

COUNCIL OF THE TOWN OF LA PLATA
Ordinance No. 08-20

Introduced By: Mayor Roy G. Hale
Date Introduced: October 28, 2008
Amendments Adopted:
Date Adopted: November 25, 2008
Date Effective: December 11, 2008

1 **An Ordinance** concerning
2

3 **INTERNATIONAL EXISTING BUILDING CODE 2006**
4

5 **FOR** the purpose of adopting the International Existing Building Code 2006, with certain
6 modifications, as the code for the repair, alteration, change of occupancy, addition, and
7 relocation of existing buildings in the Town of La Plata; providing for the administration and
8 enforcement of that code; specifying penalties for violations; providing that the provisions of this
9 Ordinance are severable; and all matters generally related thereto.

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11 * * * * *

12
13 **BY** repealing and reenacting, with amendments
14 Chapter 75 – Building Construction
15 Article VIII, Existing Building Code
16 Sections 75-15 and 75-16
17 Code of the Town of La Plata
18 (1998 Edition and Supplements)
19

20 **SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LA PLATA,**
21 That Sections 75-15 and 75 of the Code of the Town of La Plata (1998 Edition and Supplements) be
22 and they hereby are repealed and reenacted, with amendments, to read as follows:
23

24 **CHAPTER 75 – BUILDING CONSTRUCTION**
25 **ARTICLE VIII. EXISTING BUILDING CODE**
26

27 **75-15. ADOPTION OF STANDARDS; COPIES ON FILE.**
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29 Subject to the provisions of §75-14, there is hereby adopted by the Town of La Plata for the
30 purpose of regulating and controlling the repair, alteration, change of occupancy, addition, and

31 relocation of existing buildings in the Town of La Plata the International Existing Building Code
32 ((2003)) 2006, as published by the International Code Council. Not less than one (1) copy of the
33 International Existing Building Code ((2003)) 2006 shall be kept on file in the office of the Town Clerk.
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35 **75-16 MODIFICATIONS.**

36
37 The International Existing Building Code ((2003)), as adopted by §75-15, is modified as set forth
38 below:

39 * * *

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41
42 B. Section 102.4 on page 1 is revised to read as follows:

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44 **102.4 REFERENCED CODES AND STANDARDS:** The codes and standards referenced in
45 this code and those listed in Chapter ((14)) 15 shall be considered part of the requirements of this
46 code to the prescribed extent of each such reference, except to the extent that any of such
47 standards have been expressly modified in the Code of the Town of La Plata. Where differences
48 occur between the provisions of this code and the referenced codes and standards, the provisions
49 of this code shall apply.

50 * * *

51
52
53 F. In the ((ninth)) LAST line of ((Sections)) SECTION 105.3.1 on page 4, delete “issue” and
54 substitute “authorize the issuance of”.

55 * * *

56
57
58 J. In the ((fifth)) FOURTH line of section 108.4 on page 6, delete “Code Official” and
59 substitute “Town”.

60 * * *

61
62
63 M. In the third and fourth lines of Section 110.2 ON PAGE 7, delete “Department of Building
64 Safety” and substitute “Town”; and in the fourth line of that section, delete “issue” and substitute
65 “authorize the issuance of”.

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67 N. Section 112.1 on page 8 is revised to read as follows:

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69 **((109.1)) 112.1 Appeal:** Any person aggrieved by an order, decision or determination made by
70 the Code Official relating to the application and interpretation of this code may take an appeal to
71 the Board of Appeals by filing a notice of appeal with the Board within ten days from the order,
72 decision or determination from which the appeal is taken.

73
74 O. ((Sections 111.2 through 112.3, inclusive,)) SECTION 112.3 on page 8 ((are)) IS
75 deleted in ((their entirety)) ITS ENTIRETY, and new section ((111.2)) 112.3 is substituted,
76 to read as follows:

77

78 **((109.2)) 112.3 Board of Appeals:** The Board of Appeals referred to in Section ((101.1))
 79 112.1 is the same Board of Appeals provided for in Chapter 9 of the Code of the Town of La
 80 Plata. All appeals filed pursuant to Section ((109.1)) 112.1 shall be governed by the
 81 provisions of such Chapter 9 and by any rules of procedure adopted by the Board of Appeals
 82 pursuant to Chapter 9.

83

84 P. Section 113.3 on page 8 is deleted in its entirety and new section 113.3 is substituted in
 85 lieu thereof, to read as follows:

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87 **((108.3)) 113.3 prosecution of violation:** in addition to the penalties provided for in Section
 88 113.4, in case of failure to comply with a notice of violation within the time specified in the
 89 notice, or in case of any other unlawful acts under this code, the code official, with the
 90 approval of the chief executive officer of the town, may institute in the name of the town an
 91 appropriate civil action or proceeding against the person responsible for the violation for the
 92 purpose of ordering that person:

93

94 1. To restrain, correct or remove the violation or refrain from further execution of work;

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96 2. To restrain or correct the erection, installation, maintenance, repair or alteration of
 97 such structure;

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99 3. To require the removal of work in violation; or

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101 4. To prevent, or to require the termination or removal of, the occupancy of the structure
 102 that is not in compliance with the provisions of this code or any order or direction made
 103 pursuant thereto.

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

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111 **SECTION 3. AND BE IT FURTHER ENACTED,** That this Ordinance shall become effective at
 112 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

James Goldsmith, Councilman

Scot D. Lucas, Councilman

ATTEST:

Paretta D. Mudd, Councilwoman

Judith T. Frazier, Town Clerk
Date _____

Vic E. Newman, Councilman

EXPLANATION:
CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
((Double Parenthesis)) indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.