

ORDINANCE #2013-250

**AN ORDINANCE AMENDING CHAPTER 5, ARTICLE I OF THE CODE OF RANSON,
WEST VIRGINIA BY ADOPTING THE STATE BUILDING CODE AS PROMULGATED BY
THE WEST VIRGINIA STATE FIRE COMMISSION PURSUANT TO
W. VA. CODE § 29-3-5B**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RANSON, WEST VIRGINIA:

Delete Sec. 5-2 in its entirety and replace with the following text:

Sec. 5-2. Adoption of the State Building Code.

There is hereby adopted by Council, the State Building Code as promulgated by the West Virginia State Fire Commission pursuant to West Virginia Code 29-3-5b and the provisions thereof, which consists of the standards and requirements as set out and as published by the International Code Council and the American National Standards Institute as listed below, and shall have the same force and effect as if set out verbatim in this rule, except all references to the ICC Electrical Code mean NFPA 70, National Electric Code/2011.

Any additions, insertions, deletions, changes, modifications or amendments, including later editions and/or printings adopted by the West Virginia State Fire Commission of the State Building Code pursuant to Legislative Rule shall automatically be adopted by Ranson, through incorporation and by reference and effective on the date indicated by the State Fire Commission's Legislative Rule and remain in such effect until the City Council of Ranson amends, revokes or adopts a new ordinance. If the State Fire Commission adopts a new version of the building code, all appendices shall be considered adopted until City Council amends otherwise.

(a) The 2012 International Building Code, First Printing, with the following exceptions:

- i. Provided; that the section entitled "Fire Prevention" and identified as Section 101.4.5 is deleted and not considered to be a part of this rule.
- ii. Section 113.3 shall be modified to read as follows:
113.3 Qualifications. The Board of Appeals shall consist of five members, with up to three alternates, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. They may include but are not limited to, a WV Registered Professional Architect or Engineer, or a WV Licensed General Building, Residential, Electrical, Piping, Plumbing, Mechanical or Fire Protection Contractor, with at least 10 years experience, five of which shall be in responsible charge of work.

(b) The 2012 edition of the International Plumbing Code, First Printing.

- (c) The 2012 edition of the International Mechanical Code, First Printing.
- (d) The 2012 edition of the International Fuel Gas Code, First Printing, with the following exception:
- i. Section 404.10 Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade. If the minimum depth cannot be maintained, the piping system shall be installed in conduit or shielded in an approved manner.
- (e) The 2012 edition of the International Property Maintenance Code, First Printing.
- (f) The 2009 edition of the International Energy Conservation Code For Residential Buildings, First Printing, effective November 30, 2013.
- (g) ANSI/ASHRAE/IESNA Standard 90.1-2007 Energy Standard for Buildings Except Low-Rise Residential Buildings.
- (h) The 2009 edition of the International Residential Code, First Printing, with the following exceptions:
- i. Section G2415.10 Minimum Burial Depth. Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade. If the minimum depth cannot be maintained, the piping system shall be installed in conduit or shielded in an approved manner.
 - ii. Section R311.7.4.1 Riser heights. The maximum riser height shall be eight and one-quarter (8 ¼) inches.
 - iii. Section R311.7.4.2 Tread depth. The minimum tread depth shall be nine (9) inches.
 - iv. Section R403.1.7.1 Building clearances from ascending slopes. Delete, no replacement, not applicable to this rule.
 - v. Section R403.1.7.2 Footing setbacks from descending slope surfaces. Delete, no replacement, not applicable to this rule.
 - vi. Chapter 11 Energy Efficiency. Delete entire chapter, no replacement, not considered part of this rule.
 - vii. Fire Protection of Floors in Residential Buildings. New One and Two Family Dwellings over one level in height. New One and Two Family Dwellings containing a basement, and New One and Two Family Dwellings containing a crawl space containing a fuel burning appliance below the first floor, shall provide a method of fire protection of floors of ½ inch (12.7 mm) gypsum wall board membrane, 5/8 inch (16 mm) wood structural panel membrane, or equivalent on the underside of the floor framing member. Alternatively, floor fire protection may be provided with the wood floor assemblies using dimension lumber or structural composite lumber equal or greater than 2 inch by 10 inch (50.8 mm by 254 mm) nominal dimension, or other approved floor assemblies demonstrating equivalent fire performance. If the flooring

