

CHAPTER 151: BUILDING CODE

Section

- 151.01 Building code adopted
- 151.02 Office of Building Inspector established
- 151.03 Permits
- 151.04 Permit fees

- 151.99 Penalty

Cross-reference:

Enforcement of Building standards see Ch. 155

§ 151.01 BUILDING CODE ADOPTED.

(A) The building, heating, ventilating, air conditioning, electrical, plumbing, and sanitation standards as now or hereafter approved by the Fire Prevention and Building Safety Commission of Indiana, as set out in the following articles of Title 675 of the Indiana Administrative Code and as the same are now or hereafter applicable to dwellings, buildings, or structures in the city, and all amendments thereto, shall hereafter be the building, heating, ventilating, air conditioning, electrical, plumbing, and sanitation codes and standards in and for the city.

(1) Article 13 - Building Codes

- (a) Fire and Building Safety Standards (675 IAC 13-1)
- (b) Indiana Building Code (675 IAC 13-2)
- (c) Indiana Building Code Standards (675 IAC 13-3)
- (d) Indiana Handicapped Accessibility Code (675 IAC 13-4)

(2) Article 14 - One and Two Family Dwelling Codes

- (a) Council of American Building Officials One and Two Family Dwelling Code (65 IAC 14-1)
- (b) CABO One and Two Family Dwelling Code; Amendments (675 IAC 14-2.1)
- (c) Standards for Permanent Installation of Manufactured Homes (675 IAC 14-3)

(3) Article 15 - Plumbing Codes

(a) Indiana Plumbing Code (675 IAC 16-1)

(4) Article 17 - Electrical Codes

(a) Indiana Electrical Code (675 17-1.1)

(b) Safety Code for Health Care Facilities (675 IAC 17-2)

(5) Article 18 - Mechanical Codes

(a) Indiana Mechanical Code (675 IAC 18-1)

(6) Article 19 - Energy Conservation Codes

(a) Indiana Energy Conservation Code (675 IAC 19-1)

(b) Modifications to the Model Energy Code (675 IAC 19-2)

(7) Article 20 - Swimming Pool Codes

(a) Indiana Swimming Pool Code (675 IAC 20-1)

(B) Two copies of the foregoing rules and regulations are on file for reference in the office of the Building Inspector of the city in the city hall. (Am. Ord. 1980-1, passed 1-15-80; Am. Ord. 1988-5, passed 3-15-88) Penalty, see §151.99

(C) All new construction including residential, business and industrial shall be required to meet the following minimum building standards:

(1) The ground floor level of new construction shall be built on a grade level not less than fifteen (15) inches above the crown of the street on which the new construction is located.

(2) The sanitary sewer outlet from new construction shall not be located more than four (4) feet below the ground floor grade level. The only exception to this requirement is if the new construction contains a walk-out basement and then the depth of the sanitary sewer outlet if greater than four (4) feet must be approved by the building inspector. (Ord. 1993-7, passed 11-02-93)

(D) Manufactured housing located on any city lot or within any subdivision within the city shall meet the following requirements:

(1) Each manufactured home shall have a minimum width of twenty-three (23) feet.

(2) The front entrance to and the longest portion of a manufactured home shall face the street upon which it is located.

- (E) All new construction including residential, business and industrial, shall include sidewalks as a part of the development plan. (Ord. 2001-2, passed 3-20-2001)

§ 151.02 OFFICE OF BUILDING INSPECTOR ESTABLISHED.

- (A) There is established the office of Building Inspector.
- (B) The Building Inspector shall possess the following qualifications: a minimum of a high school education or equivalent, plus five (5) years work experience in the building trades with a working knowledge of state and local building codes; certification by the Council of American Building Officials or possess an equivalent certification from another recognized builder council.
- (C) The Building Inspector shall be appointed by the Mayor, subject to approval of the Common Council; the Inspector's appointment shall continue during good behavior and service, and shall not be terminated from office except for cause after full opportunity for a hearing.
- (D) The Building Inspector is authorized and directed to enforce all the provisions of the building codes as adopted herein. (Ord. 1999-11, passed 1/18/2000)

§ 151.03 PERMITS.

(A) No person shall erect, construct, enlarge, alter, repair, move, remove, improve, convert, or demolish any building or structure in the city, or cause the same to be done, until first having obtained a separate building permit for each such building or structure from the Building Inspector, who may require plans thereof together with a statement of materials to be used.

