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SEP 24 2024

GENERAL ORDINANCE NO. 13, 2024

CITY CLERK

**AN ORDINANCE AMENDING CHAPTER 7, SECTIONS 1-61, TO REVISE THE BUILDING CODE FOR THE ENGINEERING DEPARTMENT OF THE CITY OF TERRE HAUTE.**

Whereas, a Building Code has been established for the City of Terre Haute to protect the life and health of the residents as it relates to the design and construction of buildings and structures; and

Whereas, there have been changes in building practices and the administrative code governing those practices which warrant an update to the Terre Haute Building Code.

IT IS HEREBY ORDAINED by the Common Council of the City of Terre Haute as follows:

**Section 1.** *Terre Haute City Code* Chapter 7, Section 1-77 is hereby amended by adding the underlined text and removing the stricken text as follows:

**CHAPTER 7**

**BUILDING & CONSTRUCTION REGULATIONS**

**ARTICLE 1. BUILDING CODE.**

**Sec. 7-4 Advisory Board.**

a. There is hereby created a Construction and Building Advisory Board to aid and assist the Department of Engineering in the orderly administration of the provisions in the Municipal Code regarding fees, permits, registration and guidelines related to the construction and building of residential and commercial properties. The Construction and Building Advisory Board shall consist of:

(1) One representative selected and appointed by and from the Associated Building Contractors of Terre Haute, Inc.

(2) One representative selected and appointed by and from the Home Builders Association.

(3) One representative selected and appointed by and from the Terre Haute Building Trade Council.

(4) One representative selected and appointed by electrical contractors.

(5) One representative selected and appointed by plumbing/mechanical contractors.

(6) One representative selected and appointed by and from the City Council which representative shall be a member of the City Council.

(7) Two representatives of the City Administration selected and appointed by the Mayor.

(8) The City Engineer shall serve as the President of the Advisory Board and shall vote only in the event of a tie among the other members of the Advisory Board.

b. The Construction and Building Advisory Board shall meet semi-annually and at such other times as requested by the City Engineer or three (3) other members of the Construction and Building Advisory Board. A majority of all members, excluding the City Engineer, shall constitute a quorum to conduct business. The affirmative vote of a majority of members of the Construction and Building Advisory Board, excluding the City Engineer, at a meeting at which a quorum is present is required to pass a recommendation to the City Engineer. All decisions of the Construction and Building Advisory Board passed as provided herein shall go to the City Engineer as a recommendation. All Construction and Building Advisory Board members shall serve for a period of one (1) year and/or until his/her successor has been selected and appointed by the selecting entity. Members appointed by the City Council and Mayor, shall serve until their term of office has expired or a new member has been appropriately appointed and qualified by the appointing authority.

c. The purpose of this Construction and Building Advisory Board shall be to advise the City Engineer on matters relating to the construction and building of single-family dwellings and commercial development, to include, but not limited to, fees, permits, registration and guidelines. (Gen. Ord. No. 2, 2001, 3-8-01; Gen. Ord. No. 29, 2004, As Amended, 12-09-04)

#### **Sec. 7-5 Scope.**

The provisions of this *Code* apply to the construction, demolition, alteration, repair, use, occupancy, maintenance and additions to all buildings and structures, in the City of Terre Haute. (Gen. Ord. No. 1, 1988, § 4, 2-18-88; Gen. Ord. No. 29, 2004, As Amended, 12-09-04)

#### **Sec. 7-6 Minimum Standards for Structures and Building Equipment Not Regulated by Administrative Building Council.**

a. Building rules of the state 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 Chapter 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 Codes.
  - (a) Fire and Building Safety Standards (~~675 IAC 13-1~~); (675 IAC 22-22.5)
  - (b) Indiana Building Code (~~675 IAC 13-2.4~~); (675 IAC 13-2.6)
  - (c) Indiana Handicapped Accessibility Code (~~13-2.4-110~~); (675 IAC 13-2.6-12).
- (2) Article 14 – One and Two Dwelling Codes.
  - (a) Council of American Building Officials One- and Two-Family Dwelling Code (~~675 IAC 14-4.2~~); (675 IAC 14-4.4)
  - (b) Standard for Permanent Installation of Manufactured Homes.
- (3) Article 16 – Plumbing Codes (~~675 IAC 16-1.3~~); (675 IAC 16-1.4)
- (4) Article 17 – Electrical Codes.
  - (a.) Indiana Electrical Code (~~675 IAC 17-1.6~~); (675 IAC 17-1.8) and
- (5) Article 18 – Mechanical Codes.
  - (a.) Indiana Mechanical Code (~~675 IAC 18-4~~); (675 IAC 18-1.6).
- (6) Article 19 – Energy Conservation Codes.
  - (a) Indiana Energy Conservation Code (~~675 IAC 19-3~~); (675 IAC 19-4) and
  - (b) Modifications to the Model Energy Code (675 IAC 19-2).
- (7) Article 20 – Swimming Pool Codes.
  - (a.) Indiana Swimming Pool Code (~~675 IAC 20-1~~); (675 IAC 20-.1).
- (8) Accessibility Codes.
  - (a) Americans with Disability Act Standards for Accessible Design; and
  - (b) Guidelines for Accessible Public Rights-of-Way. (Gen. Ord. No. 21, 2011, 12-28-11)

