

FULTON COUNTY BUILDING ORDINANCES

- A. 1994, Ordinance 060694: *Building Code of the County of Fulton, Indiana*
- B. 1995, Ordinance 061995: Amendment to Ordinance 060694, *Building Code of the County of Fulton, Indiana*, Section 7 (increasing the minimum cost of construction requirement for retaining a permit)
- C. 2001, Ordinance 030501-1: *Enforcement of Building Standards* (Commonly referred to as the “Unsafe Building Ordinance”)
- D. 2008, Ordinance 021908: Amendment to Ordinance 060694, *Building Code of the County of Fulton, Indiana*, Section 7 (authorizing utility inspections)
- E. 2013, Ordinance 10072013: Amendment to Ordinance 0605694, *Buliding Code of the County of Fulton, Indiana*, Section 16 (Regarding Workmanship and Demolition)

A.

1994, Ordinance 060694

Building Code of the County of Fulton, Indiana

ORDINANCE NO. 060694

AN ORDINANCE regulating the construction, alteration, repair, location and use of buildings and structures in the County of Fulton, Indiana; incorporating by reference building rules, codes and standards required to be enforced under IC 36-7-2-9; providing for the issuance of permits; providing penalties for violations; and repealing all ordinances and parts of ordinances in conflict therewith.

BE IT ORDAINED by the Board of Commissioners of the County of Fulton, Indiana as follows:

SECTION 1. TITLE. This ordinance, and all ordinances supplemental or amendatory hereto, shall be known as the "Building Code of the County of Fulton, Indiana", may be cited as such, and will be referred to herein as "this code".

SECTION 2. PURPOSE. The purpose of this code is to provide minimum standards for the protection of life, health, environment, public safety and general welfare, and for the conservation of energy in the design and construction of buildings and structures.

SECTION 3. AUTHORITY. The Building Commissioner is 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 Building Commissioner or any other officer of the County, this shall be construed to give such officer only the discretion of determining whether this code has been complied with; and no such provision shall be construed as giving any officer discretionary powers as to what this code shall be, or power to require conditions not prescribed by ordinances or to enforce this code in an arbitrary or discriminatory manner. Any variance from adopted building rules are subject to approval under IC ~~22-15-4~~, in the County of Fulton.
 22-13-2-7(b)

SECTION 4. SCOPE. The provisions of this code apply to the construction, alteration, repair, use, occupancy, and addition to all buildings and structures, other than industrialized building systems or mobile structures certified under IC 22-15-4, in the County of Fulton.

SECTION 5. ADOPTION OF RULES BY REFERENCE.

- a. Building 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 later amendments to those Articles as the same are published in the Indiana Register or the Indiana Administrative Code with effective dates as fixed therein:

- (1) Article 13 - Building Codes
 - (a) Fire and Building Safety Standards
 - (b) Indiana Building Code
 - (c) Indiana Building Code Standards
 - (d) Indiana Handicapped Accessibility Code
- (2) Article 14 - One and Two Family Dwelling Code
Indiana One and Two Family Dwelling Code
- (3) Article 16 - Plumbing Code
Indiana Plumbing Code
- (4) Article 17 - Electrical Codes
 - (a) Indiana Electrical Code
 - (b) Safety Code for Health Care Facilities
- (5) Article 18 - Mechanical Code
Indiana Mechanical Code
- (6) Article 19 - Energy Conservation Codes
 - (a) Indiana Energy Conservation Code
 - (b) Modifications to the Model Energy Code
- (7) Article 20 - Swimming Pool Code
Indiana Swimming Pool Code

b. Copies of adopted building rules, codes and standards are on file in the office of the Fulton County Auditor.

SECTION 6. APPLICATION FOR PERMITS. No building permit shall be issued for the foregoing purposes, unless the application for a permit is accompanied by a plat or sketch of the proposed location showing lot boundaries, and by plans and specifications showing the work to be done. In addition, a copy of a Design Release, issued by the State Building Commissioner and the State Fire Marshal pursuant to IC 22-15-3-1, shall be provided to the Building Commissioner before issuance of a permit for construction covered by such Design Release.

