

Bottineau Municipal Code Revised

Chapter Fifteen

Building Code

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Chapter Fifteen

Building and Electrical Codes

ARTICLE 1 – General Building Code

15.0101 Adoption of Building Code

The City of Bottineau hereby adopts the "INTERNATIONAL BUILDING CODES, INCLUDING THE INTERNATIONAL RESIDENTIAL CODE, MECHANICAL CODE, FIRE CODE, and GAS & FUEL CODE, year 2009 edition as adopted by the State of North Dakota and any future updates and amendments to that code, a copy of which is on file with the City Auditor.

15.0102 Clarification of Code

For the purpose of clarifying the Building Code adopted above:

1. "Municipality" or "City" shall mean the City of Bottineau.
2. Any reference to fire limits within the City shall mean the fire limits set out in Chapter Four.

ARTICLE 2 – Building Inspector and Building Permits

15.0201 Appointment of Building Inspector

There is hereby created the position of Building Inspector, who shall be appointed by the Mayor with the consent of the City Council. The position of the Building Inspector shall be overseen by the Planning Commission.

15.0202 Duties of the Building Inspector

1. It shall be the duty of the Building Inspector to work in accordance with laws, ordinances, building codes and established City policies. Inspections will be conducted in general building, mechanical and housing activities, and/or in the process of construction, alteration, or repair for compliance with building and zoning code requirements and the use of safe construction practices. Building Inspector will further inspect buildings, other structures and land use for conformance to the building code, structural safety, zoning, and other requirements and standards.

2. Building Inspector is required to sign on all building permits that are being approved.

3. Building Inspector is required to maintain records, reports and inspection forms and file such records with the City Auditor. Building Inspector is required to report to the City Council and Planning Commission as needed.

4. Follow the 5-point inspection system which includes:

- A. Permit application;
- B. Structure/Foundation;
- C. Mechanical;
- D. Plumbing; and
- E. Electrical

5. Issue Certification of Occupancy.

15.0203 Stop Order

The Building Inspector shall have the power to order all work stopped on construction of any type on buildings within the jurisdiction of the City, when such work is being done in violation of any provision of any code, ordinance, policy or requirement adopted by the City. Work shall not resume after the issuance of such an order except on the written permission of the Building Inspector. Written stop orders may be delivered by the Sheriff's Department.

15.0204 Right-of-Entry

The Building Inspector shall have the power to make, or cause to be made, entry into any building or premises for purpose of making inspections in the following circumstances:

- A. Inspecting alterations (alterations defined for this chapter as increasing the usable or living space of a building or premises).
- B. Inspecting new construction.
- C. Inspecting property or buildings for safety, zoning or other standards.

15.0205 Building Permits Required

Building permits will also be required for moving structures in or out of the City jurisdiction and the demolition of any structures in the City jurisdiction. It shall be unlawful to construct or alter any building or structure in the City, where the effect of such construction or alteration is to enlarge the capacity of any building or the roof thereof, without having first secured a permit prior. It shall be unlawful for any person to commence excavation for or construction of any building or structure or structural changes in any existing building or structure without obtaining a building permit.

15.0206 Penalty for Not Obtaining a Building Permit

There will be a fee for not obtaining a Building Permit prior to construction or alterations. Any person or persons who are in violation or failing to comply with this section of the Bottineau Municipal Code may be punished by a fine of not more than \$500.00, and not less than a minimum of \$100.00.

15.0207 Application for Building Permits

1. Application for building permits shall be made to the City Auditor, and applicant shall be required to submit the following information:

- A. Blue prints, designs or drawing of proposed construction.
- B. Estimated cost of said construction.
- C. Diagrams of property layout and distances or set-backs from the property lines.
- D. Type of construction and materials that will be used in construction.
- E. Names and license numbers of all contractors (general, mechanical, electrical and plumbing)

2. Building Permit application will then be studied by the Mayor, City Auditor, Building Inspector and members of the Planning Commission for approval or disapproval. Building permits are valid for one year, from date of issue.

3. If necessary, the Building Inspector or Planning Commission may make it mandatory for an applicant to have their property surveyed by a local engineering firm. Cost of said survey lies with the applicant.

