

**COUNCIL OF THE TOWN OF LA PLATA**  
**Ordinance No. 12-07**

---

**Introduced By:** Mayor Roy G. Hale, by request

**Date Introduced:** May 22, 2012

**Amendments Adopted:**

**Date Adopted:** July 24, 2012

**Date Effective:** August 8, 2012

---

1 An Ordinance concerning

2  
3 **INTERNATIONAL BUILDING CODE 2009**

4  
5 **FOR** the purpose of adopting the International Building Code 2009, with certain modifications and  
6 additions, as the building code for the Town of La Plata, with certain exceptions; providing for  
7 the administration and enforcement of that code; specifying penalties for violations; providing  
8 that the provisions of this Ordinance are severable; and all matters generally related thereto.

9  
10 \* \* \* \* \*

11  
12 **BY** repealing and reenacting with amendments  
13 Chapter 75 – BUILDING CONSTRUCTION  
14 Article I. Building Code  
15 Sections 75-1, 75-2 and 75-3  
16 Code of the Town of La Plata  
17 (1998 Edition and Supplements)

18  
19 **SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LA PLATA,** That  
20 Sections 75-1, 75-2 and 75-3 of the Code of the Town of La Plata (1998 Edition and Supplements) be  
21 and they are hereby repealed and reenacted, with amendments, to read as follows:

22  
23 **Chapter 75 – BUILDING CONSTRUCTION**  
24 **Article I. Building Code**

25  
26 **75-1. Adoption of standards; copies on file.**

27  
28 Subject to the provisions of §75-2, there is hereby adopted by the Town of La Plata for the  
29 purpose of establishing minimum standards governing the design, construction, alteration,  
30 enlargement, repair, demolition, removal, maintenance and use of buildings and structures in the town,  
31 a certain document entitled the International Building Code ((2006)) 2009, as published by the  
32 International Code Council. Not less than one (1) copy of the International Building Code ((2006))  
33 2009 shall be kept on file in the office of the Town Clerk.  
34

35 **75-2 Modifications.**

36  
37 The International Building Code ((2006)) 2009, as adopted by §75-1, is modified as set forth  
38 below:

39 \* \* \*

40  
41 D. Delete in its entirety Section 103, Department of Building and Safety, on page 2, and  
42 substitute the following:

43 **Section 103 Building Official.**

44 **103.1 General:** This Code shall be administered and enforced by the Building Official. The  
45 Building Official shall be the ((Director)) MANAGER of Inspections of the Town, or such  
46 other person as the Town's Chief Executive Officer Designates.

47 \* \* \*

48  
49  
50 H. Section ((108.2)) 109.2 on page 6 is revised to read as follows:

51  
52 **((R-108.2)) 109.2 Fee schedule:** The fees for all work for which a permit is required by this  
53 Code shall be as prescribed by ordinance adopted by the Town Council from time to time.

54  
55 I. Section ((108.6)) 109-6 on page 7 is revised to read as follows:

56 **((108.6)) 109.6 Fee Refunds:** The building official shall authorize the refunding of the full  
57 amount of any fee that was erroneously paid or collected. The building official shall not  
58 authorize the refunding of any fee paid, except upon written application filed by the original  
59 permittee not later than 180 days after the date of the fee payment.

60  
61 J. Section ((112.1)) 113.1 on page 8 is deleted, and new Section ((112.1)) 113.1 is substituted,  
62 to read as follows:

63 **112.1 General:** The Board of Appeals provided for in Chapter 9 of the Code of the Town of La  
64 Plata may hear and decide appeals of orders, decisions or determinations of the building official  
65 relating to the application and interpretation of this code. The application shall be filed within  
66 20 days from the date of the order, decision or determination being appealed. All appeals filed  
67 pursuant to this section shall be governed by the provisions of such Chapter 9 and by any rules  
68 of procedure adopted by the Board of Appeals pursuant to Chapter 9.

69  
70 K. Section ((112.3)) 113.3 on page 8 is deleted in its entirety.

71  
72 L. Section 113.3 on page 8 is revised to read as follows:

73 **((106.4)) 113.3 Prosecution OF VIOLATION:** In addition to the penalties provided for in  
74 Section ((113.4)) 114.4 in case of any unlawful acts the building official, with the approval of  
75 the chief executive officer of the Town, may institute in the name of the Town an appropriate  
76 civil action or proceeding against the person responsible for the violation for the purpose of  
77 ordering that person:

78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120

- 1. To restrain, correct or remove the violation or refrain from further execution of work;
- 2. To restrain or correct the erection, installation, maintenance, repair or alternation of such structure;
- 3. To require the removal of work in violation; or
- 4. To prevent the occupancy of the structure that is not in compliance with the provisions of this code.

\* \* \*

M. Section ((113.4)) 114.4 on page 8 is deleted and new Section ((113.4)) 114.4 is substituted to read as follows:

**((113.4)) 114.4 Violations and penalties:**

1. Knowing and intentional violations of this code, failures to comply with this code, or refusals or failures to comply with a notice issued pursuant to Section ((107)) 113.2 of this code, are declared to be misdemeanors. Any person who knowingly and willfully commits any of these acts shall, upon conviction, be subject to a penalty as set forth in Chapter 1, Article III, and particularly §1-21, of the Code of the Town of La Plata (1998). Each day that one of these acts continues is a separate offense.