SECTION 7. PERMIT REQUIRED. A permit shall be obtained before beginning construction, alteration or repair of any building or structure, the cost of which exceeds FIVE HUNDRED DOLLARS (\$500.00), using forms furnished by the Building Commissioner, and all fees required by this code shall be paid to the Fulton County Auditor.

SECTION 8. OTHER ORDINANCES. All work done under any permit shall be in full compliance with all other ordinances pertaining

thereto, and in addition to the fees for permits, there shall be paid the fees prescribed in such ordinances.

SECTION 9. FEES AND REQUIRED INSPECTIONS. Permits required by Section 7 shall be issued upon prior payment of inspection fees according to the following schedule:

<u>Type of construction</u>	<u>Required Inspections</u>	<u>Single Inspection Fee</u>	<u>Permit Fee</u>
1 or 2 Family Dwelling, detached	4	\$25.00	\$100.00
Apartments, Hotels, Motels, ea. unit	3	25.00	75.00
Business, Commercial, Public	6	25.00	150.00
Educational, Institutional, Church	6	25.00	150.00
Industrial, Warehouse, Bulk Storage	4	25.00	100.00
Mobile Homes, Temporary Structures	1	25.00	25.00
Accessory Buildings (residential use)	1	25.00	25.00
Additions/Alterations (all occupancies)	2	25.00	50.00

The minimum permit fee for any permit shall be \$25.00. For unusually large or complex buildings or structures, the Building Commissioner shall have the power to increase the number of required inspection by fifty percent (50%). The Building Commissioner shall in all cases designate the stage of construction when each required inspection must be requested by the permit holder. No concrete shall be placed for foundations without prior inspection. No electrical, mechanical, plumbing, or thermal insulation work shall be covered without prior inspection. Where additional inspections are required due to failure of permit holder to have work ready for inspection at a designated stage of construction, the Building commissioner shall have the power to assess a reinspection fee of \$25.00 for each such additional inspection. Reinspection fees shall be paid to the Fulton County Auditor, prior to the issuance of a certificate of occupancy. The Building Commissioner shall submit an annual report to the Fulton County Board of Commissioners of permits fees collected, cost of inspection operations and recommendations for adjustment of required inspections and single inspection fees as necessary.

SECTION 10. REVIEW OF APPLICATION. Prior to the issuance of any building permit the Building Commissioner shall:

- (a) Review all building permit applications to determine full compliance with the provisions of this code.
- (b) Review all building permit applications for new construction or substantial improvements to determine whether proposed building site will be reasonably safe from flooding.
- (c) Review building permit applications for major repairs within the flood plain area having 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 building 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, flood damage, and (3) uses construction methods and practices that will minimize flood damage.

SECTION 11. INSPECTIONS. After the issuance of any building permit, the Building Commissioner shall make, or shall cause to be made, inspections of the work being done as are necessary to insure full compliance with the provisions of this code and the terms of the permit. Reinspection of work found to be incomplete or not ready for inspection are subject to assessment of reinspection fees as prescribed in this code.

SECTION 12. INSPECTION ASSISTANCE. The Chief of the Fire Department, or his designated representative, shall assist the Building commissioner in the inspections of fire suppression, detection and alarm systems and shall provide reports of such inspection to the Building Commissioner.

SECTION 13. ENTRY. Upon presentation of proper credentials, the Building Commissioner or his duly authorized representatives may enter at reasonable times any building, structure or premises in the County of Fulton 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, the Building Commissioner may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Commissioner to proceed with the work.

SECTION 15. CERTIFICATE OF OCCUPANCY. No certificate of occupancy for any building or structure constructed after the adoption of this code shall be issued unless such building or structure was constructed in compliance with the provisions of this code. It shall be unlawful to occupy any such building or structure unless a full, partial, or temporary certificate of occupancy has been issued by the Building Commissioner.

SECTION 16. WORKMANSHIP. All work on the construction, alteration and repair of buildings and other structures shall be preformed in a good and workmanlike manner according to accepted standards and practices in the trade.

