTICLE 18 - MECHANICAL CODES
- Indiana Mechanical Code
- (6) ARTICLE 19 - ENERGY CONSERVATION CODES
- (a) Indiana Energy Conservation Code
  - (b) Modifications to the model Energy Code
- (7) ARTICLE 20 - SWIMMING POOL CODES.

SECTION 6. APPLICATION FOR PERMITS. No permits shall be issued for the foregoing purposes, unless the application for such permit is accompanied by a plat or sketch of the proposed location showing lot boundaries, and by plans and specifications showing the work to be done. All plans for building construction under the authority of the Fire Prevention and Building Safety Commission of the State of Indiana must also be filed with the State Building Commissioner. No local permits shall be issued hereunder until a copy of a Release for Construction from the State Building Commissioner is received by the Building Commissioner.

SECTION 7. PERMIT REQUIRED. A permit shall be obtained before beginning construction, alteration or repair of any building or structure, with the exception of agricultural buildings, the cost of which exceeds \$100.00 (one hundred) dollars or 25 square feet in size using forms provided by the Building Commissioner and all fees provided for herein shall be paid to the Georgetown Clerk-treasurer.

SECTION 8. OTHER ORDINANCES. All work done under any permit issued hereunder shall be in full compliance with all other ordinances pertaining thereto, and in addition to the fees for permits hereinafter provided for, there shall be paid the fee prescribed in such ordinances.

SECTION 9. FEES. The fee for each Improvement Location Permit hereafter issued shall be paid to and collected by the Building Commissioner and shall be as follows:

(a) ONE AND TWO FAMILY DWELLING STRUCTURES INCLUDING MODULAR HOME AND MANUFACTURED HOME.

9.1(a)	(1) Min. Fee (Dwelling)	\$30.00
9.1(a)	(2) General Rate \$.05 per sq. ft. ground floor area including attached garages.	
9.1(a)	(3) Accessory building (over 25 sq. ft. but less than 125 sq. ft.).	\$15.00
9.1(a)	(4) Accessory building over 125 sq.ft.	\$30.00
9.1(a)	(5) Room Additions	\$.05 per sq.ft.
9.1(a)	(6) Swimming Pools	\$20.00
9.1(a)	(7) Decks and unenclosed porches	\$10.00
9.1(a)	(8) Min. fee for any permit	\$10.00

(b) MULTI-FAMILY DWELLINGS

9.1(b) (1) The general rate for all multi-family dwellings (3 units or more) shall be \$.05 per sq. ft. gross floor area per floor including basements.

(c) THE FOLLOWING FEES SHALL APPLY TO ALL NEW CONSTRUCTION OTHER THAN DWELLINGS.

9.1(c) (1) COMMERCIAL PUBLIC AND INDUSTRIAL

\$1.00 to \$50,000.00	\$100.00
\$50,001 to \$100,000.00	\$2.00 per \$1,000 const. cost with a minimum fee of \$100.00 and a maximum fee of \$200.00.
\$100,001 to \$500,000	\$1.00 per \$1,000 const. cost with a min. fee of \$200.00 and a max. fee of \$500.00.
\$500,001 to \$1,000,000	\$.75 per \$1,000 const. cost with a min. fee of \$500 and a max. fee of \$750
\$1,000,001 and over	\$.50 per \$1,000 const. cost with a min. fee of \$750

and a max. fee  
of \$25,000.

(d) For any cosmetic work including siding, shingles, window and door replacement which require no structural alterations, there shall be no permit required; However, if new rafters, trusses, etc. are required the permit fee shall be \$30.00.

(e) ELECTRICAL

9.1(e) (1) Total Rewire \$25.00

9.1(e) (2) Service Change requiring inspection prior to reenergizing by the servicing utility. \$25.00

SECTION 10. REVIEW OF APPLICATION. Prior to the issuance of any building permit hereunder, the Building Commissioner shall:

(a) Review all building permit applications to determine full compliance with this ordinance.

