

**BUILDING ORDINANCE
TOWN OF SELLERSBURG**

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ORDINANCE NO. 2012-004

AMENDED BUILDING ORDINANCE
OF THE TOWN OF SELLERSBURG

WHEREAS, THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG ADOPTED ITS BUILDING. CODE AND FEE PERMIT SCHEDULE ON THE 11th DAY OF March 1996, UNDER ORDINANCE NO 96-640 ; AND

WHEREAS, THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG HAS DETERMINED SAID ORDINANCE SHOULD BE AMENDED; AND WHEREAS, SAID ORDINANCE WILL REGULATE THE CONSTRUCTION, ALTERATION, REPAIR, LOCATION AND USE OF BUILDINGS AND STRUCTURES IN THE TOWN OF SELLERSBURG, INDIANA; PROVIDING FOR THE ISSUANCE OF PERMITS THEREFORE AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND

WHEREAS, THIS MATTER WAS CONSIDERED IN AN OPEN MEETING OF THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG AT WHICH THE PUBLIC WAS INVITED TO ATTEND AND PARTICIPATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, CLARK COUNTY, INDIANA AS FOLLOWS:

SECTION 1: ADOPTION.

THIS ORDINANCE IS HEREBY ADOPTED PURSUANT TO PROVISIONS OF INDIANA LAW I.C. 22-11-1, I.C. 36-7-2 AND I.C. 36-7-10. THIS ORDINANCE SHALL REPEAL ALL PREVIOUS ORDINANCES AND ALL AMENDMENTS THERETO AND SHALL BECOME THE CODE OF ORDINANCES OF THE TOWN OF SELLERSBURG, INDIANA.

SECTION 2: TITLE.

THIS ORDINANCE, AND ALL ORDINANCES SUPPLEMENTAL OR AMENDATORY HERETO, SHALL BE KNOWN AS THE “BUILDING CODE OF THE TOWN OF SELLERSBURG, INDIANA”, MAY BE CITED AS SUCH, AND WILL BE REFERRED TO HEREIN AS “THIS CODE”.

SECTION 3: PURPOSE.

THE PURPOSE OF THIS CODE IS TO PROVIDE MINIMUM STANDARDS FOR THE PROTECTION OF LIFE, LIMB, HEALTH ENVIRONMENT, PUBLIC SAFETY AND WELFARE AND FOR THE CONSERVATION OF ENERGY IN THE DESIGN AND CONSTRUCTION OF BUILDINGS AND STRUCTURES.

SECTION 4: AUTHORITY.

THE TOWN BUILDING COMMISSIONER AND HIS DULY AUTHORIZED REPRESENTATIVES ARE HEREBY AUTHORIZED AND DIRECTED TO ADMINISTER AND ENFORCE ALL OF THE PROVISIONS OF THIS CODE. WHENEVER IN THIS CODE, IT IS PROVIDED THAT ANYTHING MUST BE DONE TO THE APPROVAL OF OR SUBJECT TO THE DIRECTION OF THE COMMISSIONER, HIS DULY AUTHORIZED REPRESENTATIVES OR ANY OTHER OFFICER OF THE BUILDING COMMISSION, THIS SHALL BE CONSTRUED TO GIVE SUCH PERSON ONLY THE DISCRETION OF DETERMINING WHETHER THE RULES AND STANDARDS ESTABLISHED BY ORDINANCE HAVE BEEN COMPILED WITH; AND NO SUCH PROVISION SHALL BE CONSTRUED AS GIVING ANY OFFICE DISCRETIONARY POWERS AS TO WHAT SUCH REGULATIONS, CODES, OR STANDARDS SHALL BE, OR POWER TO REQUIRE CONDITIONS NOT PRESCRIBED BY ORDINANCES OR TO ENFORCE ORDINANCE PROVISIONS IN AN ARBITRARY OR DISCRIMINATORY MANNER.

SECTION 5: SCOPE.

THE PROVISIONS OF THIS CODE APPLY TO THE CONSTRUCTION, ALTERATIONS, REPAIR, USE, OCCUPANCY MAINTENANCE, DEMOLITION, MOVING AND ADDITIONS TO ALL BUILDINGS AND STRUCTURES, INCLUDING FENCES, IN THE TOWN OF SELLERSBURG, INDIANA.

SECTION 6: ADOPTION OF BUILDING RULES CODES AND STANDARDS BY REFERENCE.

A. PURSUANT TO IC 22-13-2-3(B), THE RULES OF THE INDIANA 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 CODE AND SHALL INCLUDE ANY LATER AMENDMENTS TO THOSE RULES.

1. ARTICLE 13-- BUILDING CODES
2. ARTICLE 14 -- ONE AND TWO FAMILY DWELLING CODES
3. ARTICLE 16 -- PLUMBING CODES
4. ARTICLE 17 -- ELECTRICAL CODES

5. ARTICLE 18 -- MECHANICAL CODES
 6. ARTICLE 19 -- ENERGY CONSERVATION CODES
 7. ARTICLE 20 -- SWIMMING POOL CODES
 8. ARTICLE 22 -- INDIANA FIRE CODE
 9. ARTICLE 25 -- INDIANA FUEL GAS CODE
 10. ARTICLE 28 -- NFPA STANDARDS
- B. COPIES OF ADOPTED BUILDING RULES, CODES AND STANDARDS ARE ON FILE IN THE OFFICE OF THE BUILDING COMMISSIONER.

SECTION 7: APPLICATION FOR PERMITS.

1. ANY PERSON REQUIRED TO HAVE PERMIT(S) SHALL SUBMIT A COMPLETE APPLICATION TO THE BUILDING COMMISSIONER.
2. THIS APPLICATION SHALL BE SUBMITTED ON A FORM PREPARED BY THE BUILDING COMMISSIONER, AND SHALL CONTAIN THE FOLLOWING:
 - (A) INFORMATION THAT THE BUILDING COMMISSIONER DETERMINES TO BE NECESSARY TO LOCATE AND CONTACT THE APPLICANT.
 - (B) A CLEAR AND UNDERSTANDABLE COPY OF DETAILED PLANS AND SPECIFICATIONS DRAWN TO SCALE WHICH INDICATE, IN A PRECISE MANNER, THE NATURE AND LOCATION OF ALL WORK TO BE ACCOMPLISHED.
 - (C) A PLOT PLAN DRAWN TO SCALE, HOWEVER SUCH PLOT PLAN SHALL NOT BE REQUIRED IN THE INSTANCE WHERE ALL SUCH CONSTRUCTION IS TO OCCUR ENTIRELY WITHIN AN EXISTING STRUCTURE. THIS PLOT PLAN SHALL REFLECT THE LOCATION OF THE STRUCTURE IN RELATION TO EXISTING PROPERTY LINES AND SHOW STREETS, CURBS AND SIDEWALKS AND PROPOSED CHANGES OR ADDITIONS TO SUCH STREETS, CURBS AND SIDEWALKS.
 - (D) IF REQUIRED BY INDIANA LAW OR ANY RULE OF THE FIRE PREVENTION AND BUILDING SAFETY COMMISSION, A COPY OF A DESIGN RELEASE FOR THE WORK TO BE DONE THAT HAS BEEN ISSUED BY THE BUILDING LAW COMPLIANCE OFFICER PURSUANT TO IC 22-15-3

(E) ANY ADDITIONAL INFORMATION THAT THE BUILDING COMMISSIONER FINDS TO BE NECESSARY TO DETERMINE THAT THE CONSTRUCTION WILL CONFORM TO ALL APPLICABLE BUILDING LAWS AND WILL NOT VIOLATE ANY OTHER APPLICABLE ORDINANCES OR LAWS.

(F) THE FEE ESTABLISHED BY ORDINANCE.

3. APPLICATION FOR A BUILDING PERMIT SHALL BE MADE BY THE PERSON ENTITLED TO OBTAIN THE PERMIT, OR BY AN EMPLOYEE OR AGENT OF THAT PERSON. THE BUILDING COMMISSIONER MAY REQUIRE THAT SUCH AN EMPLOYEE OR AGENT PROVIDE WRITTEN AUTHORITY TO APPLY FOR A PERMIT. NO BUILDING PERMIT WILL BE ISSUED TO A PERSON THAT WOULD CAUSE A VIOLATION OF IC 22-15-3-7.

SECTION 8: PERMIT REQUIRED.

ALL BUILDING PERMITS AND MECHANICAL PERMITS ARE REQUIRED TO BE OBTAINED PRIOR TO COMMENCING WORK FROM THE BUILDING COMMISSION IN THE FOLLOWING INSTANCES:

1. A. BUILDING PERMIT

1. ALL CONSTRUCTION, ALTERATION, REMODELING OR REPAIR OF ANY BUILDING OR STRUCTURE, THE COST OF WHICH EXCEEDS ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00)
2. ALL ROOFING AND SIDING INSTALLATIONS.
3. THE DEMOLITION OF ANY BUILDING OR STRUCTURE.
4. THE MOVING OF ANY BUILDING OR STRUCTURE.
5. THE CONSTRUCTION OF A PUBLIC SWIMMING POOL.
6. THE INSTALLATION OF A MODULAR OR MANUFACTURED HOME ON A PERMANENT FOUNDATION.

B. ELECTRICAL PERMIT

1. THE INSTALLATION, ALTERATION, EXTENSION OR REPLACEMENT OF ELECTRICAL WIRING, PANELS AND DEVICES WITHIN THE SERVICE AREA OF PUBLIC SERVICE INDIANA, INCLUDING ALL NEW, TEMPORARY OR REPLACEMENT ELECTRICAL SERVICE PROVIDED BY A PUBLIC ELECTRIC UTILITY COMPANY, NEW OR REPLACEMENT ELECTRIC DISTRIBUTION PANELS, WIRING FOR ADDITIONAL CIRCUITS, REQUIRING AND CIRCUIT REPLACEMENT, AND WIRING FOR APPLIANCES AND EQUIPMENT INCLUDING SIGNS.

2. THE INSTALLATION, ALTERATION, EXTENSION OR REPLACEMENT OF ALL HEATING AND AIR CONDITIONING SYSTEMS, EQUIPMENT, APPARATUS OR DEVICES.

3. THE INSTALLATION, ALTERATION, EXTENSION OR REPLACEMENT OF ALL PLUMBING, PIPING, FIXTURES, APPLIANCES AND APPURTENANCES IN CONNECTION WITH SANITARY DRAINAGE, LIQUID WASTE AND SEWERAGE SYSTEMS, VENTING SYSTEMS AND WATER SUPPLY SYSTEMS.

4. THE INSTALLATION OF ALL NEW OR REPLACEMENT WATER HEATERS, REGARDLESS OF COST.

5. THE INSTALLATION OR REPLACEMENT OF TANKS AND DISPENSING EQUIPMENT FOR FLAMMABLE AND COMBUSTIBLE LIQUIDS OR GASES.

6. MECHANICAL INSTALLATION PERMITS ARE NOT REQUIRED IN THE FOLLOWING INSTANCES:

(A) THE INSTALLATION OR REPLACEMENT OF LIQUID PETROLEUM GAS (LPG) STORAGE FACILITIES HAVING A TOTAL CAPACITY OF NOT MORE THAN FOUR THOUSAND (4,000) GALLONS AND NO SINGLE TANK HAVING A CAPACITY OF MORE THAN TWO THOUSAND (2,000) GALLONS MEASURED AS GALLONS OF WATER.

(B) THE INSTALLATION OR REPLACEMENT OF STORAGE TANKS FOR CLASS I, II IIIA OR IIIB LIQUIDS, HAVING A CAPACITY OF SIX HUNDRED SIXTY (660) GALLONS OR LESS, THAT MEET THE REQUIREMENTS OF SECTION 4-2 OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) STANDARD 20 AS INCORPORATED BY REFERENCE IN 675 IAC 22-1.

(C) PUBLIC UTILITIES: INSTALLATION OF PUBLIC UTILITIES WITH RESPECT TO CONSTRUCTION, MAINTENANCE AND DEVELOPMENT WORK PERFORMED IN THE EXERCISE OF THEIR PUBLIC FUNCTION.

(D) RAILWAY UTILITIES: INSTALLATION OF ELECTRICAL EQUIPMENT EMPLOYED BY A RAILWAY UTILITY DIRECTLY IN THE EXERCISE OF ITS FUNCTIONS AS A PUBLIC CARRIER AND LOCATED OUTDOORS OR IN BUILDINGS USED EXCLUSIVELY FOR THAT PURPOSE.

(E) PORTABLE APPLIANCES: THE INSTALLATION OF A PORTABLE HEATING APPLIANCE OR OF A PORTABLE AIR CONDITIONING APPLIANCE.

(F) RADIO TRANSMITTING STATIONS: EQUIPMENT USED FOR RADIO TRANSMISSION, WHETHER ERECTED ON A BUILDING OR ON THE GROUND. SUCH EXCEPTION DOES NOT EXTEND TO EQUIPMENT AND WIRING FOR POWER SUPPLY AND THE INSTALLATION OF RADIO TOWERS AND ANTENNA AND GROUNDING MEANS.

