

ORDINANCE NO. 76-8

ORDINANCE ESTABLISHING A DEPARTMENT OF BUILDING AND OFFICE OF BUILDING COMMISSIONER AND REGULATING THE FABRICATION, ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, LOCATION, EXTENSION, AND USE OF DETACHED ONE AND TWO FAMILY DWELLINGS AND APPURTENANCES AND ACCESSORY STRUCTURES IN TIPPECANOE COUNTY; AND PROVIDING FOR THE ISSUANCE OF PERMITS THEREFORE; AND PROVIDING FOR THE BONDING OF ALL CONTRACTORS IN TIPPECANOE COUNTY; PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH,

Be it ordained by the Board of Commissioners of the County of Tippecanoe, State of Indiana.

Section 1.

Under the provisions of Section 1, Chapter 348 of the Acts of the General Assembly of the State of Indiana for 1965 as amended by Section 1 by Public Law 236 of the Acts of the General Assembly of the State of Indiana for 1971, (I.C. 17-2-72-1) there is hereby established a Department of Buildings and the Office of Building Commissioner which shall be composed of the Building Commissioner, inspectors and such other personnel as the Board of Commissioners shall determine.

Section 2.

The purpose of this Ordinance is to provide for the safety, health and public welfare through structural strength and stability, means of egress, adequate sanitation, plumbing, lighting and ventilation, and protection of life and property from fire and hazards incident to the design and construction of multi-family and single family buildings in Tippecanoe County, Indiana.

Section 3.

Construction and remodeling of multi-family, single family and accessory buildings or structures for the same, shall conform with the ordinance and such ordinances as may be hereafter adopted for such purposes by the Board of Commissioners of Tippecanoe County,

#### Section 4.

The following rules, regulations, and codes, are hereby adopted by reference as the rules and regulations governing the construction of buildings and structures in Tippecanoe County:

1. The Uniform Building Code, 1973 Edition, published by the International Conference of Building Officials, adopted by the Administrative Building Council of Indiana, as such is now established and as the same may be established thereafter.
2. The One and Two Family Dwelling Code, 1971 Edition, published by Basic Building Code by Building Officials and Code Administrators International, Inc.; National Building Code by American Insurance Association; Southern Standard Building Code by Southern Building Code Congress; and Uniform Building Code by International Conference of Building Officials and adopted by the Administrative Building Council of Indiana, as now established and as the same may be established hereafter.
3. The Uniform Plumbing Code, 1973 Edition, published by International Association of Plumbing Mechanical Officials, adopted by the Administrative Building Council of Indiana, as such is now established and as the same may be established hereafter.
4. The Uniform Mechanical Code, 1973 Edition, published by International Conference of Building Officials, adopted by the Administration Building Council of Indiana, as such is now established and as the same may be established hereafter.
5. The National Electrical Code, 1975 Edition, adopted and published by the National Fire Protection Association, as such is now established, and as the same may be established hereafter.
6. Two copies of the foregoing rules and regulations are on file for reference in the office of the Building Commission of Tippecanoe County, Indiana in the Tippecanoe County Court House.

#### SECTION 5.

The Building Commissioner shall have the power to administer and enforce any and all ordinances or codes adopted now or hereafter by the Board of Commissioners of the County of Tippecanoe, Indiana that regulate construction, repair, alteration or extension of building, heating, ventilation, air conditioning, electrical and plumbing construction.

#### SECTION 6.

For the purpose of carrying out the provisions of this Ordinance the Board of Commissioners of the County of Tippecanoe, Indiana may employ such additional personnel in the Department as may be necessary.

Section 7.

In the administration of the ordinance, and any other ordinances, incident thereto, the Department shall coordinate its activities with the County Area Plan Commission at all times in order to prevent unnecessary overlapping, duplication and waste in the administrative process.

Section 8.

No multi-family or single family building or any part thereof, no extension, repair or alteration of any existing building, no plumbing, no electrical work, no heating work, no ventilation work nor airconditioning work having a contract price of more than Five Hundred Dollars (\$500.00), shall be started until a statement in writing of the work proposed to be done shall first be submitted to and approved by the Building Commissioner and a permit issued by him for the proposed construction, alteration, repair or extension work. Prior to the construction, extension or alteration of any multi-family or single family building, the estimated cost of which is more than one thousand dollars, and prior to beginning plumbing, electrical, ventilation and air conditioning work the estimated cost of which is more than Five hundred (\$500.00) Dollars, the contractor or individual in charge of the work shall obtain a permit from the Building Commissioner. The Building Commissioner, before issuing a permit therefore, may require the applicant to submit and file a set of detailed plans and specifications subject to the approval of the Building Commissioner, a copy of which may be retained in his office. No changes from such approved plans or specifications shall be made until a revised copy thereof has been submitted to and approved by the Building Commissioner. The Building Commissioner shall refuse to issue a permit in any case where the construction or work proposed is in violation of any statute of

the State or any provisions of any ordinances of Tippecanoe County. No permit shall be required for any outside or inside painting where the building is not altered or extended.