(b) Review all building permit applications for all new construction or substantial improvements to determine whether the proposed building sites will be reasonably safe from flooding.

(c) Review building permit applications for major repairs within the flood plain area having special flood hazards to determine that the proposed repair.

(1) Uses construction materials and utility equipment that are resistant to flood damage, and

(2) Uses construction methods and practices that will minimize flood damage.

(d) Review building permit applications for new construction or substantial improvements within the flood plain area having special flood hazards to assure that the proposed construction;

(1) Is protected from flood damage.

(2) Is designed and anchored to prevent floatation, collapse or lateral movement of the structure.

(3) Has been filed with the Department of Natural Resources and meets all requirements of that agency.

SECTION 11. INSPECTIONS. After the issuance of any building permit hereunder, the Building Commissioner shall make, or cause to be made, such inspections of the work done under such permit as are necessary to insure full compliance with the provisions of this Ordinance and the terms of the permit.

(a) In order to comply with all applicable code requirements, all building permit holders SHALL contact the Building Commissioner when construction has reached the points listed below so the necessary inspections may be made by this Office.

- (1) FOUNDATION INSPECTION. Inspection must be made after poles or piers are set or trenches or basement areas are excavated and forms erected and any reinforcing steel is in place PRIOR TO THE PLACEMENT OF CONCRETE.
- (2) CONCRETE SLAB OR UNDER FLOOR INSPECTION. To be made after all in-slab or under floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place but before any concrete is placed.
- (3) FRAME INSPECTION. To be made after the roof, all framing, fire-blocking and bracing are in place and all pips, chimneys and vents are complete and the rough electrical, plumbing, heating wires, pipes and ducts are installed.
- (4) LATH AND/OR GYPSUM BOARD INSPECTION. To be made after all lathing and gypsum board, interior and exterior, is in place but before any plastering is applied or before gypsum board joints and fasteners are painted making it impossible to determine the nailing pattern or location of joints.
- (5) FINAL INSPECTION. To be made after interior finish is applied, electrical fixtures are installed just prior to occupancy of the building.

(b) ALL MANUFACTURED HOMES PLACED ON PRIVATE PROPERTY IN THE TOWN OF GEORGETOWN SHALL CONFORM TO THE FOLLOWING MINIMUM STANDARD:

- (1) FOOTINGS. The minimum footing for all interior piers shall be as follows: 2'0" x 2'0" x 2'0" (EXTENDING TO THE FROST DEPTH OF 24"). The minimum footing for perimeter foundation systems shall be 8" x 16" and extend to the frosts depth of 24". The maximum on center distance for interior piers shall be 10'0".
- (2) PIERS. Piers shall be designed and constructed to distribute loads evenly. Concrete blocks, if used, shall be a nominal 8" x 16" stacked true and plumbed with a maximum horizontal block offset of  $\frac{1}{2}$  from the top of the pier to the bottom.

- (3) ANCHORING. Steel strapping, cable, chain or other approved material shall be used for ties. All ties shall be fastened to ground anchors and drawn tight with turnbuckles or other adjustable tensioning device or devices supplied with the ground anchor. All manufactured homes shall be anchored as follows: two (2) verticle ties and four (4) diagonal ties or as per manufacturers recommendations.
- (4) SKIRTING. All manufactured homes shall be skirted with material suitable for exterior use of a permanent perimeter enclosure. A perimeter enclosure, if used, shall conform to the One and Two Family Dwelling Code foundation requirements.

(c) ALL ELECTRICAL AND PLUMBING CONNECTIONS SHALL MEET THE REQUIREMENTS OF THE INDIANA ELECTRIC CODE AND THE INDIANA PLUMBING CODE RESPECTIVELY.

The following penalties shall be imposed for failure to comply with Section 11 of this code to-wit:

- (1) Removal of any or all items placed prior to inspection; or
- (2) Fine not to exceed those penalties imposed under Section 20 of this code; or
- (3) Both one and two.

SECTION 12. PENALTY FOR STARTING WORK BEFORE OBTAINING PERMIT.