(G) MAINTENANCE: THE MAINTENANCE OR SERVICING OF AN EXISTING ELECTRICAL, HEATING, AIR CONDITIONING, FIRE EXTINGUISHING, FIRE ALARM OR PLUMBING SYSTEM OR FLAMMABLE AND COMBUSTIBLE LIQUID OR GAS TANK AND DISPENSING EQUIPMENT FOR THE PURPOSE OF MAINTAINING IT IN SAFE OPERATING CONDITION IN CONFORMANCE WITH THE PROVISIONS OF THIS CODE.

(H) WELL DRILLING AND WATER SOFTENING EQUIPMENT: THE DRILLING OF WELLS AND THE INSTALLATION OF PUMPS, PRESSURE TANKS AND PIPING INCIDENTAL TO A WELL SYSTEM. THE INSTALLATION OF WATER SOFTENING EQUIPMENT.

C. PERMIT OBTAINED PRIOR TO COMMENCING WORK. IT SHALL BE THE DUTY OF THE PROPERTY OWNER, OR HIS AUTHORIZED AGENT TO OBTAIN ALL NECESSARY PERMITS BEFORE ANY WORK HAS BEEN STARTED. EXCEPT THAT IN CASES WHERE THIS CODE REQUIRES THAT WORK BE PERFORMED BY A LICENSED CONTRACTOR IT SHALL BE THE RESPONSIBILITY OF THE LICENSED CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS PRIOR TO COMMENCING WORK.

D. PERMIT TO BE POSTED ON SITE.

A BUILDING PERMIT CARD SHALL BE REQUIRED TO BE POSTED ON THE JOB SITE IN A CONSPICUOUS PLACE IN FULL VIEW OF THE PUBLIC DURING THE CONSTRUCTION, ALTERATION, REMODELING OR REPAIR OF A BUILDING OR STRUCTURE UNTIL SAID WORK SHALL BE COMPLETED AND FINALLY INSPECTED. A COPY OF THE RESPECTIVE PERMIT SHALL BE REQUIRED TO BE AVAILABLE ON THE JOB SITE PENDING INSPECTION. ON NEW CONSTRUCTION A WEATHER RESISTANT JOB BOX OR JOB BOARD SHALL BE POSTED WITH THE JOB NAME AND ADDRESS AFFIXED IN A MANOR TO INSURE THE PROPERTY CAN BE REDIALY IDENTIFIED.

E. CHANGES NOT TO BE MADE IN PLANS AFTER PERMIT IS ISSUED.

NO CHANGES SHALL BE MADE IN ANY PLANS, SPECIFICATIONS, OR CONSTRUCTION, AFTER THE PLANS AND SPECIFICATIONS HAVE BEEN RELEASED BY THE STATE BUILDING COMMISSIONER AND/OR A BUILDING PERMIT OR MECHANICAL PERMIT HAS BEEN ISSUED, UNLESS SUCH CHANGE IS APPROVED IN WRITING BY THE STATE BUILDING COMMISSIONER AND/OR BY THE DEPARTMENT OF BUILDING COMMISSION.

F. NON-CONFORMITY TO LAW DISCOVERED AFTER PERMIT ISSUED OR PLANS APPROVED. THE ISSUANCE OF A PERMIT PURSUANT TO THE PROVISIONS OF THIS CODE OR THE APPROVAL OF PLANS, PRINTS, OR SPECIFICATIONS, SHALL NOT BE

DEEMED TO AUTHORIZE ANY ERECTION, CONSTRUCTION, ALTERATION OR REPAIR, OR THE PERFORMANCE OF ANY WORK, IN VIOLATION OF ANY OF THE PROVISIONS OF THIS CODE, NOR SHALL SUCH ISSUANCE OR APPROVAL, BE A GUARANTY, WARRANT OR ASSURANCE TO ANY PERSON THAT ANY SUCH PLANS, PRINTS OR SET OF SPECIFICATIONS, ARE IN CONFORMITY TO THE PROVISIONS OF THIS CODE AND TO ALL LAWS AND ORDINANCES. UPON THE DISCOVERY OF ANY DEPARTURE OF ANY SUCH PLANS, PRINTS, OR SPECIFICATIONS, FROM THE REQUIREMENTS OF THIS CODE, SUCH DEPARTURE SHALL BE CORRECTED IMMEDIATELY, AND THE ERECTION, CONSTRUCTION, REPAIR OR WORK SHALL BE MADE TO CONFORM TO THE PROVISIONS OF THIS CODE.

G. EXPIRATION OF PERMITS. EVERY PERMIT SHALL EXPIRE BY LIMITATION IF ACTIVE WORK SHALL NOT HAVE BEEN COMMENCED WITHIN SIXTY (60) DAYS OF THE DATE OF ISSUE THEREOF. IF THE WORK AUTHORIZED BY SUCH PERMIT IS SUSPENDED OR ABANDONED AT ANY TIME AFTER WORK IS COMMENCED, FOR A PERIOD OF NINETY (90) DAYS, SUCH WORK SHALL BE RECOMMENCED ONLY AFTER THE ISSUANCE OF A NEW PERMIT. IF NO CONSTRUCTION HAS BEGUN ABOVE THE FOUNDATION OF A PROPOSED BUILDING OR STRUCTURE WITHIN ONE (1) YEAR OF THE DATE OF ISSUE OF THE PERMIT, THE PERMIT SHALL EXPIRE BY LIMITATION.

H. REVOCATION OF A PERMIT. THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE MAY REVOKE A PERMIT IF IT IS DETERMINED THAT THE PERMIT WAS ISSUED IN ERROR OR IN VIOLATION OF ANY RULES OF THE STATE OF INDIANA OR PROVISIONS OF THIS CODE OR IF THE PERMIT IS BASED ON INCORRECT OR INSUFFICIENT INFORMATION OR IF THE PERSON TO WHOM THE PERMIT WAS ISSUED CEASES WORK AND ABANDONS THE JOB PRIOR TO SAID JOB BEING COMPLETED AND FINALLY INSPECTED. A WRITTEN NOTICE OF REVOCATION SHALL BE SERVED ON THE PERSON WHO OBTAINED THE PERMIT AND THE OWNER OF THE PROPERTY EITHER BY DELIVERY IN PERSON OR CERTIFIED MAIL.

I. PERMITS SHALL ONLY BE ISSUED TO INDIVIDUALS OR COMPANIES THAT HOLD A VALID LICENSE, THROUGH THE TOWN OF SELLERSBURG, IN THE FIELD IN WHICH TYPE OF PERMIT THEY WISH TO OBTAIN.

(A). EXCEPTION. IF THE SOLE OWNER AND RESIDENT OF A PRIVATE RESIDENCE CHOOSES TO DO THE PERMITTED WORK IN LIEU OF USING A LICENSED PROFESSIONAL HE SHALL FILL OUT AND SIGN AN AFFIDAVIT, PROVIDED BY THE BUILDING COMMISSIONER, AFFIRMING HIS WISH TO ASSUME THE LIABILITY FOR HIS WORK.

SECTION 9. OTHER ORDINANCES.

ALL WORK DONE UNDER ANY PERMIT ISSUED HEREUNDER SHALL BE IN FULL COMPLIANCE WITH ALL OTHER ORDINANCES PERTAINING THERETO, AND IN ADDITION TO THE FEES FOR PERMITS HEREINAFTER PROVIDED FOR, THERE SHALL BE PAID THE FEES PRESCRIBED IN SUCH ORDINANCES.

SECTION 10. FEE SCHEDULE.

A FEES PAID TO THE TOWN OF SELLERSBURG

1. ALL FEES FOR PERMITS REQUIRED TO BE PAID BY ANY SECTION IN THIS CHAPTER, APPENDIX A, OR ELSEWHERE IN THIS CODE SHALL BE PAID TO THE TOWN OF SELLERSBURG WHEN SUCH PERMITS ARE ISSUED WITH THE APPROVAL THEREOF BY THE BUILDING COMMISSIONER.

2. THE PERMIT FEE FOR ALL PUBLICLY OWNED STRUCTURES OR STRUCTURES OWNED AND WHOLLY OCCUPIED BY RELIGIOUS OR NON-PROFIT ORGANIZATIONS SHALL BE ONE-HALF THE FEE AS STATED IN APENDIX A

B. FEES FOR REINSPECTION.

1. WHENEVER SO REQUESTED, OR FOR ANY USE, IT BECOMES THE DUTY OF THE COMMISSIONER OF BUILDINGS, ON HIS OWN MOTION, TO REINSPECT, OR CAUSE TO BE REINSPECTED, ANY BUILDING, STRUCTURE, ELECTRICAL CIRCUIT, MACHINERY DEVICE, OR APPARATUS OR EQUIPMENT FOR COMBUSTION, THE OWNER, LESSEE OR TENANT, OR PERSON IN POSSESSION OR CONTROL THEREOF, OR OF THE PREMISES ON OR IN WHICH THE SAME MAY BE SITUATED, SHALL PAY IN ADVANCE A FEE FOR REINSPECTION AS STATED IN APENDIX A TO THE TOWN OF SELLERSBURG, IF HE REQUESTS SUCH REINSPECTION; OR HE SHALL PAY SUCH FEE WITHIN (10) TEN DAYS AFTER THE DELIVERY TO HIM OF A CERTIFICATE CERTIFYING THAT SUCH BUILDING, STRUCTURE, ELECTRICAL CIRCUIT, MACHINERY OR DEVISE, OR APPARATUS OR EQUIPMENT FOR COMBUSTION HAS BEEN REINSPECTED, WHEN IT WAS NOT DONE AT THE REQUEST OF SUCH PERSON.

2. UNLESS THE FEE PROVIDED BY SUBSECTION (1) OF THIS SECTION SHALL BE PAID AS HEREIN PRESCRIBED, NO REINSPECTION SHALL BE MADE WHEN SO REQUESTED BY ANY SUCH PERSON; OR IF NOT PAID AFTER REINSPECTION ON THE MOTION OF SAID COMMISSIONER OF BUILDINGS AND BEING BILLED THEREFOR, AS AFORESAID, SUCH CHARGES MAY EITHER BE COLLECTED BY SUIT, OR BE CERTIFIED BY SAID COMMISSIONER OF BUILDINGS TO THE TOWN CLERK-

TREASURER, WHO SHALL ENTER THE SAME ON THE TAX DUPLICATE OF THE OWNER OF SUCH PREMISES, TO BE A LIEN THEREON AND TO BE COLLECTED AS TAXES ARE COLLECTED.

3. SHOULD THE COMMISSIONER OF BUILDINGS BE REQUESTED TO INSPECT STRUCTURES FOR WHATEVER THE REASON BY THE OWNER/OCCUPANT OF SAID STRUCTURE THE FEE SHALL BE CHARGED IN ADVANCE AS STATED IN APENDIX A

C. FEES: WHEN DOUBLED.

SHOULD ANY PERSON, CO-PARTNERSHIP, OR ANY CORPORATION BEING WORK OF ANY KIND SUCH AS HEREIN BEFORE SET FORTH, OR FOR WHICH A PERMIT FROM THE BUREAU OF BUILDINGS IS REQUIRED BY ORDINANCE, WITHOUT HAVING SECURED THE NECESSARY PERMIT THEREFORE FROM THE BUREAU OF BUILDINGS EITHER PREVIOUS TO, OR DURING THE DAY OF COMMENCEMENT OF ANY SUCH WORK, OR ON THE NEXT SUCCEEDING DAY WHERE SUCH WORK IS COMMENCED ON A SATURDAY OR ON A SUNDAY OR A HOLIDAY, HE SHALL, WHEN SUBSEQUENTLY SECURING SUCH PERMIT BE REQUIRED TO PAY DOUBLE THE FEES IN ADDITION TO FLAT RATE FEE OF (\$100.00) ONE HUNDRED DOLLARS HEREIN BEFORE PROVIDE FOR SUCH PERMIT, AND SHALL BE SUBJECT TO ALL THE PENAL PROVISIONS OF THIS CODE.

D. CONTINUED VIOLATION.

THE CONTINUED VIOLATION OF ANY PROVISION OF THIS ORDINANCE SHALL BE AND CONSTITUTE A SEPARATE OFFENSE FOR EACH AND EVERY DAY SUCH VIOLATION SHALL CONTINUE.

SECTION 11. REVIEW OF APPLICATION.

PRIOR TO THE ISSUANCE OF ANY PERMIT HEREUNDER, THE BUILDING COMMISSIONER OR HIS AUTHORIZED AGENT SHALL:

- A. REVIEW ALL PERMIT APPLICATIONS TO DETERMINE FULL COMPLIANCE WITH THE PROVISIONS OF THIS ORDINANCE.
- B. REVIEW ALL PERMIT APPLICATIONS FOR NEW CONSTRUCTION OR SUBSTANTIAL IMPROVEMENTS TO DETERMINE WHETHER PROPOSED BUILDING SITES WILL BE REASONABLY SAFE FROM FLOODING.
- C. REVIEW PERMIT APPLICATIONS FOR MAJOR REPAIRS WITHIN THE FLOOD PLAIN AREA HAVING SPECIAL FLOOD HAZARDS TO DETERMINE

THAT THE SPECIAL FLOOD HAZARDS TO DETERMINE THAT THE PROPOSED REPAIR, (1) USES CONSTRUCTION MATERIALS AND UTILITY EQUIPMENT THAT ARE RESISTANT TO FLOOD DAMAGE, AND (2) USES CONSTRUCTION METHODS AND PRACTICES THAT WILL MINIMIZE FLOOD DAMAGE.