b. Copies of adopted building rules, codes and standards are on file in the Office of the Department of Engineering for the City of Terre Haute.

c. The appeal of any decision concerning the rules incorporated under Subsection a. of this Section shall lie first with the City Engineer and to the fire prevention and building safety commission as provided by *I.C. 22-13-2-7*. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)

d. 2021 International Property Maintenance Code (IPMC)

**Sec. 7-7 Removing Structures.**

Any person, partnership or corporation carrying out construction activity limited to demolishing, dismantling, dismembering, razing or removing a structure shall in addition to the requirements of Sec. 7-8 comply with the following requirements:

- a. Obtain a demolition permit from the Department of Engineering.
- b. Demolition permits require a registered contractor, except for small outbuildings that do not have utility connections or basements.
- c. The Department of Engineering may, if reasonably necessary to ensure public safety, require the registered contractor to submit plans and a complete schedule for demolition. Where such are required, no work shall be accomplished until such plans and schedule are approved by the Department of Engineering.
- d. Blasting and use of explosives shall be accomplished only by special permission of and under the supervision of the Department of Engineering, the fire and prevention bureau of the appropriate jurisdiction, and the division of air pollution control.
- e. No open fires or other sources of flame except necessary cutting torches are permitted on the inside of the structure which is being wrecked, or in close proximity to flammable materials located outside of the structure, and every reasonable precaution shall be taken to prevent the possibility of fire.
- f. Suitable provisions shall be made for the disposal of materials which are accumulated during the wrecking of a structure.
- g. The buildings, foundations, curbs, sidewalks, concrete or asphalt drives and all appurtenances shall be removed to one foot (1') below the ground line or one foot (1') below subgrade elevation, whichever of the two is lower. Such removal shall also include the removal and disposal of buried or exposed tanks. Concrete slabs, under which a basement, pit, well, or cistern exists, shall be broken and removed.
- h. All rubbish and debris including any goods, merchandise, commodities, products or materials of any kind which may have been stored within the structure being wrecked or on such property shall be removed or cleaned away, the ground leveled off, and the premises put in a clean and sanitary condition; provided, however, that if such property is properly fenced and the erection of a new structure is to be commenced within ninety (90) days, the ground need not be leveled until all such work on the premises is completed. Material used for fill or grading shall be only material that can be properly compacted in order to avoid future settlement of filled-in earth or the structure erected over such fill. No pieces of stone, lumber, boards or other material which due to their size or character would prevent proper compaction or would cause later settlement of the surface shall be used in such fill.

i. Where a structure is wrecked and an excavation which at any point is eight (8) or more feet below grade level is left unfilled, the fence required by Sec. 7-7(g) shall remain at the site; provided, however, that the Department of Engineering may approve a fence that does not meet the standards of Sec. 7-7(g) so long as it is sufficient to prevent persons, especially children, from falling into the excavation. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)

j. In the event of a new structure will not be constructed within 30 days of demolition the sewer must have a cap-off inspection performed by Building Inspection prior to backfill.

## Division II. Permit Regulations.

### **Sec. 7-30 When Permits Required; Enforcement.**

a. *Permit required.* Except for construction activity specified in subsections b., c., and d. of this Section, it shall be unlawful for a person, partnership or corporation to engage in any construction activity in the City, including excavation, fences, or any other site work, unless a permit issued by the Department of Engineering describing the activity has been obtained by and is in force relative to the person, partnership, or corporation which is actually accomplishing, supervising accomplishment or is contractually responsible for accomplishment of the construction activity allowed by the permit. Additionally, a Land Disturbance Permit must be obtained for each site that meets the criteria of Section 9, Article 8 of the Terre Haute City Code. A violation of this Section is subject to the enforcement procedures and penalties provided in Sec. 7-74 of the *Code*; provided, however, the fine imposed for such violation shall not be less than ~~One~~ Two Hundred Dollars (~~\$100.00~~) (\$200.00), and each day that an offense continues shall constitute a separate violation. The City Controller shall cause any fines collected under this Section to be deposited into the Engineering Non Reverting account.

