

BUILDING CODE

TOWN OF JACKSON, NEW HAMPSHIRE

Originally adopted March 13, 2013
and amended on the following dates:

March 10, 2016

**BUILDING CODE
TOWN OF JACKSON, NEW HAMPSHIRE**

THE TOWN OF JACKSON pursuant to RSA 674:51, hereby adopts a process to enforce the New Hampshire State Building Code (NHSBC) and also to establish a Town of Jackson Building Code ("Building Code") which incorporates the NHSBC for the construction, design, maintenance, and use of all buildings or structures to be erected and the alteration, renovation, rehabilitation, repair, removal, or demolition of all buildings and structures previously erected.

This Building Code is adopted to ensure public safety, health and welfare insofar as they are affected by building construction, through structural strength, adequate means of egress facilities, sanitary equipment, light and ventilation, and fire safety; and, in general to secure safety to life and property from all hazards incident to the design, erection, repair, removal, demolition or use and occupancy of buildings and structures.

The Town of Jackson hereby adopts this Building Code as an ordinance, a local building code, incorporating the NHSBC, as defined in RSA 155-A, as may be amended.

This ordinance is effective as of May I, 2013.

1. Pursuant to RSA 673:1, V, RSA 673:3, IV, and the NHSBC, the Town hereby establishes the Zoning Board of Adjustment as the Building Code Board of Appeals.
2. Pursuant to RSA 673:1, III, the Town hereby establishes the position of Building Inspector, who shall have the authority to enforce the Building Code as provided in RSA 676:11-13. The Building Inspector shall be appointed by the Board of Selectmen, who shall identify the position in the Town governance structure, establish qualifications and the selection process, and shall be compensated according to the level of compensation authorized by the adoption of the annual budget by the Town Meeting.
3. In the conduct of enforcing this ordinance the Building Inspector has the specific authority, responsibility and duty to:
 - a. Review and approve building designs and changes thereto.
 - b. Approve or deny the issuance of building permits as required by the Building Code ordinance.
 - c. Conduct required and identified inspections.
 - d. Issue Certificates of Occupancy or Use.
 - e. Issue orders to correct documented deviations from permitted work by:
 1. Violation Notices.
 2. Cease and Desist orders.
 3. Levy warnings and fines.
 4. Order buildings vacated.
 - f. Engage the Town attorney as deemed necessary and appropriate.

- g. Maintain a record of approved and/or denied building designs, permits, inspections, and Certificates of Occupancy and Use. All correspondence related to the position of the Building Inspector shall be available to the public unless privileged or confidential.
 - h. Maintain accountability for all fees and financial transactions.
4. Pursuant to RSA 674:51, III (d) and the Building Code, the Board of Selectmen will establish a fee schedule to be charged for building permits, inspections, and Certificates of Occupancy.
 5. When the Building Code Ordinance is in conflict with the terms of the Town of Jackson's Zoning Ordinance or Subdivision Regulations, the more restrictive terms shall apply.
 6. The adoption of this Building Code shall not be deemed to limit the authority of the local fire authorities to enforce similar or identical provisions that have been adopted as part of the Building Code or as part of the local fire code.
 7. All construction must comply with the requirements and regulations of both this Building Code and the Town of Jackson Zoning Ordinance, and may require permitting under the Town of Jackson's Zoning Ordinance. The following work shall be exempt from the Building Code permitting process:
 - a. One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses provided the floor area does not exceed 10' x 12' (per state code).
 - b. Fences not over six feet high, or retaining walls not over four feet high.
 - c. 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.
 - d. Painting, wallpapering, tiling, floor coverings, trim, cabinetry, counter tops, moveable cases, counters, and similar finish work.
 - e. Appliances, including repairs and replacement of minor parts that do not alter the equipment or make it unsafe.
 - f. Like-for-like replacement for electrical or plumbing fixtures that do not require "rough-in."
 - g. Non-structural siding and like-for-like replacement of roofing materials.
 - h. Prefabricated swimming pools that are less than 24 inches deep.
 - i. Shade cloth structures constructed for nursery or agricultural purposes.
 - J. Swings and playground equipment.
 - k. Window awnings supported by an exterior wall, but not projecting more than 54 inches from the exterior wall and not requiring additional support.
 - l. Decks not exceeding 200 square feet in area, that are not more than 30 inches above grade at any point, are not attached to a dwelling and do not serve an exit door.
 - m. Ordinary repairs or maintenance of structures, repaving or repair of any previously paved surface or the clearing of stoppages or the repairing of leaks in plumbing supplies or drains. Exempted repairs shall not include the removal or cutting away of any wall, partition, 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. Ordinary repairs do not include addition to, alteration of, or relocation of any standpipe, water supply, sewer, drainage, gas, oil, waste vent or similar piping, electrical wiring or mechanical or other work affecting public health or general safety.

8. Any person, firm or corporation violating any of the provisions of this chapter shall be required to obtain a permit and shall pay fees equal to twice the normal fees charged for that permit.
9. The Building Inspector shall act upon any application promptly and within 30 days after a completed application has been received (60 days for nonresidential applications or residential applications encompassing more than 10 dwelling units). If a permit is denied, the reason for denial shall be clearly stated in writing.
10. A true copy of the building permit shall be conspicuously displayed on the premises for which the permit was granted. The permit shall generally state the nature of the work, and shall remain in place until the project is completed.
11. Appeals of a Building Inspector decision based on an interpretation of the NHSBC, or this Building Code, may be made to the Zoning Board of Adjustment acting as the Building Code Board of Appeals.
12. Permits are valid for one year from the date of issuance. The Building Inspector has the authority to extend a permit upon written request of the property owner for an additional 12 month period.
13. Permits cannot be transferred.
14. In the discharge of their duties, the Building Inspector, Fire Chief, or their authorized representatives shall have the authority to enter any building, structure or premises in the Town to enforce the provisions of this ordinance at any reasonable hour, with the permission of the owner, and leaseholder if any. The Building Inspector shall provide a written statement of cause.
15. The Building Inspector, Fire Chief or authorized representative shall not be personally liable while performing their duties in administration of this ordinance. No oversight or neglect of duty of these officials in administering this ordinance shall legalize any work that fails to conform to this ordinance, or relieve the applicant there from.
16. A building or structure, hereafter erected, shall not be used or occupied in whole or in part until the Certificate of Use and Occupancy shall have been issued by the Building Inspector. A building or structure, hereafter enlarged, extended or altered for change from one use to another, whether in whole or in part, shall not be occupied or used for the change in use until the Certificate of Use and Occupancy has been issued.