

Town of Hedgesville

Land Use Planning Building Code Ordinance

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It has always been the intent of the Town of Hedgesville to provide for the safeguarding of life and property provided by adopting effective building codes. This ordinance replaces the previous "Town of Hedgesville -- Land Use Planning -- Building Code" adopted December 2005 and "An Ordinance Pertaining to Public Nuisances on Private Property" adopted November 2000 ordinances in their entirety.

Passed through first reading this 2nd day of April 2008

Passed through second reading this 15th day of April 2008

Mary Sue Catlett
/s/ Mayor

ATTEST: Terri T. Miskovsky
/s/ Recorder

Town of Hedgesville

General Authority and Provisions

GENERAL AUTHORITY

By authority of the Code of West Virginia, Chapter 8, Article 12, Section 13 to enforce minimum procedures and otherwise implementing the provisions of the State Building Code, this ordinance shall be known as “The Hedgesville Building Code.” This ordinance shall take effect upon the final reading.

GENERAL PROVISIONS

In accordance with the provisions of Chapter 29, Article 3, Section 5b, the Town Council of Hedgesville does hereby adopt the State Building Code as set forth in Title 87 Legislative Rules Series 4 State Fire Commission. Title 87 Legislative Rule Series 4 shall be considered as attached hereto and made a part of this Ordinance except as modified and/or amended herein..

Whereas the Town of Hedgesville is located in Berkeley County, has a limited number of citizens meeting the qualifications required for Board of Code Appeals members, it is the intention of the Town of Hedgesville to refer code appeals to the Berkeley County Board of Code Appeals.

Severability

If any provision, section, subsection, clause, or phrase of this ordinance or application thereof to any person or circumstances is held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect other provisions, sections, subsections, clauses, phrases or applications of this ordinance, and to this end each and every provision, section, subsection, clause, or phrase of this ordinance is declared to be severable.

Town of Hedgesville

Fee Schedule

ZONING PERMIT FEES

1. Outbuildings, garages, barns, unfinished basement	\$20+.10/sq. ft.
2. In-ground/above ground pools, porches, decks	\$20+.10/sq. ft.
3. Single family residential, additions, townhouses, finished basement	\$20+.10/sq. ft.
4. Duplex	\$20+.10/sq. ft.
5. Multi-family	\$30+.15/sq. ft.
6. Commercial/Industrial (including church)	\$50+.25/sq. ft.
7. Signs	\$20
8. Chimney	\$20
9. Storage building, 150 sq. ft. or less (cannot be connected to any utilities)	\$10
10. Fences over 6 ft. in height or retaining wall if over 4 ft. in height	\$20
11. Demolition	\$20
(Structure to be demolished due to damage caused by acts of God or fire shall be exempt from fee)	
12. Rebuilding roof with new framing	\$20
13. Installing a door or window	\$20
(No permit required if changing a window of the same size unless in sleeping room; new window must meet egress requirements)	
14. Mechanical inspections, each	\$20

PLANNING COMMISSION FEES

1. Site Plan Review on parcels containing less than one acre	\$50
2. Site Plan Review on parcels containing more than one acre	\$200
3. Subdivision Plat Approval	\$250
4. Text Amendment	\$200
5. Map Amendment	\$100

BOARD OF ZONING APPEALS

Petition	\$100
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CODE APPEALS BOARD

Decision Appeal	\$100
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ALL FEES/COSTS MUST BE PAID TO THE TOWN OF HEDGESVILLE PRIOR TO APPLICABLE MEETINGS

In addition to the above fees, any person, firm, or corporation who shall commence work governed by this ordinance without first obtaining the required permit shall pay double the cost of such permit if the permit is obtained within forty-eight (48) hours of notification of the violation. If the permit is not obtained within a forty-eight (48) hour period, the Building Official will serve written notification of the violation to the appropriate party and the fees shall be tripled. The above fees shall be in addition to any fines levied by the courts if the violator is prosecuted.

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ADDITIONS, INSERTIONS & CHANGES

1. All codes insert: Town of Hedgesville, West Virginia, where “name of jurisdiction” appears.
2. All codes fee schedules: See Fee Schedule on page two (2) of this ordinance.
3. All codes frost depth shall be set as 30 (thirty) inches (762 mm).
4. International Building Code, Section 113.4 Violation penalties: Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor punishable by a fine of not less than \$50.00 (fifty dollars) nor more than \$500.00 (five hundred dollars) with each day of violation being a separate offense.
5. International Building Code, Section 114.3 Unlawful continuance: Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor punishable by a fine of not less than \$50.00 (fifty dollars) nor more than \$500.00 (five hundred dollars) with each day of violation being a separate offense.
6. International Building Code, Section 1612.3 Establishment of flood hazard areas: Insert 1988 where “insert date of issuance appears.”
7. International Building Code, Section 3410.2 Applicability: Insert 1996 where “date to be inserted by the jurisdiction” appears.
8. International Plumbing Code, Section 106.6.3 Fee refunds: 106.6.3.2 Insert 0% (zero percent) of the application fee and 50% (fifty percent) of the additional fee where “specify percentage” appears. 106.6.3.3. Insert 0% (zero percent) of the application fee and 80% (eighty percent) of the additional fee where “specify percentage” appears.
9. International Plumbing Code, Section 108.4 Violation penalties: Insert misdemeanor where “specify offense” appears and 500 (five hundred) where “amount” appears and 0 (zero) where “number of days” appears.
10. International Plumbing Code, Section 108.5 Stop work orders: Insert 50 (fifty) and 500 (five hundred) where “amount” appears respectively and add each day of continued violation should be considered a separate offense.
11. International Plumbing Code, Section 305.6.1 Sewer depth: Insert 28 (twenty eight) (710 mm) where “number” appears in two places.
12. International Plumbing Code, Section 904.1 Roof extension: Insert 12 (twelve) (300 mm) where “number” appears.

