

TOWN OF FREEDOM, New Hampshire

Building Code

**Adopted March 13, 1990
Amended March 9, 1993
Amended March 13, 1999
Amended March 8, 2005
Amended February 26, 2007
Corrected April 10, 2009**

DECLARATION OF PURPOSE

The Town of Freedom adopts the Freedom Building Code to establish uniform rules and regulations with regard to the construction of buildings, plumbing and electrical work within the Town by the adoption of the National Codes pursuant to NHRSA §674:51 and 52.

ARTICLE I: GENERAL PROVISIONS

Section 1: Permit Required

When is a permit required and when does the code apply: A permit is required and this Building Code shall control all work done as described in Article II below.

Section 2: Establishment of a Building Inspector

The office of Building Inspector is hereby established. The Building Inspector shall be appointed by the Board of Selectmen and the compensation of the Building Inspector shall be fixed by the Board of Selectmen. The Building Inspector shall have such authority to issue building permits as provided in NHRSA §676:11-13, and to perform inspections as may be necessary to assure compliance with the Building Code (NHRSA §674:51, II (c)). The Building Inspector also has the authority to enforce the provisions of the State Building Code (NHRSA §155-A.) Amended 03/08/05

Section 3: Application and what constitutes a completed application

Application for such permits shall be made to the Building Inspector and shall be accompanied by plans and specifications in triplicate showing the work to be done. Such plans shall be verified by the signature of either the owner of the premises or contractor in charge of the operation. All plans shall be prepared by and signed by a licensed electrician or a licensed plumber.

A completed application shall contain all of the information as required by any applicable provision of any of the National Codes as set forth in Article II.

Section 4: Action on application and issuance of Permit

Upon submission of a completed application, the Building Inspector shall act to approve or deny a building permit within thirty (30) days, provided however, that non-residential applications or residential applications encompassing more than ten (10) dwelling units shall be approved or denied within sixty (60) days.

Such application with plans shall be referred to the Building Inspector who shall examine the same to determine whether the proposed construction or alteration will comply with the construction regulations contained in this Ordinance. Upon approval, one set of plans shall be returned to the applicant with a permit and the other shall be retained by the Building Inspector. No permit shall be issued until after approval of the Plan.

Upon approval by the Building Inspector, a permit will be issued to the owner. This permit shall be posted in a conspicuous place where the work is being done.

Section 5: Compliance with other Ordinances and Regulations

No permit or Certificate of Occupancy issued pursuant to this Building Code shall be valid that does not comply with the Zoning Ordinance, the requirements of any subdivision approval, or any other applicable Town Ordinance.

Section 6: Any Variations from Approved Plans require Amendment and Approval

It shall be unlawful to vary materially from the submitted plans and specifications unless such variations are submitted in an amended plan to the Building Inspector and approved by the Building Inspector.

Section 7: Inspections and Stop Work Orders

- A. The Building Inspector shall make or cause to be made such inspections as are necessary to see to the enforcement of this Building Code and to make any tests or examinations of materials or methods to be used for the purpose of ensuring compliance with this Building Code.

- B. Upon notice from the Building Inspector that work on any building or structure is being prosecuted contrary to the provisions of this Building Code or in an unsafe and dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner’s agent, or to the person doing the work. It shall state the conditions under which work will be permitted to resume. Any person who shall continue to 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 conditions shall be subject to the fines and penalties as provided in Article III, Section 2.

Section 8: Fees

The fees for Building Permits shall be as follows:

<u>Cost of Construction</u>	<u>Rate</u>	
\$0 - \$500	\$	
\$501 - \$1,000	\$	TO BE SET
\$1,001 - \$3,000	\$	BY THE
\$3,001 - \$5,000	\$	BOARD OF
Over \$5,000	\$	SELECTMEN

ARTICLE II: CONSTRUCTION REGULATIONS

Section 1: Adopted National Codes

All work requiring a permit shall conform to the requirements contained in the following National Codes, which are adopted by reference subject only to the additions, insertions, deletions and changes as set forth in Section 4 below.

