

RESOLUTION

WHEREAS, It is the desire of the County Commission of Jefferson County, West Virginia to protect the life and property of the citizens of Jefferson County and;

WHEREAS, The County Commission of Jefferson County, West Virginia duly passed an Ordinance adopting the State of West Virginia building code on March 29, 2001 and;

WHEREAS, the County Commission of Jefferson County, West Virginia desires that all building permits issued before October 1, 2006, shall remain valid and regulated under the state building codes adopted and in effect prior to May 15, 2006, and;

WHEREAS, The State of West Virginia has decreed that as of May 15, 2006, the State of West Virginia building code shall be revised to the following codes with local amendment as permitted by law:

2003 International Building Code, Sixth Printing

2003 International Plumbing Code, Fifth Printing

2003 International Mechanical Code, Fourth Printing

2003 International Fuel Gas Code, Fifth Printing

2003 International Property Maintenance Code, 2nd printing (at the option of Jefferson County, this ordinance is not adopted)

2003 International Energy Conservation Code, Fifth Printing

2003 International Residential Code for One & Two Family Dwellings, Seventh Printing (with exceptions/amendments)

ICC/ANSI A117.1 American National Standards for Accessibility & Usable Buildings and Facilities/1998

2003 International Existing Building Code, Third Printing
(with amendment adopting the NFPA 101, Life Safety Code 2003 edition)

2005 Edition of the National Electric Code, NFPA 70

and;

WHEREAS, the County Commission of Jefferson County, West Virginia desires that all

building permits issued on or after October 1, 2006, be regulated under the revised state building code, as adopted by the County Commission of Jefferson County, West Virginia.

THEREFORE, BE IT RESOLVED that the County Commission of Jefferson County, West Virginia desires to adopt the revised State of West Virginia building code that became effective May 15, 2006, and HEREBY adopts the new Building Code Enforcement Ordinance, as attached.

BY: _____ DATE: _____

President, County Commission of Jefferson County

ATTEST:

CLERK OF JEFFERSON COUNTY: _____

ORDINANCE AND ORDER

An ordinance and order to ADOPT the State of West Virginia building code relating to building construction and building inspection activities in Jefferson County, West Virginia, and enforcement of said codes.

WHEREAS, it is the desire of the County Commission of Jefferson County, West Virginia to adopt the state building code relating to minimum building and housing construction standards for the public safety, health, and well-being and;

WHEREAS, the adoption of this code is to facilitate proper permitting, inspection, and enforcement activities relating to the construction of buildings, structures, and additions within the jurisdiction of Jefferson County, West Virginia.

NOW, THEREFORE, BE IT ORDAINED AND ORDERED BY The County Commission of Jefferson County, by authority of the Code of West Virginia that the following state codes Section 3n, Article 1, Chapter 7, of the Code of West Virginia, One-thousand Nine-hundred Thirty-one and the State Building Code as provided for in Section 5b, Article 3, Chapter 29, of the Code of West Virginia, One-thousand Nine-hundred Thirty-one, are hereby adopted and made a part hereof, as if fully set out in this ordinance, with the amendments/additions/insertions/changes, if any, prescribed in the Jefferson County Building Code Enforcement Ordinance.

BE IT FURTHER ORDAINED AND ORDERED that this Ordinance and Order shall take effect and be in force from the 1st day of October, 2006, the public welfare requiring it.

PASSED AND APPROVED BY The County Commission of Jefferson County, West Virginia on the 17th day of August, 2006.

BY: _____

President, County Commission of Jefferson County

ATTEST:

CLERK OF JEFFERSON COUNTY: _____

**JEFFERSON COUNTY
BUILDING CODE ENFORCEMENT ORDINANCE**

GENERAL AUTHORITY

By authority of the Code of West Virginia, Chapter 7, Article 1, Section 3n & Chapter 29, Article 3, Section 5b, to enforce minimum regulations governing the design, construction, alteration, enlargement, repair, demolition, removal, and use of all buildings and structures: providing for the issuance of permits, collection of fees, making of inspections, providing penalties for the violation thereof, to be known as the “Jefferson County Building Code Enforcement Ordinance”.

STANDARDS & CODES

In accordance with the provisions of the Code of West Virginia, Chapter 29, Article 3, Section 5b, the County Commission of Jefferson County, West Virginia does hereby adopt the State Building Code as set forth in Title 87, Legislative Rules, State Fire Commission, effective May 15, 2006; as attached hereto and made a part of this Ordinance, except as modified and or amended herein. Copies of all adopted Codes and Legislative Rules shall be on file in the Office of the Clerk of the County Commission.

