

CITY OF CONCORD

In the year of our Lord two thousand and twenty-two

AN ORDINANCE amending the CODE OF ORDINANCES, Title III, Building Regulations, Chapter 26, Building Code

The City of Concord ordains as follows:

SECTION I: Amend the CODE OF ORDINANCES, Title III, Building and Housing Codes, Chapter 26, Building Regulations, Article 26-1, Building Code, by modifying it as follows:

26-1-1 - Title—Adoption.

The **2018 International Building Code and the 2018 International Residential Code** [~~/2009~~], **as amended by the State Building Code Review Board** [~~this Chapter~~], [~~is hereby adopted and~~] together with this **Article** [~~Chapter~~], **is hereby adopted and** shall be known as the **City of Concord Building Code** [~~of the City of Concord. The International Residential Code/2009 identified in Section 101.2 Scope, Exception of the International Building Code, shall be included in, and is a part of, the Building Code of the City of Concord~~].

26-1-2 – **Administration and Enforcement** [~~Temporary Absence or Disability of Code Administrator~~].

It shall be the duty of the Code Administrator to enforce this ordinance. In case of temporary absence or disability of the Code Administrator, the Chief Building Inspector or some qualified person designated by the City Manager shall act in the capacity of Code Administrator in matters that require official attention.

26-1-3 - Cooperation of Other Officials.

The Code Administrator, in the discharge of his official duties, may request and shall receive so far as may be necessary the assistance and cooperation of other officials of the City.

26-1-4 - Proposed Ordinance Changes—Effect on Permits Issued.

(a) The provisions of RSA 676:12 are adopted as follows:

The Code Administrator shall not issue any building permit if application for such permit is made after the first legal notice of a proposed change in the Zoning Ordinance has been posted pursuant to the provisions of RSA 675:7, if the proposed change in the Zoning Ordinance would, if adopted, justify refusal of such permit. After final action has been taken on the proposed change in the Zoning Ordinance, the Code Administrator shall issue or refuse to issue such a permit which has been held in abeyance pursuant to this Section.

- (b) No proposed change in the Zoning Ordinance shall affect any permit *application* [~~that has been issued~~] *received* prior to the date that the first legal notice of the proposed change is published, pursuant to the provisions of RSA 675:7.

26-1-5 - Permit to Move.

No building or structure shall be moved until a permit has been obtained from the Code Administrator, and no permit shall be issued for moving a building or structure over a public highway or other public open area controlled by the City to a new location unless the application for the permit is accompanied by formal approval and permission of the Director of Public Works and over a State-controlled highway from the Department of Public Works and Highways.

26-1-6 - Building Permit Fees.

- (a) No permit as required by the Building Code shall be issued until the fees listed in Schedule I of Chapter 1 have been paid. Nor shall an amendment to the permit be approved until the additional fee, if any, due to an increase in the estimated cost of the building or structure or as otherwise required by this Chapter has been paid. The fees for permits shall be payable at the Code Administration office at the time of application.
- (b) In case of abandonment or discontinuance, the cost of work performed under a permit may be estimated, an adjustment of the fee made, and the portion of the fee for uncompleted work returned to the permit holder, provided that no refund of the prescribed application fee listed in Schedule I of Chapter 1 shall be made. If such discontinuance is due to revocation of the permit, a similar adjustment and return may be made, provided that no refund shall be made until all penalties and legal fees incurred or imposed by due authority have been collected.

Any request for a refund shall be made in writing. In no case shall a refund be made for a request submitted later than one year after the date of issuance of the permit, nor shall the amount exceed eighty (80) percent of the original fee paid as calculated under Schedule I of Chapter 1. After such a refund has been paid, no work shall be resumed until a new application has been made and a new permit has been issued.