b. *Exemptions for one- and two-family dwellings.* With respect to one- or two-family residential structures, their appurtenances, and accessory structures, the permit specified in subsection a. above shall not be required for:

(1) Installation and replacement of fixtures attached to the walls or floors such as cupboards, cabinets, shelving, railings, tracks, wall and floor coverings, and doors; or

(2) Installation, maintenance and repair of storm designed and used as protection against severe weather; or

(3) Replacement of an attic fan, bathroom exhaust fan, range hood exhaust fan or whole house fan; or

(4) Painting, papering or similar finish work; or

(5) Ordinary maintenance and repair of building equipment where the work does not reduce performance or create additional safety or health risks; or

(6) Installation of household appliances such as window air conditioners, refrigerators, refrigerators with automatic icemakers, ranges, microwave ovens, clothes washers, clothes dryers, dishwashers, food waste disposers, and trash compactors when such installation does not include the installation of an electrical circuit; or

(7) Replacement in kind of piping in a plumbing system when the replacement piping meets the same performance specifications and has the same capacity as the piping being replaced and not more than twenty percent (20%) of all piping in the structure is replaced; or

(7) Replacement of appliances, fixtures, traps and valves in a plumbing system; or

(8) Replacement of a water heater with one (1) that is identical as to venting arrangement and type of fuel or energy input; or

(9) The installation, alteration, or repair of electrical equipment rated at less than 50 volts; or

(10) Erection of real estate signs advertising real estate for sale or for rent in conformance with the size limitations of the zoning ordinance governing signs.

c. *Exemptions for commercial construction.* With respect to structures other than one- or two-family residential structures, their appurtenances, and accessory structures, permits specified in subsection a. shall not be required for: Ordinary maintenance and repair of a structure where the work does not reduce performance or create additional safety or health risks; or

(1) Installation, maintenance and repair of storm windows designed and used as protection against severe weather; or

(2) Painting, papering and similar finish work; or

(3) Construction or installation of temporary motion picture, television, and theater stage sets and scenery; or

(4) Ordinary maintenance and repair of building equipment where the work does not reduce performance or create additional safety or health risks; or

(5) Installation of household appliances such as window air conditioners, refrigerators, refrigerators with automatic icemakers, ranges, microwave ovens, clothes washers, clothes dryers, dishwashers, food waste disposers and trash compactors in apartment buildings when such installation does not include the installation of an electrical circuit; or

(6) Replacement in kind of piping in a plumbing system when the replacement piping meets the same performance specifications and has the same capacity as the piping being replaced and not more than twenty percent (20%) of the piping in an area occupied by a single tenant in the structure is replaced; or

(7) Replacement of appliances, fixtures, traps and valves in a plumbing system; or

(8) The installation, alteration, or repair of electrical equipment rated at less than 50 volts; or

(9) Replacement of a water heater with one that is identical as to venting arrangement and type of fuel or energy input. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)

**Sec. 7-31 Eligibility To Obtain and Apply for a Building Permit.**

a. To obtain a building permit, a person or entity must meet the requirements of the applicable paragraph below and must be the person or entity that will actually accomplish or be contractually responsible for accomplishment of the construction activity allowed by the building permit:

(1) Any person or entity which is a registered contractor under Article 10 of Chapter 4 may obtain a building permit to accomplish any construction activity except work for which Article 10, Divisions II, III, and IV of Chapter 4 require licensure.

(2) Any person or entity licensed under Article 10, Divisions II, III, and IV of Chapter 4 may obtain a building permit solely to accomplish construction activity allowed by the type of license held by the person or entity.

(3) Any person who owns or is a contract purchaser of an improved or unimproved parcel of land which the person intends to utilize for its own residence, may obtain a building permit to accomplish construction activity on such a parcel carried out through direct efforts of:

(a.) The person; or

(b.) Persons who volunteer to work and who are not compensated for their services.