SECTION 17. 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, other than fences, in the county of Fulton

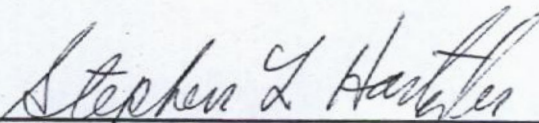
or cause or permit the same to be done, contrary to or in violation of the provisions of this code.

SECTION 18. RIGHT OF APPEAL. All persons shall have the right to appeal any order of the Building Commissioner first through the Board of Commissioners of Fulton County and then to the Fire Prevention and Building Safety Commission of Indiana in accordance with the provisions of IC 22-13-2-7 and IC 4-21.5-3-7.

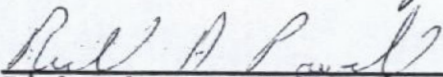
SECTION 19. REMEDIES. The Building Commissioner shall in the name of the County of Fulton bring actions in the Superior or Circuit Courts of Fulton County, Indiana, for mandatory and injunctive relief in the enforcement of and to secure compliance with any order or orders made by the Building Commissioner, and any such action for mandatory or injunctive relief may be joined with an action to recover the penalties provided for in this code.

SECTION 20. 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 shall fail, neglect or refuse to obey any lawful order given by the Building Commissioner in connection with the provisions of this code for each such violation, failure or refusal, such person, firm or corporation shall be fined in any sum not less than ONE HUNDRED (\$100.00) Dollars, nor more than FIVE HUNDRED Dollars. Each day of such lawful activity as is prohibited by the first sentence of this section shall constitute a separate offense.

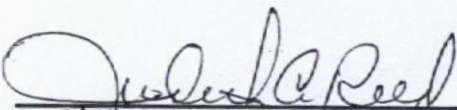
SECTION 21. EFFECTIVE DATE. This code shall be in full force and effect from and after its adoption, approval by the Fire Prevention and Building Safety commission of Indiana, and publication as required by law.



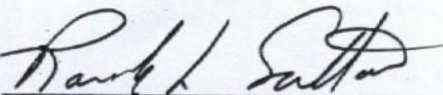
Stephen L. Hartzler



Richard A. Powell



Judith A. Reed



Randy L. Sutton

ENDORSEMENT:

Approved this 6th day of July, 1994, by the Fire
Prevention and Building Safety Commission of the State of Indiana.

Howard W. Cundy
Chairman

J. J. [Signature]
Secretary

Approved this 11th day of October, 1994, by the County Council, Fulton, Indiana.

The Fulton County Council

Melvin R. Myers Jr.
George W. Brown III
Richard L. Sellers
George W. Stephens
Thomas R. Carr
James C. Wilson
W. B. Smith

ATTEST: Julia C. Reed
Auditor, Fulton County

B.

1995, Ordinance 061995
Amendment to Ordinance 060694,
Building Code of the County of Fulton, Indiana, Section 7

(Increasing The Minimum Cost Of Construction Requirement For Obtaining A Permit)

ORDINANCE 061995

Amendment to Ordinance 060694

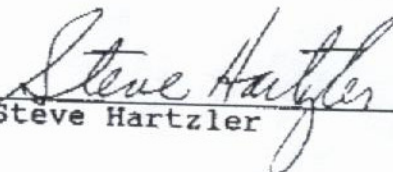
A. Amendment to Ordinance 060694 to Amend Section 7 to read as follows:

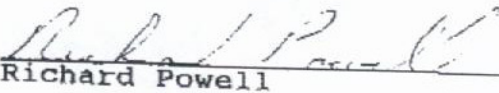
A permit shall be obtained before beginning construction. Alteration or repair of any building or structure, the cost of which exceeds Five Thousand dollars (\$5,000.00), using forms furnished by the Building Commissioner, and all fees required by this code shall be paid to the Fulton County Auditor.


A. This amendment to Ordinance 060694 shall be in Full Force and effect on 06-19-95.

B. Passed and adopted by the Board of Commissioners of the County of Fulton. This June 19, 95

Board of Commissioners


Steve Hartzler


Richard Powell


Kenneth Gentry

ATTEST:


Judith A. Reed, Auditor

C.