Where work, for which a permit is require, has been started or proceeded with prior to issuance of a permit for such work, the fee provided for a permit shall be doubled. Payment of such fee shall not relieve any person from fully complying with the requirements of the adopted code, in the execution of the work, nor from any other penalties prescribed.

SECTION 13. ENTRY. Upon presentation of proper credentials, the Building Commissioner or his duly authorized representative may enter, at reasonable times any building, structure or premises in the Town of Georgetown to perform any duty imposed upon him by this code.

SECTION 14. STOP ORDER. Whenever work is being done contrary to the provisions of this code, the Building Commissioner may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Commissioner to proceed with the work.

SECTION 15. CERTIFICATE OF OCCUPANCY. No certificate of Occupancy for any building or structure erected, altered or

repaired after adoption of this ordinance shall be issued unless such building or structure was erected, altered, or repaired in compliance with the provisions of this ordinance.

SECTION 16. STANDARDS. All work on the construction, alteration and repair of buildings and other structures shall be performed in a good and workmanlike manner according to accepted standards and practices in the trade.

SECTION 17. VIOLATIONS. It shall be unlawful for any person, firm, or corporation, whether as owner, lessee, sub-lessee, or occupant, to erect, construct, enlarge, alter, repair, improve, remove, convert, demolish, equip, use, occupy, or maintain any building or structure, other than fences, in the Town of Georgetown or cause or permit the same to be done, contrary to or in violation of the provisions of this Ordinance.

SECTION 18. RIGHT OF APPEAL. All persons shall have the right to appeal the Building Commissioner's decision first through the Town Board of Georgetown, and then to the Board of Zoning Appeals and then to the Fire Prevention and Building Safety Commission of Indiana in accordance with the provisions of IC 22-11-1-6 or IC 22-11-1-21.5 as applicable.

SECTION 19. REMEDIES. The Building Commissioner shall in the name of the Town of Georgetown bring actions in the Circuit, Superior or County Courts of Floyd County, Indiana, for any mandatory and injunctive relief in the enforcement of and to insure compliance with any order or orders, made by the Building Commissioner, and any such action for mandatory or injunctive relief may be joined with any action to recover the penalties as provided for in this ordinance.

SECTION 20. PENALTIES. If any person, firm or corporation shall violate any of the provisions of this ordinance, or shall do any act prohibited herein, or shall fail to perform any duty lawfully enjoined, within the time prescribed by the Building Commissioner, or shall fail, neglect or refuse to obey any lawful order given by the Building Commissioner in connection with the provisions of this ordinance, for each such violation, failure or refusal, such person, firm or corporation shall be fined in any sum not less than \$10.00 dollars (ten dollars) nor more than \$300.00 (three hundred dollars). Each day of such unlawful activity as is prohibited by the first sentence of this section shall constitute a separate offense.

SECTION 21. COMPENSATION. The compensation of the Building Commissioner shall be calculated as fifty five (55%) percent of all fees and/or penalties paid to, or collected by, the Clerk-Treasurer of the Town of Georgetown, Indiana.

SECTION 22. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its adoption, approval of the Fire Prevention and Building Safety Commission of Indiana, and

publication as required by law.

SECTION 23. SEVERABILITY. If any part of this Ordinance shall be held invalid, such part shall be deemed severable and invalidity thereof shall not affect the remaining parts of this Ordinance.

SECTION 24. REPEAL OF CONFLICTION ORDINANCE. All Ordinances of the Town of Georgetown, Indiana that are in conflict with the Ordinance are hereby repealed to the extent of such conflict.

The foregoing ordinance is adopted this \_\_\_\_ day of \_\_\_\_\_, 1992.

Shawn J. Worden  
Shawn Worden, President

Kenneth Fredericks  
Kenneth Fredericks

Janet Timberlake  
Janet Timberlake

Gary L. Smith  
Gary Smith

Jerold Miller  
Jerold Miller

ATTEST:

Linda K. Sanders  
Clerk-Treasurer