

OF TIPPECANOE COUNTY, INDIANA

AN ORDINANCE regulating the construction, alteration, repair, location and use of buildings and structures in Tippecanoe County, Indiana; providing for the issuance of permits therefor providing penalties for the violation thereof; and repealing all ordinances and parts of ordinances in conflict therewith, including but not limited to 76-8, 76-13, 76-17, 10-85 CM, TCC 4-61-8 and TCC 4-61-7.

BE IT ORDAINED by the Board of Commissioners of Tippecanoe County, Indiana as follows:

SECTION 1. TITLE. This ordinance, and all ordinances supplemental or amendatory hereto, shall be known as the "Building Code of Tippecanoe County, Indiana", may be cited as such, and will be referred to herein 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, and for the conservation of energy in the design and construction of buildings and structures.

SECTION 3. (A) 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 Board of Commissioners, this shall be construed to give such officer only the discretion of determining whether the rules and standards established by ordinance has been complied with; and so such provision shall be construed as giving any officer discretionary powers as to what such regulation, codes, or standards shall be, or power to require conditions not prescribed by ordinances or to enforce ordinance provisions in an arbitrary or discriminatory manner.

SECTION 3. (B). The Building Commissioner, after having been designated as the officer of a single agency to administer and enforce building regulation, shall be authorized to issue building permits, collect permit fees, perform inspections, order correction of violations of building regulations, and authorize occupancy of buildings and structures situated within the unincorporated areas limits of Tippecanoe County.

SECTION 4. SCOPE. The provisions of this code apply to the construction, alterations, repair, use, occupancy, maintenance and additions to all buildings and structures other than fences, mobile structures and/or industrialized buildings in Tippecanoe County.

SECTION 5. ADOPTION OF REGULATIONS 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 ordinance 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 as fixed therein:

(1) Articles 13-Building Codes

- (a) Fire and Building Safety Standards
- (b) Indiana Building Code
- (c) Indiana Building Code Standards
- (d) Indiana Handicapped Accessibility Code

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- (2) Article 14-One and Two Family Dwelling Codes
 - (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
 - (a) Indiana Plumbing Code
 - (4) Article 17-Electrical Code
 - (a) Indiana Electrical Code
 - (b) Safety Code for Health Care Facilities
 - (5) Article 18-Mechanical Codes
 - (a) Indiana Mechanical Code
 - (6) Article 19-Energy Conservation Codes
 - (a) Indiana Energy Conversation
 - (b) Modifications to the Model Energy Code
 - (7) Article 20-Swimming Pool Code
 - (a) Indiana Swimming Pool Code
- b. Copies of adopted building rules, codes and standards are on file in the office of Building Commissioner.

SECTION 6. APPLICATION FOR PERMITS. No permits shall be issued for the foregoing purposes, unless the application for such permit is accompanied 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 if State permit is required. No local permits shall be issued hereunder until a copy of a Design Release from the State Building Commissioner is received by the County Building Commissioner if such Design Release is required.

SECTION 7. PERMIT REQUIRED. A permit shall be obtained before beginning construction, alteration or repair of any building or structure, using forms furnished by the Building Commissioner. All permits shall be issued by the Building Commissioner, and all fees provided for herein shall be paid to Tippecanoe County, Indiana.

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 fees prescribed in such ordinances.

SECTION 9. (A) FEES - OTHER THAN ELECTRICAL (PERMITS).

\$0 - \$1,000 - Improvement.....	\$25.00 fee
\$1,000.01 - \$1,000,000.....	\$2.00 per \$1,000 fee
\$1,000,000.01 - And Above.....	\$0.10 per \$1,000 fee

SECTION 9. (B) FEES - ELECTRICAL (PERMITS).

- 1) Up to 200 Amps, single-phase.....\$25.00 fee
- 2) Any other electrical service.....\$50.00 fee

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 provisions of this ordinance.

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

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

SECTION 12. ENTRY. Upon presentation of proper credentials, the Building Commissioner or his duly authorized representatives may enter at reasonable times any building, structure or premises in Tippecanoe County to perform any duty imposed upon him by this Code.

SECTION 13. STOP ORDER. Whenever any 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 oar 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 14. CERTIFICATE OF OCCUPANCY No final approval of construction for any building or structure erected, altered or repaired after the 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 15. 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 16. 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 Tippecanoe County or cause or permit the same to be done, contrary to or in violation of the provisions of this code.

SECTION 17. RIGHT OF APPEAL. All persons shall have the right to appeal the Building Commissioner's decision first through the Commissioners of Tippecanoe County and then to the Fire Prevention and Building Safety Commission of Indiana in accordance with the provisions of IC 22-13-2-7 or IC 4-21.5-3-7, as applicable.

SECTION 18. REMEDIES. The Building Commissioner shall in the name of the commissioners of Tippecanoe County bring actions in the Tippecanoe Circuit Court, for mandatory and injunctive relief in the enforcement of and to secure compliance with any order or orders, made by the Building Commissioner, and any such action for mandatory or injunctive relief may be joined with an action to recover the penalties provided for in this ordinance.

SECTION 19 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 violation, failure or refusal, such person, firm or corporation shall be fined in the sum of \$50.00 (Dollars). Each day of such unlawful activity as is prohibited by the first sentence of this section shall constitute a separate offense.

SECTION 20. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its adoption, approval by the Fire Prevention and Building Safety Commission of Indiana, and publication as required by law.

PASSED this _____ day of March, 1988.

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TIPPECANOE COUNTY COMMISSIONERS

Sue W. Scholer
Sue W. Scholer, President

Bruce V. Osborn
Bruce V. Osborn, Vice-Pres.

Eugene R. Moore
Eugene R. Moore, Member

ATTEST: Sarah S. Brown
Sarah S. Brown, Auditor

ENDORSEMENT:

Approved this _____ day of March, 1988, by the Fire Prevention and Building Safety Commission of the State of Indiana.

Chairman

Secretary