In addition, no person or entity may obtain a permit for construction activity relative to Article 10, Divisions II, III, and IV of Chapter 4, which require licensure without the approval of the inspector responsible for the inspection of such work. The inspector will grant this approval only after determination that the person or entity is capable of carrying out the work in a proper manner. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)

(4) A person, partnership or corporation registered or licensed as a contractor under Article 10 of Chapter 4 may elect to obtain a building permit for all construction activity occurring at a structure. The building permit shall identify all construction activity to occur at the structure and shall be the sole permit needed to accomplish all work identified on the permit at the structure. The person, partnership or corporation obtaining the building permit shall be responsible for all

construction activity occurring at the structure, including code compliance for all construction activity for which Article 10, Divisions II, III, and IV of Chapter 4 of this *Code* require licensure. In order to obtain a building permit, the person, partnership or corporation must either be licensed for all the types of construction activity that will occur at the structure or identify, at the time of application, a licensed subcontractor for every type of construction activity that will occur at the structure which Article 10, Divisions II, III, and IV of Chapter 4 of this *Code* require licensure. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)

**Sec. 7-32 — Master Permit.**

~~———— A person, partnership or corporation registered or licensed as a contractor under Article 10 of Chapter 4 may elect to obtain a master permit for all construction activity occurring at a structure. The master permit shall identify all construction activity to occur at the structure and shall be the sole permit needed to accomplish all work identified on the permit at the structure. The person, partnership or corporation obtaining the master permit shall be responsible for all construction activity occurring at the structure, including code compliance for all construction activity for which Article 10, Divisions II, III, and IV of Chapter 4 of this *Code* require licensure. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)~~

**Sec. 7-32 Plan Review Permit**

All construction requiring a building permit, with the exception of one- and two-family dwellings, shall be required to acquire a Plan Review Permit prior to building permit approval. The process for obtaining a Plan Review Permit shall be:

- a. Submit an application via the online permitting portal on the City of Terre Haute website, which shall be supported with:
  - (1) A completed online form with all pertinent fields completed
  - (2) Detailed plans and specifications drawn to scale which indicate in a precise manner the nature and location of all work to be accomplished pursuant to the Plan Review Permit.
  - (3) A site plan and supporting information which meets all the requirements of the Standards and Specifications of the City of Terre Haute and the Terre Haute City Code; provided, however, that such plan shall not be required in the instance where all the construction activity is to occur inside an existing structure.
  - (4) Construction Design Release from the Indiana Department of Homeland Security, if required by Indiana law or any rule of the Fire Prevention and Building Safety Commission.
- b. A Plan Review Permit shall be approved if:



- (1) The application and supporting information required by the Section have been properly prepared and submitted; and
  - (2) The application and supporting information filed in accordance with this Section reflect compliance with building standards and procedures; and
  - (3) The fee has been paid in compliance with Division IV of the Article.
  - (4) By making payment for the Plan Review Permit, the applicant and obtainer shall be deemed to represent and certify that the information contained in that permit is complete and accurate
- c. Fees collected for Plan Review Permits shall be deposited into the Engineering Non Reverting account.

**Sec. 7-33 — Procedure for Obtaining a Master Permit.**

~~———— In order to obtain a master permit, the person, partnership or corporation must either be licensed for all the types of construction activity that will occur at the structure or identify, at the time of application, a licensed subcontractor for every type of construction activity that will occur at the structure. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)~~

**Sec. 7-33 Procedure for Obtaining a Building Permit**

- a. Application for a building permit shall be made to the Department of Engineering. The application shall be made in accordance with this Section.
- b. The application shall be submitted via the online portal available on the City of Terre Haute's website.
- c. In the instance where a demolition permit is requested for the purpose of allowing the demolition or removal of a structure, such application shall be supported with a written statement from each utility that its service to the premises has been disconnected, and with either a written statement from the record titleholder of such premises authorizing the demolition or removal or a court order or administrative order requiring the demolition or removal of the structure.
- d. Unless all work is completed inside of the building, submittals for permits which do not require a Plan Review Permit must include a drawing or plan indicating all proposed construction, relative location to property lines, and setback distances.
  - (1) Except for single family dwellings a site plan will be required to indicate required off-street parking locations and drainage infrastructure.

- e. Condemned property permit submittals shall require additional information to be complete applications:
  - (1) Plan to address all upgrades necessary to return to a habitable property.
  - (2) Schedule of work, including planned completion date.
  - (3) Detailed budget.
  - (4) Acceptance of terms that permitted property will comply with all applicable City Codes regarding appearance and upkeep of property or permit will permit will become null and void.
  - (5) Proof of ability to perform the work.
  
- f. A building permit shall be issued if:
  
- g. Plan Review Permit has been submitted and approved in accordance with Sec. 7-32.
  
- h. The application and supporting information required by this Section have been properly prepared and submitted; and
  
- i. The application and supporting information filed in accordance with this Section reflect compliance with building standards and procedures; and
  
- j. The fee has been paid in compliance with Division IV of this Article; and
  
- k. The applicant has no outstanding fees in past due status with the City of Terre Haute; and
  
- l. The person or entity obtaining the building permit complies with the requirements of Sec. 7-31.
  