- (c) The term "estimated cost," as used in this Section, is subject to the approval of the Code Administrator and means the reasonable value of all services, labor, materials, and equipment necessary for the prosecution and completion of the structure ready for occupancy. It shall include the value of all structural, electrical, mechanical, plumbing, life safety and fire protection work and equipment, all interior finishes, all normal site preparation, excavation and backfill directly related to the building, and all overhead and profit.
- (d) If work requiring a building permit under this Section is undertaken prior to the issuance of a permit, the fee shall be increased by twenty-five (25) percent for a company's or individual's first such occurrence, by fifty (50) percent for a second occurrence, and by one hundred (100) percent for any subsequent occurrence.

26-1-6.1 - Sign Fees.

- (a) No sign permit shall be issued nor an amendment approved until the fee listed in Schedule I of Chapter 1 has been paid. The fees for permits shall be payable at the Code Administration office at the time of application.

- (b) The fee for any sign permit shall be doubled for any sign which is hereafter erected or installed prior to issuance of a permit, but which could otherwise be legally erected or installed.
- (c) In case of abandonment or discontinuance, the cost of work performed under a permit may be estimated, and adjustment of the fee made and the portion of the fee for uncompleted work returned to the permit holder, provided that no refund of the prescribed application fee, Planning Board approval fee, or General Services approval fee, all as listed in Schedule I of Chapter 1, shall be made. If such discontinuance is due to revocation of the permit, a similar adjustment and return may be made, provided that no refund shall be made until all penalties and legal fees incurred or imposed by due authority have been collected.

Any request for a refund shall be made in writing. In no case shall a refund be made for a request submitted later than one year after the date of issuance of the permit, nor shall the amount exceed eighty (80) percent of the original fee paid as calculated under Schedule I of Chapter 1. After such a refund has been paid, no work shall be resumed until a new application has been made and a new permit has been issued.

26-1-7 - Issuance of Certificate of Occupancy.

The Code Administrator shall not issue a Certificate of Occupancy until ~~[he is satisfied]~~ **it has been verified** that all laws of the State of New Hampshire, ordinances of the City of Concord and all rules and regulations issued pursuant to those laws and ordinances have been complied with. Copies of Certificates of Occupancy shall be furnished, on request, **to the applicant** or to persons having a proprietary interest in the building or structure.

26-1-8 - Notice of Certificate of Occupancy.

A person shall not sell, rent, lease, or otherwise permit any person to occupy or use, in whole or in part, a newly constructed building or structure for which a Certificate of Occupancy under the provisions of this Code are required unless a copy of the Certificate of Occupancy, or written notice that a Certificate of Occupancy has not been issued and that the building or structure may not be legally occupied, in whole or in part, until such a Certificate is issued, is furnished to the person buying, renting, leasing or otherwise intending to occupy said building or structure.

26-1-9 - Amendments to the **2018** International Building Code~~[/2009(IBC)]~~.

The following amendments are hereby made to the **2018** International Building Code~~[/2009(IBC)]~~, adopted by Section 26-1-1:

- (a) Insert the words "City of Concord" in place of "~~[name of jurisdiction]~~ **[NAME OF JURISDICTION]**" in Section "101.1, Title."
- (b) Amend Section "103.1 Creation of enforcement agency" by inserting the following two (2) sentences after the first and only sentence:

All references to the "Department of Building Safety" shall mean the Code Administration Division of the Community Development Department. All references to the "Building Official" shall mean the Code Administrator.

~~[(c) Delete in their entirety Sections "103.3 Deputies" and "104.7 Department records."]~~

([d]c) Delete Section “105.2 Work exempt from permit, Building Item 1” in its entirety and insert new item number “1” as follows:

1. One-story detached playhouses, *sheds* and similar uses provided the height does not exceed 12 feet (3.66 m) and the floor area does not exceed 60 square feet (5.57 m²).

([e]d) Delete Section “105.2 Work exempt from permit, Building Item 2” in its entirety and insert new item number “2” as follows:

2. Fences *not over 8 feet (2438 mm) high*.

([f]e) Delete Section “105.2 Work exempt from permit, Building Item 7” in its entirety and insert new item number “7” as follows:

7. Painting, papering, tiling, carpeting, cosmetic trim work and similar finish work, nonstructural roof coverings, and nonstructural exterior building siding.