D. REVIEW PERMIT APPLICATIONS FOR NEW CONSTRUCTION OR

SUBSTANTIAL IMPROVEMENTS WITHIN THE FLOOD PLAIN AREA HAVING SPECIAL FLOOD HAZARDS TO ASSURE THAT THE PROPOSED CONSTRUCTION (INCLUDING PREFABRICATED AND MOBILE HOMES), (1) IS PROTECTED AGAINST FLOOD DAMAGE, (2) IS DESIGNED (OR MODIFIED) AND ANCHORED TO PREVENT FLOTATION, COLLAPSE, OR LATERAL MOVEMENT OF THE STRUCTURE, AND (3) USES CONSTRUCTION METHODS AND PRACTICES THAT WILL MINIMIZE FLOOD DAMAGE.

E. DETERMINE IF THE PERMIT APPLICANT MEETS THE NECESSARY LICENSING OR REGISTRATION REQUIREMENTS OF THIS CODE.

SECTION 12. INSPECTIONS.

AFTER THE ISSUANCE OF ANY PERMIT HEREUNDER, THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE SHALL MAKE INSPECTIONS OF THE WORK BEING DONE UNDER SUCH PERMIT AS ARE NECESSARY TO INSURE FULL COMPLIANCE WITH THE PROVISIONS OF THIS CODE AND THE TERMS OF THE PERMIT.

ANY PERSON, FIRM OR CORPORATION WHO HAS OBTAINED A PERMIT FROM THE BUILDING COMMISSIONER SHALL BE REQUIRED TO REQUEST AN INSPECTION OF THE WORK PERFORMED IN THE FOLLOWING INSTANCES. THE INSPECTION SHALL BE REQUESTED AT LEAST TWENTY FOUR (24) HOURS IN ADVANCE OF THE NEED FOR SUCH INSPECTION. IT SHALL BE THE DUTY OF THE PERSON REQUESTING THE INSPECTION TO PROVIDE ACCESS TO AND MEANS FOR THE PROPER INSPECTION OF SUCH WORK THE PERSON RESPONSIBLE FOR PERFORMING THE WORK OR HIS REPRESENTATIVE SHALL BE PRESENT ON THE JOB SITE DURING THE INSPECTION. NO PORTION OF ANY WORK SHALL BE COVERED OR CONCEALED UNTIL INSPECTED AND APPROVED. THE TOWN SHALL NOT BE LIABLE FOR ANY EXPENSE ENTAILED IN THE REMOVAL OR REPLACEMENT OF MATERIAL REQUIRED TO PERMIT INSPECTION. IT SHALL BE THE RESPONSIBILITY OF THE PERSON OBTAINING THE PERMIT TO INSURE THAT ALL PHASES OF THE WORK ARE COMPLETED BEFORE REQUESTING A FINAL INSPECTION.

A. THE INSTALLATION OF A TEMPORARY ELECTRICAL SERVICE ON A POLE.

B. FOOTING AND FOUNDATION EXCAVATIONS PRIOR TO THE PLACEMENT OF CONCRETE.

C. THE INSTALLATION OF ALL UNDERGROUND AND UNDERSLAB ELECTRICAL, HEATING AND AIR CONDITIONING, PLUMBING SYSTEMS, TANKS AND DISPENSING EQUIPMENT PRIOR TO BEING COVERED.

D. THE CONSTRUCTION OF STRUCTURAL COMPONENTS OF A NEW BUILDING OR STRUCTURE OR OF AN ADDITION TO A BUILDING OR STRUCTURE, INCLUDING FLOORS, WALLS, CEILINGS AND ROOF, PRIOR TO SAID STRUCTURAL COMPONENTS BEING COVERED.

F. THE INSTALLATION OF AN ELECTRICAL METER ON A BUILDING OR STRUCTURE.

G. THE FINAL INSTALLATION OF A NEW OR REPLACEMENT TANK OR DISPENSING EQUIPMENT FOR FLAMMABLE AND COMBUSTIBLE LIQUIDS OR GASES.

H. THE INSTALLATION OF REPLACEMENT FURNACES, HEAT PUMPS, AND CENTRAL AIR CONDITIONING SYSTEMS.

I. THE DEMOLITION OF A BUILDING OR STRUCTURE IN THE FOLLOWING INSTANCES:

(1) AFTER THE BASEMENT FLOOR IS BROKEN AND THE WATER AND SEWER SERVICES ARE SEALED.

(2) AFTER BACKFILLING IS COMPLETED AND THE SITE IS UNIFORMLY GRADED AND ALL DEBRIS HAS BEEN REMOVED.

J. THE EXCAVATION OF AN INGROUND SWIMMING POOL AND THE ELECTRICAL BONDING AND GROUNDING OF ALL METAL COMPONENTS PRIOR TO THE PLACEMENT OF CONCRETE.

K. THE INSTALLATION OF A MODULAR OR MANUFACTURED HOME ON A PERMANENT FOUNDATION.

L. CERTIFICATION OF AIR SEALING COMPLIANCE

A CERTIFICATE OF COMPLIANCE SHALL BE PROVIDED TO THE BUILDING COMMISSIONER FOR ONE OF THE FOLLOWING;

(1) TESTED AIR LEAKAGE IS <7 ACH WHEN TESTED WITH A BLOWER DOOR AT PRESSURE OF 50 PA, OR

- (2) ITEMS LISTED IN TABLE N1102.4.2 (2009 IRC), APPLICABLE TO THE METHOD OF CONSTRUCTION, ARE FIELD VARIFIED BY A THIRD PARTY INDEPENDENT CONTRACTOR.

SECTION 13. ENTRY.

UPON PRESENTATION OF PROPER CREDENTIALS, WHENEVER NECESSARY TO MAKE AN INSPECTION TO ENFORCE ANY OF THE PROVISIONS OF THIS CODE OR WHENEVER THERE IS REASONABLE CAUSE TO BELIEVE THAT THERE EXISTS IN ANY BUILDING, STRUCTURE OR PREMISES ANY CONDITION OR CODE VIOLATION WHICH MAKES SUCH BUILDING, STRUCTURE OR PREMISES UNSAFE, DANGEROUS OR HAZARDOUS, THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVES MAY ENTER AT REASONABLE TIMES ANY BUILDING, STRUCTURES OR PREMISES IN THE TOWN OF SELLERSBURG TO PERFORM ANY DUTY IMPOSED UPON HIM BY THIS CODE.

SECTION 14. STOP ORDER.

WHENEVER ANY WORK IS BEING DONE CONTRARY TO THE PROVISIONS OF THIS CODE OR WHENEVER SATISFACTORY PROGRESS IS NOT BEING MADE IN CORRECTING WORK ORDERED BY THE BUILDING COMMISSION OR HIS DULY AUTHORIZED REPRESENTATIVE, SAID BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE MAY ORDER THE WORK STOPPED ON THAT PORTION DEEMED TO BE IN VIOLATION, OR ON THE ENTIRE PROJECT, BY POSTING A STOP WORK CARD ON THE JOB SITE. ANY PERSON, FIRM OR CORPORATION WHO SHALL CONTINUE ANY WORK ON A STOPPED PROJECT, OR PORTION THEREOF, OTHER THAN CORRECTIVE WORK, SHALL BE LIABLE TO PENALTY FOR VIOLATIONS AS SET FORTH IN THIS CODE. EACH DAY, OR PORTION THEREOF, OF ANY CONTINUED WORK SHALL BE CONSIDERED A SEPARATE OFFENSE.

SECTION 15. CERTIFICATE OF OCCUPANCY.

AFTER THE ADOPTION OF THIS CODE, IT SHALL BE UNLAWFUL FOR ANY OWNER LESSEE OR TENANT TO OCCUPY, USE OR PERMIT THE USE OF ANY BUILDING, STRUCTURE OR PART THEREOF THAT IS CONSTRUCTED, ERECTED, ALTERED, REPAIRED OR THE USE OF WHICH IS CHANGED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY BY THE BUILDING COMMISSION.

NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED UNLESS SUCH BUILDING OR STRUCTURE WAS CONSTRUCTED, ERECTED, ALTERED, REPAIRED OR CHANGED IN COMPLIANCE WITH THE PROVISIONS OF THIS CODE. THE BUILDING COMMISSION MAY REQUIRE THAT THE OWNER

AND/OR THE PROFESSIONAL INSPECTING ARCHITECT OR ENGINEER OF A CONSTRUCTION PROJECT SUBMIT TO THE DEPARTMENT, PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, A STATEMENT INDICATING THAT THE PROJECT CONSTRUCTION WORK IS SUBSTANTIALLY COMPLETE IN ACCORDANCE WITH THE CONSTRUCTION DOCUMENTS RELEASED BY THE STATE BUILDING COMMISSIONER SAID STATEMENT SHALL ALSO LIST ALL REMAINING ITEMS THAT REQUIRE COMPLETION OR CORRECTION.

SECTION 16. STANDARDS.

ALL WORK ON THE CONSTRUCTION, ALTERATION AND REPAIR OF BUILDINGS AND OTHER STRUCTURES SHALL BE PERFORMED IN A GOOD AND WORKMANLIKE MANNER ACCORDING TO ACCEPTED STANDARDS AND PRACTICES IN THE TRADE.

SECTION 17. LICENSE REQUIREMENTS.

A. ELECTRICAL LICENSE

1. ALL PERSONS PERFORMING ANY INSTALLATION, ALTERATION OR REPAIR OF ANY ELECTRICAL WIRING. DEVICES, PANELS OR EQUIPMENT IN THE TOWN OF SELLERSBURG SHALL BE REQUIRED TO BE LICENSED BY THE TOWN OF SELLERSBURG AS AN ELECTRICAL CONTRACTOR OR SHALL BE IN THE EMPLOY OF A LICENSED ELECTRICAL CONTRACTOR WORKING UNDER THE SUPERVISION, DIRECTION AND RESPONSIBILITY OF SAID LICENSED CONTRACTOR.
2. NON-TRANSFERABILITY AND NON-NEGOTIABILITY. ANY LICENSE ISSUED UNDER THIS SECTION MAY NOT BE TRANSFERRED, ASSIGNED, SOLD OR NEGOTIATED TO ANOTHER PERSON. IT SHALL BE UNLAWFUL TO TRANSFER, ASSIGN, SELL OR LOAN SUCH LICENSE TO THE USE OF ANY OTHER PERSON, FIRM OR CORPORATION TO ENABLE SUCH PERSON, FIRM OR CORPORATION TO WORK ON A JOB WITHOUT OBTAINING THE PROPER LICENSE OR PERMIT.
3. ISSUANCE OF PERMITS. IT SHALL BE THE RESPONSIBILITY OF LICENSED ELECTRICAL CONTRACTORS TO SECURE PERMITS REQUIRED BY THE PROVISIONS OF THIS CODE PRIOR TO COMMENCING WORK. ALL WORK PERFORMED PURSUANT TO A PERMIT ISSUED TO A LICENSED CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF SAID CONTRACTOR AND THE CONTRACTOR'S LICENSE BOND SHALL PAY ALL DAMAGES, COSTS AND EXPENSES CAUSED BY NEGLIGENCE THROUGH FAILURE TO COMPLY WITH THE PROVISIONS OF THIS CODE. NO LICENSED CONTRACTOR SHALL ALLOW ANY OTHER PERSON TO DO OR CAUSE TO BE DONE ANY WORK UNDER A PERMIT SECURED BY SAID CONTRACTOR EXCEPT PERSONS IN HIS EMPLOY.

4. EXEMPTIONS. NO LICENSE UNDER THIS SECTION IS REQUIRED FOR THE EXECUTION OR PERFORMANCE OF THE FOLLOWING ELECTRICAL WORK.
 - (A) INSTALLATION OF COMMUNICATIONS SYSTEMS, INSTALLATIONS IN RECREATIONAL VEHICLES, AND INSTALLATIONS NOT COVERED BY THE INDIANA ELECTRICAL CODE (CURRENT NATIONAL ELECTRICAL CODE WITH INDIANA AMENDMENTS).
 - (B) THE PERFORMANCE OF ELECTRICAL WORK IN A ONE (1) FAMILY DWELLING BY THE OWNER-OCCUPANT OF THE DWELLING; PROVIDED, HOWEVER, THAT THIS EXEMPTION DOES NOT APPLY TO ANY PERSON HIRED BY THE OWNER-OCCUPANT FOR COMPENSATION TO ASSIST OR TO PERFORM SUCH ELECTRICAL WORK ON THAT DWELLING, AND THAT SAID APPLICANT SIGN SUCH WAIVER REQUIRED BY THE BUILDING COMMISSIONER.
 - (C) THE MAINTENANCE OR SERVICING OF AN EXISTING ELECTRICAL SYSTEM FOR THE PURPOSE OF MAINTAINING IT IN A SAFE OPERATING CONDITION IN CONFORMANCE WITH THE PROVISIONS OF THIS CODE.