- m. By making payment for the building permit, the applicant and obtainer shall be deemed to represent and certify that the information contained in that permit is complete and accurate. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)
  
- n. Fees collected from the Building Permits shall be deposited into the Engineering Non Reverting Account. A service fee shall be paid to the General Fund from the Engineering Non Reverting Account for services provided by other departments. This fee shall be evaluated annually.

**Sec. 7-34 — ~~Building Permits Obtained by Written Application.~~**

a. — ~~Application for a building permit shall be made to the Department of Engineering. The application shall be made in accordance with this Section, unless each and every requirement of Sec. 7-35 is met and the administrator decides to issue a building permit on the basis of that Section.~~

b. — ~~The application shall be in writing on a form prescribed by the Department of Engineering and shall be supported with:~~

~~———— (1) — Detailed plans and specifications drawn to scale which indicate in a precise manner the nature and location of all work to be accomplished pursuant to the building permit. In lieu thereof, it shall be within the discretion of the Department of Engineering to accept a written statement indicating the nature and location of the work to be done pursuant to the building permit where such written statement describes the work as precisely as a copy of detailed plans and specifications drawn to scale.~~

~~———— (2) — A site plan which meets all the requirements of the Standards and Specifications of the City of Terre Haute; provided, however, that such plan shall not be required in the instance where all the construction activity is to occur inside an existing structure.~~

~~———— (3) — Written approval from the Indiana department of fire and building services division of plan review, if required by Indiana law or any rule of the fire prevention and building safety commission.~~

~~———— c. — In the instance where a building permit is requested for the purpose of allowing the demolition or removal of a structure, such application shall be supported with a written statement from each utility that its service to the premises has been disconnected, and with either a written statement from the record titleholder of such premises authorizing the demolition or removal or a court order or administrative order requiring the demolition or removal of the structure.~~

~~d. — A building permit shall be issued if:~~

~~(1) — The application and supporting information required by this Section have been properly prepared and submitted; and~~

~~———— (2) — The application and supporting information filed in accordance with this Section reflect compliance with building standards and procedures; and~~

~~(3) — The fee has been paid in compliance with Division IV of this Article; and~~

~~(4) — The person or entity obtaining the building permit complies with the requirements of Sec. 7-31.~~

~~———— e. — By making payment for the building permit, the applicant and obtainer shall be deemed to represent and certify that the information contained in that permit is complete and accurate. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)~~

**Sec. 7-34 Examination of Detailed Plans and Specifications.**

The purpose of any examination of detailed plans and specifications and site plans shall be to determine consistency with building standards and procedures. Design characteristics not affecting consistency with building standards and procedures shall not be considered in any examination of detailed plans and specifications and site plans. Issuance of a building permit relative to plans which do not comply with building standards and procedures shall not relieve the person, partnership or corporation who applied for or obtained the building permit of the

responsibility of complying with all building standards and procedures. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)

**Sec. 7-35 — Permits Obtained by Electronic Communication.**

—— a. —— The Department of Engineering may, but is not required to, issue a permit based on information received by e-mail or facsimile.

—— b. —— To receive a permit on the basis of an e-mail or facsimile communication, all of the following requirements must be met:

—— (1) —— The person, partnership or corporation obtaining the permit and the person applying for the permit are eligible to obtain and apply for a building permit pursuant to Sec. 7-31; and

(a.) —— Have accomplished construction activity in the City for a period of the preceding twelve (12) calendar months without a violation of building standards or procedures which caused a revocation of a building permit pursuant to Sec. 7-71; issuance of a stop-work order pursuant to Sec. 7-75; refusal of Department of Engineering to issue a certificate of occupancy pursuant to Sec. 7-10; initiation of a civil action filed pursuant to Sec. 7-72; forfeiture of a licensing bond pursuant to Sec. 7-72; or a judicially imposed fine or imprisonment pursuant to Sec. 7-74; and

(b.) —— Have over the period of the previous one hundred eighty (180) days made prompt payment of all building permit fees for permits issued under this Chapter.

(2) —— The construction activity is being accomplished in or on an existing structure;

—— (3) —— The construction activity does not require the issuance of a design release by the Indiana department of fire and building services, division of plan review;

—— (4) —— The construction activity does not require site plan submittal; and

(5) —— The construction activity is susceptible to being accurately described without the aid of detailed plans and specifications.

