

ORDINANCE ADOPTING INDIANA CODES

00144

ORDINANCE NO. §7-7-CM

AN ORDINANCE regulating the construction, alteration, repair, location and use of buildings and structures in the County of Tippecanoe, Indiana; providing for the issuance of permits therefore providing penalties for the violation thereof; and repealing all ordinances and parts of ordinances in conflict therewith.

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

SECTION 1. TITLE. This ordinance, and all ordinances supplemental or amendatory hereto, shall be known as the "Building code of the County of Tippecanoe, 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. 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 County, this shall be construed to give such officer only the discretion of determining whether the rules 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 regulations, 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 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, in the County of Tippecanoe.

SECTION 5. ADOPTION OF REGULATIONS BY REFERENCE. (See Attachment).

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.

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SECTION 7. PERMIT REQUIRED. A permit shall be obtained before beginning construction, alteration or repair of any building or structure, the cost of which exceeds, 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 the County.

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. FEES. See Specific ordinance.

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 the 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.

(c) Review building permit applications for major repairs within the flood plain area having special flood hazards to assure that the proposed construction (including prefabricated and mobile homes) (1) is protected against flood damage, (2) is designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure, flood damage, and (4) uses construction methods and practices that will minimize flood damage.

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. Reinspections of work found to be incomplete or not ready for inspection are subject to assessment of reinspection fees as prescribed in this Code.

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 the County of Tippecanoe 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 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 14. CERTIFICATE OF OCCUPANCY. No certificate of occupancy 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 County of Tippecanoe 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 Board of County Commissioners of Tippecanoe and then to the Fire Prevention and Building Safety Commission of Indiana in accordance with the provisions of IC 22-11-1-16 or IC 22-11-1-21.5 as applicable.

SECTION 18. REMEDIES. The Building Commissioner shall in the name of the County of Tippecanoe bring actions in Courts of Tippecanoe County, Indiana, 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. 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.

(Authentication of enactment
according to local style)

THE BOARD OF COMMISSIONERS
OF THE COUNTY OF TIPPECANOE

Eugene R. Moore
Eugene R. Moore

Dated this 18th day
of March, 1987.

Absent
Bruce V. Osborn

Sue W. Scholer
Sue W. Scholer

ATTEST:

Sarah S. Brown
Sarah S. Brown, Auditor

1. Indiana Building Code
w/ Indiana amendments 3-1-86
2. General Administrative Rules 5-11-86
3. Indiana Building Code Standards 3-1-86
4. Indiana Handicapped Accessibility
Code w/ Indiana amendments
Along with this is American National
Standards A 117.1-1980 4-15-86
5. National Electrical Code
w/ Indiana amendments 1986 Addition 3-1-86
6. Indiana Mechanical Code
w/ Indiana amendments 1985 Addition 5-1-86
7. Indiana Plumbing Code
w/ Indiana amendments 1985 Addition 5-1-86
8. Indiana Energy Code
w/ Indiana amendments 1984 Addition 10-1-84
9. Indiana One & Two Family Dwelling Code
w/ Indiana amendments 1985 Revision 11-1-85

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