The Property Maintenance Code is not adopted and shall not be enforced.

ADMINISTRATIVE PROCESS

The administration of the building code shall be in accordance with the Administration Chapter of the applicable building code.

ADDITIONS, INSERTIONS, & CHANGES

All codes fee schedule: “Attachment A – Schedule of Permit Fees,” shall apply.

1) International Residential Code 2003:

Section R101.1 Title insert “Jefferson County, West Virginia” where “[NAME OF JURISDICTION]” appears.

Section R113.4 Violation Penalties shall be amended to read as follows:

“Any person, firm or corporation violating any of the provisions of any of the adopted codes shall be guilty of a misdemeanor and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the

provisions of this code is committed, continued, or permitted. Upon conviction of any such violation such person, firm or corporation shall be punishable by a fine of not less than \$50.00 or more than \$500.00. In addition to the criminal penalties provided herein, Jefferson County may, at its option, pursue injunctive relief in the Circuit Court of Jefferson County, West Virginia”.

Section R114.2 Unlawful Continuance shall be amended to read as follows:

“Any person, firm, or corporation who shall continue any work in or about the structure 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 and each such person, firm, or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted. Upon conviction of any such violation such person, firm, or corporation shall be punishable by a fine of not less than \$50.00 or more than \$500.00. In addition to the criminal penalties provided herein, Jefferson County may, at its option, pursue injunctive relief in the Circuit Court of Jefferson County, West Virginia”.

Table R301.2(1) insert the following design criteria:

Ground Snow Load	Wind	Seismic Design Category	Subject to Damage From				Winter Design Temp (Deg. F)	Ice Shield Under-layment Req'd.	Flood Hazard	Air Freezing Index	Mean Annual Temp. (Deg. F)
			Weathering	Frost Line Depth	Termite	Decay					
(lbs per sq. ft.)	Speed (mph)										
35	90	C	Severe	30 inches	Heavy to Moderate	Slight to Moderate	10	No	F.I.R.M. 1980, as amended	1000	52.6

IRC Section P2603.6.1 Sewer Depth insert “28 (twenty eight) (710 mm)” where “[Number]” appears.

IRC Section P3103.1 Roof Extension insert “12 (twelve) (300 mm)” where “[Number]” appears.

International Residential Code – Appendix Adoption & Amendments:

The following appendices are specifically adopted:

- Appendix A – Sizing And Capacities of Gas Piping.
- Appendix B – Sizing of Venting Systems Serving Appliances Equipped With Draft Hoods, Category I Appliances, And Appliances Listed For Use With Type B Vents
- Appendix C - Exit Terminals Of Mechanical Draft And Direct-Vent Venting

Systems

Appendix F - Radon Control Methods

Appendix G - Swimming Pools, Spas And Hot Tubs

2) International Building Code 2003:

Section 101.1 Title insert “Jefferson County, West Virginia” where “[NAME OF JURISDICTION]” appears.

Section 113.4 Violation Penalties shall be amended to read as follows:

“Any person, firm or corporation violating any of the provisions of any of the adopted codes shall be guilty of a misdemeanor and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted. Upon conviction of any such violation such person, firm or corporation shall be punishable by a fine of not less than \$50.00 or more than \$500.00. In addition to the criminal penalties provided herein, Jefferson County may, at its option, pursue injunctive relief in the Circuit Court of Jefferson County, West Virginia”.

Section 114.3 Unlawful Continuance shall be amended to read as follows:

“Any person, firm, or corporation who shall continue any work in or about the structure 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 and each such person, firm, or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted. Upon conviction of any such violation such person, firm, or corporation shall be punishable by a fine of not less than \$50.00 or more than \$500.00. In addition to the criminal penalties provided herein, Jefferson County may, at its option, pursue injunctive relief in the Circuit Court of Jefferson County, West Virginia”.

Section 1608.2 Ground Snow Loads add the following sentence at the end of the paragraph:

“The ground snow load for Jefferson County, West Virginia shall be a minimum of 35 pounds per square foot.”

Section 1612.3 Establishment of Flood Hazard Areas insert “Jefferson

County, West Virginia” where “[NAME OF JURISDICTION]” appears. Insert “1980” where “[INSERT DATE OF ISSUANCE]” appears in the first paragraph.

Section 1805.2.1 Frost Protection add the following sentence at the end of the paragraph:

“The frost line of the locality shall be a minimum of thirty inches (30”)”.