—— e. —— The following information shall be supplied in order to obtain a building permit under this Sec. 7-35:

(1) —— The name and address of the applicant;

(2) —— The name, address (and e-mail address) and telephone number of the contractor in whose name the requested building permit is being issued (obtainer);

(3) —— The address of the construction activity;

~~(4) — The precise description of the construction activity to be accomplished; and~~

~~(5) — The value of the construction activity.~~

~~d. — The obtainer of the building permit shall remit fees for the permit along with an original written application (as provided for in Sec. 7-34) to the Department of Engineering within five (5) business days following the date of the permit's issuance by check or money order made payable to the Controller of the City of Terre Haute. The permit number(s) shall be clearly marked on the application(s). Payment shall be made in the Office of the Department of Engineering or through the United States Postal Service. If mailed, the postmark on the envelope shall be evidence of compliance with the five (5) day remittance requirement. If payment is not received within five (5) business days, the permit shall be voidable by order of the Department of Engineering. If a permit issued under this Section is voided, no further construction activity shall be accomplished under the permit.~~

~~e. — The building permit obtained in accordance with this Section shall be in full force and effect at the time a building permit number is furnished by the Department of Engineering to the applicant. Following the issuance of the building permit in accordance with this Section, the Department of Engineering shall, as soon as conveniently possible after the payment of the permit fee, provide a copy of the building permit document to the applicant for the building permit.~~

~~f. — By making payment for the building permit, the applicant and obtainer shall be deemed to represent and certify that the information contained in that permit is complete and accurate, unless the applicant or obtainer shall within ten (10) days provide in writing to the Department of Engineering any additions or corrections to that information. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)~~

**Sec. 7-35 Permit and File-Marked Plans To Be Available.**

Any person, partnership or corporation to which a building permit has been issued shall prominently display such at the job site during construction activity. If required to submit detailed plans and specifications in order to obtain a building permit, such person, partnership or corporation shall have available for inspection at all times a copy of the detailed plans and specifications on site. Any change in such detailed plans and specifications, except for minor deviations that neither diminish structural quality nor would cause noncompliance with applicable building standards and procedures, shall be submitted to and approved by the Department of Engineering prior to the time construction involving the change occurs. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)

**Sec. 7-36 Structure Requiring Professional Services of Architects or Engineers.**

~~— Except for those structures for which the rules of the fire prevention and building safety commission do not require filing of plans for approval by the responsible design architect or engineer, all detailed plans and specifications supplied with building permit applications shall be designed by and prepared under the control and supervision of a registered architect or engineer duly licensed to practice in the State of Indiana. Such professionally prepared plans and specifications shall bear the stamp or seal and registration number of such architect or engineer and shall be accompanied by the usual form of certification which is now or may be hereafter prescribed for use by architects and engineers by the fire prevention and building safety commission. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)~~

**Sec. 7-36 Expiration and Renewal of Permits.**

- a. Expiration of permits for new construction shall be 2 years from date of issuance.
- b. Expiration of permits for remodels/repairs, except for condemned structures, shall be 1 year from date of issuance.
- c. All Building Permits are non-transferrable and shall expire upon the sale or transfer of the permitted property.
- d. All Land Disturbance Permits will expire 1 year from date of issuance and must be renewed until the Notice of Termination inspection has been completed.
- e. If construction activity involving removal of a structure or part of a structure has not been completed within the following time periods, the building permit shall expire by operation of law and shall no longer be of any force or effect:

- f. Removal of all or part of a one- or two-family residential structure, thirty (30) days after issuance.
- g. Removal of all or part of a structure other than one- or two-family residential structure, sixty (60) days after issuance.
- h. Permit renewals, except demolition and condemned properties, are required of all permits exceeding the expiration date prior to project closeout. The renewal fee shall be 50% of the original permit cost. Permit renewals shall be effective for a period of up to one year.
- i. Permit renewals for demolition permits may be issued by the Department of Engineering upon application through the online permitting portal. The renewal fee shall be 50% of the original permit cost. Permit renewals, shall be effective for a period of up to forty-five (45) days.
- j. Condemned properties shall be subject additional requirements regarding the expiration and renewal of Building Permits.
  - (1) Expiration of permits for condemned properties shall be based on the status of the condemned property:
    - (A) Thirty (30) days for properties that have been through a hearing.
    - (B) Ninety (90) days for properties that have not been through a hearing.
  - (2) Renewals of permits shall not extend beyond a maximum duration of 1 year on condemned properties. Work exceeding 1 year shall follow the procedure for obtaining a new permit in Sec. 7-33.
  - (3) Permit renewals for condemned properties require approval from the Department of Engineering that the property is making adequate progress towards completion and shall require inspection by the Department of Engineering to verify progress. Permit renewal fees shall be based on the status of the condemned structure and as indicated in Division IV, of this chapter.
- k. Fees collected from the renewal of permits shall be deposited into the Engineering Non Reverting Account.