(B) No building permit shall be issued until an improvement location permit shall have been obtained pursuant to Chapter 153.

(C) To obtain a permit, the applicant must first file an application therefor in writing on a form to be furnished by the Building Inspector, and every applicant shall complete all information requested on the form.

(D) Each application for a permit shall be accompanied by two sets of plans and specifications.

(E) The applications, plans, and specifications filed by an applicant for a permit shall be checked by the Building Inspector. If the Building Inspector is satisfied that the work described in an application for a permit and the plans filed therewith conform to the requirements of the code and other pertinent laws and ordinances, he shall issue a permit therefor to the applicant. When the Building Inspector issues the permit, he shall endorse in writing and stamp on plans

and specifications the word “Approved.” Such approved plans and specifications shall not be changed, modified, or altered without authorization from the Building Inspector. In identified Floodway or Floodway Fringe Districts, the building inspector shall review all permit applications to insure that all buildings are designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure and to minimize potential flood damages. ('67 Code, §71.03) (Ord. 1981-5, passed 6-16-81) Penalty, see §151.99

§ 151.99 PENALTY.

Any person who shall violate any provision of this chapter or building code or fail to comply therewith on any of the requirements thereof, or who shall erect, construct, enlarge, alter, repair, move, remove, demolish, convert, occupy, or use a building or structure in violation of any of the provisions of this chapter or building code shall be punishable by fine of not less than \$10 and not more than \$100. ('67 Code, §71.99; Am. Ord. 1988-5, passed 3-15-88)

CHAPTER 152: HOUSE NUMBERING

Section

- 152.01 House numbering required
- 152.02 System of numbering
- 152.03 Duties of city engineer
- 152.04 Duty of home owner
- 152.05 Size of numbers

§ 152.01 HOUSE NUMBERING REQUIRED.

The owner of every building erected on any street, avenue, or alley in the city shall be and is hereby required to number the building by placing the number thereof in a conspicuous place on the front of such building. ('67 Code, §72.01)

§ 152.02 SYSTEM OF NUMBERING.

The owner of any building on any street, avenue, or alley in the city shall be furnished the information relative to the number of such building by the city engineer. One whole number shall be allowed on every 22 feet of ground wherever practicable, whether improved or vacant; provided that any house or tenement with less frontage than 22 feet shall receive a whole number, and business rooms shall receive an extra number if the second floor is occupied by tenants; and all streets, avenues, or alleys running north and south shall be numbered north from Madison Street with even numbers on the east side and the odd numbers on the west side of the streets, avenues, or alleys; and all streets, avenues, and alleys running north and south shall be numbered south from Madison Street with even numbers on the west side of the streets, avenues, or alleys and odd numbers on the east side of the streets, avenues, or alleys; and all streets, avenues, or alleys running east and west shall be numbered east from First and High Streets with even numbers on the south side of the streets, avenues, or alleys and odd numbers on the north side of the streets, avenues, or alleys; and all streets, avenues, or alleys running east and west shall be numbered west from First and High streets with the even numbers on the north side of the streets, avenues, or alleys and odd numbers on the south side of the streets, avenues, or alleys. In numbering streets, avenues, or alleys, 100 numbers shall be allowed to each block of usual length so that the number of each consecutive block will commence with 101. ('67 Code, §72.02)

§ 152.03 DUTIES OF CITY ENGINEER.

(A) The city civil engineer, in making out the proper numbers of the houses, shall be governed by the initial or starting point which shall be Madison Street and First and High Streets, respectively, allowing 100 numbers for each square, with an even number at the commencement of each square as aforesaid, and in all respects adhering to the decimal system of enumeration. Also, in all streets running in opposite direction, but which do not extend to the initial points, the same order of enumeration shall be observed as though such streets did actually extend to such

points. In such parts of the city as may be impracticable to actually follow this system, the city civil engineer shall arrange the numbering as nearly in accordance therewith as possible.

(B) The city civil engineer is required to have the different lots and blocks herein required to be numbered in the proper spaces and to fix to each of the spaces the proper number and to enter into a suitable book to be prepared by him and kept in his office, a distinct memorandum of such spaces of the corresponding numbers. At all reasonable hours when requested to do so, the engineer shall permit such book to be inspected and copies to be taken therefrom and he shall furnish information as to the proper number to represent any building or piece of ground, whether or not required to be numbered by council. ('67 Code, §72.03)

§ 152.04 DUTY OF HOME OWNER.