Town of Hedgesville

ADDITIONS, INSERTIONS & CHANGES (CONT.)

13. International Mechanical Code, Section 106.5.3 Fee refunds: 106.5.3.2 Insert 0% (zero percent) of the application fee and 50% (fifty percent) of the additional fee where “specify percentage” appears. 106.5.3.3. Insert 0% (zero percent) of the application fee and 80% (eighty percent) of the additional fee where “specify percentage” appears.
14. International Mechanical Code, Section 108.4 Violation penalties: Insert misdemeanor where “specify offense” appears and 200 (two hundred) where “amount” appears and 0 (zero) where “number of days” appears.
15. International Mechanical Code, Section 108.5 Stop work orders: Insert 50 (fifty) and 500 (five hundred) where “amount” appears respectively and add each day of continued violation should be considered a separate offense.
16. International Fuel Gas Code Section 106.5.3. Fee refunds: 106.5.3.2 Insert 0% (zero percent) of the application fee and 50% (fifty percent) of the additional fee where “specify percentage” appears. 106.5.3.3. Insert 0% (zero percent) of the application fee and 80% (eighty percent) of the additional fee where “specify percentage” appears.
17. International Fuel Gas Code, Section 108.4 Violation penalties: Insert misdemeanor where “specify offense” appears and 200 (two hundred) where “amount” appears and 0 (zero) where “number of days” appears.
18. International Fuel Gas Code, Section 108.5 Stop work orders: Insert 50 (fifty) and 500 (five hundred) where “amount” appears respectively and add each day of continued violation should be considered a separate offense.
19. International Property Maintenance Code, Section 106.4 Violation penalties: Insert misdemeanor where “specify offense” appears and 100 (one hundred) where “amount” appears and 0 (zero) where “number of days” appears.
20. International Property Maintenance Code, Section 303.14 Insect screens: Insert January 01 and December 31, respectively, where “date” appears.
21. International Property Maintenance Code, Section 602.3 Heat supply: Insert September 01 and May 31, respectively, where “date” appears.
22. International Property Maintenance Code Section 602.4 Occupiable work spaces: Insert September 01 and May 31, respectively, where “date” appears.
23. International Property Maintenance Code Section 302.4Weeds: Insert 12 inches in height where “jurisdiction to insert height in inches” appears

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ADDITIONS, INSERTIONS & CHANGES (CONT.)

24. International Residential Code, Section R 113.4 Violation penalties: Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor punishable by a fine of not less than \$50.00 (fifty dollars) nor more than \$500.00 (five hundred dollars) with each day of violation being a separate offense

25. International Residential Code, Section R 114.2 Unlawful continuance: Any person who shall continue work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor punishable by a fine of not less than \$50.00 (fifty dollars) nor more than \$500.00 (five hundred dollars) with each day of violation being a separate offense.

26. International Residential Code, Table R 301.2: Should be filled in as follows:

Roof Snow Loads (Lbs. Per Sq. Ft.)	Wind	Seismic Design Category	Subject to Damage From				Winter Design Temp. for Heating Facilities	Ice Shield Underlayment required
	Speed (mph)		Weathering	Frost Line Depth	Termite	Decay		
30	90	C	Severe	30 inches	Moderate to Heavy	Slight to Moderate	10 F	No

Flood Hazards	Air Freezing Index	Mean Annual Temp
1988	1000	50 F

27. International Residential Code, Section P 2603.6.1: Insert 28 (twenty eight) (710 mm) where “number” appears.

28. International Residential Code, Section P 3103.1: Insert 12 (twelve) (300 mm) where “number” appears.

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ADDITIONS, INSERTIONS & CHANGES (CONT.)

29. Appendix Adoption – The Following Appendices Are Specifically Adopted:

A. International Building Code

- 1.) Appendix H - Signs

B. International Plumbing Code

- 1.) Appendix B – Rates of rainfall for various cities.
- 2.) Appendix D – Degree day and design temperatures.
- 3.) Appendix E – Sizing of water piping system.

C. International Mechanical Code

- 1.) Appendix A – Combustion air openings and chimney connector pass-throughs.

D. International Fuel Gas Code

- 1.) Appendix A – Sizing and capacities of gas piping.
- 2.) Appendix B – Sizing of venting systems serving appliances equipped with draft hoods, category 1 appliances, and appliances listed for use with type B vents.
- 3.) Appendix C – Exit terminals of mechanical draft and direct-vent venting systems.

E. International Residential Code

- 1.) Appendix A - Sizing and capacities of gas piping.
- 2.) Appendix B - Sizing of venting systems serving appliances equipped with draft hoods, category 1 appliances, and appliances listed for use with type B vents.
- 3.) Appendix C – Exit terminals of mechanical draft and direct-vent venting systems.
- 4.) Appendix F – Radon control methods.
- 5.) Appendix G – Swimming pools, spas and hot tubs.