Section 3410.2 Applicability insert “March 29, 2001” where “[DATE TO BE TO BE INSERTED BY THE JURISDICTION]” appears in the first paragraph.

International Building Code 2003 – Appendix Adoption:

The following appendices are specifically adopted:

Appendix H – Signs

3) International Plumbing Code 2003:

Section 101.1 Title insert “Jefferson County, West Virginia” where “[NAME OF JURISDICTION]” appears.

Section 106.6.3 Fee Refunds insert “zero percent (0%)” in paragraph no. 2 where “[SPECIFY PERCENTAGE]” appears.

Section 106.6.3 Fee Refunds insert “zero percent (0%) in paragraph no. 3 where “[SPECIFY PERCENTAGE]” appears.

Section 108.4 Violation Penalties shall be amended as follows:

“Any person, firm or corporation violating any of the provisions of any of the adopted codes or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor; and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof, during which any violation of any of the provisions of this code is committed, continued, or permitted, after notice has been served. Upon conviction of any such violation such person, firm or corporation shall be punishable by a fine of not less than \$50.00 or more than \$500.00. In addition to the criminal penalties provided herein, Jefferson County may, at its option, pursue injunctive relief in the Circuit Court of Jefferson County, West Virginia”.

Section 108.5 Stop Work Orders insert “fifty (50)” for the not less than “[AMOUNT]” and “five-hundred (500)” for the not more than “[AMOUNT]”.

Section 305.6.1 Sewer Depth insert “28 (twenty eight) (710mm)” where “[NUMBER]” appears twice in the first paragraph.

Section 904.1 Roof Extension insert “12 (twelve) (300mm)” where “[NUMBER]” appears in the first paragraph.

International Plumbing Code 2003 – Appendix Adoption:

The following appendices are specifically adopted:

Appendix B – Rates of Rainfall for Various Cities

Appendix D – Degree Day and Design Temperatures

Appendix E - Sizing of Water Piping System

4) International Mechanical Code 2003:

Section 101.1 Title insert “Jefferson County, West Virginia” where “[NAME OF JURISDICTION]” appears.

Section 106.5.3 Fee Refunds insert “zero percent (0%)” in paragraph no. 2 where “[SPECIFY PERCENTAGE]” appears.

Section 106.5.3 Fee Refunds insert “zero percent (0%)” in paragraph no. 3 where “[SPECIFY PERCENTAGE]” appears.

Section 108.4 Violation Penalties shall be amended as follows:

“Any person, firm or corporation violating any of the provisions of any of the adopted codes or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor; and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof, during which any violation of any of the provisions of this code is committed, continued, or permitted, after notice has been served. Upon conviction of any such violation such person, firm or corporation shall be punishable by a fine of not less than \$50.00 or more than \$500.00. In addition to the criminal penalties provided herein, Jefferson County may, at its option, pursue injunctive relief in the Circuit Court of Jefferson County, West Virginia”.

Section 108.5 Stop Work Orders insert “fifty (50)” for the not less than “[AMOUNT]” and “five-hundred (500)” for the not more than “[AMOUNT]”.

International Mechanical Code 2003 – Appendix Adoption:

The following appendices are specifically adopted:

Appendix A – Combustion Air Openings And Chimney Connector Pass-Throughs

5) International Fuel Gas Code 2003:

Section 101.1 Title insert “Jefferson County, West Virginia” where “[NAME OF JURISDICTION]” appears.

Section 106.5.3 Fee Refunds insert “zero percent (0%)” in paragraph no. 2 where “[SPECIFY PERCENTAGE]” appears.

Section 106.5.3 Fee Refunds insert “zero percent (0%)” in paragraph no. 3 where “[SPECIFY PERCENTAGE]” appears.

Section 108.4 Violation Penalties shall be amended as follows:

“Any person, firm or corporation violating any of the provisions of any of the adopted codes or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor; and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof, during which any violation of any of the provisions of this code is committed, continued, or permitted, after notice has been served. Upon conviction of any such violation such person, firm or corporation shall be punishable by a fine of not less than \$50.00 or more than \$500.00. In addition to the criminal penalties provided herein, Jefferson County may, at its option, pursue injunctive relief in the Circuit Court of Jefferson County, West Virginia”.

Section 108.5 Stop Work Orders insert “fifty (50)” for the not less than “[AMOUNT]” and “five-hundred (500)” for the not more than “[AMOUNT]”.