2. Except as provided in paragraph 1 above, violations of this code, failures to comply with this code, or refusals or failures to comply with a notice issued pursuant to Section ((107)) 113.2 of this code, are declared to be municipal infractions, and shall be subject to the penalties and procedures as provided in Chapter 1, Article III, and particularly §1-22, of the Code of the Town of La Plata (1998). These acts are strict liability offenses. Each day that one of these acts continues is a separate offense.

N. In the last line of Section ((114.3)) 115.3 on page 9, delete "law" and substitute "section ((113.4.1)) 114.4.1."

O. The definition of "building official" as contained in Section 202 on page 12 is revised to read as follows:

**Building Official:** The ((Director)) MANAGER of the Department of Inspections of the Town, or such other person as the Town's Chief Executive Officer may designate.

P. New Section ((907.9.2.1)) 907.5.2.1.1 is added to Section ((907.9.2)) 907.5.2.1 on page ((188)), to read as follows:

**((907.9.2.1.1 Audible outside building:** In addition to being audible in the locations specified in this Section 907, the alarm signaling system, or a supplemental alarm signaling system, shall be audible on the exterior of the building.

Q. Section ((1017.2.2)) 1018.2.2 on page ((223)) 243 is revised to read as follows:

121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163

**((1018.2.2)) 1020.2.2 Arrangement:** Exterior exit doors shall lead directly to the exit discharge to the exit discharge or the public way, except that all required exit access doors for uses in all use categories except use group r shall open towards a yard, court or open space.

R. Section ((1018.2)) 1020.2 on page ((214)) 243 is deleted in its entirety.

S. In the first through fourth lines of Section ((3410.2)) 3412.2 on page ((545)) 577, in the space labeled “[DATE TO BE INSERTED BY THE JURISDICTION. NOTE: IT IS RECOMMENDED THAT THE DATE COINCIDE WITH THE EFFECTIVE DATE OF BUILDING CODES WITHIN THE JURISDICTION]” insert “the date of adoption of this code.”

T. New Section ((3110)) 3111 is added to Chapter 31, Special Construction, to follow immediately after Section ((3109)) 3110 on page ((534)) 563, to read as follows:

**SECTION ((3110)) 3111  
SPECIAL CONSTRUCTION PRECAUTIONS**

**((3110.1)) 3111.1 General:** In any construction area of more than for (4) single dwelling units or any commercial unit, shopping center, office building, multifamily dwelling, school, etc., fire protection and fire prevention fixtures shall be required as provided in Sections 3110.2, 3110.3 and 3110.4.

**((3110.2)) 3111.2 Serviceable road:** Prior to the framing of the building, a serviceable all-weather road shall be installed so that all normal access that will be available when the building is open will be available to fire prevention and suppression authorities while the building is under construction.

**((3110.3)) 3111.3 Adequate water supply:** All underground waterlines shall be installed prior to framing, and adequate fire hydrants and water supply for fire fighting shall be provided.

**((3110.4)) 3111.4 Telephone:** Prior to framing, a telephone or some other means of transmitting an alarm of fire shall be installed.

**75-3            Illumination Standards.**

A. The American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 90-75 for Illumination Standards for Commercial, Industrial and Multifamily Dwellings is hereby adopted as a part of the Town of La Plata Building Code.

B. Violations of this standard are subject to the provisions and penalties set forth in Section ((113.4)) 114.4 of the International Building Code ((2006)) 2009 as adopted in Sections 75-1 and 75-2

164 of this Code.

165

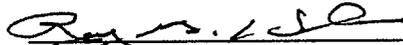
166 **SECTION 2. AND BE IT FURTHER ENACTED**, That if any provision of this Ordinance, or the  
167 application thereof to any person or circumstance is held invalid for any reason, such invalidity shall  
168 not affect the other provisions or any other application of this Ordinance which can be given effect  
169 without the invalid provisions or application, and to this end, all the provisions of this Ordinance are  
170 hereby declared to be severable.

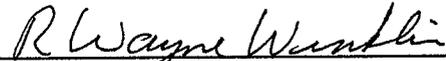
171

172 **SECTION 3. AND BE IT FURTHER ENACTED**, That this Ordinance shall become effective at  
173 the expiration of fifteen (15) calendar days after its approval by the Council.

**SEAL:**

**COUNCIL OF THE TOWN OF LA PLATA**

  
\_\_\_\_\_  
Roy G. Hale, Mayor

  
\_\_\_\_\_  
R. Wayne Winkler, Councilman

  
\_\_\_\_\_  
C. Keith Back, Councilman

**ATTEST:**

  
\_\_\_\_\_  
Paretta D. Mudd, Councilwoman

  
Danielle Mandley, Town Clerk  
Date 7/24/12

  
\_\_\_\_\_  
Joseph W. Norris, Councilman

**EXPLANATION:**

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW  
((Double Parenthesis)) indicate matter deleted from existing law.  
\* \* \* indicates existing law not depicted in bill and not being altered by bill  
Underlining indicates amendments to bill.  
Strike-Out indicates matter stricken from bill by amendment or deleted from the law  
by amendment.