Section 9.

The fee for all permits shall be as follows:

\$10.00 for work costing more than \$100.00 and  
\$500.00 or less

\$12.00 for work costing more than \$500.00 and  
\$1,000.00 or less

For each additional \$1,000.00, up to \$1,000,000.00, there shall be an additional fee of \$2.00. For each additional \$1,000.00 in excess of \$1,000,000.00, the fee shall be 10 cents.

Section 10.

All persons shall have the right to appeal the Building Code Inspector's decision first through a body appointed by the appropriate authority which is the Tippecanoe County Commissioners, and then through the executive committee of the Administrative Building Council of Indiana, in accordance with the provisions of I.C. 1971, 22-11-1-21.5.

Section 11.

It shall be unlawful for any person, firm or corporation, whether as owner, lessee, sublessee, 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 Tippecanoe County, or cause or permit the same to be done, contrary to or in violation of the provisions of this Code.

Section 12.

Whenever any work is being done in violation of the provisions of this ordinance, or in variance with the terms of any permit issued for such work, the Building Code Inspector may order all work on the job stopped until such violation or variance is eliminated and any work or installation made in violation of this ordinance

corrected. Such stop order, if oral, shall be followed by a written stop order within twenty-four hours (excluding Saturday, Sunday or holidays). It shall be unlawful to do or perform any work in violation of such stop order, except as may be necessary to prevent injury or damage to persons or property. Such stop order may be revoked by the Building Code Inspector.

Section 13.

No person, individual or corporate, not already under bond to the County of Tippecanoe, State of Indiana, shall engage in the installation of wires inside any building in Tippecanoe County for the transmission of electrical current, nor the installation of any mechanical heating, air conditioning or plumbing equipment in any building in Tippecanoe County, nor engage in carpentry, masonry work, brick laying, stone masonry, or structural changes in or upon any building in Tippecanoe County, unless they shall first give bond to the Board of Commissioners of the County of Tippecanoe, with one or more sureties, in the penal sum of One Thousand (\$1,000.00) Dollars, conditioned that they will in good faith perform all things required of them under the provisions of the various ordinances and building codes then in effect, and conditioned further that they will pay all damages and save the County of Tippecanoe harmless on account of negligence, want of skill, or failure to comply with the various building codes and county ordinances then in effect in said County. Such bond must be submitted to and approved by the Tippecanoe County Building Inspector.

Section 14.

Pursuant to I.C. 22-11-1-34, if any employer, owner or other person shall violate any of the provisions of this Ordinance or the code adopted therein or any ordinance or codes adopted thereafter by the Commissioners of the County of Tippecanoe,

Indiana, which are to be administered by the Building Department, or shall do any act prohibited therein or shall fail to perform any duty lawfully enjoined within the time prescribed by the Department of Buildings or shall fail, neglect or refuse to obey any lawful order made by the Building Commissioner or any judgment or decree made by any court in connection with the provisions of this Ordinance for each such violation, failure or refusal such owner, employer or other person upon conviction thereof shall be fined not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00). On and after the effective date of this Ordinance, each day of such unlawful activity as is prohibited above shall constitute a separate offense. Nothing in this section shall be construed to prevent the case of any remedy or penalty available under section R 106 of the One and Two Family Dwelling Code, as promulgated by the Administrative Building Council of the State of Indiana and approved by the Governor and Attorney General March 30, 1972.

Section 15.

Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reasons, the remainder of said Ordinance shall not be affected thereby.

Section 16.

This Ordinance will be in full force and effect on the 1st day of June, 1976, according to the laws of the State of Indiana. All former ordinances which conflict with this Ordinance are hereby repealed.

Passed by the Board of Commissioners of the County of Tippecanoe, Indiana, this 10 day of May, 1976.

ATTEST:

James C. McLeod  
Auditor

Bruce V. Osborn  
Bruce V. Osborn

Robert F. Fields  
Robert F. Fields

William G. Vanderveen  
William G. Vanderveen

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 1976, by the  
Administrative Building Council of the State of Indiana.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

The foregoing, within, attached Ordinance # \_\_\_\_\_ passed  
by the Board of Commissioners of the County of Tippecanoe, Indiana,  
on the \_\_\_\_\_ day of \_\_\_\_\_, 1976, is now on this the same  
day certified by me to be a true copy of said Ordinance to the  
following:

The Mayor and the Town Board of Trustees of the towns of  
\_\_\_\_\_, Indiana; \_\_\_\_\_, Indiana;  
\_\_\_\_\_, Indiana; \_\_\_\_\_, Indiana;  
\_\_\_\_\_, Indiana; \_\_\_\_\_, Indiana;  
and the Mayor and Common Council of the Cities of \_\_\_\_\_  
and \_\_\_\_\_, Indiana.

\_\_\_\_\_  
Auditor, Tippecanoe County,  
Indiana.

This instrument prepared by J. Frederick Hoffman, Attorney at Law.