5. APPLICATION. EACH APPLICANT SHALL APPLY IN WRITING TO THE BUILDING COMMISSIONER. THE APPLICANT SHALL INCLUDE:
 - (A) THE APPLICANTS NAME, ADDRESS, TELEPHONE NUMBER AND AGE.
 - (B) THE APPLICANTS NUMBER OF YEARS OF EXPERIENCE.
 - (C) THE APPLICANTS PRESENT PLACE OF EMPLOYMENT.
 - (D) PAYMENT OF TWENTY FIVE DOLLARS (\$25.00) LICENSE FEE.
 - (E) ASKING APPLICANT IF THEY ARE FAMILIAR WITH THE INDIANA ELECTRICAL CODE AND/OR THE INDIANA MECHANICAL CODE.
 - (F) ASKING APPLICANT IF THEY HAVE BEEN CONVICTED OF A FELONY WITHIN THE PAST FIVE (5) YEARS.
 - (G) ASKING APPLICANT IF A JUDGMENT HAS EVER BEEN ENTERED AGAINST THEM OR A LAWSUIT EVER SETTLED IN WHICH THEY OR THE FIRM WHERE THEY WORKED FOR AN AMOUNT IN EXCESS OF TEN THOUSAND (\$10,000.00) DOLLARS.
 - (H) INFORMING APPLICANT THAT INSURANCE IS REQUIRED BEFORE A LICENSE CAN BE GRANTED.

(I) APPLICANT MUST SHOW PROOF OF CERTIFICATION FROM AN INSTITUTION OF HIGHER LEARNING IN THE FIELD OF ELECTRICAL WIRING AND COMPONENT INSTALLATION OR CURRENT CERTIFICATION FROM THE CITY OF JEFFERSONVILLE INDIANA, CITY OF NEW ALBANY INDIANA, OR THE CITY OF LOUISVILLE KENTUCKY.

6. INSURANCE REQUIREMENTS. EACH LICENSE-HOLDER ACTIVELY EMPLOYED FOR HIRE IN THE TOWN OF SELLERSBURG AND DOING WORK OF THEIR RESPECTIVE TRADE SHALL, AT THE TIME APPLICATION IS MADE FOR RENEWAL AND/OR LICENSING, PROVIDE THE BUILDING COMMISSIONER WITH EVIDENCE OF LIABILITY INSURANCE FOR EACH OCCURRENCE IN THE AMOUNT OF ONE HUNDRED THOUSAND/THREE HUNDRED THOUSAND (\$100,000/\$300,000.) DOLLARS BY AN INSURANCE COMPANY LICENSED TO DO BUSINESS IN THE STATE OF INDIANA.

THE FOLLOWING EXCEPTIONS TO THIS REQUIREMENT MAY BE ALLOWED:

(A) IF THE LICENSE-HOLDER IS CURRENTLY EMPLOYED BY A FIRM THAT CARRIES INSURANCE ON SAID INDIVIDUAL AND HE DOES NOT DO WORK FOR HIRE IN THE TOWN, HE, THEREFORE, MAY RETAIN HIS LICENSE BY RENEWAL, AND SAID LICENSE BEING INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE, EXCEPT ON THE PREMISES OF THE FIRM MAINTAINING THE INSURANCE.

(B) IF THE LICENSE-HOLDER IS CURRENTLY NOT ACTIVELY ENGAGED IN APPLYING HIS TRADE BUT WISHES TO RETAIN HIS LICENSE BY RENEWAL, SAID LICENSE SHALL BE INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE AS PREVIOUSLY SET FORTH IN SECTION 17 OF THIS ORDINANCE.

7. ALL LICENSES SHALL BE RENEWED ON OR BEFORE JANUARY 2 OF EACH YEAR.

8. THE LICENSE FEE SHALL BE TWENTY FIVE DOLLARS (\$25.00).

B. HEATING AND AIR CONDITIONING LICENSE.

1. ALL HEATING, VENTILATING AND AIR CONDITION SYSTEMS, EQUIPMENT, APPARATUS, OR DEVICES, AND ALL INSTALLATIONS, ALTERATIONS, IMPROVEMENTS, SHALL CONFORM TO THE INDIANA MECHANICAL CODE EXCEPT ONE AND TWO FAMILY DWELLING CODE ADOPTED IN SECTION 6.

THE INSTALLATION OF ALL ELECTRICAL EQUIPMENT AND WIRING IN CONNECTION WITH ANY HEATING, VENTILATING OR AIR CONDITIONING SYSTEM, APPARATUS OR DEVICE, SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE INDIANA ELECTRICAL CODE AS ALREADY ADOPTED.

2. NON-TRANSFERABILITY AND NON-NEGOTIABILITY. ANY LICENSE ISSUED UNDER THIS SECTION MAY NOT BE TRANSFERRED, ASSIGNED, SOLD OR NEGOTIATED TO ANOTHER PERSON. IT SHALL BE UNLAWFUL TO TRANSFER, ASSIGN, SELL OR LOAN SUCH LICENSE TO THE USE OF ANY OTHER PERSON, FIRM OR CORPORATION TO ENABLE SUCH PERSON, FIRM OR CORPORATION TO WORK ON A JOB WITHOUT OBTAINING THE PROPER LICENSE OR PERMIT.

3. ISSUANCE OF PERMITS. IT SHALL BE THE RESPONSIBILITY OF LICENSED HEATING AND AIR CONDITIONING CONTRACTORS TO SECURE PERMITS REQUIRED BY THE PROVISIONS OF THIS CODE PRIOR TO COMMENCING WORK. ALL WORK PERFORMED PURSUANT TO A PERMIT ISSUED TO A LICENSED CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF SAID CONTRACTOR AND THE CONTRACTOR'S LICENSED BOND SHALL PAY ALL DAMAGES, COSTS AND EXPENSES CAUSED BY NEGLIGENCE THROUGH FAILURE TO COMPLY WITH THE PROVISIONS OF THIS CODE. NO LICENSED CONTRACTOR SHALL ALLOW ANY OTHER PERSON TO DO OR CAUSE TO BE DONE ANY WORK UNDER A PERMIT SECURED BY SAID CONTRACTOR EXCEPT PERSONS IN HIS EMPLOY.

4. APPLICATION. EACH APPLICANT SHALL APPLY IN WRITING TO THE BUILDING COMMISSIONER. THE APPLICATION SHALL INCLUDE:

- (A) THE APPLICANTS NAME, ADDRESS, TELEPHONE NUMBER AND AGE.
- (B) THE APPLICANT'S NUMBER OF YEARS OF EXPERIENCE.
- (C) THE APPLICANTS PRESENT PLACE OF EMPLOYMENT.
- (D) PAYMENT OF TWENTY FIVE DOLLARS (\$25.00) LICENSE FEE
- (E) ASKING APPLICANT IF THEY ARE FAMILIAR WITH THE INDIANA ELECTRIC CODE AND/OR THE INDIANA MECHANICAL CODE.
- (F) ASKING APPLICANT IF THEY HAVE BEEN CONVICTED OF A FELONY WITHIN THE PAST FIVE (5) YEARS.
- (G) ASKING APPLICANT IF A JUDGMENT HAS EVER BEEN ENTERED AGAINST THEM OR A LAWSUIT EVER SETTLED IN WHICH THEY OR THE FIRM WHERE THEY WORKED FOR AN AMOUNT IN EXCESS OF TEN THOUSAND (\$10,000.00) DOLLARS.

(H) INFORMING APPLICANT THAT INSURANCE IS REQUIRED BEFORE A LICENSE CAN BE GRANTED.

(I) APPLICANT MUST SHOW PROOF OF CERTIFICATION FROM AN INSTITUTION OF HIGHER LEARNING FOR HVAC COMPONENT INSTALLATION OR CURRENT CERTIFICATION FROM THE CITY OF JEFFERSONVILLE INDIANA, CITY OF NEW ALBANY INDIANA, OR THE CITY OF LOUISVILLE KENTUCKY.

5. INSURANCE REQUIREMENTS. EACH LICENSE-HOLDER ACTIVELY EMPLOYED FOR HIRE IN THE TOWN OF SELLERSBURG AND DOING WORK ON THEIR RESPECTIVE TRADE SHALL, AT THE TIME APPLICATION IS MADE FOR RENEWAL AND/OR LICENSING, PROVIDE THE BUILDING COMMISSIONER WITH EVIDENCE OF LIABILITY INSURANCE FOR EACH OCCURRENCE IN THE AMOUNT OF ONE HUNDRED THOUSAND /THREE HUNDRED THOUSAND (\$100,000. / \$300,000.) DOLLARS BY AN INSURANCE COMPANY LICENSED TO DO BUSINESS IN THE STATE OF INDIANA.

THE FOLLOWING EXCEPTIONS TO THIS REQUIREMENT MAY BE ALLOWED:

(A) IF THE LICENSE-HOLDER IS CURRENTLY EMPLOYED BY A FIRM THAT CARRIES INSURANCE ON SAID INDIVIDUAL AND HE DOES NOT DO WORK FOR HIRE IN THE TOWN, HE, THEREFORE, MAY RETAIN HIS LICENSE BY RENEWAL, AND SAID LICENSE BEING INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE AS PREVIOUSLY SET FORTH IN PARAGRAPH (5) OF THIS SECTION, EXCEPT ON THE PREMISES OF THE FIRM MAINTAINING THE INSURANCE.

(B) IF THE LICENSE HOLDER IS CURRENTLY NOT ACTIVELY ENGAGED IN APPLYING HIS TRADE BUT WISHES TO RETAIN HIS LICENSE BY RENEWAL, SAID LICENSE SHALL BE INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE AS PREVIOUSLY SET FORTH IN PARAGRAPH (5) OF THIS SECTION.

6. ALL LICENSES SHALL BE RENEWED ON OR BEFORE JANUARY 2 OF EACH YEAR.

7. THE LICENSE FEE SHALL BE TWENTY FIVE DOLLARS (\$25.00).

C. GENERAL CONTRACTORS LICENSE

1. APPLICATION. EACH APPLICANT SHALL APPLY IN WRITING TO THE BUILDING COMMISSIONER. THE APPLICANT SHALL INCLUDE:

- (A) THE APPLICANTS NAME, ADDRESS, TELEPHONE NUMBER AND AGE.
- (B) THE APPLICANTS NUMBER OF YEARS OF EXPERIENCE.
- (C) THE APPLICANTS PRESENT PLACE OF EMPLOYMENT.
- (D) PAYMENT OF TWENTY FIVE DOLLARS (\$25.00) LICENSE FEE.
- (E) ASKING APPLICANT IF THEY ARE FAMILIAR WITH THE INDIANA RESIDENTIAL CODE AND/OR THE INDIANA BUILDING CODE.
- (F) ASKING APPLICANT IF THEY HAVE BEEN CONVICTED OF A FELONY WITHIN THE PAST FIVE (5) YEARS.
- (G) ASKING APPLICANT IF A JUDGMENT HAS EVER BEEN ENTERED AGAINST THEM OR A LAWSUIT EVER SETTLED IN WHICH THEY OR THE FIRM WHERE THEY WORKED FOR AN AMOUNT IN EXCESS OF TEN THOUSAND (\$10,000.00) DOLLARS.
- (H) INFORMING APPLICANT THAT INSURANCE IS REQUIRED BEFORE A LICENSE CAN BE GRANTED.

2. INSURANCE REQUIREMENTS. EACH LICENSE-HOLDER ACTIVELY EMPLOYED FOR HIRE IN THE TOWN OF SELLERSBURG AND DOING WORK ON THEIR RESPECTIVE TRADE SHALL, AT THE TIME APPLICATION IS MADE FOR RENEWAL AND/OR LICENSING, PROVIDE THE BUILDING COMMISSIONER WITH EVIDENCE OF LIABILITY INSURANCE FOR EACH OCCURRENCE IN THE AMOUNT OF ONE HUNDRED THOUSAND /THREE HUNDRED THOUSAND (\$100,000. / \$300,000.) DOLLARS BY AN INSURANCE COMPANY LICENSED TO DO BUSINESS IN THE STATE OF INDIANA.

THE FOLLOWING EXCEPTIONS TO THIS REQUIREMENT MAY BE ALLOWED:

- (A) IF THE LICENSE-HOLDER IS CURRENTLY EMPLOYED BY A FIRM THAT CARRIES INSURANCE ON SAID INDIVIDUAL AND HE DOES NOT DO WORK FOR HIRE IN THE TOWN, HE, THEREFORE, MAY RETAIN HIS LICENSE BY RENEWAL, AND SAID LICENSE BEING INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE AS PREVIOUSLY SET FORTH IN PARAGRAPH (2) OF THIS

SECTION, EXCEPT ON THE PREMISES OF THE FIRM MAINTAINING THE INSURANCE.

