

ARTICLE 1711
Official Building Code

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CROSS REFERENCES

Adoption by reference - see W. Va. Code 8-11-4
Building regulations - see W. Va. Code 8-12-13
Municipal inspection - see W. Va. Code 8-12-15

see amendments of 6/28/2010

*2012
2009*

1711.01 ADOPTION.

The International Building Code 2003 adopted as the Official Building Code of the State of West Virginia, as promulgated by the State Fire Commission pursuant to West Virginia Code 29-3-5b, as amended, together with any amendments and modifications thereto as may hereafter be adopted and promulgated from time to time by the Commission, is hereby adopted as the Official Building Code of the City.

All ordinances contained in these Codified Ordinances, as revised, in conflict with the provisions of this section are hereby repealed and of no further legal force and effect. (Ord. 11-27-06)

1711.02 COMPLIANCE.

No person, firm, corporation or other entity shall fail, refuse or neglect to comply with the provisions of the Official Building Code of the City adopted by this article. The Supervisor of Building Inspection shall have all those powers necessary to enforce the provisions of the Official Building Code of the City. (Ord. 4-28-03)

1711.03 COPIES.

One copy of the Official Building Code adopted by this article shall be kept on file in the office of the City Clerk and the Office of the Division of Building Inspection and made available to the public for inspection and copying for a reasonable fee or charge. (Ord. 4-28-03)

1711.04 FIRE ZONES.

Deleted in its entirety. (Ord. 4-28-03)

1711.05 PERMIT REQUIRED.

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit.
(Ord. 12-27-05)

1711.06 NON-CONTRACTOR WORK EXEMPT FROM PERMIT.

Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required of non-contractors for the following:

(a) Building.

- (1) One story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.
- (2) Fences not over 6 feet high.
- (3) Oil derricks.
- (4) Retaining walls which are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or II-A liquids.
- (5) Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
- (6) Sidewalks and driveways not more than 30 inches above grade and not over any basement or story below which is not part of an accessible route.
- (7) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- (8) Temporary motion picture, television and theater stage sets and scenery.
- (9) Prefabricated swimming pools accessory to a Group R-3 occupancy, as applicable in Section 101.2, which are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.
- (10) Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
- (11) Swings and other playground equipment accessory to detached one and two family dwellings.
- (12) Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support of Group R-3, as applicable in Section 101.2 and Group U occupancies.
- (13) Movable cases, counters, and partitions not over 5 feet 9 inches in height.

- (b) Electrical.
- (1) Minor repair work, including the replacement of lamps or connection of approved portable electrical equipment to approved permanently installed receptacles.
 - (2) The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do not apply to equipment and wiring for power supply, the installation of towers and antennas.
 - (3) A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.
- (c) Gas.
- (1) Portable heating appliance.
 - (2) Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- (d) Mechanical.
- (1) Portable heating appliance.
 - (2) Portable ventilating equipment.
 - (3) Portable cooling unit.
 - (4) Steam, hot or chilled water piping within any heating or cooling equipment regulated by code.
 - (5) Replacement of any part which does not alter its approval or make it unsafe.
 - (6) Portable evaporative cooler.
 - (7) Self-contained refrigeration system containing 10 pounds or less of refrigerant and actuated by motors of 1 horsepower or less.
- (e) Plumbing.
- (1) The stopping of leaks in drains, water, soil, waste or vent pipe provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
 - (2) The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and installation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
(Ord. 12-27-05)

1711.07 REPAIRS.

Application or notice to the Building Official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement of or relocation of any standpipe, water supply, sewer drainage, drain leader, gas, soil, waste, vent or similar piping, electrical wiring or mechanical or other work affecting public health or general safety.
(Ord. 12-27-05)

1711.08 FEES.

The fee schedule is set forth in Section 108.2 of the International Building Code 2000, and requires a fee for each plan examination, building permit and inspection shall be paid in accordance with the fee schedule as follows:

<u>Total Valuation of Building or Structure</u>	<u>Permit Fees</u>
\$ 0.00 to 499.00	\$ 0.00
500.00 to 1,100.00	20.00
1,101.00 to 1,200.00	20.50
1,201.00 to 1,300.00	22.00
1,301.00 to 1,400.00	23.50
1,401.00 to 1,500.00	25.00
1,501.00 to 1,600.00	26.50
1,601.00 to 1,700.00	28.00
1,701.00 to 1,800.00	29.50
1,801.00 to 1,900.00	31.00
1,901.00 to 2,000.00	32.50
2,001.00 to 3,000.00	38.50
3,001.00 to 4,000.00	44.50
4,001.00 to 5,000.00	50.50
5,001.00 to 6,000.00	56.50
6,001.00 to 7,000.00	62.50
7,001.00 to 8,000.00	68.50
8,001.00 to 9,000.00	74.50
9,001.00 to 10,000.00	80.50
10,001.00 to 11,000.00	86.50
11,001.00 to 12,000.00	92.50
12,001.00 to 13,000.00	98.50
13,001.00 to 14,000.00	104.50
14,001.00 to 15,000.00	110.50
15,001.00 to 16,000.00	116.50
16,001.00 to 17,000.00	122.50
17,001.00 to 18,000.00	128.50
18,001.00 to 19,000.00	134.50
19,001.00 to 20,000.00	140.50
20,001.00 to 21,000.00	146.50
21,001.00 to 22,000.00	152.50
22,001.00 to 23,000.00	158.50
23,001.00 to 24,000.00	164.50
24,001.00 to 25,000.00	170.50
25,001.00 to 26,000.00	175.00
26,001.00 to 27,000.00	179.50
27,001.00 to 28,000.00	184.00
28,001.00 to 29,000.00	188.50
29,001.00 to 30,000.00	193.00
30,001.00 to 31,000.00	197.50
31,001.00 to 32,000.00	202.00

<u>Total Valuation of Building or Structure</u>	<u>Total Fees</u>
\$ 32,001.00 to 33,000.00	\$ 206.50
33,001.00 to 34,000.00	211.00
34,001.00 to 35,000.00	215.50
35,001.00 to 36,000.00	220.00
36,001.00 to 37,000.00	224.50
37,001.00 to 38,000.00	229.00
38,001.00 to 39,000.00	233.50
39,001.00 to 40,000.00	238.00
40,001.00 to 41,000.00	242.50
41,001.00 to 42,000.00	247.00
42,001.00 to 43,000.00	251.50
43,001.00 to 44,000.00	256.00
44,001.00 to 45,000.00	260.50
45,001.00 to 46,000.00	265.00
46,001.00 to 47,000.00	269.00
47,001.00 to 48,000.00	274.00
48,001.00 to 49,000.00	278.50
49,001.00 to 50,000.00	283.00
50,001.00 to 51,000.00	286.00
51,001.00 to 52,000.00	289.00
52,001.00 to 53,000.00	292.00
53,001.00 to 54,000.00	295.00
54,001.00 to 55,000.00	298.00
55,001.00 to 56,000.00	301.00
56,001.00 to 57,000.00	304.00
57,001.00 to 58,000.00	307.00
58,001.00 to 59,000.00	310.00
59,001.00 to 60,000.00	313.00
60,001.00 to 61,000.00	316.00
61,001.00 to 62,000.00	319.00
62,001.00 to 63,000.00	322.00
63,001.00 to 64,000.00	325.00
64,001.00 to 65,000.00	328.00
65,001.00 to 66,000.00	331.00
66,001.00 to 67,000.00	334.00
67,001.00 to 68,000.00	337.00
68,001.00 to 69,000.00	340.00
69,001.00 to 70,000.00	343.00
70,001.00 to 71,000.00	346.00
71,001.00 to 72,000.00	349.00
72,001.00 to 73,000.00	352.00
73,001.00 to 74,000.00	355.00
74,001.00 to 75,000.00	358.00
75,001.00 to 76,000.00	361.00
76,001.00 to 77,000.00	364.00