1996 Edition of the BOCA National Building Code as recommended and maintained by the Building and Code Administrators International, Inc., except that all penalty clauses therein shall be deleted and the penalties and remedies shall remain as now applicable under the Freedom Building Code. **Amended 3/13/99.**

1996 Edition of the National Electric Code, ANSI/NFPA 70 as adopted by the National Fire Protection Association Inc., and approved by the American National Standards Institute, except that all penalty clauses therein shall be deleted and penalties and remedies shall remain as now applicable under the Freedom Building Code. **Amended 3/13/99.**

1993 Edition of the BOCA National Plumbing Code as recommended and maintained by the Building Officials and Code Administrators International, Inc., except that all penalty clauses therein shall be deleted and penalties and remedies shall remain as now applicable under the Freedom Building Code. **Amended 3/13/99.**

2003 International Residential Building Codes For One and Two Family Dwellings, as recommended and maintained by the International Code Council. **Amended 03/08/05**

Any provision of any of the National Codes adopted by reference which conflict with the Freedom Zoning Ordinance or with State Law shall not apply (NHRSA §674:52, IV).

Section 2: Adoption of Updates or Revisions

The within Building Code based on the adoption of National Codes by reference may be updated or revised as follows:

- A. The Building Inspector shall prepare an amendment to those portions of the Building Code that refer to or that make insertions in, deletions from, or exceptions to, the National Codes. Such changes may include the substitution of a revised National Code.
- B. The Planning Board shall hold a Public Hearing on the proposed update or revision with notice as provided in NHRSA §675:7. Such notice shall include information stating where the proposed Building Code amendment and the new or amended National Codes or code provisions are available for public inspection.
- C. Following the Public Hearing, the update or revision shall become final upon approval by the Selectmen and recording with the Town Clerk.

Section 3: Modifications

When there are practical difficulties involved in carrying out the provisions of any of the adopted National Codes, the Building Inspector may vary or modify such provision upon application of the owner or his representative, provided that the spirit and intent of the law shall be observed and public welfare and safety be assured.

Section 4: Additions, Insertions, Deletions and Changes

The following changes are made in the following Codes:

- This section eliminated on March 13, 1999 as a result of the amendments to the adopted National Codes.

ARTICLE III: APPEALS, FINES AND PENALTIES

Section 1: Building Code Board of Appeals

- A. There is hereby established a Building Code Board of Appeals, and the Zoning Board of Adjustment is designated to act as that Board of Appeals, as provided in NHRSA §673:1. The Building Code Board of Appeals shall have the power, upon an appeal filed with it by any person aggrieved by a decision of the Building Inspector dealing with this Building Code, to vary the application of any provision of the Building Code to any particular case when, in its opinion, the enforcement of the Building Code would do manifest injustice and would be contrary to the spirit and purpose of the Building Code and the public interest. These powers are from NHRSA §674:34 and it is intended that the Freedom Board of Appeals shall have such powers as conferred by law. Any person aggrieved by a decision of the Building Code Board of Appeals may appeal the decision in the Carroll County Superior Court as provided in NHRSA §677:16.

- B. Any appeal to the Board of Appeals shall be taken within fifteen (15) days from the date of the decision of the Building Inspector. The time, notice and manner of hearing before the Board of Appeals shall conform to the same requirements as the hearing before the Zoning Board of Adjustment, except that no notice will be given to abutters.

- C. With regard to decisions of the Building Inspector that there has been a violation of the Building Code, the owner or the owner's agent shall have seven (7) days from receipt of the notice of violation/stop work order to appeal the decision of the Building Inspector.

Section 2: Fines and Penalties

Any violation of this Ordinance shall be subject to the fines and penalties as provided in RSA Chapter 676 except that the maximum fine for a misdemeanor for violation shall not exceed \$500.00.

ARTICLE IV: SEVERABILITY

The provisions of this Ordinance are severable. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provisions or applications of this Ordinance which can be given effect without the invalid provision or application.

This Ordinance shall become effective upon the affirmative vote by ballot of a majority of the legal voters present and voting on the day of the meeting. The within Ordinance shall not apply to any zoning permit or building permit issued and outstanding as of the time of the adoption of this Ordinance.

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Town of Freedom Permit Application For Gas Piping Installation

Application Date _____ **PERMIT #** _____

Permit Fee \$30.00 _____ Tax Map # _____ Lot # _____

Property Owner _____ Owners Phone _____

Owners Res. Address _____ State _____ Zip Code _____

Location of Installation _____

Type of Installation _____

Installing Contractor _____

Contractors Address _____ Zip Code _____

Contractors Phone # _____ Cell # _____

Contractors License # _____ Date of Expiration _____

Note: I hereby agree to comply with all installation requirement of the current ICC Gas Code, State Fire Code, State Building Codes, and any other requirements in effect of the Town of Freedom.

Installer's Signature _____ Date _____

Date Issued _____

Code Officer or Town Agent _____ Date _____