(B) IF THE LICENSE HOLDER IS CURRENTLY NOT ACTIVELY ENGAGED IN APPLYING HIS TRADE BUT WISHES TO RETAIN HIS LICENSE BY RENEWAL, SAID LICENSE SHALL BE INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE AS PREVIOUSLY SET FORTH IN PARAGRAPH (2) OF THIS SECTION.

3. ALL LICENSES SHALL BE RENEWED ON OR BEFORE JANUARY 2 OF EACH YEAR.

4. THE LICENSE FEE SHALL BE TWENTY FIVE DOLLARS (\$25.00).

SECTION 18: LICENSING OF PLUMBING CONTRACTORS.

A. DEFINITIONS

1. PLUMBING MEANS THE PRACTICE OF, AND THE MATERIALS AND FIXTURES USED IN THE INSTALLATION, MAINTENANCE, EXTENSION, AND ALTERATION OF ALL PIPING, FIXTURES, APPLANCES AND APPURTENANCES IN CONNECTION WITH ANY STRUCTURE WITHIN THE TOWN OF SELLERSBURG.

B. PLUMBING LICENSE

ALL PLUMBING RULES AND REGULATIONS SHALL BE IN COMPLIANCE WITH 860 IAC 1-5-1 Scope of rule Authority: IC 25-28.5-1-7 Affected: IC 25-28.5-1-27.1 (Indiana Plumbing Commission; 860 IAC 1-5-1; filed Nov 21, 1989, 1:15 p.m.: 13 IR 630; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3237)

1. THE PRACTICE OF, AND THE MATERIALS AND FIXTURES USED IN THE INSTALLATION, MAINTENANCE, EXTENSION, AND ALTERATION OF ALL PIPING, FIXTURES, APPLIANCES AND APPURTENANCES IN CONNECTION WITH ANY STRUCTURE, SHALL CONFORM TO THE INDIANA PLUMBING CODE EXCEPT ONE AND TWO FAMILY DWELLING CODE ADOPTED IN SECTION 6.

THE INSTALLATION OF ALL MATERIALS AND FIXTURES USED IN THE INSTALLATION, MAINTENANCE, EXTENSION, AND ALTERATION OF ALL PIPING, FIXTURES, APPLANCES AND APPURTENANCES IN CONNECTION WITH ANY STRUCTURE, SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE INDIANA PLUMBING CODE AS ALREADY ADOPTED.

2. NON-TRANSFERABILITY AND NON-NEGOTIABILITY. ANY LICENSE ISSUED UNDER THIS SECTION MAY NOT BE TRANSFERRED, ASSIGNED, SOLD OR NEGOTIATED TO ANOTHER PERSON. IT SHALL BE UNLAWFUL TO TRANSFER, ASSIGN, SELL OR LOAN SUCH LICENSE TO THE USE OF ANY OTHER PERSON, FIRM OR CORPORATION TO ENABLE SUCH PERSON, FIRM OR CORPORATION TO WORK ON A JOB WITHOUT OBTAINING THE PROPER LICENSE OR PERMIT.

3. ISSUANCE OF PERMITS. IT SHALL BE THE RESPONSIBILITY OF LICENSED HEATING AND AIR CONDITIONING CONTRACTORS TO SECURE PERMITS REQUIRED BY THE PROVISIONS OF THIS CODE PRIOR TO COMMENCING WORK. ALL WORK PERFORMED PURSUANT TO A PERMIT ISSUED TO A LICENSED CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF SAID CONTRACTOR AND THE CONTRACTOR'S LICENSED BOND SHALL PAY ALL DAMAGES, COSTS AND EXPENSES CAUSED BY NEGLIGENCE THROUGH FAILURE TO COMPLY WITH THE PROVISIONS OF THIS CODE. NO LICENSED CONTRACTOR SHALL ALLOW ANY OTHER PERSON TO DO OR CAUSE TO BE DONE ANY WORK UNDER A PERMIT SECURED BY SAID CONTRACTOR EXCEPT PERSONS IN HIS EMPLOY.

4. APPLICATION. EACH APPLICANT SHALL APPLY IN WRITING TO THE BUILDING COMMISSIONER. THE APPLICATION SHALL INCLUDE:

- (A) THE APPLICANTS NAME, ADDRESS, TELEPHONE NUMBER AND AGE.
- (B) THE APPLICANT'S NUMBER OF YEARS OF EXPERIENCE.
- (C) THE APPLICANTS PRESENT PLACE OF EMPLOYMENT.
- (D) PAYMENT OF TWENTY FIVE DOLLARS (\$25.00) LICENSE FEE.
- (E) ASKING APPLICANT IF THEY ARE FAMILIAR WITH THE INDIANA PLUMBING CODE AND/OR THE INDIANA MECHANICAL CODE.
- (F) ASKING APPLICANT IF THEY HAVE BEEN CONVICTED OF A FELONY WITHIN THE PAST FIVE (5) YEARS.
- (G) ASKING APPLICANT IF A JUDGMENT HAS EVER BEEN ENTERED AGAINST THEM OR A LAWSUIT EVER SETTLED IN WHICH THEY OR THE FIRM WHERE THEY WORKED FOR AN AMOUNT IN EXCESS OF TEN THOUSAND (\$10,000.00) DOLLARS.
- (H) INFORMING APPLICANT THAT INSURANCE IS REQUIRED BEFORE A LICENSE CAN BE GRANTED.

(I) APPLICANT MUST SHOW PROOF OF CERTIFICATION FROM THE STATE OF INDIANA.

5. INSURANCE REQUIREMENTS. EACH LICENSE-HOLDER ACTIVELY EMPLOYED FOR HIRE IN THE TOWN OF SELLERSBURG AND DOING WORK ON THEIR RESPECTIVE TRADE SHALL, AT THE TIME APPLICATION IS MADE FOR RENEWAL AND/OR LICENSING, PROVIDE THE BUILDING COMMISSIONER WITH EVIDENCE OF LIABILITY INSURANCE FOR EACH OCCURRENCE IN THE

AMOUNT OF ONE HUNDRED THOUSAND /THREE HUNDRED THOUSAND (\$100,000. / \$300,000.) DOLLARS BY AN INSURANCE COMPANY LICENSED TO DO BUSINESS IN THE STATE OF INDIANA.

THE FOLLOWING EXCEPTIONS TO THIS REQUIREMENT MAY BE ALLOWED:

(A) IF THE LICENSE-HOLDER IS CURRENTLY EMPLOYED BY A FIRM THAT CARRIES INSURANCE ON SAID INDIVIDUAL AND HE DOES NOT DO WORK FOR HIRE IN THE TOWN, HE, THEREFORE, MAY RETAIN HIS LICENSE BY RENEWAL, AND SAID LICENSE BEING INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE AS PREVIOUSLY SET FORTH IN PARAGRAPH (5) OF THIS SECTION, EXCEPT ON THE PREMISES OF THE FIRM MAINTAINING THE INSURANCE.

(B) IF THE LICENSE HOLDER IS CURRENTLY NOT ACTIVELY ENGAGED IN APPLYING HIS TRADE BUT WISHES TO RETAIN HIS LICENSE BY RENEWAL, SAID LICENSE SHALL BE INDICATED BY THE OFFICE OF THE BUILDING COMMISSIONER IN SUCH A MANNER THAT THIS INDIVIDUAL SHALL NOT BE ALLOWED TO OBTAIN PERMITS FOR WORK WITHIN THE TOWN LIMITS OF SELLERSBURG WITHOUT PROOF OF INSURANCE AS PREVIOUSLY SET FORTH IN PARAGRAPH (5) OF THIS SECTION.

6. ALL LICENSES SHALL BE RENEWED ON OR BEFORE JANUARY 2 OF EACH YEAR.

7. THE LICENSE FEE SHALL BE TWENTY FIVE DOLLARS (\$25.00).

SECTION 19: WRECKING BUILDINGS AND STRUCTURES.

A. WRECKING PERMITS

BEFORE PROCEEDING WITH THE WRECKING OR TEARING DOWN OF ANY BUILDING OR STRUCTURE, IN WHOLE OR PART, A PERMIT THEREFORE SHALL FIRST BE OBTAINED BY THE OWNER OR HIS AGENT FROM THE BUILDING COMMISSIONER, UPON A FORM PRESCRIBED BY SAID DEPARTMENT. IT SHALL BE UNLAWFUL TO PROCEED WITH SUCH WORK UNLESS SUCH PERMIT SHALL HAVE BEEN FIRST OBTAINED.

B. LIABILITY FOR PROPERTY DAMAGE AND BODILY INJURY.
ALL PERSONS ENGAGED IN THE DEMOLITION OF A BUILDING OR STRUCTURE, INCLUDING THE PROPERTY OWNER AND HIS AGENT, SHALL BE LIABLE FOR ANY BODILY INJURY OR DAMAGE TO PUBLIC OR PRIVATE PROPERTY OCCURRING AS A RESULT OF THE DEMOLITION WORK. SAID PERSONS SHALL INDEMNIFY AND SAVE HARMLESS THE TOWN OF SELLERSBURG AGAINST ANY LOSS, DAMAGE, EXPENSE, CLAIM, DEMAND, ACTION, JUDGMENT OR LIABILITY OF ANY KIND WHATSOEVER WHICH MAY ARISE OR RESULT FROM THE DEMOLITION WORK BEFORE ANY DEMOLITION PERMIT IS ISSUED TO ANY PERSON, FIRM OR CORPORATION WHO OFFERS TO DEMOLISH A BUILDING OR STRUCTURE FOR ANOTHER PERSON AND/OR WHO ENGAGES IN THE BUSINESS OF DEMOLITION CONTRACTING, SAID PERSON, FIRM OR CORPORATION SHALL FURNISH TO THE BUILDING COMMISSIONER, A CERTIFICATE OF INSURANCE, INDICATING THE APPROPRIATE ENDORSEMENT FOR WRECKING OR DEMOLITION WORK. THE MINIMUMS OF SUCH INSURANCE SHALL BE AS FOLLOWS:

	EACH OCCURRENCE	AGGREGATE
LIABILITY FOR BODILY INJURY	\$100,000.00	\$300,000.00
LIABILITY FOR PROPERTY DAMAGE	\$100,000.00	\$300,000.00

OR COMBINED SINGLE LIMIT COVERAGE AS FOLLOWS:

	EACH OCCURRENCE	AGGREGATE
LIABILITY FOR BODILY INJURY AND PROPERTY DAMAGE	\$300,000.00	\$300,000.00

C. MINIMUM STANDARDS FOR DEMOLITION

ALL PERSONS ENGAGED IN THE DEMOLITION OF A BUILDING OR STRUCTURE SHALL COMPLY WITH THE FOLLOWING MINIMUM STANDARDS:

1. CONTROL SHALL BE MAINTAINED OVER THE SITE AND OPERATION TO ELIMINATE HAZARDS TO THE PUBLIC. NAILS OR OTHER TIRE PUNCTURING ITEMS SHALL NOT BE DROPPED ON STREETS, ALLEYS AND ADJACENT PROPERTY. PUBLIC STREETS, CURBS AND SIDEWALKS SHALL BE PROTECTED FROM DAMAGE. THE PERSON ENGAGED IN THE DEMOLITION WORK SHALL BE LIABLE FOR ANY AND ALL DAMAGE TO CURBS, STREETS, SIDEWALKS AND OTHER PUBLIC OR PRIVATE PROPERTY AND FOR ANY BODILY INJURY OCCURRING AS A RESULT OF THE DEMOLITION WORK.
2. BASEMENT WALLS AND ALL OTHER CONCRETE SLABS AND FOOTINGS NOT INTENDED OR NOT ABLE TO BE REUSED SHALL BE REMOVED TWO (2) FEET BELOW FINISHED GRADE. MATERIAL USED FOR BACKFILL SHALL BE FREE OF WOOD AND COMPACTED THOROUGHLY.
3. ALL SEWER AND DRAIN LINES SHALL BE REMOVED FOR A DISTANCE OF TWO (2) FEET OUTSIDE OF THE BASEMENT WALL AND SHALL BE THOROUGHLY PLUGGED AND SEALED WITH CEMENT. ALL WATER SERVICE SHALL BE TURNED OFF AT THE SERVE VALVE AND WATER LINES SHALL BE REMOVED FOR A DISTANCE OF TWO (2) FEET OUTSIDE OF THE BASEMENT WALL AND SHALL BE THOROUGHLY PLUGGED AND SEALED TO PREVENT LEAKAGE.
4. BASEMENT FLOORS SHALL BE BROKEN TO PROVIDE POSITIVE DRAINAGE FOR A MINIMUM TWENTY (20%) PERCENT OF THE FLOOR AREA UNIFORMLY DISTRIBUTED.
5. ALL DEBRIS RESULTING FROM THE DEMOLITION WORK SHALL BE PROPERLY DISPOSED OF.
6. ALL UNDERGROUND TANKS PRESENT ON THE SITE SHALL BE REMOVED. CISTERNS PRESENT ON THE SITE SHALL BE FILLED IN ACCORDANCE WITH THE REQUIREMENTS FOR BASEMENTS.
7. THE DEMOLITION SITE SHALL BE LEFT WITH A UNIFORM GRADE AND SHALL BE FREE OF DEBRIS.

