

Ordinance No. G-98-14

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 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. PURPOSES. 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 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 may apply to the construction, alterations, repair, use, occupancy, maintenance, and additions to all buildings and structure, in the Town of Georgetown, Indiana.

SECTION 5. DEFINITION. The Building Commissioner shall be defined as the Clerk Treasurer or, in the absence of a Clerk-Treasurer, the Deputy Clerk-Treasurer or any person acting in the capacity of the Deputy Clerk Treasurer.

SECTION 6. 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 Official 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 7. APPLICATION FOR PERMITS. No permits shall be issued for the foregoing purposes, unless the application for such permit is first submitted to the Building commissioner. Each application must be accompanied by a plot plan and full set of building plans which includes boundaries, plans for each floor including basements, views of the front, side and rear of the structure, footers or foundations, trusses or rafters, elevation, and septic or sewer tap-on approval. It is the responsibility of all applicants to determine whether 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 for the Town of Georgetown.

SECTION 8. PERMIT REQUIRED. A permit must be obtained before beginning construction, alteration or repair of any permanent building or structure. A building or structure may be considered permanent without regard to whether or not a foundation is poured. All fees provided for herein shall be paid to the office of the Georgetown Clerk-Treasurer.

- (a) Temporary structures include seasonal or mobile buildings, which DO NOT REMAIN ON THE PREMISES FOR MORE THAN ONE YEAR. All temporary structures require building permits, which shall be issued at a cost reflected by the length of time the structure remains on the premises.
 - (i) For structures which stand for a period of time not exceeding six months, a fee of \$50.00 will be charged.
 - (ii) For structures which stand for six months to a year, a fee of \$100.00 will be charged.

Structures which remain on the premises for a period of time exceeding one year are deemed permanent and require compliance with the provisions of this code which apply to permanent structures.

SECTION 9. 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 10. 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.

10.1(a)	(1) Min. Fee (Dwelling)	\$30.00
10.1(a)	(2) Min. Fee for other permits	\$10.00
	(3) General rate of \$.05 per sq ft. of all floor area including attached garages and basements.	
10.1(a)	(4) Accessory building (over 25 sq.ft. but less than 125 sq. ft.).	\$15.00
10.1(a)	(5) Accessory building over 125 sq.ft.,	\$50.00

	(3 inspections)	
10.1(a)	(6) Room Additions	\$.05 per sq.ft.
10.1(a)	(7) Above-ground swimming pools	\$30.00
10.1(a)	(8) In-ground swimming pools	\$50.00
	(3 inspections)	
10.1(a)	(9) Decks and unenclosed porches	\$25.00
10.1(a)	(10) Fences	\$15.00
10.1(a)	(11) Driveways	\$30.00

(b) MULTI-FAMILY DWELLINGS

10.1(b) (1) The general rate for all multi-family dwellings (3 units or more) shall be \$.15 per sq. ft. gross floor area per floor including basements.

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

10.1(c) Commercial, Public and Industrial buildings \$.15 per sq. ft.

(d) For any cosmetic work such as window and door replacement, new trusses or rafters, and siding and shingles, including finishing any unfinished portions of the siding or shingles, there shall be a permit required at a fee of \$30.00.

(e) ELECTRICAL

10.1(e) (1) Total Rewire \$75.00

10.1(e) (2) Service Change requiring inspection prior to re-energizing by the servicing utility. \$25.00

SECTION 11. 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

plan 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 12. INSPECTIONS. After the issuance of any building permit hereunder, the Building Commissioner shall make, or cause to be made, such inspections of the work performed 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 Commissioners when construction has reached the points listed below so the necessary inspections may be made by this Office. All permit holders are required to give this Office twenty-four (24) hours advance notice in which to arrange an inspection.

- (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 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 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 ½ from the top of the pier to the bottom.
- (3) ANCHORING. Steel strapping, cable, chain or other approved material shall be used for tiers. All tiers 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) vertical tiers and four (4) diagonal tiers 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.

SECTION 13. STARTING WORK BEFORE OBTAINING A PERMIT. Where work, for which a permit is required, has been started or proceeded with prior to issuance of a permit for such work, a fee will be assessed at the rate provided in Section 14. 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 14. PENALTIES. The following penalties shall be imposed for failure to comply with Sections 12 and 13 of this code to-wit:

- (1) Removal of any or all items placed prior to inspection, or
- (2) Fine of \$100.00 for starting work before obtaining a permit, plus an additional \$100.00 for each offense under Section 12, or
- (3) Any penalties applicable under Section 22 of this Code; or
- (4) All of the above.

SECTION 15. ENTRY. Upon presentation of proper credentials, the Building Commission 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 16. 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 or by posting a "Stop Work" sticker on the property in question. Any and such persons shall forthwith stop such work until authorized by the Building Commissioner to proceed with the work.

SECTION 17. POSTING OF PERMIT NUMBERS. Where a permit has been issued by the Building Commissioner, the number of such permit must be conspicuously posted at the premises where work is being performed. Failure to comply with this section will result in a fine of \$25.00 for each day the permit is not posted.

SECTION 17. 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 18. 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 19. 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 20. RIGHT OF APPEAL. All persons shall have the right to appeal the Building Commissioner's decision first through the Town Board of Georgetown, 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 21. 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 22. GENERAL 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, with 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 a sum of \$100.00 per offense, unless the penalties for such offense are provided in another section of this ordinance. Each day of such unlawful activity as is prohibited by the first sentence of this section shall constitute a separate offense.

SECTION 23. COMPENSATION. The compensation of the Building Inspectors 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 24. 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 25. 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 26. REPEAL OF CONFLICTING 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 16 day of June, 1998.

Jimi Deddo
Jimi Deddo, President

Ed Bailey
Ed Bailey, Vice-President

Frank Loop
Frank Loop, Member

Mary Elizabeth Miller
Mary Elizabeth Miller, Member

Mike Mills
Mike Mills, Member

ATTEST:

Barbara Zee
Clerk-Treasurer