2001, Ordinance 030501-1
Enforcement of Building Standards

(Commonly Referred To As The “Unsafe Building Ordinance”)

285

SUSAN CARR

2P

FULTON COUNTY RECORDER

I 0100939

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CCG Date 03/22/2001

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ORDINANCE NO. 030501-1

AN ORDINANCE ADOPTING IC 36-7-9, ENTITLED "ENFORCEMENT OF BUILDING STANDARDS"

WHEREAS, there are present in Fulton County buildings, structures and premises that pose a potential threat to the health, safety and welfare of the citizens of Fulton County; and

WHEREAS, the Fulton County Commissioners recognize the need to protect the health, safety and welfare of the citizens of Fulton County from potentially unsafe buildings, structures and premises; and

WHEREAS, the Indiana Legislature has enacted IC 36-7-9, entitled "Enforcement of Building Standards;" and

WHEREAS, IC 36-7-9 may be adopted by the legislative body of the county;

NOW THEREFORE, BE ORDAINED BY THE FULTON COUNTY

COMMISSIONERS, THAT:

Sec. 1. Adoption. Pursuant to the provisions thereof, IC 36-7-9, entitled "Enforcement of Building Standards," together with all the subsections thereof, is adopted by the Fulton County Commissioners in its entirety.

Sec. 2. Administration. The Building Inspector shall be responsible for the administration of the provisions of IC 36-7-9.

Sec. 3. Enforcement. The Building Inspector shall be the enforcement authority as provided in IC 36-7-9.


Sec. 4. Hearing Authority. The Fulton County Commissioners shall be the hearing authority as provided in IC 36-7-9.

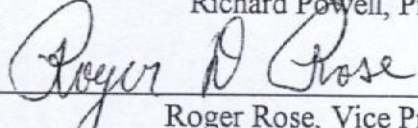
Sec. 5. Substantial Property Interest. The definition of "substantial property interest" as provided in IC 36-7-9 is incorporated by reference.

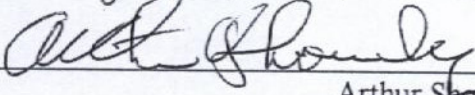
Sec. 6. Procedures. All of the procedures, requirements and other conditions set forth in IC 36-7-9 shall be followed in any action taken under this ordinance.

NOW, THEREFORE, be it ordained that this ordinance shall be effective from April 22, 2001.

Passed and adopted by the Fulton County Commissioners on the 19TH day of March, 2001.


Richard Powell, President


Roger Rose, Vice President


Arthur Showley

D.

2008, Ordinance 021908
Amendment to Ordinance 060694,
Building Code of the County of Fulton, Indiana, Section 7
(Authorizing Utility Inspections)

ORDINANCE # 021908
AMENDMENT TO ORDINANCE #060694

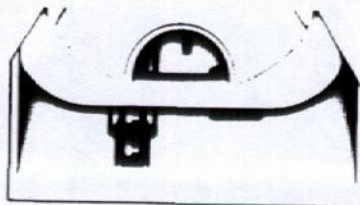
WHEREAS, the Fulton County Building Inspector reports to the County Board of Commissioners that utility companies require inspection to be conducted when there has been an upgrade in service; and

WHEREAS, the current building inspection Ordinance #060694 does not authorize the Fulton County Building Inspector to make inspections required by a utility company following an upgrade of electrical service; and

WHEREAS, the Fulton County Board of Commissioners finds that an amendment needs to be made to the building inspection Ordinance #060694.

