

BUILDING/CONSTRUCTION

ARTICLE 1

BUILDING DEPARTMENT

1-1 PURPOSE

To establish a local building department and associated inspection services to provide verification that all construction related services meet the minimum requirements for building safety as allowed under RSA 675:3, 674:51 and 673:1V. This article is adopted for the further purpose of promoting the health, safety, morals, prosperity, convenience, or general welfare, as well as to provide efficiency and economy in the process of development of the Town of Barrington. To further these purposes, building permits shall be required for the construction of buildings and activities as outlined under the adopted building codes.

1-2 BUILDING INSPECTOR

As authorized and required under RSA 673:1 –V and RSA 674:51 –III(c) the Town of Barrington creates the position of Building Code Inspector . The position qualifications shall be established by the Town of Barrington personnel policy and final approval of the position shall be by the Board of Selectmen. The Building Inspector shall report directly to the Town Administrator.

1-3 DEPARTMENT POLICIES AND PROCEDURES

The Code Inspector shall establish a written policy governing the operation of the building department. This policy will cover all aspects of the operation of the building department including, but not limited to: application procedures, fee collections and refunds, permit-processing guidelines, documentation requirements and other policies or guidelines as deemed necessary for the efficient operation of the staff. The Board of Selectmen shall approve these policies and procedures which shall be consistent with those of the Town. The Town Administrator is authorized by the Board of Selectmen to approve editorial changes to the department handbook.

1-4 APPEAL PROCEDURE

- A. Building Code Board of Appeals: As outlined in RSA 673:1 the Barrington Zoning Board of Adjustment shall act as the Building Code Board of Appeals until such time as the legislative body creates a separate and distinctive Building Code Board of Appeals.
- B. If an owner or builder feels aggrieved by a decision of the Building Inspector, he or she can appeal such decision to the Barrington Zoning Board of Appeals acting as the Building Code Board of Appeals. Thereafter, any person aggrieved by the decision of the Board of Appeals may appeal to the Superior Court of Strafford County.

1-5 PERMITS REQUIRED

- A. Permits are required as authorized under RSA 676:11-13. Property owners or their agents are required to secure the appropriate permits prior to the start of work.
- B. Types of permits required:
1. Building permits are required for activities as outlined in the adopted residential and non-residential building code.
 2. Electrical permits are required for work as defined in RSA 319-C:2 III. A NH licensed electrician as outlined in RSA 319-C must perform all electrical installations unless excepted as noted in RSA 319-C:3. An electrical permit will only be issued to the license holder themselves unless otherwise approved by the building department.
 3. Plumbing permits are required for work as defined in RSA 329-A:2 IV. A NH licensed plumber must perform all plumbing installations unless as excepted in RSA 329-A:13. A plumbing permit will only be issued to the license holder themselves unless otherwise approved by the building department.
 4. Mechanical permits are required for activities as outlined in the adopted mechanical and fuel gas codes

Additional Permits

The Town of Barrington reserves the right to require other permits than those listed in this ordinance upon request from the building inspector to the Board of Selectmen. Should the Selectmen approve additional permits they shall be noted in the department handbook, along with the appropriate fee schedule, and a supplement added to this ordinance.

1. Issuance of Building Permits

The Building Inspector, or his designee, shall not issue building permits under the following conditions:

- a. If issuance of the permit would constitute a violation of the zoning ordinance, code, or other regulation of the town, or would result in violation of an approval issued by the Planning Board or Zoning Board of Adjustment; or
- b. within 120-days prior to annual or special town meeting and the application for a building permit was made after the first legal notice of proposed changes in the building code or zoning ordinance was posted per RSA 675:7, and the proposed changes, if adopted, would justify refusal of such permit; or
- c. If issuance of a building permit is in direct conflict with the provisions of RSA 674:41 Erection of Buildings on Streets; Appeals.

Applicants are required to allow the Building Department adequate time, as outlined in RSA 676:13, to review the proposed work when reviews are required by any of the enforced/adopted codes as referenced in section 2-1 of this ordinance.

FEES

The Building Inspector shall review and submit to the Board of Selectmen, at their request, a report evaluating the Barrington Permit Fee schedule. This evaluation shall be a comparison of fees charged in surrounding communities of similar size and activity. The report shall also examine the needs of the

building department and evaluate cost of operating the department as it relates to permit fees. The Board of Selectmen shall establish fees to be charged for building permits, inspections, and certificates of occupancy as outlined in RSA 674:51.

REFUNDS

In the event a building permit is withdrawn by the applicant, 20% of the building permit fee will be retained by the Town of Barrington to cover administrative and technical review of the application.

EXPIRATION

Erection of any dwelling, building or structure, or alteration of any dwelling, building or structure, once commenced following issuance of a permit hereunder, shall be completed within a period of one (1) year; otherwise, said permit shall lapse.

ARTICLE 2

BUILDING CODES

2-1 Building Codes

The Town of Barrington as authorized under RSA 674:51-a and 674:51 shall enforce, adopt and amend the following codes to be used as the minimum requirements for construction enforced by the Town of Barrington to provide for the general welfare and safety.

(a) the current edition of the International Building Code referenced in NH RSA 155-A, as amended by the State Building Code Review Board, for the purpose of regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, and use of all structures not covered by the International Residential Building Code.

