

BUILDING CODE

Section 8-1. This Title 8, with all matters included therein by reference, shall comprise the Building Code of this City, together with all later amendments and additions thereto. It may be referred to and cited either as "Bloomington Building Code, 1961", or as "City Building Code, 1961"; and also, any references thereto by either such name shall be deemed to refer to this "Title 8", and likewise, when only such title and the respective chapters and sections thereof, as herein numbered or so referred to, and they can be otherwise identified. Whenever the word "Code" alone is used in this title, it shall be deemed to refer to this entire municipal code, unless the context clearly shows that such term refers only to this Building Code.

Section 8-2. Scope of this Title.

1. New Buildings and Additions. The provisions of this Title shall apply to all new buildings and additions, except those exempt in sub-section 5 of this section.

2. Alterations. The provisions of this title shall apply to all alterations which affect the structural strength, fire hazard, exits, change of occupance or use, lighting or sanitary conditions of any building, except those exempt in sub-section 5 of this section; but do not apply to or include ordinary repairs necessary for the maintenance of any building.

3. Ordinary Repairs. Ordinary repairs to buildings may be made without application or notice to the building official; but such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exit requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

4. Change of Use. The provisions of this title and all rules and regulations contained or incorporated therein, shall apply to all buildings which are to be devoted to a new use or occupancy for which the requirements of this Title, or of any such rules and regulations, or of the rezoning regulations, are in any way more stringent than the requirements covering the previous use of the building.

5. Buildings Not Included. The provisions of this Title do not apply to the following buildings:

(1) Temporary buildings or sheds used for construction purposes only.

(2) Small structures or sheds used to house small animals or fowl.

Section 8-3. Administration of Building Code.

The provisions of the city Building Code as set out in this Title under its several chapters, shall be administered and enforced by the City Engineer, with the assistance of the other officers and the employees of the City all acting therein under the control of the Board of Public Works and Safety.

Section 8-4. General Permits.

1. When Permit is Required. It shall be unlawful to construct, enlarge, alter, remove or demolish, or change the occupancy of a building from one use group to another requiring greater strength, exit or sanitary provisions; or to change to a prohibited use; or to install or alter any equipment for which provision is made or the installation of which is regulated by the Code, without first filing an application with the City Engineer in writing and obtaining the required permit therefor; except that ordinary repairs as defined in Section 8-2 which do not involve any violation of the Code shall be exempt from this provision.

2. It shall be the duty of the property owner or his agent

or representative, or of the lessee of the property if said lessee is responsible for the work involved, to see that all necessary permits as above set out have been secured from the City Engineer after application to the City Engineer and approval thereof by the City Engineer, before any work has been started, and failure of the party or parties responsible for the securing of such permit so to do, shall be punishable by a fine as provided for general violations of this Code.

Section 8-5. The City Engineer shall issue a permit upon application, and after applicant has submitted reasonable plans or specifications of work to be undertaken, provided that said construction does not violate other ordinances of the City of Bloomington. Upon completion of all inspections to the satisfaction of the City Engineer, said City Engineer shall issue a certificate of approval and shall cause to be entered the name of the contractor upon a registry of approved craftsmen to be kept on file at the office of the City Engineer. Should any contractor or craftsman complete work which fails to pass inspection and which is not corrected to the satisfaction of the City Engineer, after being notified in writing, he will be denied all future permits for the period of ninety (90) days and then upon application for further permits he must post bond in the amount of not less than fifty percent (50%) of the cost of the proposed construction.

Section 8-6. Fees for Permits.

Fees for permits on general construction for one and two family dwelling units shall be established at the following rates: (these fees shall include all necessary fees for plumbing, electrical, heating and zoning)

	WITHOUT BASEMENT SCHEDULE A	WITH BASEMENT SCHEDULE B
Under 500 square feet	\$ 5.00	\$ 7.00
500 through 999 square feet	15.00	18.00
1,000 through 1,499 square feet	25.00	30.00
1,500 through 1,999 square feet	35.00	42.00
2,000 through 2,499 square feet	50.00	60.00
2,500 through 2,999 square feet	75.00	90.00
3,000 square feet or over	100.00	120.00
Minimum Fee	\$5.00	

Industrial, commercial, public apartments and buildings of assembly, except churches, \$2.00 per \$1,000 or portion thereof, of actual cost.
Minimum Fee, \$2.00.

