

ORDINANCE 87-28

To Amend Title 17 of the Bloomington Municipal Code Entitled
Construction Regulations

WHEREAS, I.C. 22-11-1-32 requires that all building rules and regulations of local governments be approved by the Administrative Building Council before enactment; and

WHEREAS, certain changes in the Bloomington Municipal Code have been requested by the Engineering Department in order to bring the Code construction regulations into conformity with State requirements; and

WHEREAS, the State legislature has recently enacted I.C. 22-13-2-7 and I.C. 36-7-2-9 which must be incorporated into the Bloomington Municipal Code,

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, THAT:

SECTION I. Title 17 shall be amended to read "Indiana Fire Prevention and Building Safety Commission" in lieu of "State Administrative Council" wherever such appears in the ordinance.

SECTION II. Section 17.04.030 Scope, paragraph two shall be amended to read as follows:

Where these regulations may conflict with rules established in the Indiana Administrative Code, such rules shall take precedence. Any provision of this title governing the interpretations of or variance from the provisions of the adopted rules shall be consistent with those of the Indiana Fire Prevention and Building Safety Commission.

SECTION III. Section 17.04.050 Definitions shall be amended as follows:

A new subsection (b) shall be added to read as follows:

(b) Building Official means the City Engineer, or his designee and has no link to the term used in State rules, codes, etc.

Prior subsection (b) entitled Building Sewer shall be renumbered (c).

Prior subsection (c) entitled City Engineer shall be renumbered (d).

Prior subsection (d) entitled Commercial, Industrial, Electrical Contractor shall be renumbered (e), and "(i)" shall be inserted in lieu of "(h)".

Prior subsection (e) entitled Planning Jurisdiction shall be renumbered (f).

Prior subsection (f) entitled Plumber, Journeyman shall be renumbered (g), and "chapter" shall be inserted in lieu of "jurisdiction."

Prior subsection (g) entitled Plumbing Contractor shall be renumbered (h), and shall read as follows:

(h) Plumbing Contractor means a person engaged in the plumbing business for the general public, or who maintains a plumbing shop, and is qualified to install plumbing in accordance with the standards and regulations set forth by the State and this chapter.

Prior subsection (h) entitled Residential Electrical Contractor shall be renumbered (i), and "electrical" shall be inserted between the words "single-phase" and "service."

Prior subsection (i) entitled Technical Codes shall be renumbered (j).

SECTION IV. Section 17.04.060 Adoption by Reference shall be amended as follows:

Subsection (1): "1985" shall be inserted in lieu of "1979" wherever such appears.

Subsection (2): "Code" shall be inserted in lieu of "Rules", and "1987" shall be inserted in lieu of "1981" wherever such appears.

Subsection (3): "Code" shall be inserted in lieu of "Rules", "1985" shall be inserted in lieu of "1981", and "1985" shall be inserted in lieu of "1979".

Subsection (4): "1985" shall be inserted in lieu of "1981", and "1985" shall be inserted in lieu of "1979".

Subsection (5): "1986" shall be inserted in lieu of "1979."

Subsection (6): "1984" shall be inserted in lieu of "1979", and "1983" shall be inserted in lieu of "1980."

Subsection (7): "1985" shall be inserted in lieu of "1979", and "1985" shall be inserted in lieu of "1978."

SECTION V. Section 17.04.100 Appeals and Variances shall be amended to read as follows:

17.04.100 Appeals and Variances. The Board of Zoning Appeals of the City is established as the official hearing board for disputes or variances from the rules and regulations set forth in this title, but it shall not be empowered to grant variances from any of the State technical codes adopted by this title, unless such variances are approved by the Indiana Fire Prevention and Building Safety Commission. The City Engineer shall be the final local authority over disputes with regard to the interpretation of the technical codes. Appeals and variances shall be through the Indiana Fire Prevention and Building Safety Commission in accordance with I.C. 22-13-2-7.

SECTION VI. Section 17.08.010 Engineering Department shall be amended as follows:

"required" shall be inserted in lieu of "authorized" on line three (3), and "I.C. 36-7-2-9" shall be inserted in lieu of "I.C. 22-11-1-10".

Subsection (b): The title of subsection (b) shall be amended to read: "Stop Work Orders."

SECTION VII. Section 17.08.030 Permit Application shall be amended to read as follows:

17.08.030 Permit Application. To obtain a permit, the applicant shall first file an application in writing on a form furnished by the City Engineer. When a design release issued by the State Building Commission is required pursuant to rules of the Indiana Fire Prevention and Building Safety Commission (675 IAC 12), no permit shall be issued until the design release is received by the City Engineer. Every applicant shall: ***

Subsection (e): Shall be amended to read as follows:

(e) Suspension or Revocation. The City Engineer may, in writing, suspend or revoke a permit issued under the provisions of this title whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of this title, or upon revocation of the State Building Commission design release. Said revocation shall be effective immediately.