The numbers shall be placed in position on the buildings as above provided within 60 days from the date of the passage of this chapter without further notice and upon their failure to be so placed by the property owners, the city shall, at the expense of the property owners, proceed to place the numbers. The costs and expenses of placing the numbers by the city shall be due and payable to the clerk-treasurer within 10 days after being so placed. Upon failure of the property owners to pay the same, the costs and charges shall be declared a lien on the property and be certified by the Clerk-Treasurer to the county auditor who shall place the same on the tax duplicate and collect as other delinquent taxes are collected. ('67 Code, §72.04)

§ 152.05 SIZE OF NUMBERS.

The numbers shall be 3-inch block figures, white in color on a steel blue enameled plate with flat surface, the plate to be held in position by brass head screws, 3/4 - inch No. 8, with a leather washer between the head of the screw and plate. ('67 Code, §72.05)

CHAPTER 153: IMPROVEMENT LOCATION PERMITS

Section

- 153.01 Improvement location permit required
- 153.02 Building inspector to issue permits
- 153.03 Site plan; permit fee
- 153.04 Appeals
- 153.05 Injunctive proceedings
- 153.06 Amendments

153.99 Penalty

§ 153.01 IMPROVEMENT LOCATION PERMIT REQUIRED.

Within the territorial jurisdiction of the city plan commission, no structure, improvement, or use of land, may be altered, changed, placed, erected, or located on platted or unplatted lands, unless the structure, improvement, or use, and its location conform with the master plan and ordinance of the city and an improvement location permit for such structure, improvement, or use has been issued. ('67 Code, §73.01) Penalty, see §151.99

§ 153.02 BUILDING INSPECTOR TO ISSUE PERMITS.

The building inspector shall issue an improvement location permit, upon written application, when the proposed structure, improvement, or use and its location conform in all respects to the master plan for the city. ('67 Code, §73.02)

§ 153.03 SITE PLAN; PERMIT FEE.

Every application for an improvement location permit shall be accompanied by a site plan, drawn to scale, showing the location of the structure, improvement, or use to be altered, changed, placed, erected, or located, the dimensions of the lot to be improved, the size of yards and open spaces, existing and proposed streets and alleys adjoining or within the lot, and the manner in which the location is to be improved. Application for an improvement location permit shall be accompanied by a fee of \$5. ('67 Code, §73.03) Penalty, see §153.99

§ 153.04 APPEALS.

(A) Any decision of the building inspector concerning the issuance of an improvement location permit may be appealed to the board of zoning appeals when the decision in question involves a requirement of the zoning ordinance, or to the city plan commission when the decision in question involves the requirements of other parts of the master plan, by any person claiming to be adversely affected by such decision.

(B) A decision of the city plan commission may be reviewed by certiorari procedures as provided for the appeal of zoning cases from the board of zoning appeals. ('67 Code, §73.04)

§ 153.05 INJUNCTIVE PROCEEDINGS.

(A) The commission, the building inspector, or any designated enforcement official or any person or persons, firm or corporation, jointly or severally aggrieved, may institute a suit for injunction in the Circuit Court of Adams County to restrain an individual or a governmental unit from violating the provisions of Title XV: Land Usage.

(B) The commission or the board may also institute a suit for mandatory injunction directing any individual, corporation, or governmental unit to remove a structure erected in violation of the provisions of Title XV: Land Usage.

(C) Any building erected, raised, or converted, or land or premises used in violation of any provisions of this chapter or the requirement thereof, is declared to be a common nuisance and as such may be abated in such manner as nuisances are now or may hereafter be abated under existing law. (Ord. 1993-7, passed 11-2-1993)

§ 153.06 AMENDMENTS.

All amendments to this chapter shall be in conformance with sections 64 and 37 through 42, of Chapter 174 of the Acts of the Indiana General Assembly of 1947, and all Acts amendatory thereto. ('67 Code, §73.06)

§ 153.99 PENALTY.

Any person or corporation, whether as principal, agent, employee or otherwise, who violates any of the provisions of this chapter upon conviction shall be fined not less than \$10 and not more than \$300 for each offense. ('67 Code, §73.99)