8. THE PERSON ENGAGED IN THE DEMOLITION WORK SHALL BE RESPONSIBLE FOR REQUESTING TWO (2) INSPECTIONS DURING THE COURSE OF THE WORK. THE FIRST INSPECTION SHALL BE MADE AFTER THE BASEMENT FLOOR IS BROKEN AND THE WATER AND SEWER SERVICES ARE SEALED. THE SECOND INSPECTION SHALL BE MADE AFTER THE BACKFILL IS COMPLETED, THE SITE IS UNIFORMLY GRADED, AND ALL DEBRIS HAS BEEN REMOVED.

SECTION 20: MOVING BUILDINGS AND STRUCTURES.

A. APPROVAL AND PERMIT REQUIRED FOR MOVING BUILDINGS AND STRUCTURES.

1. NO BUILDING OR STRUCTURE SHALL BE MOVED TO A NEW LOCATION OVER ANY STREET, BRIDGE, OTHER PUBLIC PROPERTY OR PRIVATE PROPERTY WITHIN THE CORPORATE LIMITS OF THE TOWN OF SELLERSBURG WITHOUT FIRST OBTAINING THE APPROVAL OF THE BOARD OF PUBLIC WORKS AND SAFETY OF THE TOWN OF SELLERSBURG, AND OBTAINING A PERMIT FROM THE BUILDING COMMISSIONER.

2. ANY PERSON DESIRING TO MOVE A BUILDING OR STRUCTURE SHALL SUBMIT AN APPLICATION TO THE BUILDING COMMISSIONER ON SUCH FORMS AS MAY BE PRESCRIBED BY SAID DEPARTMENT. THE APPLICATION SHALL BE ACCOMPANIED BY THE FOLLOWING:

(A) A MAP INDICATING THE PROPOSED ROUTE.

(B) A LETTER FROM ALL PUBLIC UTILITY COMPANIES, RAILROADS AND CABLE TELEVISION COMPANIES WITH FACILITIES ALONG THE PROPOSED ROUTE INDICATED THAT THE APPLICANT HAS DEPOSITED WITH SUCH COMPANY ADEQUATE SURETY TO COVER THE COST OF ANY DAMAGES OR CHANGES IN FACILITIES RESULTING FROM MOVING THE BUILDING OR STRUCTURE.

(C) A LETTER FROM THE TRAFFIC DIVISION OF THE SELLERSBURG POLICE DEPARTMENT WITH RECOMMENDATIONS REGARDING THE PROPOSED ROUTE AND TRAFFIC CONTROL.

(D) A LETTER FROM THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS INDICATING ANY PROBLEMS OR RECOMMENDATIONS REGARDING PUBLIC FACILITIES AND IMPROVEMENTS.

(E) A LETTER FROM THE BUILDING COMMISSIONER REGARDING THE OVERALL STRUCTURAL CONDITION OF THE BUILDING OR STRUCTURE PROPOSED TO BE MOVED.

(F) APPROVAL FROM THE COUNTY HIGHWAY ENGINEER IF THE PROPOSED ROUTE INCLUDES ANY COUNTY HIGHWAY OR BRIDGE.

(G) APPROVAL FROM THE INDIANA DEPARTMENT OF TRANSPORTATION IF THE PROPOSED ROUTE INCLUDES ANY STATE HIGHWAYS.

(H) WRITTEN AUTHORIZATION FROM ANY PRIVATE PROPERTY OWNER WHOSE LAND MUST BE CROSSED DURING THE MOVE.

(I) A CERTIFICATE OF INSURANCE AND PERFORMANCE BOND AS REQUIRED BELOW.

3. ALL APPLICATIONS FOR A PERMIT TO MOVE A BUILDING OR STRUCTURE SHALL BE REFERRED TO THE CHIEF OF POLICE AND MUNICIPAL WORKS DIRECTOR OF THE TOWN OF SELLERSBURG. THE TOWN'S REPRESENTATIVES SHALL REVIEW THE APPLICATION AND RECOMMENDATIONS MADE BY ALL INTERESTED PARTIES. IF THE TOWN'S REPRESENTATIVES DETERMINES THAT THE MOVING AND RELOCATION OF THE BUILDING OR STRUCTURE CAN BE MADE WITHOUT INJURY TO PERSONS OR TO CURBS, SIDEWALKS, BRIDGES, SEWERS, OR OTHER PUBLIC OR PRIVATE PROPERTY AND IMPROVEMENTS, THE REPRESENTATIVES MAY APPROVE THE MOVING PERMIT APPLICATION AND THE BUILDING COMMISSIONER MAY ISSUE A MOVING PERMIT.

4. THE CHIEF OF POLICE AND MUNICIPAL WORKS DIRECTOR SHALL APPROVE THE ROUTE TO BE UTILIZED FOR THE MOVE, AT THE TIME AND DATE SUCH MOVE SHALL TAKE PLACE AND THE TIME AND DATE WHEN SUCH MOVE SHALL BE COMPLETED. THE BOARD MAY REQUIRE OTHER REASONABLE CONDITIONS AS NECESSARY TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE.

5. NO APPLICATION FOR MOVING SHALL BE APPROVED BY THE BOARD IF THE BUILDING OR STRUCTURE PROPOSED TO BE MOVED HAS BEEN DAMAGED BY WEAR OR TEAR OF OTHER CAUSE TO AN EXTENT EXCEEDING FIFTY (50%) PERCENT OF ITS ORIGINAL COST.

6. ANY BUILDING OR STRUCTURE THAT HAS BEEN MOVED TO A NEW LOCATION SHALL BE REHABILITATED OR RECONSTRUCTED SO AS TO BE MADE TO CONFORM TO THE PROVISIONS OF THIS CODE FOR NEW CONSTRUCTION.

B. INSURANCE AND BONDING REQUIREMENTS.

1. THE APPLICANT FOR A MOVING PERMIT SHALL AGREE TO ASSUME THE RESPONSIBILITY FOR ANY PERSONAL INJURY OR ANY DAMAGE TO PUBLIC OR PRIVATE PROPERTY OCCURRING AS A RESULT OF MOVING A

BUILDING OR STRUCTURE. THE APPLICANT SHALL AGREE TO DEFEND, INDEMNIFY AND HOLD HARMLESS THE TOWN OF SELLERSBURG, INDIANA, ITS DEPARTMENTS, BOARDS, EMPLOYEES, OFFICERS AND AGENTS FROM AND AGAINST ALL CLAIMS, CHARGES, DAMAGES, DEMANDS, COSTS, SUITS, LIABILITIES AND PAYMENTS, EXPENSES (INCLUDING COUNSEL FEES), FINES, JUDGMENTS, PENALTIES, AND/OR LOSSES OF ANY KIND OR NATURE WHATSOEVER, RESULTING FROM OR IN RESPECT OF ANY INJURY OR DAMAGE TO PERSON OR PROPERTY CAUSED NEGLIGENTLY OR OTHERWISE FROM THE MOVING OF ANY BUILDING OR STRUCTURE, AND/OR THE GRANTING OF A MOVING PERMIT.

THE APPLICANT SHALL SUBMIT TO THE BUILDING COMMISSIONER, A CERTIFICATE OF INSURANCE AS EVIDENCE THAT SAID APPLICANT HAS LIABILITY INSURANCE COVERAGE PROPERLY ENDORSED FOR MOVING OF A BUILDING OR STRUCTURE IN THE FOLLOWING MINIMUM AMOUNTS:

	EACH OCCURRENCE	AGGREGATE
LIABILITY FOR BODILY INJURY	\$500,000.00	\$1,000,000.00
LIABILITY FOR PUBLIC AND PRIVATE PROPERTY DAMAGE	\$500,000.00	\$1,000,000.00

OR COMBINED SINGLE LIMIT COVERAGE AS FOLLOWS:

	EACH OCCURRENCE	AGGREGATE
LIABILITY FOR BODILY INJURY AND PROPERTY DAMAGE	\$1,000,000.00	\$1,000,000.00

2 A BUILDING OR STRUCTURE SHALL BE REQUIRED TO BE PLACED ON ITS PERMANENT FOUNDATION WITHIN THIRTY (30) DAYS AFTER BEING MOVED TO A NEW LOCATION. AN APPLICATION FOR A MOVING PERMIT SHALL BE SUBMITTED TO THE BOARD OF PUBLIC WORKS AND SAFETY. A PERFORMANCE BOND, OR OTHER FORM OF SURETY ACCEPTABLE TO SAID BOARD, IN AN AMOUNT TO BE DETERMINED BY THE BOARD, GUARANTEEING THAT THE MOVING OF THE BUILDING OR STRUCTURE SHALL BE COMPLETED WITHIN THE TIME SPECIFIED BY THE BOARD AND THAT THE BUILDING OR STRUCTURE SHALL BE PLACED ON ITS PERMANENT FOUNDATION WITHIN THIRTY (30) DAYS AFTER BEING MOVED TO A NEW LOCATION.

3. IN THE EVENT OF ADVERSE WEATHER CONDITIONS OR OTHER UNFORESEEN CIRCUMSTANCES, THE BOARD MAY, UPON THE REQUEST OF THE APPLICANT, GRANT AN EXTENSION OF TIME TO COMPLETE THE MOVE OR TO PLACE THE BUILDING OR STRUCTURE ON ITS PERMANENT FOUNDATION. THE BOARD SHALL RELEASE THE PERFORMANCE BOND UPON THE SATISFACTORY COMPLETION OF THE MOVE AND THE PLACEMENT OF THE BUILDING OR STRUCTURE ON ITS PERMANENT FOUNDATION.

SECTION 21: MINIMUM STANDARDS FOR EXTERIOR MAINTENANCE.

A. EXTERIOR MAINTENANCE STANDARDS

THE EXTERIOR OF ALL PREMISES AND THE CONDITION OF ALL BUILDINGS AND STRUCTURES THEREON SHALL BE MAINTAINED SO THAT THE APPEARANCE THEREOF SHALL REFLECT A LEVEL OF MAINTENANCE IN KEEPING WITH THE STANDARDS OF THE TOWN AND SO AS TO AVOID BLIGHTING EFFECTS AND HAZARDS TO HEALTH, SAFETY, AND WELFARE.

THE OWNER AND OPERATOR SHALL KEEP THE EXTERIOR OF ALL PREMISES AND EVERY STRUCTURE THEREON INCLUDING BUT NOT LIMITED TO WALLS, ROOFS, CORNICES, CHIMNEYS, DRAINS, TOWERS, PORCHES, LANDINGS, FIRE ESCAPES, STAIRS, REFUSE AND GARBAGE CONTAINERS, STORE FRONTS, SIGNS, WINDOWS, DOORS, AWNINGS AND MARQUEES, IN GOOD REPAIR, AND ALL SURFACES THEREOF SHALL BE KEPT PAINTED OR PROTECTED WITH OTHER APPROVED COATINGS OR MATERIALS WHERE NECESSARY FOR THE PURPOSE OF PRESERVATION AND AVOIDING A BLIGHTING INFLUENCE ON ADJOINING PROPERTIES. EXTERIOR WOOD COMPOSITION OR METAL SURFACES SHALL BE PROTECTED FROM THE ELEMENTS BY PAINT OR OTHER PROTECTIVE COVERINGS. SURFACES SHALL BE MAINTAINED SO AS TO BE KEPT CLEAN AND FREE OF FLAKING, LOOSE OR PEELING PAINT OR COVERINGS. THOSE SURFACE MATERIALS WHOSE APPEARANCE AND MAINTENANCE WOULD BE ENHANCED BY A NATURAL WEATHERING EFFECT OR OTHER NATURAL EFFECT MAY REMAIN UNTREATED.

ALL SURFACES SHALL BE MAINTAINED FREE OF BROKEN GLASS, LOOSE SHINGLES, CRUMBLING STONE OR BRICK, PEELING PAINT, WHEN SUCH PEELING CONSISTS OF AT LEAST THIRTY THREE AND ONE THIRD (33 1/3%) PERCENT OF THE SURFACE AREA, OR OTHER CONDITIONS REFLECTIVE OF DETERIORATION OR INADEQUATE MAINTENANCE, AND NOT SHOWING EVIDENCE OF WEATHERING DISCOLORATION, RIPPING, TEARING, OR OTHER HOLES OR BREAKS, TO THE END THAT THE PROPERTY ITSELF MAY BE PRESERVED SAFELY AND FIRE HAZARDS ELIMINATED FROM ADJOINING PROPERTIES AND THE NEIGHBORHOOD PROTECTED FROM BLIGHTING INFLUENCE.

ALL PREMISES SHALL BE MAINTAINED AND LAWN, HEDGES, BUSHES, TREES, AND OTHER VEGETATION SHALL BE KEPT TRIMMED AND FROM BECOMING OVERGROWN AND UNSIGHTLY WHERE EXPOSED TO PUBLIC VIEW OR WHERE SUCH VEGETATION MAY CONSTITUTE A BLIGHTING INFLUENCE ON ADJOINING PROPERTY.