**Sec. 7-37 — Examination of Detailed Plans and Specifications.**

~~The purpose of any examination of detailed plans and specifications and site plans shall be to determine consistency with building standards and procedures. Design characteristics not affecting consistency with building standards and procedures shall not be considered in any examination of detailed plans and specifications and site plans. Issuance of a building permit relative to plans which do not comply with building standards and procedures shall not relieve the person, partnership or corporation who applied for or obtained the building permit of the~~

responsibility of complying with all building standards and procedures. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)

**Sec. 7-37 Defacing Permit.**

It shall be unlawful for any person, other than an employee of the Department of Engineering to intentionally remove, deface, obscure, mutilate, mark or sign a posted building permit or document bearing the permit number provided by the Department of Engineering which evidences permit issuance without authorization from the Department of Engineering. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)

**~~Sec. 7-38 — Permit and File-Marked Plans To Be Available.~~**

~~Any person, partnership or corporation to which a building permit has been issued shall prominently display such permit or a document bearing the permit number provided by the Department of Engineering which evidences permit issuance, or, in the instance of a permit obtained by telephone or facsimile communication, a paper bearing the authorization number, at the job site during construction activity. If required to submit detailed plans and specifications in order to obtain a building permit, such person, partnership or corporation shall have available for inspection at all times a copy of the detailed plans and specifications on site. Any change in such detailed plans and specifications, except for minor deviations that neither diminish structural quality nor would cause noncompliance with applicable building standards and procedures, shall be filed with and approved by the Department of Engineering prior to the time construction involving the change occurs. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)~~

**Sec. 7-38 Notice of Change in Permit Information; Amendment of Permits and Plans.**

a. After a permit has been issued, the permittee shall promptly submit to the Department of Engineering through the online permitting portal any addition to or change in the information contained in the permit application.

b. After a permit has been issued, any material deviation or change in the information contained in the permit application, the plans and specifications, or the plat plans shall be considered an amendment subject to approval by the Department of Engineering. Prior to the time construction activity involving the change occurs, the permittee shall submit to the Department of Engineering a request for amendment through the online permitting portal, including a detailed statement of the requested change and the submission of any amended plans.



c. Work shall not begin on the proposed change of work until the Department of Engineering has provided approval of the change in permit through the online permitting portal. Reinspection fees, plan review fees, or other fees which are occasioned by the amendment shall be assessed and paid in the same manner as for original permits. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)

**Sec. 7-40 — Defacing Permit.**

~~It shall be unlawful for any person, other than an employee of the Department of Engineering to intentionally remove, deface, obscure, mutilate, mark or sign a posted building permit or document bearing the permit number provided by the Department of Engineering which evidences permit issuance without authorization from the Department of Engineering. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)~~

**Sec. 7-41 — Notice of Change in Permit Information; Amendment of Permits and Plans.**

~~a. After a permit has been issued, the permittee shall give prompt written notice to the Department of Engineering of any addition to or change in the information contained in the permit application.~~

~~b. After a permit has been issued, any material deviation or change in the information contained in the permit application, the plans and specifications, or the plat plans shall be considered an amendment subject to approval by the Department of Engineering. Prior to the time construction activity involving the change occurs, the permittee shall file with the Department of Engineering a written request for amendment, including a detailed statement of the requested change and the submission of any amended plans.~~

~~c. The Department of Engineering shall give the permittee written notice that the request for amendment has been approved or denied, and if approved, copies of the amended application or plans shall be attached to the original application or plans. Reinspection fees or other fees which are occasioned by the amendment shall be assessed and paid in the same manner as for original permits. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)~~

**Sec. 7-39 through Sec. 7-49 Reserved for Future Use.**

Division IV. Permit Fees.

**Sec. 7-60 Fees.**

All permits required by Sec. 7-30 shall be issued upon prior payment of inspection fees according to the following schedule:

~~Fifteen Dollars (\$15.00) per first One Thousand Dollars (\$1,000.00) of construction costs or part thereof, plus One Dollar (\$1.00) each additional One Thousand Dollars (\$1,000.00) or part thereof, as evidenced by the supporting documentation in the application for a permit.~~

Permit fees shall be waived for all buildings owned by local, state, and federal government entities. All other requirements of this *Code* shall be met for construction work on government buildings. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)