SECTION VIII. Section 17.08.080 Special Plumbing Regulations shall be amended as follows:

The diagram entitled "City Standard for Street Repairs" shall be updated by inserting the attached "City Standard for Street Repairs" in lieu of the one presently in effect.

(p) Domestic Water Service-Placement. Trench bottoms shall be smooth and regular of either undisturbed soil or a layer of compacted backfill so that minimum settlement will take place. The minimum cover shall be three (3) feet below the finished grade. Selected, properly compacted backfill shall be used. When plastic pipe is installed, #9 copper wire or metallic locator tape shall be buried immediately above the pipe and extending its entire length to facilitate future location.

SECTION IX. Severability. If any section of this ordinance or any part of any section shall be declared invalid or unconstitutional such declaration shall not affect the validity or constitutionality of the remaining portions.

SECTION X. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 15 day of July, 1987.

Tim Mayer
Tim Mayer, President
Bloomington Common Council

ATTEST:

Patricia Williams
Patricia Williams, City Clerk

PRESENTED by me to the Mayor upon this 16 day of July, 1987.

Patricia Williams
Patricia Williams, City Clerk

SIGNED and APPROVED by me upon this 17 day of July, 1987.

Tomilea Allison
Tomilea Allison, Mayor
City of Bloomington

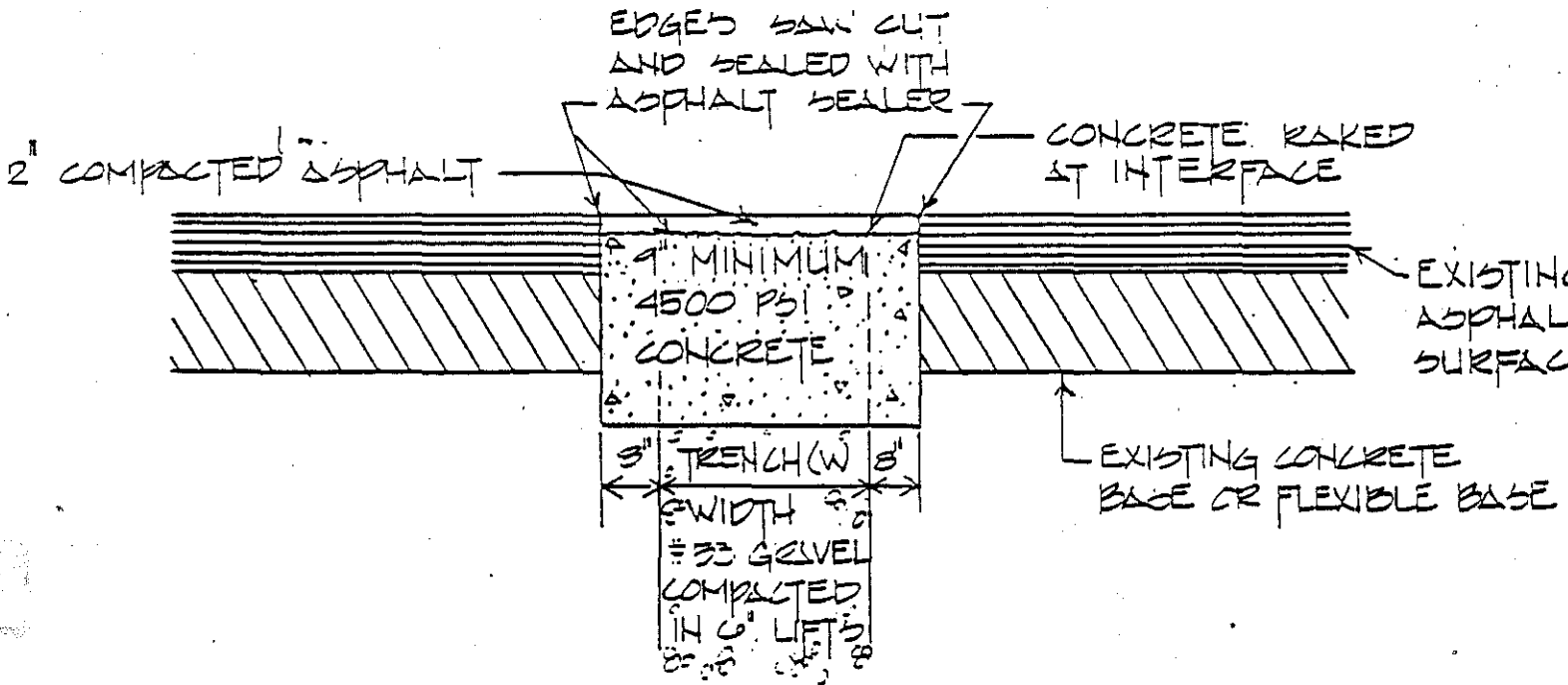
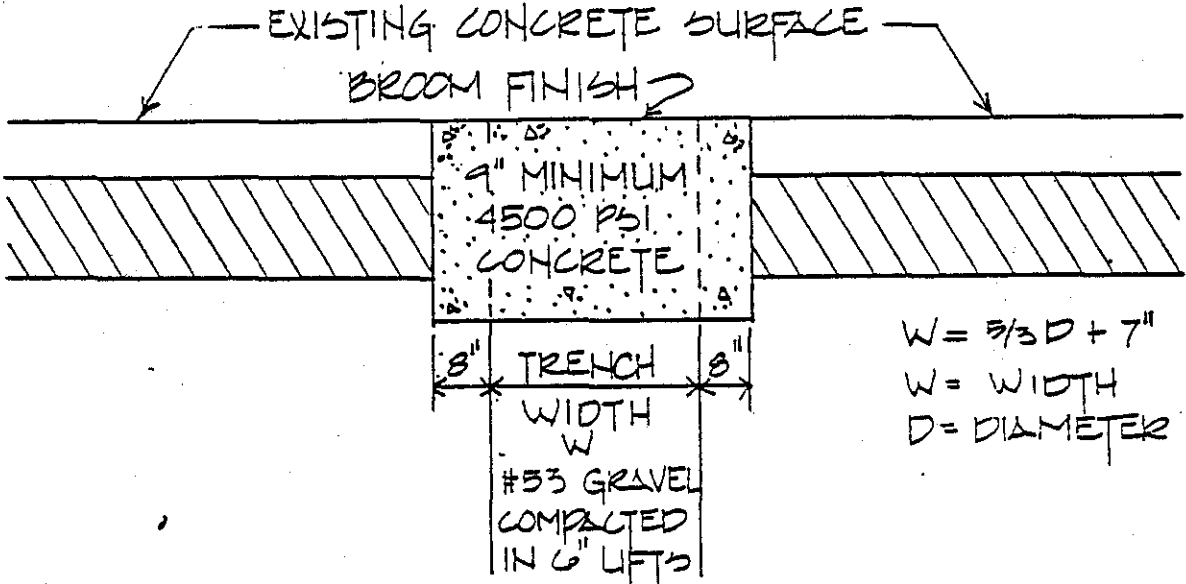
SYNOPSIS