(b) Projects controlled by the International Building Code shall comply with the Architectural Barrier-Free Design Code for New Hampshire (ABFDC-NH) and the Americans With Disability Act Accessibility Guidelines (ADAAG), as adopted by the ABFDC-NH, where required by state law and by code section. The design professional of record shall be required to verify compliance.

(c) Adopt the current edition of the International Mechanical Code as referenced in NH RSA 155-A as amended by the State Building Code Review Board.

(d) Adopt the current edition of the National Electrical Code as referenced in NH RSA 155-A as amended by the State Building Code Review Board.

(e) Adopt the current edition of the International Plumbing Code as referenced in NH RSA 155-A, as amended by the State Building Code Review Board.

(f) Enforce the current energy requirements of the adopted and amended state residential and nonresidential building codes. Verification of these requirements must be through the submission of ComCheck software for nonresidential projects and through ResCheck software or PUC approved energy compliance packages.

(g) Insert the following values for Climatic and Geographic Design Criteria :

- Wind speed: 90 mph,
- Ground Snow load: 70 lbs./sq. ft.
- Weathering: severe, Frost line Depth: 48 inches
- Termite probability: Slight to moderate
- Winter Design Temp: 0
- Flood Hazard: Flood Insurance Rate Maps
- Seismic Design Class: C

(h) Adopt the appendices for each of the codes, referenced in RSA 155:A. Where any appendix conflicts with any local ordinance or other state code the more stringent requirement shall take precedence unless state statute or local ordinance prohibits the use of the specific requirements.

(i) The enforcement of the above referenced State of NH adopted codes (with state and local amendments) does not preempt the enforcement of the regulations adopted by the State of New Hampshire regulatory agencies responsible for those professions requiring licensing under state law, nor does it preempt the enforcement of current regulations recognized by the New Hampshire Fire Marshal's office. In those situations where code requirements are different, the Town of Barrington reserves the right to enforce those requirements that are more stringent.

(j) Town enforcement of updated code editions shall be the effective date of adoption by the state. The conditions outlined in section 2-1 (k) shall govern those permits to be controlled by the updated codes. The Building Department shall post notices as determined by the Board of Selectmen to warn of impending code changes warranted by this section.

(k) Code changes will become effective for those complete permit applications received the first day after the effective date referenced in section 2-1 (j) and approved permits not having been actively pursued within 180 days of issuance of the permit.

ARTICLE 3

CERTIFICATE OF OCCUPANCY

3-1 CERTIFICATE OF OCCUPANCY

1. In addition to a building permit, a certificate of occupancy shall be required prior to the use of any new or modified area or structure for which a building permit is required.

2. No person shall use or permit the use of any building, structure, or premises or part thereof hereafter erected, relocated, altered, repaired, converted or extended until a Certificate of Occupancy is issued by the Building Inspector or his designee.

3. The Certificate of Occupancy is required to insure compliance with the approved site plans by the Planning Board and the requirements of the Town of Barrington Zoning Ordinance, Subdivision Regulations, and Building Code.

ARTICLE 4

POSTING OF RESIDENTIAL, COMMERCIAL AND INDUSTRIAL STREET NUMBERS

4-1 REQUIREMENT FOR ALL PROPERTIES

Every dwelling, building, or structure, whether it is residential, commercial or industrial, (whether existing on the date of this Ordinance, or which may exist in the future) located in the Town of Barrington shall be required to have a number(s) posted upon such dwelling, building, or structure or upon the property which is under construction if such improvements exist, so as to be plainly visible from the street which abuts the main entrance to such property.

4-2 Posting of Additional Numbers

Whereas such posting of a number(s) is not readily visible from the street year round, an additional number shall be posted at the main driveway entering onto the property from a public road. Such posted number(s) shall be at such a height level and in an area where the number(s) will not be obstructed by trees, brush, snow banks, parked vehicles, or any other material.

4-3 Signage

This number, which represents the legal address as assigned by the Town of Barrington, shall be a minimum of 4" in height and shall be Arabic numerals or block style letters.

4-4 Multiple Units

Every dwelling, building, or structure that houses more than one (1) living unit or business section shall also post appropriate unit number(s) or letter(s) for each separate living unit or business section, so as to be plainly visible in the main entrance to such unit or section of the main dwelling, building, or structure.

4-5 Certificate of Occupancy

No dwelling, building, or structure shall be issued a Certificate of Occupancy until the assigned number(s) have been posted in accordance with this ordinance.

ARTICLE 5

FINES

5-1 Fines

WORK IN PROGRESS: Penalty for starting work prior to issuance of the required permit shall be a minimum surcharge of \$100 or twice the calculated permit fees for the project whichever is greater.

5-2 Appeals

WORK IN PROGRESS: Appeals for this fine shall be brought to the Building Code Board of Appeals.

ARTICLE 6

SEVERABILITY

6-1 SEVERABILITY

In the event that any of the terms or provisions of this Code or Ordinance are declared invalid or unenforceable by any Court of competent jurisdiction or any Federal or State Government Agency having jurisdiction over the subject matter of this Code or Ordinance the remaining terms and provisions that are not effected thereby shall remain in full force and effect.

Effective Date _____