ALL PREMISES SHALL BE MAINTAINED FREE OF ALL DEBRIS, TRASH, RUBBISH, LITTER, GARBAGE, REFUSE, JUNK AND FOUNDATION REMNANTS. NO PREMISES SHALL BE USED FOR STORAGE OF INOPERABLE MOTOR VEHICLES, MACHINERY, JUNK VEHICLES OR MACHINERY AND VEHICLE PARTS WHEN SUCH STORAGE IS WITHIN VIEW OF ANY PUBLIC PREMISES OR PUBLIC ALLEY, STREET OR HIGHWAY SO AS NOT TO CAUSE A BLIGHTING PROBLEM OR ADVERSELY EFFECT THE PUBLIC HEALTH OR SAFETY.

ALL VACANT STRUCTURES AND PREMISES THEREOF OR VACANT LAND SHALL BE MAINTAINED IN A CLEAN, SAFE, SECURE, AND SANITARY CONDITION AS PROVED HEREIN.

B. REMEDIES

THE BUILDING COMMISSIONER SHALL REQUEST THE TOWN ATTORNEY TO BRING ACTION ON BEHALF OF THE TOWN IN THE CIRCUIT OR SUPERIOR COURTS OF CLARK COUNTY, INDIANA, FOR MANDATORY AND INJUNCTIVE RELIEF IN THE ENFORCEMENT OF AND TO SECURE COMPLIANCE WITH ANY ORDER OR ORDERS MADE BY THE BUILDING COMMISSIONER OR HIS AUTHORIZED REPRESENTATIVE, AND ANY SUCH ACTION FOR MANDATORY OR INJUNCTIVE RELIEF MAY BE JOINED WITH AN ACTION TO RECOVER THE PENALTIES PROVIDED FOR IN THIS ORDINANCE. ANY PERSON ADJUDGED GUILTY OF A VIOLATION OF THIS ORDINANCE MAY ALSO BE ADJUDGED TO PAY THE COSTS OF PROSECUTION.

THE OWNER OF THE PROPERTY SHALL BE NOTIFIED IN WRITING STATING THAT THE PROPERTY OWNER SHALL HAVE A MAXIMUM OF THIRTY (30) DAYS TO COMPLY WITH THE STANDARDS OF MAINTENANCE AS OUTLINED IN THIS SECTION, AFTER WHICH TIME IF THE PROPERTY OWNER HAS NOT COMPLIED, A FINE SHALL BE ASSESSED AS PROVIDED FOR IN SUBSECTION (C) BELOW.

C. PENALTIES

IF ANY PROPERTY OWNER VIOLATES THE PROVISIONS OF THIS SECTION, SAID PROPERTY OWNER SHALL BE NOTIFIED IN WRITING OF SUCH VIOLATION.

THE BUILDING COMMISSIONER OR HIS AUTHORIZED REPRESENTATIVE, SHALL SEND A "VIOLATION NOTICE" BY CERTIFIED MAIL OR BY DELIVERY IN PERSON TO THE PROPERTY OWNER FOUND TO BE IN VIOLATION OF THIS SECTION, AND THAT SAID PERSON SHALL HAVE A MAXIMUM OF FIFTEEN (15) DAYS TO COMPLETE AND RETURN A FORM LETTER INDICATING AGREEMENT TO "CORRECT THE VIOLATION" WITHIN THIRTY (30) DAYS: OR TO "APPEAL THE VIOLATION".

UPON RECEIPT OF A REQUEST FOR AN APPEAL THE BUILDING COMMISSIONER SHALL NOTIFY THE APPELLANT IN WRITING OF THE PLACE AND DATES TO SCHEDULE AN APPEAL. THE PROPERTY OWNER MAY APPEAL "THE VIOLATION", "THE COMPLIANCE REQUIREMENTS", OR "THE COMPLETION DATE".

UPON PRESENTATION OF CONVINCING EVIDENCE. THE PLANNING AND ZONING COMMISSION MAY NEGOTIATE AN ADJUSTED "COMPLIANCE SCHEDULE" COMMENSURATE WITH THE EVIDENCE PRESENTED AND IN KEEPING WITH THIS SECTION.

PROOF OF HARDSHIP: UPON PROOF OF HARDSHIP A RESIDENT-OWNER MAY BE GRANTED A CONTINUANCE AND BE EXEMPTED FROM FINES FOR THOSE VIOLATIONS REQUIRING THE EXPENDITURE OF UNAVAILABLE FUNDS PROVIDED THAT SAID VIOLATIONS DO NOT ADVERSELY AFFECT THE PUBLIC HEALTH AND SAFETY.

FAILURE TO COMPLY: IN THE EVENT THE OWNER FAILED TO RESPOND TO ANY OF THE ABOVE PROCEDURES THE OWNER WOULD BE FOUND IN VIOLATION OF THIS SECTION AND FINED ACCORDINGLY. HE SHALL BE CITED BEFORE A COURT OF COMPETENT JURISDICTION, AND UPON CONVICTION OF THE VIOLATION SHALL BE FINED NOT LESS THAN ONE HUNDRED (\$100.00) DOLLARS NOR MORE THAN TWENTY-FIVE HUNDRED (\$2,500.00) DOLLARS.

D. RIGHT TO APPEAL

THE BOARD OF ZONING APPEALS SHALL HAVE THE AUTHORITY TO GRANT SPECIAL VARIANCES OR RELIEF TO ANY PROVISIONS OR REQUIREMENTS OF THIS SECTION AND MAY PRESCRIBE ANY CONDITIONS OR REQUIREMENTS DEEMED NECESSARY TO MINIMIZE ADVERSE EFFECTS UPON THE COMMUNITY.

THE PLANNING AND ZONING COMMISSION MAY DEVELOP STANDARDS AND PROCEDURES FOR THE IMPLEMENTATION AND ENFORCEMENT OF THESE PROVISIONS.

SECTION 22: GENERAL PROVISIONS.

- A. Rescinded (ordinance 2012-012 September 10, 2012)
- B. TENTS

ANY TENT OR AIR-SUPPORTED STRUCTURE ERECTED WITHIN THE CORPORATE LIMITS OF THE TOWN OF SELLERSBURG, INTENDED TO BE USED BY THE PUBLIC, SHALL COMPLY WITH THE PROVISIONS OF THE INDIANA FIRE PREVENTION CODE.

- C. RESPONSIBILITY OF POLICE DEPARTMENT TO ASSIST THE BUILDING COMMISSIONER

THE SELLERSBURG POLICE DEPARTMENT, UPON REQUEST OF THE BUILDING COMMISSIONER SHALL ASSIST IN THE ENFORCEMENT OF THIS CODE. THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED

REPRESENTATIVE MAY REQUEST THE POLICE TO ACCOMPANY THEM TO ANY PREMISES TO HELP ENFORCE THE LAW AND SERVE REQUIRED NOTICES.

- D. RESPONSIBILITY OF FIRE DEPARTMENT TO COOPERATE WITH THE BUILDING COMMISSIONER

THE SELLERSBURG FIRE DEPARTMENT SHALL COOPERATE WITH AND PROVIDE ASSISTANCE TO THE BUILDING COMMISSIONER IN DETERMINING THE COMPLIANCE OF NEW BUILDINGS AND STRUCTURES UNDER CONSTRUCTION WITH THE FIRE SAFETY STANDARDS REQUIREMENT OF THIS CODE.

- E. STORM WATER AND SUBSOIL DRAINAGE SYSTEMS

WHEN STORM WATER AND SUBSOIL DRAINAGE SYSTEMS ARE INSTALLED, THEY SHALL BE DISCHARGED INTO AN APPROVED SUMP OR RECEIVING TANK AND SHALL BE DISCHARGED AT AN APPROVED LOCATION, BUT SHALL NOT BE DISCHARGED INTO A SANITARY SEWER

- F. CONSTRUCTION WORK AND BUILDING MATERIAL IN PUBLIC RIGHT-OF-WAY

NO CONSTRUCTION WORK, DEMOLITION WORK OR STORAGE OF BUILDING MATERIALS SHALL OCCUR WITHIN THE PUBLIC RIGHT-OF-WAY ADJACENT TO THE CONSTRUCTION OR DEMOLITION SITE WITHOUT THE PRIOR APPROVAL OF THE BOARD OF PUBLIC WORKS AND SAFETY. WHENEVER AUTHORITY IS GRANTED TO USE THE PUBLIC RIGHT-OF-WAY, THE BOARD SHALL REQUIRE APPROPRIATE SAFETY MEASURES TO PROTECT THE

PUBLIC, AS SET FORTH IN CHAPTER (44) OF THE IBC AS ADOPTED BY REFERENCE IN CHAPTER (6).

G. INTERCEPTOR REQUIRED

AN INTERCEPTOR SHALL BE REQUIRED TO BE INSTALLED IN OCCUPANCIES WHERE GREASE, OIL, SAND, SOLIDS, FLAMMABLE WASTES, ACID OR ALKALINE SUBSTANCES OR OTHER INGREDIENTS MAY BE INTRODUCED INTO THE DRAINAGE OR SEWAGE SYSTEM IN QUANTITIES THAT CAN EFFECT LINE STOPPAGE OR HINDER SEWAGE TREATMENT. SUCH OCCUPANCIES INCLUDE, BUT ARE NOT LIMITED TO, RESTAURANTS, CAFES, LUNCH COUNTERS, CAFETERIAS, BARS AND CLUBS, HOTELS, HOSPITALS, NURSING HOMES, FACTORY OR SCHOOL KITCHENS, SLAUGHTER HOUSES, SOAP FACTORIES, PACKING, FAT RENDERING, HID CURING AND VEHICLE WASHING ESTABLISHMENTS. INTERCEPTORS SHALL BE INSTALLED IN COMPLIANCE WITH THE PROVISIONS OF THE INDIANA PLUMBING CODE.

H. CHANGE OF USE OR OCCUPANCY

NO CHANGE SHALL BE MADE IN THE USE OR CHARACTER OF OCCUPANCY OF ANY BUILDING WHICH WOULD PLACE THE BUILDING IN A DIFFERENT CLASS OR GROUP OF OCCUPANCY AND USE, UNLESS SUCH BUILDING IS MADE TO CONFORM WITH THIS CODE FOR THE PROPOSED REVISED USE OF THE BUILDING.

I. MAINTENANCE

ALL BUILDINGS AND STRUCTURES, AND THEIR ELECTRICAL, PLUMBING AND HEATING AND AIR CONDITIONING SYSTEMS, BOTH EXISTING AND NEW, AND ALL PARTS THEREOF, SHALL BE MAINTAINED IN A SAFE AND SANITARY CONDITION. ALL DEVICES, SAFEGUARDS AND SYSTEMS SHALL BE MAINTAINED IN CONFORMANCE WITH THE PROVISIONS OF THE BUILDING CODE IN EFFECT WHEN INSTALLED. THE OWNER OR HIS AUTHORIZED AGENT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF BUILDINGS AND STRUCTURES. TO DETERMINE COMPLIANCE WITH THIS SUBSECTION, THE BUILDING COMMISSIONER OR HIS AUTHORIZED REPRESENTATIVE MAY CAUSE ANY BUILDING OR STRUCTURE TO BE REINSPECTED.

J. AUTHORITY TO TAKE EMERGENCY ACTION

THE BUILDING COMMISSIONER AND HIS DULY AUTHORIZED REPRESENTATIVE HAVE THE AUTHORITY TO TAKE NECESSARY EMERGENCY ACTION CONCERNING ANY UNSAFE PREMISE WITHIN THE CORPORATE LIMITS OF THE TOWN OF SELLERSBURG. SUCH ACTION MAY INCLUDE BUT NOT BE LIMITED TO, THE VACATING OF AN UNSAFE

BUILDING AND/OR THE DISCONNECTION OF ANY ELECTRICAL SERVICE OR NATURAL GAS SERVICE TO ANY PREMISES UPON DETERMINATION THAT SUCH IMMEDIATE ACTION IS NECESSARY FOR SAFETY TO PERSON OR PROPERTY. SUCH EMERGENCY ACTION TAKEN SHALL BE LIMITED TO REMOVING ANY IMMEDIATE DANGER.

K. DISCONNECTION OF UNSAFE ELECTRICAL SERVICE BY A PUBLIC ELECTRIC UTILITY COMPANY.

IN THE EVENT A PUBLIC ELECTRIC UTILITY COMPANY REMOVES AN ELECTRICAL METER OR DISCONNECTS THE SERVICE DROP TO A BUILDING OR STRUCTURE BECAUSE THE ELECTRICAL SYSTEM OF SAID BUILDING OR STRUCTURE IS UNSAFE AND HAZARDOUS, THE ELECTRICAL SYSTEM OF SAID BUILDING OR STRUCTURE SHALL NOT BE PLACED BACK IN SERVICE UNLESS SUCH SYSTEM IS INSPECTED BY AN ELECTRICAL CONTRACTOR LICENSES UNDER THE PROVISIONS OF THIS CODE AND UPGRADED AS

NECESSARY TO BRING SUCH SYSTEM INTO COMPLIANCE WITH THE PROVISIONS OF THE INDLANA ELECTRICAL CODE. (NEC)

L. ELECTRICAL CONNECTIONS BY HEATING AND AIR CONDITIONING CONTRACTORS AND PLUMBERS

ANY LICENSED HEATING AND AIR CONDONING CONTRACTOR OR PERSON IN HIS EMPLOY AND ANY REGISTERED PLUMBING CONTRACTOR OR JOURNEYMAN PLUMBER MAY MAKE THE NECESSARY ELECTRICAL CONNECTIONS AS MAY BE REQUIRED FOR THE SATISFACTORY PERFORMANCE OF EITHER A NEW OR REPLACEMENT HEATING AND/OR AIR CONDITIONING SYSTEM OR A HOT WATER HEATER, PROVIDED THE RATING OF CIRCUIT CONDUCTORS AND DISCONNECTS ARE NOT EXCEEDED AND THE ELECTRICAL CONNECTION MEETS THE REQUIREMENTS OF THE INDIANA ELECTRICAL CODE (NEC). HOWEVER, SUCH PERSONS SHALL NOT BE PERMITTED TO INSTALL SERVICE EQUIPMENT, BRANCH CIRCUITS, OVER CURRENT DEVICES NOR RESISTANCE ELECTRIC HEAT.