Ordinance 87-28 amends Title 17 of the Bloomington Municipal Code, entitled "Construction Regulations," by substituting "Indiana Fire Prevention and Building Safety Commission," the present name, for the former name, "State Administrative Council." The Ordinance updates the various code editions which are incorporated by reference to reflect the most recent editions now in use. The ordinance reduces the minimum soil cover over domestic water lines to three (3) feet. All other changes are to promote clarity and accuracy.

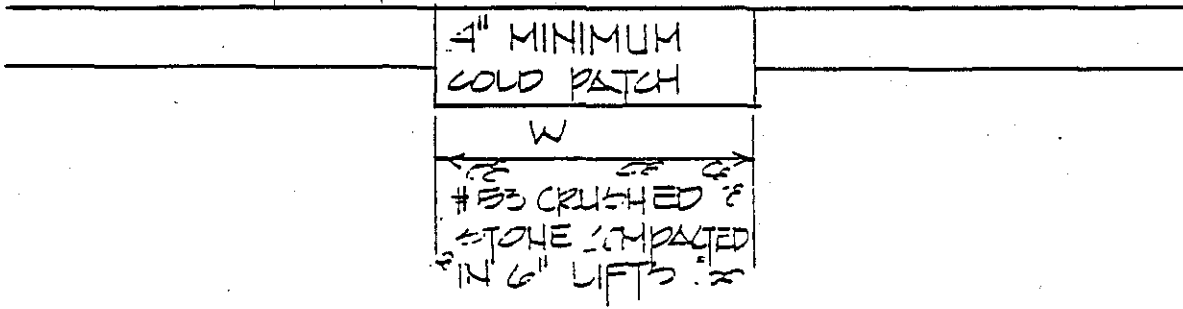
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CITY STANDARD FOR STREET REPAIRS



TEMP WINTER PATCH



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