Private garages, carports and accessory buildings (not attached) \$3.00 each

Electrical permit only where required - \$2.00

Heating, ventilating and air conditioning permit only where required - \$2.00

Alteration or extensions of electrical circuits or heating lines only will be subject to permit and inspection with a permit fee of not less than Two Dollars (\$2.00).

Section 8-7. Buildings, etc. must conform to building rules and regulations.

All new buildings, additions to existing buildings, and all construction, re-construction, alteration and repair of buildings or structures in the city shall conform to the requirements of the building rules and regulations incorporated by reference into this Code as provided in this chapter, from and after the taking effect of this Code, and shall apply to all buildings or construction commenced after the effective date of this Code.

Section 8-8. Building Rules and Regulations of Federal Housing Administration dated November 1, 1958, Being Minimum Property Standards for One and Two Living Units, entitled "FHA No. 300" Adopted.

1. Chapter III, VII, VIII, IX and Appendices A, B and C of Federal Housing Administration Minimum Property Standards for One and Two Living Units dated November 1, 1958, as referred to as FHA No. 300 as approved and promulgated by the Federal Housing Administration, two copies of which have been filed with this Ordinance in the Office of the City Clerk, and are to be kept there for public inspection, are hereby incorporated into this chapter of the City Building Code and are made parts thereof, by this reference thereto, as fully as though re-copies herein; and also, two copies of all future amendments of and additions to such Chapters III, VII, VIII, IX and Appendices A, B and C of said building rules and regulations, unless

otherwise provided by any later ordinance, shall be similarly filed and shall become thereupon a part of this chapter of the Building Code.

2. The term, "Building Rules and Regulations" whenever so used in this Code, shall mean the aforesaid building rules and regulations so incorporated by reference into this Code by subsection 1 of this section.

3. The above Rules and Regulations shall apply to all one and two living units as prescribed in said publication, as well as any and all appurtenances thereto, including attached or detached garages.

Section 8-9. Building Rules and Regulations of Administrative Council Adopted As to All Other Buildings.

1. The Administrative Building Council of Indiana "Building Rules and Regulations (Minimum Requirements)" as approved and promulgated by the Administrative Council of the Administrative Building Code of Indiana and embraced in and designated, "Volume I, 1959", two copies of which have been filed with this ordinance in the office of the City Clerk, and are to be kept there for public inspection, except Section 301-D, which is hereby excluded, is hereby incorporated into this chapter of the City Building Code and/or made parts thereof, by this reference thereto, as fully as though re-copied herein; and also two copies of all future amendments of and additions to such building rules and regulations unless otherwise provided by any later ordinance, shall be similarly filed and shall become thereupon a part of this chapter of the Building Code. Said Building Rules and Regulations (Minimum Requirements of the Administrative Building Code Council of Indiana) shall apply to any and all building or construction except those specifically included in Section 8-8 above.

2. The term "Building Rules and Regulations", whenever so used in this Code, shall mean the aforesaid building rules and regulations so incorporated by reference into this Code by sub-section 1 of this section.

Section 8-10. Copies of Building Rules and Regulations To Be Filed with City Clerk.

1. It shall be the duty of the City Clerk at all times to keep on file in his office and available for public inspection at least two copies of all such building rules and regulations as so incorporated at any time by reference into this Code, and also two copies of all later amendments and additions thereto. The City Engineer shall furnish the City Clerk with all such copies and amendments so required to be filed by any chapter of this Title.

2. It shall also be the duty of said City Clerk at all times to keep on file in his office and available for public inspection at least two copies of all standard specifications, regulations, codes and manuals which are mentioned by title and date of publication in any of the aforesaid building rules and regulations, so herein incorporated into this Code.

Section 8-11. All plumbing equipment and installation, and all repairs thereto in this regulation shall conform to the requirements of Chapter 21 of the Municipal Code of the City of Bloomington, Indiana, 1957, as amended, and the same are hereby made applicable to all building and construction referred to in this Code.

Section 8-12. Electrical Wiring and Installation Requirements.

1. All electrical wiring and all electrical installation and all repairs to either of the same in or upon any buildings, structures and premises in the city shall conform to the requirements of this chapter and code and of law.

