

Warrant Article # _____

Are you in favor of the adoption of zoning amendment No. 5 to the existing town zoning ordinance as proposed by the Planning Board of East Kingston to amend the East Kingston Building Code Ordinance by updating all the code references, referencing the fee schedule, and to require any structure which is built with approved native lumber comply with all application requirements as follows:

Original ordinance in *italics*, strike-through words deleted, new text in **bold**.

BUILDING CODE

Pursuant to RSA 674:51, the state building code shall be effective in all towns and cities in the state and shall be enforced as provided in RSA 155-A:7 which authorizes the local enforcement agency to enforce the state building code and the local fire chief to enforce the state fire code.

1. *Title Section 100.1 (Amended 03/2004)*

Any construction, alteration, repair, renovation or maintenance of a building or structure shall comply with the provisions as follows:

a. *The New Hampshire State building code ~~is defined in~~ **as provided under NH RSA 155-A is defined as the 2018 editions of the International Code Council (ICC) which includes the following** (~~International Building Code, as amended~~): ~~which includes:~~ ~~the International Building Code (IBC) 2015,~~ **the Existing Building Code (IEBC),** ~~the International Plumbing Code-2015 (IPC),~~ **the International Mechanical Code-2015 (IMC),** ~~the International Energy Conservation Code 2015 (IECC),~~ **International Residential Code-2015 (IRC), and International Swimming Pool and Spa Code 2015 (ISWPSC),** ~~and the National Electric Code 2017,~~ with respect to each of the foregoing, as amended from time to time.*

b. The 2020 edition of the NFPA 70, National Electric Code (NEC) as published by the National Fire Protection Association (NFPA) and as amended from time to time.

~~b.c.~~ *The State Fire Code Sat-C 6000, as amended.*

~~c.d.~~ *The enforcement mechanism for the State building code shall be that which is already in place for the enforcement of the Town Building Code, with the Building Inspector administering and enforcing the same. The Zoning Board of Adjustment shall act as the Building Code Board of Appeals.*

~~d.e.~~ *All newly constructed dwelling units, and additions or renovations to existing dwelling units in which a building permit is required, shall install heat detectors in unfinished attic spaces and in integral or attached garages in accordance with NFPA 72 National Fire Alarm Code. If a multiple station alarm system exists, newly installed detectors must be interconnected with the existing system. The Fire Chief shall approve said installation. (Amended 10/16/08)*

2. *Fee Schedule 114.3.1*

*A fee for each plan examination, building permit and inspections shall be paid in accordance with the following schedule: **fee schedule as approved by the Selectboard.***

Use Group: A, B, F, H, I, M, & R: \$0.10 per square foot of new construction, total of all floors. Garages and porches, sundecks, breezeways and barns @ \$0.05 per square foot. The building permit fees will be based on total calculated square footage of useable area to include garages, breezeways, cellars and storage areas. Permit fees to combine both

~~electrical, plumbing, mechanical, etc.~~

~~The value for building construction exempted from the requirements of obtaining a building permit shall be \$1,000.00; nevertheless, work shall be in compliance with all codes and ordinances.~~

The Building Inspector shall levy and collect all permit fees. The inspector shall provide a detailed account of said building transactions, as necessary, and deposit all receipts with the Town Treasurer. (Amended 3/2002)

3. Violation, Penalties, Section 117.4

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof of who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, if a natural person, or of a felony if any other person. Any such violation shall be punishable by a fine of not more than One Hundred Dollars (\$100) nor less than Ten Dollars (\$10) for each day that a violation continues after the conviction date; provided, however, that total fines imposed for any single violation shall not exceed Five Hundred Dollars (\$500) which such shall insure to the Town of East Kingston for such uses as the Board of Selectmen may direct. (Reference RSA 676:17)

4. Unlawful Continuance Section 118.2

Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or to remedy unsafe conditions identified by the Building Inspector, shall be guilty of a misdemeanor, if a natural person, or of a felony if any other person and be punished as provided in the preceding subsection entitled VIOLATION PENALTIES.

5. Compensation of Board of Survey Section 123.3

(Page 18, Second line) insert \$150.00

6. Deep Excavation Section 1807.2.1

Insert: Four (4) feet.

7. Shallow Excavations Section 1807.2.2

Insert: Four (4) feet.

8. That nothing in this Ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired or liability incurred, or any cause of causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in Section 2 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, or affected by this Ordinance.

9. The Building Inspector shall accept a certificate from a State registered New Hampshire wood processing mill which certifies that the processed native lumber meets the appropriate structural standards in lieu of an accepted and recognized lumber grading stamp. Any structure which is built with such approved native lumber shall be considered equivalent to a structure built with stamped lumber **and must comply with all application requirements.**