4. Licensed Contractors, all contractors working within the City of Bottineau's jurisdiction are required to be licensed. The Building Inspector shall keep record of said licenses.

5. Unlicensed Contractors, any contractor found to not have a valid Contractor's License shall upon notification have 30 days to obtain such license. Failure to obtain a license after 30 days shall result in a stop order as set forth in Article 15.0203 a letter of non-compliance will be sent to the Attorney General's Office requesting them to take further action.

15.0208 Permit for Moving Buildings

No person, firm or corporation shall move any building on, through or over any street, alley, sidewalk or other public place in the City without having obtained a permit prior from the City Council. Applications for such permits shall be made in writing to the City Auditor and shall state thereon the proposed route and the number of days it is intended that the building shall occupy any portion of any street, alley, sidewalk or other public place.

15.0209 Demolition Permits

No person or persons shall demolish structures of any type without first obtaining a Building Permit. A plan of the clean up and future use of a demolished site shall be filed with the Permit. The application process shall be the same as stated in Section 15.0207 of this Chapter. There is no fee for obtaining a demolition permit.

15.0210 Building Permit Fees

Building permit fees shall be set by the City Council after consulting with the Planning Commission and may be changed from time to time, building permit fees are on file with the City Auditor.

15.0211 Variations

It shall be unlawful to vary materials from the submitted Building Permit applications unless written approval is made by the Building Inspector.

15.0212 Enforcement

The Building Inspector shall make or cause to be made such inspections as are necessary to see to the enforcement of the provisions of this chapter, and make any tests or examinations of materials or methods to be used for the purpose of compliance of this chapter. Cost of any tests or examinations will be responsibility of the applicant.

Variations to set-back or other codes may be granted upon approval of the Planning Commission and City Council. Said variances must be made in writing and signed by all parties involved. Variances will be filed by the property owner with the Register of Deeds Office and proof of filing must be provided to the City and attached to the building permit prior to final approval of said building permit.

15.0213 Exterior Coverings

It shall be unlawful to construct any building or structure within the fire limits unless the exterior walls and roof of such building or structure are covered with or constructed of nonflammable material; provided, that this shall not operate to prohibit the construction of wooden porches, balconies or ornamental work no higher than the second story within such fire limits.

15.0214 Use of Streets

The use of streets for the storage of materials in the process of construction or alteration of a building may be granted when the same will not unduly interfere with traffic and will not reduce the usable width of the street to less than eighteen feet; no portion of a street other than that directly abutting on the premises on which work is being done shall be used except with the consent of the owner or occupant, of the premises abutting on such portion. Any person seeking to make such use of the street shall file an application with the City Auditor, together with a bond with sureties to be approved by the City Auditor, to indemnify the City for any loss or damage which may be incurred by reason of such use and occupation.

15.0215 Night operations

No construction or alteration operations shall be carried on at nighttime if the same are accompanied by loud or annoying noises.

15.0216 Sidewalks

No sidewalk shall be obstructed in the course of building operations without a special permit from the City Auditor; and whenever a removal of a sidewalk is required such work shall not be done until a special permit is secured from the City Auditor.

15.0217 Lights and Warnings

Whenever a street or alley is blocked by a house or structure which is being moved warnings to that effect shall be placed by the Police Department so as to warn vehicles and person from entering that portion of the street so blocked. The person, firm or corporation moving any building through the streets shall keep warning signs and lanterns or lights at night on the building so as to guard against any person or vehicle from colliding with it.

15.0218 Cutting Wires

Whenever it shall be necessary to interfere with wires or cables of a public utility in moving a building the terms of any special or franchise ordinance governing shall apply and the bond therein specified shall be given. If no such terms apply, then the Mayor shall estimate the expense of fixing the wires and the bond to be given to cover such expense.

15.0219 Fire Alarm Wires

When any such moving building approaches any fire alarm wire or pole which shall be endangered by the removal of such building or structure, it shall be the duty of the mover to notify the Fire Chief at least six hours before reaching such wire or pole so that they may be removed or cared for by the City authorities.