2. Conformity with the rules, regulations and standards prescribed in the 1959 National Electrical Code (N.F.B.U. Pamphlet No. 70), being the rules, regulations, and standards of the National Board of Fire Underwriters for Electrical Wiring and Apparatus, two copies of which have been filed with this ordinance in the office of the City Clerk and are to be kept there for public inspection, and which are hereby incorporated into this chapter of the Building Code and made parts thereof, by this reference thereto, as fully as though recopies herein, and which are hereby adopted as the electrical rules and regulations of this title, shall be prima facie

evidence of conformity with approved standards for safety to life and property.

Section 8-13. Heating, Ventilating, Air Conditioning Rules and Regulations of Administrative Building Council Adopted.

1. The Administrative Building Council of Indiana, "Heating, Ventilating and Air Conditioning Rules and Regulations (Minimum Requirements, Volume 4, 1960)" (except Sec. 301-d), two copies of which have been filed with this ordinance in the office of the City Clerk and are to be kept there for public inspection, are hereby incorporated into this chapter of the Building Code and are made parts thereof by this reference thereto as fully as though recopied herein; and also, all future amendments of and additions to such rules and regulations, unless otherwise provided by any later ordinance, shall be similarly filed and shall thereupon become a part of this chapter of the Building Code, and the same shall apply to all building and construction referred to in this Code.

Section 8-14. No section or provision in this ordinance is to be interpreted as prohibiting a property owner from doing work of any type on his own property. Permits are required when work or construction equals or exceeds the scope set forth in Section 2. of this ordinance.

Section 8-15. The regular staff of the Department of Engineering shall assist the City Engineer in carrying out the duties of issuing permits, inspections and certificates of approval. To assist in the task of inspecting electrical wiring and heating, air conditioning installations in both new and remodelled construction, fire inspectors of the Fire Department of the City of Bloomington may be used upon request of the City Engineer, and in such case the fire inspectors shall remain under the jurisdiction of the Fire Department and shall not be relieved of any of the normal duties assigned to them by the Fire Chief.

Section 8-16. The Board of Zoning Appeals of the City of Bloomington is hereby established as the official hearing board for disputes or variances for rules and regulations set forth in the basic Code or its administrative procedures set forth in this ordinance. The City Engineer shall follow the rulings of the Board of Zoning Appeals.

Section 8-17. Any person before performing any work requiring a permit under this ordinance shall show proof of adequate liability, insurance and workmen's compensation. When any person proceeds to do any work or construction covered by this ordinance without the required permit, the permit fee shall be doubled as a penalty. The payment of this penalty does not release the person in default from any other penalties provided. Pro rata refund will be made if building is decreased in size. Refunds may not be made on permits which are revoked for violation of this ordinance.

Section 8-18. Inspections.

1. Inspections shall be set up on a schedule as provided by the City Engineer. Inspections, however, may be waived by the City Engineer on approved FHA and VA construction and may likewise be waived on any construction on which a licensed architect of the State of Indiana is responsible therefor.

Section 8-19. The City Engineer shall keep an accurate account of all fees collected under this ordinance, and they shall be deposited at least once each week with the City Clerk-Treasurer and become a part of the General Fund of the City of Bloomington.

Section 8-20. If any provision, section, sub-section or part of a section of this ordinance, or the basic Building Code is declared to be unconstitutional or invalid, the partial invalidity is not to be considered as affecting the validity of the remainder of the ordinance or the Code, and all other provisions will remain valid and enforceable.

Section 8-21. This Ordinance shall be in full force and effect from and after July 1, 1961.

Passed and adopted by the Common Council of the City of Bloomington, Indiana, this 18th day of April, 1961.

S/ Thos. L. Lemon
Thos. L. Lemon, Presiding Officer

ATTEST:
S/ Mary Alice Dunlap
Mary Alice Dunlap, Clerk-Treasurer

Presented by me to the Mayor of the City of Bloomington on the 18th day of April, 1961, at the hour of 7:45 o'clock P.M.

S/ Mary Alice Dunlap
Mary Alice Dunlap, Clerk-Treasurer

This Ordinance approved and signed by me this 18th day of April, 1961, at the hour of 7:45 o'clock P.M.

S/ Thos. L. Lemon
Thos. L. Lemon, Mayor