does not meet the requirements of this section, the dwelling must contain an Automatic Fire Sprinkler System as set forth in Section 313.2 of the 2009 edition of the International Residential Code of One and Two Family Dwellings. Provided that: floor assemblies located directly over a space protected by an automatic sprinkler system as set forth in Section 313.2 of the International Residential Code for One and Two Family Dwellings are exempt from this requirement.

- (i) The 2009 ICC/ANSI A117.1 Standards for Accessibility & Usable Buildings & Facilities, First Printing.
- (j) The 2012 edition of the International Existing Building Code, First Printing, with the following exception:
 - i. Section 101.4.1.k.1 Buildings previously occupied. Delete reference to International Fire Code and replace with NFPA 101, Life Safety Code 2009 edition.
- (k) The 2011 edition of the National Electric Code, NFPA 70.
- (l) NFPA 101 Life Safety Code, 2009.
- (m) Exceptions.

The following structures are not subject to inspection by local jurisdictions for provisions under the building code, but shall require a permit and be inspected for compliance with applicable planning and zoning ordinances, as amended, under the Ranson Municipal Code:

Group U utility structures and storage sheds comprising an area not more than 250 sq. ft. which have no plumbing or electrical connections and are used only for residential storage purposes. (Examples include sheds that are for the residential storage of lawnmowers, tools, bicycles or furniture.) Not included are those utility structures and storage sheds which have plumbing or electrical connections, are a non-residential use or for the storage of explosives or other hazardous and explosive materials.

- (n) Availability of Code Books.

A copy of the codes listed is on file with the Secretary of State and with the City of Ranson, 312 S. Mildred Street, Ranson West Virginia 25438. These code books, collectively or separately, may be obtained by contacting the International Code Council, 4051 West Flossmoor Rd., Country Club Hills, IL 60478-5795, 1-888-422-7233, or the ICC Store, 1-800-786-4452.

- (o) Fee Schedule for all Codes. Ranson Municipal Ordinance 5-8, shall apply to all fee schedules within the adopted Codes.

(p) Penalties. Penalties for violating any provisions of the adopted Codes are set forth Chapter 5, Article III and 5-50(f), as amended, of the Ranson Municipal Code. Any person, firm, corporation violating any provisions of any of the adopted codes or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of the adopted codes, shall be guilty of a misdemeanor; and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof, during which any violation of any of the provisions of the codes have been committed, or permitted, after notice has been served. Upon conviction of any such violation such person, firm or corporation shall be punishable by a fine of not less than \$200 nor more than \$1000 per violation. In addition to the criminal penalties provided herein, the City of Ranson may, at its option, pursue injunctive relief in the Circuit Court of Jefferson County.

(q) Amendments.

The State Building Code City of Ranson inserts are as follows:

(1) International Building Code 2012

Section 101.1, insert: Ranson, West Virginia

Section 1612.3, inserts: (Jefferson County, West Virginia and Incorporated Areas) and (December 18, 2009)

Section 3412.2, insert: September 1, 2013

The City of Ranson hereby adopts the following IBC 2012 appendices:

Appendix C: Group U Agricultural Buildings

Appendix E: Supplementary Accessibility Requirements

Appendix F: Rodent Proofing

Appendix G: Flood-Resistant Construction; insert December 18, 2009 at 102.2. Chapter 5, Article VIII, Ranson Flood Plain Ordinance, as amended, shall supersede any conflict with this adopted appendix.

