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Jennings County Recorder IN
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Ordinance No. 140, 2008

REENACTMENT OF THE JENNINGS COUNTY BUILDING CODE

The following building code, which was removed from the Jennings County Zoning Ordinance, shall be reenacted as a separate ordinance.

JENNINGS COUNTY BUILDING CODE

430-1. TITLE

This chapter shall be known as the "Building Code of the County of Jennings, Indiana," may be cited as such, and will be referred to herein as "this Chapter".

430-2. PURPOSE

The purpose of this chapter is to provide minimum standards for the protection of life, health, environment, public safety and general welfare and for construction of buildings and structures.

430-3. AUTHORITY

The Jennings County Building Inspector and the Area Plan Commission Executive Director are hereby authorized and directed to administer and enforce all of the provisions of this Chapter. Whenever, in this Chapter, it is provided that anything must be done to the approval of, or subject to, the direction of the Executive Director, or any other officer of the Building Department, it shall be construed to give such officer only the discretion of determining whether this Chapter has been complied with; and no such provision shall be construed as giving any officer discretionary powers as to what this Chapter shall be, or power to require conditions not prescribed by law or to enforce this Chapter in an arbitrary or discriminatory manner. The term "Building Commissioner" also means the Jennings County Area Plan Commission Executive Director.

430-4. DEFINITIONS

The definitions set forth in Indiana Code ("IC") I.C. 22-12-1 of the following terms are hereby incorporated by reference in this Chapter:

"Agricultural Purpose"

"Building Law"

"Class 1 Structure"

"Class 2 Structure"

"Commission"

"Construction"

"Control"

"Department"

“Equipment Law”

“Fire Department”

“Fire Safety Law”

“Industrialized Building System”

“Law”

“Manufactured Home”

“Mobile Structure”

“Person”

“Regulated Amusement Advice”

“Regulated Boiler or Pressure Vessel”

“Regulated Explosive”

“Regulated Lifting Device”

“Regulated Place of Amusement or Entertainment”

“Rules Board”

“Structure”

“Vehicular Bridge”

The term "Building Commissioner" also means the Jennings County Area Plan Commission Executive Director.

Two (2) copies of IC 22-12-1, setting forth the definitions of the above incorporated terms, are on file in the office of the Jennings County Auditor and are available for public inspection.

430-5. SCOPE

The provisions of this chapter apply to the construction, alteration, repair, use occupancy and maintenance to all buildings and structures, other than fences and industrialized buildings or mobile structures certified under IC 22-15-4, in Jennings County, Indiana, or any Incorporated, areas in which an agreement to regulate these activities has been

reached. Jennings County, Indiana includes the Town of Vernon and the City of North Vernon. Agricultural buildings are exempt from this Chapter.

430-6. ADOPTION OF RULES 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 code 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) **Article 13 - Building**

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

(2) **Article 14 - One and Two Family Dwelling Code**

- (a) Indiana Residential Code

(3) **Article 16 - Plumbing Code**

- (a) Indiana Plumbing Code

(4) **Article 17 - Electrical Code**

- (a) Indiana Electrical Code

(5) **Article 18 - Mechanical Codes**

- (a) Indiana Mechanical Code

(6) **Article 19 - Energy Conservation Code**

- (a) Indiana Energy Conservation Code

(7) **Article 20 - Swimming Pool Code**

- (a) Indiana Swimming Pool Code

(8) **Article 22 - Fire Prevention Code**

- (a) Indiana Fire Prevention Code

(B) Two (2) copies of the Building Rules, Codes and Standards, which are incorporated herein, are on file in the Office of the Jennings County Auditor and are available for public inspection.

430-7. APPLICATION FOR PERMITS

No building permit shall be issued for the foregoing purposes, unless the application for a permit is accompanied by: plans and specifications showing the work to be done; a copy of the recorded deed or recorded contract or property card; a copy of a driveway permit (issued either by the County of Jennings or the State of Indiana); the original septic permit or a letter of septic hook on; a plat or a sketch of the proposed location showing lot boundaries, location of proposed structure and distances from proposed structure to all property lines and to the road and location of septic field and any other structures on said property; and any other documents deemed necessary to assess zoning and setback requirements by the Jennings County Plan Commission. The application shall be made on forms provided by the Building Commissioner. All fees required by this Chapter shall be paid at the Jennings County Area Plan Commission prior to the issuance of any building permit. In addition, a copy of a Design Release for Class One Structures, issued by the State Building Commissioner and the State Fire Marshal pursuant to IC 22-15-3-1, shall be provided to the Building Commissioner before issuance of a permit for construction covered by such Design Release.

430-8. PERMIT REQUIRED AND ISSUANCE

- (A) A permit shall be obtained before beginning any construction, alteration or repair, of any building or structure which involves or affects any electrical, plumbing, ventilating, heating or air conditioning systems or structural elements. This section shall not be interpreted to require a building permit for cosmetic repairs or maintenance.
- (B) All permits issued shall expire one (1) year from the date of the original issue. Any permittee holding an unexpired permit may apply for an extension of time when the permittee is unable to commence or finish work within the time required for good and satisfactory reasons. The Building Commissioner may extend the time for action by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.
- (C) The Building Commissioner may, in writing, suspend or revoke a permit issued under the provisions of this Chapter whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this Chapter.