M. SEALING VACANT BUILDINGS AND STRUCTURES

THE SEALING AND SECURING OF ANY VACANT BUILDING OR STRUCTURE, INCLUDING ANY WORK PERFORMED SUBJECT TO AN ORDER ISSUED UNDER THE UNSAFE BUILDING ORDINANCE OF THE TOWN OF SELLERSBURG, INDIANA OR ANY WORK PERFORMED BY AN OWNER ON HIS OWN INITIATIVE, SHALL BE REQUIRED TO BE ACCOMPLISHED PURSUANT TO THE FOLLOWING UNIFORM STANDARD: DOUBLE HEADED NAILS SHALL BE UTILIZED TO FASTEN ONE-HALF (1/2) INCH EXTERIOR GRADE PLYWOOD TO ALL EXTERIOR OPENINGS OF EVERY FLOOR. THE PLYWOOD SHALL BE CUT AND INSTALLED TO PRECISELY FIT EACH OPENING SO AS TO PRESENT

A NEAT, WORKMANLIKE APPEARANCE. PRIOR TO THE SEALING AND SECURING OF ANY VACANT BUILDING OR STRUCTURE, THE BUILDING OR STRUCTURE SHALL BE CLEARED OF ALL HUMAN INHABITANTS. ANY BUILDING OR STRUCTURE THAT HAS BEN SEALED AND SECURED SHALL BE REPAIRED AND REHABILITATED AS REQUIRED TO BRING SAID BUILDING OR STRUCTURE UNTO COMPLIANCE WITH THIS CODE PRIOR TO SAID BUILDING OR STRUCTURE BEING AGAIN OCCUPIED OR USED.

N. UNSAFE BUILDINGS AND STRUCTURES

THE REGULATIONS AND ABATEMENT OF UNSAFE BUILDINGS AND STRUCTURES SHALL BE IN ACCORDANCE WITH ORDINANCES OF THIS CODE OF ORDINANCES OF THE TOWN OF SELLERSBURG, INDIANA.

O. THERE SHALL BE AN ADMINISTRATIVE REVIEW OF LOCALLY ISSUED ORDERS OR VARIENCES PROVIDED FOR BY IC 22-13-2-7.

P. THE LOCAL BUILDING CODE DOES NOT APPLY TO AN INDUSTRIALIZED BUILDING SYSTEM OR MOBILE STRUCTURE CERTIFIED UNDER IC 22-15-4

SECTION 23: LIABILITY.

THE TOWN OF SELLERSBURG, THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE CHARGED WITH THE ENFORCEMENT OF THIS CODE, ACTING IN GOOD FAITH AND WITHOUT MALICE IN THE DISCHARGE OF THEIR DUTIES, SHALL NOT THEREBY RENDER THEMSELVES PERSONALLY LIABLE AND THEY HEREBY ARE RELIEVED FROM ALL PERSONAL LIABILITY FOR ANY DAMAGE THAT MAY ACCRUE TO PERSONS OR PROPERTY AS A RESULT OF ANY ACT REQUIRED OR BY REASON OF ANY ACT OR OMISSION IN THE DISCHARGE OF HIS DUTIES. ANY SUIT BROUGHT AGAINST THE TOWN OR THE COMMISSIONER AND/OR BOARDS, OR HIS DULY AUTHORIZED REPRESENTATIVE, BECAUSE OF SUCH ACT OR OMISSION PERFORMED BY THEM IN THE ENFORCEMENT OF ANY PROVISIONS OF THIS CODE, SHALL BE DEFENDED BY THE TOWN ATTORNEY OF THE TOWN OF SELLERSBURG UNTIL FINAL TERMINATION OF THE PROCEEDINGS, AS COVERED IN I.C. 34-4-16.5-2(1).

SECTION 24: VIOLATIONS.

IT SHALL BE UNLAWFUL FOR ANY PERSON, FIRM OR CORPORATION, WHETHER AS OWNER, LESSEE, SUB-LESSEE, OR OCCUPANT, TO ERECT, CONSTRUCT, ENLARGE, ALTER, REPAIR, IMPROVE, REMOVE, CONVERT, DEMOLISH, EQUIP, USE, OCCUPY OR MAINTAIN ANY BUILDING OR STRUCTURE, INCLUDING FENCES, IN THE TOWN OF SELLERSBURG INDIANA, OR CAUSE OR PERMIT THE SAME TO BE DONE, CONTRARY TO OR IN VIOLATION OF THE PROVISIONS OF THIS CODE.

SECTION 25: RIGHT OF APPEAL.

ALL PERSONS SHALL HAVE THE RIGHT TO APPEAL THE DECISION(S) OF THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE FIRST THROUGH THE BOARD OF ZONING APPEALS OF THE TOWN OF SELLERSBURG AND THEN THROUGH ANY ADMINISTRATIVE AGENCY SET FORTH IN THE INDIANA CODE OR TO A COURT OF COMPETENT JURISDICTION.

SECTION 26: REMEDIES.

THE BUILDING COMMISSIONER SHALL REQUEST THE TOWN ATTORNEY TO BRING ACTION ON BEHALF OF THE TOWN IN THE CIRCUIT OR SUPERIOR COURTS OF CLARK COUNTY INDIANA, FOR MANDATORY AND INJUNCTIVE RELIEF IN THE ENFORCEMENT OF, AND TO SECURE, COMPLIANCE WITH

ANY ORDER OR ORDERS MADE BY THE COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE, AND ANY SUCH ACTION FOR MANDATORY OR INJUNCTIVE RELIEF MAY BE JOINED WITH AN ACTION TO RECOVER THE PENALTIES PROVIDED FOR IN THIS CODE. ANY PERSON ADJUDGED GUILTY OF A VIOLATION OF THIS CODE MAY ALSO BE ADJUDGED TO PAY THE COSTS OF PROSECUTION.

SECTION 27: PENALTIES.

IF ANY PERSON, FIRM OR CORPORATION SHALL VIOLATE ANY OF THE PROVISIONS OF THIS CODE, OR SHALL DO ANY ACT PROHIBITED HEREIN, OR SHALL FAIL TO PERFORM ANY DUTY LAWFULLY ENJOINED, WITHIN THE TIME PRESCRIBED BY THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE, OR SHALL FAIL, NEGLECT OR REFUSE TO OBEY ANY LAWFUL ORDER GIVEN BY THE COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE, IN CONNECTION WITH THE PROVISIONS OF THIS CODE, FOR EACH SUCH VIOLATION, FAILURE OR REFUSAL, SUCH PERSON, FIRM OR CORPORATION SHALL UPON CONVICTION OF SAID VIOLATIONS BE FINED ACCORDINGLY, OF THE TOWN CODE.

EACH ACT OF VIOLATION AND EVERY DAY UPON WHICH A VIOLATION OCCURS CONSTITUTES A SEPARATE OFFENSE.

ENFORCEMENT OF THIS ORDINANCE SHALL BE BY THE BUILDING COMMISSIONER OR HIS DULY AUTHORIZED REPRESENTATIVE.

SECTION 28: SEVERABILITY.

IF ANY SECTION, SUB-SECTION, SENTENCE, CLAUSE, PHRASE OR PORTION OF THIS CODE IS FOR ANY REASON HELD INVALID OR UNCONSTITUTIONAL BY ANY COURT OF COMPETENT JURISDICTION, SUCH PORTION SHALL BE DEEMED A SEPARATE, DISTINCT AND INDEPENDENT PROVISION AND SUCH HOLDING SHALL NOT EFFECT THE VALIDITY OF THE REMAINING PORTIONS HEREOF.

SECTION 29: SUPERSEDES PRIOR CODES AND ORDINANCES.

THAT THE PROVISIONS OF THIS CODE SHALL SUPERSEDE ANY PROVISIONS OF PRIOR ORDINANCES OR CODES IN CONFLICT WITH THE PROVISIONS CONTAINED HEREIN AND SHALL BECOME EFFECTIVE ON THE SAME DAY AS THE DATE OF APPROVAL BY THE FIRE PREVENTION AND BUILDING SAFETY COMMISSION.

SO ORDAINED THIS 9th DAY OF JULY, 2012.

PAUL RHODES

BRIAN MEYER

JAMES LAMASTER

MICHAEL LOCKHART

TERRY LANGFORD

ATTEST _____
DAVID KINDER, CLERK/TREASURER

Sellersburg Building Commission

J. Greg Dietz, Building Commissioner

103 South New Albany Street

PO Box 175

Sellersburg, IN 47172

(812)246-3821 Fax (812)246-0174

jgregdietz@sellersburg.org

HOMEOWNER'S ELECTRIC AFFIDAVIT

I, _____, understand that doing my own plumbing installation in my personal residence is an exception to the Indiana Electrical Code, 2009 Edition, based on National Electrical Code, 2008 Edition, first printing, with Indiana Amendments.

To be granted this exception I, _____, understand that only I can secure and sign for this permit, install all electrical wiring myself without assistance. This installation is subject to all inspections of the local authority as prescribed in the Indiana Electrical Code, 2009 Edition, based on National Electrical Code, 2008 Edition, first printing, with Indiana Amendments, and that I will be the sole resident and owner of this structure located at _____ in the Town of Sellersburg.

I also agree that if I sell the residence, I am responsible for the electrical wiring installation just as a licensed electrician would be.

Signed _____ Date _____

Permit # _____ Receipt # _____



Sellersburg Building Commission

J. Greg Dietz, Building Commissioner

103 South New Albany Street

PO Box 175

Sellersburg, IN 47172

(812)246-3821 Fax (812)246-0174

jgregdietz@sellersburg.org

HOMEOWNER'S HVAC AFFIDAVIT

I, _____, understand that doing my own plumbing installation in my personal residence is an exception to the Indiana Mechanical Code, 2008 edition based on the International Mechanical Code, 2006 Edition, first printing, with Indiana Amendments.

To be granted this exception I, _____, understand that only I can secure and sign for this permit, install all HVAC equipment myself without assistance. This installation is subject to all inspections of the local authority as prescribed in Indiana Mechanical Code, 2008 edition based on the International Mechanical Code, 2006 Edition, first printing, with Indiana Amendments, and that I will be the sole resident and owner of this structure located at _____ in the Town of Sellersburg.

I also agree that if I sell the residence, I am responsible for the HVAC installation just as a licensed HVAC contractor would be.

Signed _____ Date _____

Permit # _____ Receipt # _____



Sellersburg Building Commission

J. Greg Dietz, Building Commissioner

103 South New Albany Street

PO Box 175

Sellersburg, IN 47172

(812)246-3821 Fax (812)246-0174

jgregdietz@sellersburg.org

HOMEOWNER'S PLUMBING AFFIDAVIT

I, _____, understand that doing my own plumbing installation in my personal residence is an exception to the Indiana Plumbing Code, 1999 Edition, based on the Uniform Plumbing Code, 1997 Edition, published by the International Association of Plumbing and Mechanical Officials, with Indiana Amendments.

To be granted this exception I, _____, understand that only I can secure and sign for this permit, install all of the plumbing equipment myself without assistance. This installation is subject to all inspections of the local authority as prescribed in the Indiana Plumbing Code, 1999 Edition, based on the Uniform Plumbing Code, 1997 Edition, published by the International Association of Plumbing and Mechanical Officials, with Indiana Amendments, and that I will be the sole resident and owner of this structure located at _____ in the Town of Sellersburg.

I also agree that if I sell the residence, I am responsible for the plumbing installation just as a licensed plumbing contractor would be.

Signed _____ Date _____

Permit # _____ Receipt # _____



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HOMEOWNER'S LOCATION OF STRUCTURE ON PLOT DIAGRAM AFFIDAVIT

I, _____, am submitting an alternate site location plan in lieu of the required survey done by a licensed surveyor for the property located at

_____ in the Town of Sellersburg.

I understand that there may be errors in dimension and location, therefore, I accept all legal responsibility and consequences for violation of easements, building code, zoning code and drainage.

I also agree that if I sell the residence, I am responsible for the location of this new structure installation just as a licensed surveyor would be.

Signed _____ Date _____

Permit # _____ Receipt # _____