Appendix I: Patio Covers

Appendix J: Grading

(2) International Residential Code 2009

Section R101.1, insert: Ranson, West Virginia

Table R301.2 (1), inserts: Ground snow load: 30 psf live load (equivalent)

Wind speed: 90 mph

Seismic Design Category: B

Weathering: Severe

Frost Line Depth: 30 inches

Termite: Moderate to Heavy

Decay: Slight to Moderate

Winter Design Temp: 10 degrees
Ice Barrier Underlayment: No
Flood Hazards: (a) June 1979 (NFIP entry)
(b) 12/18/2009 (Current FIS)
(c) FIRM Map 54037C0136E
Effective date 12/18/2009

Air Freezing Index: 703
Mean Annual Temp: 50-55

Section P2603.6.1, insert: 18 inches (two locations)

The City of Ranson hereby adopts the following IRC 2012 appendices:
Appendix A: Sizing and Capacities of Gas Piping.
Appendix B: Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances and Appliances Listed for Use with Type B Vents.
Appendix C: Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems.
Appendix D: Recommended Procedure for Inspection of Existing Appliance Installation.
Appendix E: Manufactured Housing Used as Dwellings
Appendix F: Radon Control Methods
Appendix G: Swimming Pools, Spas and Hot Tubs
Appendix H: Patio Covers
Appendix M: Home Day Care R-3 Occupancy
Appendix N: Venting Methods
Appendix O: Graywater Recycling Systems
Appendix P: Sizing of Water Piping System

- (3) International Existing Buildings Code 2012
Section 101.1, insert: Ranson, West Virginia
Section 1301.2, insert: September 1, 2013

The City of Ranson hereby adopts the following IEBC 2012 appendix:
Appendix B: Supplementary Accessibility Requirements for Existing Buildings and Facilities

- (4) International Plumbing Code 2012
Section 101.1, insert: Ranson, West Virginia
Section 305.4.1, insert: 18 inches (two locations)
Section 903.1, insert: 12 inches
Delete: Sections 106.2; 106.3; 108.4
Amend Section 603.2 as follows:
Specification for water service line in the City of Ranson and separation of town house water service and building sewer laterals.

Water service pipe and building sewer shall be:

- (a) Separated by a minimum of two (2) feet [610 mm] horizontal with a twelve (12) inch [305 mm] vertical separation, between the top of the sewer line and the bottom of the water line, sleeved from the foundation to the water vault, if the building sewer is constructed of materials listed in Table 702.2 of the IPC.
- (b) Five (5) feet [1524 mm] horizontally of undisturbed or compacted earth sleeved from the water vault to the building foundation.

There shall be a minimum of six (6) inches [153 mm] of suitable bedding (stone dust, sand, etc. approved by the utility provider) under, over and around the water pipe, sleeving pipe and sewer service pipe.

Water lateral sleeving should be achieved by two (2) inch schedule 40 PVC or two (2) sizes larger than the service pipe, whichever is the larger.

If crossing of any utilities is unavoidable, at the discretion of the utility, the water service line will be sleeved from the foundation to the water vault constructed of materials with a minimum of 200 psi piping. Where any water lateral crosses a path of vehicular traffic or public travel ways the line is required to be sleeved five (5) feet on either side of the edge of the travel path with materials listed in the IPC Table 702.2.

Location of water service and sewer laterals as provided on the approved site plan must be approved with the proper separation and constructed as such as approved by the utility provider and the City of Ranson.

Location of water crocks and sewer clean outs will not be prohibited in vehicular traffic ways or in public travel ways. Clean outs and other standards for construction of sewer laterals shall conform to the IPC.

