

TITLE 7
BUILDING REGULATIONS

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CHAPTER 1

UNIFORM BUILDING CODE

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7-1-1: UNIFORM BUILDING CODE ADOPTED:

- (A) Building Code Adopted: The Uniform Building Code, 1991 Edition, published by the International Conference of Building Officials, and such later supplements and additions as may hereafter be published as prepared and published by the International Conference of Building Officials, except such portions as may be deleted, modified or amended by the City Council are hereby adopted as the official Code of the City of Shelley.
- (B) Code on File: Three (3) copies of the Uniform Building Code, 1991 Edition, duly certified by the Clerk, and any such later supplements and editions as may hereafter be published and prepared by the International Conference of Building Officials shall be retained by the City for the use and examination by the public. One (1) copy shall be filed in the office of the City Clerk. Two (2) copies shall be filed in the office of the Division of Planning and Building.

7-1-2: AMENDMENTS TO THE UNIFORM BUILDING CODE: The City Council does hereby reserve the power to amend, modify or delete any of the provisions of such Code or supplements and additions thereto as shall be deemed appropriate by the City Council by duly enacted resolution or ordinance.

- (A) Building Permit Fees: Building permit fees shall be established by resolution of the Council and posted by the Clerk's office and may be amended from time to time by resolution of the Council. If no such resolution has been adopted or posted, then

the fees provided in the Uniform Building Code, 1991 Edition, or as later supplemented and modified, shall be the schedule of charges for fees to be charged within the City of Shelley.

- (B) The determination of value or valuation under any of the provisions of this Code shall be made by the building officials subject to review on appeal by the City Council.

Where work for such a permit is required by this Code is started or proceeded with prior to obtaining said permit, the fees above-specified shall be doubled, but the payment of such double fee shall not relieve any person from fully complying with the requirements of this Code in the execution of the work nor from any other penalties prescribed herein.

7-1-3: NEW CONSTRUCTION REQUIREMENTS: All new residential construction of residential homes or houses constructed within the City of Shelley or within the city's impact area shall meet or exceed the requirements set forth for manufactured homes at Section 10-17-2; and the same requirements shall apply to previously constructed buildings that are moved into the city or the city's impact area for residential housing purposes.

7-1-4: NEW CONSTRUCTION - INSTALLATION OF SIDEWALKS, CURBS, AND GUTTERS: All new construction including, but not limited to, residential homes (including manufactured homes), businesses, schools, churches, apartment buildings, within the City of Shelley or within one quarter (1/4) of a mile of the city limits in the city's impact area, at owners expense, shall install all street side improvements, including sidewalks, curbs, and gutters, and said sidewalks shall be a minimum of 5 feet in width and may be required to be wider in areas near shopping centers, schools, or where pedestrian traffic may warrant a greater width and such improvements shall be installed under the supervision of the city engineer to the minimum relevant specifications. However, in areas where the grade for street side improvements has not yet been established or in areas where there is not an abutting sidewalk on either side of the new construction, then the city council may, by majority vote, waive the requirement for the installation of street side improvements in such areas. At such time as there is a grade established or an abutting sidewalk on either side of the property, the owner shall property then be required to install all street side improvements as identified herein.

7-1-5: CERTIFICATE OF OCCUPANCY: No building or structure shall be used or occupied and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the city building inspector has issued a certificate of occupancy therefor as provided herein.

- (A) Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.
- (B) After the building inspector inspects the building or structure and finds no violations of the provisions of this code or other laws which are enforced by the code enforcement agency, the building inspector shall issue a certificate of occupancy which shall contain the following:
1. The building permit number.
 2. The address of the building.
 3. The name and address of the owner.
 4. A description of that portion of the building for which the certificate is issued.
 5. A statement that the described portion of the building has been inspected for compliance with the requirements of this code for the group and vision of occupancy and the use for which the proposed occupancy is classified.
 6. The name of the building inspector.
- (C) If the building inspector finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed and if the applicant or other interested person provides the City of Shelley a performance bond, cash deposit, or other adequate assurance for completion of the remaining items necessary for issuance of a final certificate of occupancy, such bond, deposit, or other assurance being in the amount of one hundred twenty five percent (125%) of the estimated cost of completion, a temporary certificate of occupancy may be issued for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure. Following completion of the work hereunder, the City shall refund any unused portion of the bond, deposit, or other assurance to the person providing the same.
- (D) The building inspector may, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this code whenever the certificate is issued in error, or on the basis of incorrect information supplied, or when it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

7-1-6: DRIVEWAYS: All new construction of single family dwellings within the City of Shelley and within one-quarter ($\frac{1}{4}$) of a mile of the boundaries of the City of Shelley into the impact area shall have a paved driveway from the street to the garage. Said

driveway shall be covered with a minimum of two (2) inches of compacted asphaltic material or cement or other permanent ground covering as maybe approved by the city council. This Ordinance shall apply to all new construction whether for stick built homes or manufactured homes.

7-1-7: VIOLATIONS AND PENALTY: Any person who violates the provisions of this chapter, of Chapter 2 of title 7 of the City Code, or of the Uniform Building Code as adopted by the City of Shelley shall be guilty of a misdemeanor and shall be punishable by a fine of not to exceed \$300.00 or by imprisonment for a term not exceeding three months or by both such fine and imprisonment. In addition, if the City determines such action is necessary or desirable, the City may discontinue the provision of city services and utilities to any property that is found to be in violation of this chapter or of the Uniform Building Code. In addition, the failure of any applicant for a building permit, certificate of occupancy, or any other official action of the City's Division of Planning and Building (such applicant including both the property owner and contractor as applicable) to comply in all respects with the provisions of this chapter, of Chapter 2 of Title 7 of the City Code, or of the Uniform Building Code as adopted by the City of Shelley, both in relation to the property subject to the application as well as any other properties or projects of the applicant in the city limits, shall be grounds, for denial of the issuance of said building permit, certificate of occupancy, or other official action until the applicant shall be in full compliance with said provisions.