International Fuel Gas Code 2003 – Appendix Adoption:

The following appendices are specifically adopted:

Appendix A – Sizing And Capacities of Gas Piping (IFGS)

Appendix B - Sizing of Venting Systems Serving Appliances Equipped With Draft Hoods, Caetgory I Appliances, And Appliances Listed For Use With Type B Vents (IFGS)

Appendix C - Exit Terminals Of Mechanical Draft And Direct-Vent Venting Systems (IFGS)

6) International Energy Conservation Code 2003:

Section 101.1 Title insert “Jefferson County, West Virginia” where “[NAME OF JURISDICTION]” appears.

7) Existing Buildings Code 2003:

Section 101.1 Title insert “Jefferson County, West Virginia” where “[NAME OF JURISDICTION]” appears.

Section 113.4 Violation Penalties shall be amended as follows:

“Any person, firm or corporation violating any of the provisions of any of the adopted codes or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor; and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof, during which any violation of any of the provisions of this code is committed, continued, or permitted, after notice has been served. Upon conviction of any such violation such person, firm or corporation shall be punishable by a fine of not less than \$50.00 or more than \$500.00. In addition to the criminal penalties provided herein, Jefferson County may, at its option, pursue injunctive relief in the Circuit Court of Jefferson County, West Virginia”.

Section 1201.2 insert “March 29, 2001,” where “[DATE TO BE INSERTED BY JURISDICTION]” appears.

8) NFPA 70, National Electric Code, 2005 Edition: no amendments.

Electrical inspections shall be conducted, by an approved private (third-party) electrical inspector, using the National Electric Code approved by the West Virginia State Fire Commission. Fees for said electrical inspections shall be paid by the applicant directly to the private inspector or inspection service provider and shall not be included in the permit fees paid to the County.

9) ICC/ANSI A117.1 Accessible and Useable Buildings and Facilities: no amendments.

Attachment - A

Jefferson County, West Virginia Department of Planning, Zoning & Engineering SCHEDULE OF PERMIT FEES (As of April 1, 2003)		
RESIDENTIAL		
Type	Base Fee	Additional Square Foot Fee
Single Family Residence (Including Modular/Mobile Homes)	\$25 plus \$25 per deck	Finished \$0.18 Unfinished \$0.10
Additions	\$50	\$0.18
Internal Renovations to Existing Home	\$50 plus \$50 per required inspection	
Sheds, Decks, Detached Garages & Other Structures Ancillary to Residences	\$50	\$0.08
Attached Residential Structures (Duplexes & Town Homes less than 4 story)	\$25 per dwelling unit plus \$25 per deck	\$0.20
Swimming Pool	\$25	\$0.08/sq.-ft. of pool surface area
AGRICULTURAL		
Bona-fide Agricultural Structure (requires an affidavit)		\$50.00
COMMERCIAL		
Commercial/Industrial/Multi-Family Buildings	Value less than \$50,000	\$250 plus \$0.18 per sq.-ft. of building floor space.
	Value greater than \$50,000	\$500 plus \$0.18 per sq.-ft. of building floor space.
Signs	Value \$2500 or less	\$50.00/sign
	Value over \$2500	\$250.00/sign
Churches, church additions, pavilions, and other ancillary structures	Value less than \$25,000	\$50.00 per required inspection
	Value greater than \$25,000	\$250 plus \$0.18 per sq.-ft.
Demolition Permit - Commercial		\$200
Site Plan - Improvement Location Permit Only (No structures)		\$250.00 plus \$1.00 for every \$1,000 of value over \$50,000
Cell Towers & Electric Substation - Site Plan ILP		\$1,000.00/site
Cell Tower & Electric Substation Equipment - Building Permit		\$250
MISCELLANEOUS		
Chimney Additions		\$100/chimney
Temporary Construction Trailer		\$50
Reinspection of any component		\$50/reinspection
Permit Application Denied & resubmitted with 90 days for review.		\$75.00 reapplication fee only.
Plan Change After Permit is Issued		\$50 plus \$50 for each required inspection due to plan change
<p>Note: The permit application fee for any application not specifically covered by this Fee Schedule shall be determined at the discretion of the Director of Planning, Zoning and Engineering.</p>		

ATTACHMENT – B

Legislative Rule, Title 87, Series 4, State Building Code

Effective May 15, 2006

Note: Title 87, Series 4, may be viewed at the following link:

<http://www.wvsos.com/csrdocs/pdfdocs/87-04.pdf>