<u>Total Valuation of Building or Structure</u>	<u>Permit Fees</u>
\$ 77,001.00 to 78,000.00	\$ 367.00
78,001.00 to 79,000.00	370.00
79,001.00 to 80,000.00	373.00
80,001.00 to 81,000.00	376.00
81,001.00 to 82,000.00	379.00
82,001.00 to 83,000.00	382.00
83,001.00 to 84,000.00	385.00
84,001.00 to 85,000.00	388.00
85,001.00 to 86,000.00	391.00
86,001.00 to 87,000.00	394.00
87,001.00 to 88,000.00	397.00
88,001.00 to 89,000.00	400.00
89,001.00 to 90,000.00	403.00
90,001.00 to 91,000.00	406.00
91,001.00 to 92,000.00	409.00
92,001.00 to 93,000.00	412.00
93,001.00 to 94,000.00	415.00
94,001.00 to 95,000.00	418.00
95,001.00 to 96,000.00	421.00
96,001.00 to 97,000.00	424.00
97,001.00 to 98,000.00	427.00
98,001.00 to 99,000.00	430.00
99,001.00 to 100,000.00	433.00
100,001.00 and up - add \$2.50 per \$1,000 and each part thereof.	

In addition to the above fees based on the value of the building, an application fee of twenty dollars (\$20.00) per permit shall be required. These fees shall be waived for charitable organizations recognized by the IRS who perform work on residences for which they receive no compensation. The fees are further waived for the installation of ramps, stairs, lifts or other structural modifications to residences designed to facilitate the movement of disabled individuals. (Ord. 12-27-05)

1711.09 ADDITIONS, INSERTIONS AND CHANGES.

(a) The following sections of the International Building Code are hereby revised as follows:

Section 101.1 Title: These regulations shall be known as the Official Building Code of the City of Huntington, Cabell and Wayne Counties, West Virginia, hereinafter referred to as "this code".

Section 113.4 Violation Penalties: Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter, or repair a building or structure in violation of an approved plan or directive of the Code Official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars (\$500.00), or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Any person in violation of the requirement to obtain a permit required under Article 1711, in addition to the penalty outlined in Section 116.4, shall also be required to obtain the required permit. The fee for the permit shall be double the normal fee.

Section 114.3 Unlawful Continuance: 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 unsafe condition, shall be liable to a fine of not less than one hundred dollars (\$100.00), or more than five hundred dollars (\$500.00).

(b) The following sections of the International Property Maintenance Code are hereby amended as follows:

101.1 Title: These regulations shall be known as the Property Maintenance Code of the City of Huntington hereinafter referred to as "this code".

103.6 Fees: No fees currently assessed relating to the International Property Code other than those contained in Section 1711.08 of this article.

302.4 Weeds: All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12) inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs, provided, however, this term shall not include cultivated flowers and gardens.

303.15 Insect Screens: During the period from April 1 to October 1, every door, window and other outside opening utilized or required for ventilation purposes serving any structure containing habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than sixteen (16) mesh per inch, and every swinging door shall have a self-closing device in good working condition.

602.3 Heat Supply: Every owner and operator of any building who rents, leases or lets one or more dwelling units, rooming unit, dormitory or guestroom on terms, either express or implied, to furnish heat to the occupant thereof shall supply sufficient heat during the period from October 1 to April 1 to maintain the room temperatures specified in Section 602.2 during the hours between 6:30 a.m. and 10:30 p.m. of each day of not less than sixty-five (65) degrees F. (18 degrees C.) during all habitable rooms, bathrooms and toilet rooms.

602.4 Occupiable Work Spaces: Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to April 1 to maintain a temperature of not less than sixty-five (65) degrees F. (18 degrees C.) during the period the spaces are occupied. (Ord. 12-27-05)

1711.99 PENALTY.

The General Code Penalty is set forth in Section 116.4 and 117.2 of the International Building Code and set forth above in Section 1711.09. (Ord. 12-27-05)