The City of Ranson hereby adopts the following IPC 2012 appendices:

Appendix B: Rates of Rainfall for Various Cities

Appendix C: Vacuum Drainage Systems

Appendix D: Degree Day and Design Temperatures

Appendix E: Sizing of Water Pipe Systems

Appendix F: Structural Safety

(5) International Mechanical Code 2012

Section 101.1, insert: Ranson, West Virginia

Delete: Sections 106.2, 106.6.3, 108.4, 108.5

The City of Ranson hereby adopts the following IMC 2012 appendix:

Appendix A: Combustion Air Openings and Chimney Connector Pass-Throughs

(6) International Fuel Gas Code 2012

Section 101.1, insert: Ranson, West Virginia

Delete: Sections 106.6.2, 106.6.3, 108.4, 108.5

The City of Ranson hereby adopts the following IFGC 2012 appendices:

Appendix A: Sizing and Capacities of Gas Piping (IFGS)

Appendix B: Sizing of Vent Systems (IFGS)

Appendix C: Exit Terminals of Mechanical Draft Systems and Direct-Vent Venting Systems (IFGS)

Appendix D: Recommended Procedure for Safety Inspection of Existing Appliance Installation.

(7) International Property Maintenance Code 2009

Section 101.1, insert: Ranson, West Virginia

Section 103.5 Insert "Ranson Municipal Code 5-8, as amended."

Section 106.3 Amend to state as follows: "Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor, and the violation shall be punishable as set forth in 5-3-1 of the Ranson City Code. If the notice of violation is not complied with the Building Code Official may also institute an appropriate legal proceeding to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the City of Ranson on such premises shall be charged against the real estate upon which the structure is located and be a lien against such real estate."

Section 106.4 Amend to state as follows: "Any person who shall violate a provision of this code or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted and punished as set forth in Chapter 5, Article 3, Section 5-50 of the Ranson City Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense."

Section 107.2 Amend text to state as follows: "Form. Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

(i) Be in writing.

(ii) Include a description of the real estate sufficient for identification.

(iii) Include a statement of the violation or violations, including the specific code and section, and why notice is being issued.

(iv) Include a correction order allowing the owner or occupant a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this chapter and code with an explanation that the owner or occupant of the structure may be fined between \$200 and \$1000 per for each day after the date the Building Code Official gave the owner or occupant to remedy the violation(s) with each day constituting a separate offense.

The time given to the owner or occupant to correct the violation shall not exceed 90 days. A 30 day extension may be requested if good faith effort is shown by owner. The extension, if any, is granted at the discretion of the Building Code Official.

Section 111 Delete Section 111 in its entirety. Amend as follows "Penalties for violating any provisions of this are set forth Chapter 5, Article III and 5-50(f), as amended, of the Ranson Municipal Code. Any person, firm, corporation violating any provisions of any of the adopted codes or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of the adopted codes, shall be guilty of a misdemeanor; and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof, during which any violation of any of the provisions of the codes have been committed, or permitted, after notice has been served. Upon conviction of any such violation such person, firm or corporation shall be punishable by a fine of not less than \$200 nor more than \$1000 per violation. Any person, firm or corporation accused of violation any provision of this Code shall have the right to a full hearing and due process before the Ranson Municipal Court."

Section 302.4 Insert "Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of 8 inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Section 304.14, insert: January 1 to December 31

Section 602.3, insert: January 1 to December 31

Section 602.4, insert: January 1 to December 31

(8) International Energy Conservation Code 2012
Section 101.1 insert: Ranson, West Virginia

(9) NFPA 70

The adoption of the State Building Code by the City of Ranson includes the adoption of NFPA 70, National Electric Code 2008. The annexes are explanatory and do not require adoption.

Severability. Be it further ordained that if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Ranson City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Effective date. This ordinance shall take effect immediately upon passage.

Repeal. All ordinances in conflict with this ordinance are hereby repealed and this Ordinance shall take precedence.

(Ord. No. 164, 10-2-2006; Ord. No. 169, 2-6-2007; Ord 212, 9-7-2010)

Adopted by the City Council of the City of Ranson after a 1st reading on October 1st, 2013 and a 2nd reading on October 15th, 2013 by a vote of 5 in the affirmative, 0 in the negative with 0 abstentions

A. David Hamill

A. David Hamill

Mayor

ATTEST:

Debbie McClure

Debbie McClure

Recorder