NOW, THEREFORE, BE IT ORDAINED THAT the County Board of Commissioners, upon recommendation of the Fulton County Building Inspector, now hereby amends Ordinance #060694, Section 7, to read as follows:

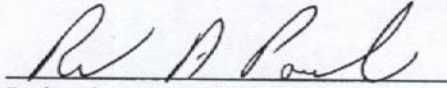
SECTION 7. PERMIT REQUIRED. A permit shall be obtained before beginning construction, alteration or repair of any building or structure, the cost of which exceeds five thousand dollars (\$5,000.00), using forms furnished by the Building Commissioner, and all fees required by this code shall be paid to the Fulton County Auditor. *In addition, a permit shall be required for inspections required by any utility company required as a result of upgrading electrical service. No fee shall be charged under Section 9 of this Ordinance for this inspection.*



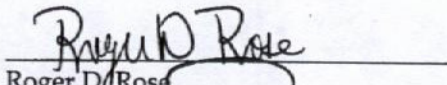
This amendment to Ordinance #060694 shall be in full force and effect on the date of passage.

PASSED AND ADOPTED THIS 19 day of February, 2008.

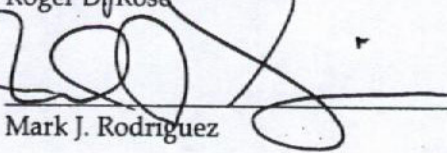
Fulton County Board of Commissioners



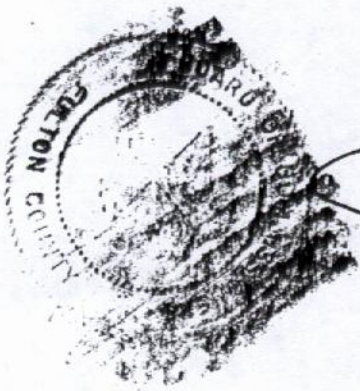
Richard A. Powell, President



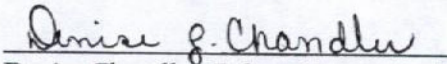
Roger D. Rose



Mark J. Rodriguez

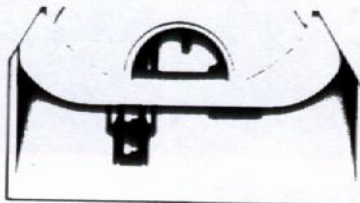


ATTEST:



Denise Chandler, Fulton County Auditor

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Denise J. Chandler, Auditor



E.

2013, Ordinance 10072013
Amendment to Ordinance 0605694,
Building Code of the County of Fulton, Indiana, Section 16
(Regarding Workmanship and Demolition)

ORDINANCE NO. 10-7-2013AN ORDINANCE AMENDING PORTIONS OF THE BUILDING CODE
CONCERNING DEMOLITION

WHEREAS, the Commissioners of Fulton County that certain portions of the County's building regulations should be amended to regulate the demolition of property;

NOW, THEREFORE BE IT ORDAINED by the Commissioners of Fulton County that the Ordinances of Fulton County are hereby amended as follows

(additions listed in **bold**):

SECTION 16. WORKMANSHIP AND DEMOLITION

(A) 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.

(B) **All demolition debris/rubbish shall be completely removed and disposed of in a legal and proper manner within 14 days of the start of the demolition process. All demolition sites will be completely enclosed within construction barricades as defined by the Indiana Department of Homeland Security and not to be less than 6 feet in height. The demolition site will be completely back-filled with suitable material, graded and seeded with a vegetative cover within 30 days of the start of demolition. Any building demolished in a commercial district will be completed by a contractor that is legally bonded and insured.**

(C) If any person, firm or corporation shall violate any of the provisions of this subsection, do any act prohibited herein or fail to perform any duty lawfully enjoined, within the time prescribed by the Building Commissioner, or shall fail, neglect or refuse to obey any lawful order given by the Building Commissioner in connection with the

provisions of this code for each such violation, failure or refusal, such person, firm or corporation shall be fined \$250. Each day of such unlawful activity shall constitute a separate offense.

Passed by the Commissioners of Fulton County, Indiana the 7th day October of 2013.

FULTON COUNTY COMMISSIONERS

Roger Rose
Roger Rose

Sherry Fulton
Sherry Fulton

Bryan Lewis
Bryan Lewis

Approved this day 7th of October, 2013.

ATTEST: Judy Reed
Judy Reed, Fulton County Auditor

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law. Judith A. Reed