430-9. OTHER ORDINANCES

All work done under any permit shall be in full compliance with all other laws pertaining to the work, and in addition to the fees for permits, there shall be paid the fees prescribed by such other laws.

430-10. FEES

- (A) Permit fees shall be in accordance with the official permit fee schedule as adopted by the Board of Commissioners of Jennings County, Indiana, Vernon Common Council and City of North Vernon Council. Reinspection fees for work found incomplete or not ready upon requested inspection shall be as in the official permit fee schedule. Permit re-issue fees shall be as in the official permit fee schedule. Investigation fees of work for which a permit is required and has been commenced without first obtaining a permit shall be as in the official permit fee schedule. (See appendix for permit fee schedule)

430-11. REVIEW OF APPLICATION

Prior to the issuance of any building permit, the Building Department shall:

- (A) review all building permit applications to determine full compliance with the provisions of this Chapter;
- (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 floodplain area having special flood hazards to determine that the proposed repair;
- (1) uses construction materials and utility equipment that are resistant to flood damage; and,
- (2) uses construction methods and practices that will minimize flood damage;
- (D) review building permit applications for new construction or substantial improvements within the floodplain having special flood hazards to assure that the proposed construction (including prefabricated and mobile homes):
- (1) is protected against flood damage;
- (2) is designated (or modified) and anchored to prevent flotation, collapse or lateral movement or the structure and flood damage; and
- (3) uses construction methods and practices that will minimize flood damage.

430-12. INSPECTIONS

After the issuance of any building permit, the Building Commissioner shall make, or shall cause to be made, inspections of the work being done as are necessary to insure full compliance with the provisions of this Chapter and the terms of the permit. Reinspection of work found to be incomplete or not ready for inspection are subject to assessment or reinspection fees as prescribed in this Chapter. In addition to the specified inspections the

Building Commissioner may make or require other inspections or documents as deemed necessary to ascertain compliance with the provisions of this Chapter.

430-13. INSPECTION ASSISTANCE BY TOWNSHIP AND DISTRICT FIRE DEPARTMENTS

The Chief of each Township Fire Department or Fire District Fire Department, or his designated representative, shall assist the Building Commissioner in the inspection or fire suppression, detection, alarm systems and other provisions of the Indiana Fire Prevention Code and shall provide reports of such inspection to the Building Commissioner as requested.

430-14. ENTRY

Upon presentation of proper credentials, the Building Commissioner, the Jennings County Building Inspector or their duly authorized representatives may enter at reasonable times any building, structure or premises in Jennings County, Indiana, to perform any duty imposed upon him by this Chapter. Jennings County, Indiana includes the Town of Vernon and the City of North Vernon, Indiana.

430-15. STOP ORDER

Whenever any work is being done contrary to the provisions of this Chapter, the Building Inspector and/or 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 and/or Building Inspector to proceed with the work.

430-16. CERTIFICATE OF OCCUPANCY

No certificate of occupancy for any building or structure erected, altered or repaired, after the effective date of this Chapter, shall be issued unless such building or structure is determined, after final inspection, to have been erected, altered or repaired in compliance with the provisions of this Chapter. However, the Building Commissioner may issue a partial or temporary certificate of occupancy prior to final inspection upon application and demonstration by the applicant that the issuance of a partial or temporary certificate of occupancy would promote the purpose of this Chapter. It shall be unlawful to occupy any such building or structure prior to the issuance of a full, partial or temporary certificate of occupancy issued by the Building Commissioner.

430-17. WORKMANSHIP

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 and applicable Indiana Building Codes.

430-18. 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 and industrialized buildings or mobile structures certified under IC 22-15-4, in Jennings County, Indiana, or cause or permit the same to be done, contrary to, or in violation of, the provisions of this Chapter. Jennings County, Indiana includes the Town of Vernon and the City of North Vernon.

430-19. RIGHT OF APPEAL

All persons shall have the right to appeal a decision or order of the Building Commissioner and/or Building inspector to the Board of Zoning Appeals of Jennings County, Indiana, and any order pertaining to a building law the Fire Prevention and Building Safety Commission or Indiana.

430-20. REMEDIES

The Building Commissioner shall, in the name of Jennings County, Indiana, bring actions in the Circuit or Superior Courts of Jennings County, Indiana, for mandatory and injunctive relief in the enforcement of, and to secure compliance with, any order or orders of the Building Commissioner. Any such action for mandatory or injunctive relief may be joined with an action to recover the penalties provided for in this Chapter.

430-21. PENALTIES

Any person, firm or corporation that violates any of the provisions of this Chapter, or performs any act prohibited herein, or fails to perform any duty lawfully enjoined, within the time prescribed by the Building Commissioner, or fails, neglects, or refuses to obey any lawful order given by the Building commissioner in connection with the provisions of this Chapter, commits a Class C Ordinance Violation. Each day such a violation is committed, or permitted to continue by the violator, constitutes a separate Class C Ordinance Violation.

SO ENACTED THIS 5th DAY OF June, 2008.

COMMON COUNCIL OF
TOWN OF VERNON, INDIANA

Darryl Gause

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L. P. Hill