

AN ORDINANCE ADOPTING BUILDING CODES, BUILDING PERMIT FEES, AND  
AUTHORIZING A BUILDING COMMISSIONER FOR THE TOWN OF CLOVERDALE, INDIANA;

ORDINANCE NO. 1-84

AN ORDINANCE regulating the construction, adopting building codes, fees, alteration, repair, location and use of buildings and structures in the Town of Cloverdale, Indiana; providing for the issuance of permits therefor; providing penalties for the violation thereof; and repealing all ordinances and parts of ordinances in conflict therewith.

BE IT ORDAINED by the Town Board of the Town of Cloverdale, Putnam County, Indiana, as follows:

SECTION 1. TITLE. This ordinance, and all ordinances supplemental or amendatory hereto, shall be known as the "Building Code of the Town of Cloverdale, 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 Commission 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 Town Board, this shall be construed to give such officer only the discretion of determining whether the rules and standards established by ordinance have been complied with; and no 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 Town of Cloverdale.

SECTION 5. ADOPTION OF REGULATIONS BY REFERENCE.

A. The following rules, regulations and codes are hereby adopted by reference as the rules and regulations governing the construction and alteration of buildings and structures in the Town of Cloverdale, Indiana.

- (1) Construction Rules and Regulations, Volume I, 1980 Edition of the State of Indiana (675 IAC 2) originally published as (3 IR 2148) which identifies, amends and incorporates therein the Uniform Building Code, 1979 Edition, and the Uniform Building Code Standards, 1979 Edition.
- (2) Indiana Electrical Rules, 1984 Edition, (675 IAC 6) originally published as (7 IR 1716) which identifies, amends and incorporates therein the National Electrical Code, 1984 Edition.
- (3) Indiana Plumbing Rules, 1981 Edition, (675 IAC 5) originally published as (4 IR 2398) which identifies, amends and incorporates therein the Uniform Plumbing Code, 1979 Edition.
- (4) Indiana Mechanical Rules, 1981 Edition, (675 IAC 7) originally published as (4 IR 1828) which identifies, amends and incorporates therein the Uniform Mechanical Code, 1979 Edition.
- (5) One and Two Family Dwelling Code of Indiana, (675 IAC 3-1) originally published as (4 IR 916) which identifies, amends and incorporates therein the One and Two Family Dwelling Code, 1979 Edition.
- (6) Indiana Energy Conservation Code, 1984 Edition, (675 IAC 19) originally published as (7 IR 2525) which identifies, amends and incorporates therein the Model Energy Code, 1983 Edition.
- (7) Indiana Swimming Pool Rules, 1982 Edition, (675 IAC 9) originally published as (5 IR 1829) under that title.
- (8) Indiana Standard for Permanent Installation of Manufactured Homes, (675 IAC 3-3) originally published as (6 IR 1729) under that title.

B. Copies of this code, and rules, regulations, and codes adopted herein by reference are on file as required by law in the office of the Clerk-Treasurer, Town of Cloverdale, Indiana.

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 the Release for Construction from the State Building Commissioner is received by the Building Commissioner.

SECTION 7. PERMIT REQUIRED. A permit shall be obtained before beginning construction, alteration, repair, or moving any building or structure on forms furnished by the Building Commissioner. All permits shall be issued by the Building Commissioner pursuant to the fee schedule which is a part of this ordinance. Such fees shall be paid to the Town of Cloverdale.

SECTION 8. OTHER ORDINANCES. Such permit may be issued only if the building or construction for which permit is sought will comply with all ordinances and regulations adopted by the Town of Cloverdale.

SECTION 9. FEES. Fees required by Section 7 hereof shall be issued upon prior payment of inspection fees according to the following schedule:

One and two-family dwellings (including mobile homes and modular homes) - \$25.00 plus \$.02 per square foot for each square foot in excess of 1500 square feet.

Multiple family dwellings - \$25.00 per dwelling unit.

Industrial, commercial and institutional buildings on new construction, additions or alterations exceeding \$1,000 in costs - \$50.00 plus \$.02 per square foot on all such work in excess of 1000 square feet not to exceed \$1,000.

Accessory buildings:

up to 100 square feet - \$5.00

101-500 square feet - \$10.00

501 square feet and over - \$15.00

Additions or alterations to single, multiple family dwellings or accessory buildings:

up to 300 square feet - \$10.00

over 300 square feet - \$25.00 plus \$.02 per square foot.

Moving of buildings (other than mobile homes and accessory buildings) - \$25.00 plus building permit fee for new location.

Demolition of buildings, permanent or accessory - \$25.00.

Sign erection permits - \$5.00

The minimum permit fee for any permit shall be \$15.00. The Building Commissioner shall in all cases designate the stage of construction when each required inspection must be requested by the permit holder. No concrete shall be placed for foundations without prior inspection. No electrical, mechanical, plumbing, or thermal insulation work shall be covered without prior inspection. Where additional inspections are required due to failure of the permit holder to have work ready for inspection at a designated stage of construction, the Building Commissioner shall have the power to assess a reinspection fee of \$15.00 for each such additional inspection. Reinspection fees shall be paid to the Clerk of the Town of Cloverdale prior to the issuance of a Certificate of Occupancy. The Building Commissioner shall submit an annual report to the Town Board of Cloverdale which shall include an analysis of inspections performed, permit fees collected, cost of inspection operations and recommendations for adjustment of required inspections and single inspection fees as necessary.

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.

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 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 Town of Cloverdale 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 Town of Cloverdale 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 Town Board of the Town of Cloverdale, and then to the Administrative Building Council 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 Town of Cloverdale bring actions in the Circuit Court of Putnam 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. PENALTIES. If any person, firm or corporation shall violate any of the provisions of this ordinance, or shall do any act prohibited herein, or shall fail to perform any duty lawfully enjoined, within the time prescribed by the Building Commissioner, or shall fail, neglect or refuse to obey any lawful order given by the Building Commissioner in connection with the provisions of this ordinance, for each such violation, failure or refusal, such person, firm or corporation shall be fined in any sum not less than \$100.00, nor more than \$500.00. Each day of such unlawful activity as is prohibited by the first sentence of this section shall constitute a separate offense.

SECTION 20. 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.

Passed and adopted by the Town Board of the Town of Cloverdale,  
Indiana, this 27 day of December, 1984.

Paul L. Hayes  
Chairman  
Town Board of the Town of  
Cloverdale, Indiana

Attest:

Luby Bennett  
Clerk-Treasurer  
Town of Cloverdale, Indiana

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ENDORSEMENT

Approved this 20 day of April, 1985, by the Fire Prevention  
and Building Safety Commission of the State of Indiana.

Thomas L. Francis  
CHAIRMAN, Thomas L. Francis

Charles M. Coffey  
SECRETARY, Charles M. Coffey