<u>Residential</u>	
<u>New Build</u>	<u>\$150 + \$.10 Per Sq. Ft Structure Per Dwelling Unit</u>
<u>New Addition</u>	<u>\$150 + \$.10 Per Sq. Ft Structure Per Dwelling Unit</u>
<u>Remodel</u>	<u>\$150 + \$.10 Per Sq. Ft Structure Per Dwelling Unit</u>
-	-
<u>Repair</u>	
<u>General</u>	<u>\$100</u>
<u>Electrical</u>	<u>\$100</u>
-	<u>Green Tag</u>
<u>Plumbing</u>	<u>\$100</u>
<u>Mechanical</u>	<u>\$100</u>
<u>Pool ( In ground Pools ONLY)</u>	
<u>Commercial</u>	
<u>New Build</u>	<u>\$350 + \$0.25 per Sq. Ft Structure/ \$175 per floor per above one story</u>
<u>New Addition</u>	<u>\$350 + \$0.25 per Sq. Ft Structure/ \$175 per floor per above one story</u>
<u>Remodel</u>	<u>\$350 + \$0.25 per Sq. Ft Structure/ \$175 per floor per above one story</u>
<u>Repair</u>	
<u>General</u>	<u>\$150 - \$75 per floor per above one story</u>
<u>Electrical</u>	<u>\$150 - \$75 per floor per above one story</u>
-	<u>Green Tag</u>
<u>Plumbing</u>	<u>\$150 - \$75 per floor per above one story</u>
<u>Mechanical</u>	<u>\$150 - \$75 per floor per above one story</u>
<u>Pool</u>	
-	<u>\$350</u>
<u>Other Permits</u>	
<u>Plan Review</u>	
-	<u>\$250 Base fee up to 1/2 Acre</u>
-	<u>Additional \$100 Per 1/2 Acre</u>
<u>Fence</u>	
-	<u>\$25</u>
<u>Land Disturbance</u>	
-	<u>\$250 per Acre</u>
<u>Demo</u>	
-	<u>Residential \$125</u>
-	<u>Commercial \$250 additional \$0.05 per Sq. Ft</u>
<u>Sign</u>	
<u>Portable</u>	<u>\$25</u>
<u>Pole Sign</u>	<u>\$3 Per Sq. Ft, Min \$150</u>
<u>Ground Sign</u>	<u>\$3 Per Sq. Ft, Min \$150</u>

<u>Wall Sign</u>	-	<u>\$3 Per Sq. Ft, Min \$100</u>
<u>Billboard</u>	-	<u>\$3 Per Sq. Ft, Min \$350</u>
<u>Tall Sign</u>	-	<u>\$3 Per Sq. Ft, Min \$350</u>
-	-	-
<b><u>Condemned Properties</u></b>		
<u>90 Day</u>	-	<u>\$100</u>
-	<u>Renewal Every 90 Days</u>	<u>\$25</u>
<u>30 Day</u>	-	<u>\$100</u>
-	<u>Renewal Every 30 Days</u>	<u>\$15</u>

**Sec. 7-61 Reinspection Fees.**

a. A reinspection fee of Fifty Dollars (~~\$20.00~~) (\$50.00) may be assessed at the discretion of the Department of Engineering against a contractor relative to construction activity for which the contractor has obtained a building permit when an additional inspection visit to a construction address is needed because:

(1) Notice was not given that construction activity was available for inspection within the time period required by Sec. 7-52 and the construction activity is no longer available for inspection; or

(2) Notice was given pursuant to Sec. 7-52 that construction activity was available for inspection; and:

a. The construction activity could not be found because the construction address provided on the permit application was incorrect; or

b. The construction activity was not accessible when the inspector attempted to make the requested inspection at the time agreed upon for the inspection (or if no time was agreed upon, between 8:00 a.m. and 4:00 p.m., Monday through Friday on a day that is not a holiday); or

c. The construction activity was not yet sufficiently completed for an inspection to be made; or

d. The construction activity was covered or otherwise concealed and therefore not available for inspection.

Reinspection fees shall be paid to the City Controller prior to the issuance of a certificate of occupancy or final approval of work and be deposited in the Engineering Non Reverting account. (Gen. Ord. No. 29, 2004, As Amended, 12-09-04)

Introduced by: \_\_\_\_\_ Cheryl Loudermilk, Councilperson

Passed in open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_ Tammy Boland, President

ATTEST: \_\_\_\_\_ Michelle L. Edwards, City Clerk

Presented by me to the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2024  
at \_\_\_\_\_ o'clock.

\_\_\_\_\_ Michelle L. Edwards, City Clerk

Approved by me, the Mayor, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_ Brandon C. Sakbun, Mayor

ATTEST: \_\_\_\_\_ Michelle L. Edwards, City  
Clerk