([g]f) Delete Sections “11[2]3.1 General,” “11[2]3.2 Limitations on authority,” and “11[2]3.3 Qualifications” in their entirety and insert in place thereof the following:

11[2]3.1 Means of Appeal. Appeals from any decision of the Code Administrator made under the provisions of this Code shall be to the **Building Code** Board of Appeals established by Article 26-4 of the Building **Regulations**. [~~Code, and shall be governed by the provisions of that Article and RSA 673, 674 and 677.~~]

([h]g) Delete Sections “11[3]4.2 Notice of Violation,” “11[3]4.3 Prosecution of Violation,” and “11[3]4.4 Violation Penalties” in their entirety and insert in place thereof the following:

11[3]4.2 Violations: Whenever a violation of this Building Code occurs or is alleged to occur, any person may file a written complaint. Such complaint, stating fully the cause and basis thereof shall be filed with and recorded by the Code Administrator. Upon being informed of a possible violation or upon personal initiative, the Code Administrator may make or cause to be made an investigation of the alleged violation. If the Code Administrator determines that there is a violation, the Code Administrator may issue an order to the person responsible for the violation as provided for in RSA 66:17-a, that the violator cease and desist or otherwise abate said violation, or may give notice as provided for in RSA 676:17-b, informing the person responsible that a violation exists and ordering that the violator abate said violation within a reasonable time determined by the Code Administrator. If after such notice and order such violation has not been abated within the time specified, the Code Administrator may institute injunction, abatement, or other appropriate action as provided for in RSA 676:15, to enjoin, abate, or remove said violation, or may issue a summons as provided for in RSA 676:17, or may issue a citation as provided for in RSA 676:17-b, or any combination of the three.

11[3]4.3 Penalties: Any person or corporation, whether as principal, agent, occupant, employee, or otherwise who violates any provisions of this Building Code shall pay a civil penalty for each offense not to exceed the limits as provided for in RSA 676:17, I (b).

([i]h) Delete Section “11[4]5.3 Unlawful Continuance” in its entirety and insert in its place the following:

11[4]5.3 Unlawful Continuance: Any person 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 separate offense for failure to comply with the order, and shall be subject to the penalties and abatement procedures of Sections 11[3]4.2 and 11[3]4.3.

([j]i) Insert the following new Section “11[5]6.6 Disregard of Notice”:

11[5]6.6 Disregard of Notice: Any person who has been issued an unsafe notice and who refuses or neglects to comply with the requirements of the order to abate the unsafe condition, shall be guilty of a separate offense for failure to comply with the order, and shall be subject to the penalties and abatement procedures of Sections 11[3]4.2 and 11[3]4.3.

([k]j) Insert the following new “Section 11[6]7 Conditions of Permit”:

SECTION 11[6]7 CONDITIONS OF PERMIT

11[6]7.1 Compliance with all City of Concord codes and ordinances. Building permits are issued on the express condition that all work performed under the permit shall be performed in a manner that complies with all city ordinances. A violation of any city ordinance in the course of performing work under a permit shall be considered a violation of the Building Code and shall be subject to the enforcement provisions, penalties and abatement procedures of Sections 11[3]4.2 and 11[3]4.3.

11[6]7.2 Violations. Each permit holder shall be responsible for the conduct of all persons and of all subcontractors under hire by the permit holder to ensure compliance with all requirements of this Code. Each person and each subcontractor shall also be individually responsible for compliance with those requirements of this code for which that person or subcontractor has control. Any person who violates any city ordinance in the course of performing work under a permit shall be considered in violation of the Building Code and shall be subject to the enforcement provisions, penalties, and abatement procedures of Sections 11[3]4.2 and 11[3]4.3.

~~[(l) — Insert the following new “Section 424 Manufactured Units”:~~

~~SECTION 424 MANUFACTURED UNITS~~

~~*424.1 General:* All nonresidential manufactured units shall comply fully with this Building Code.~~

~~*424.2 Construction:* Manufactured housing shall be designed and constructed to comply with all the requirements of the U.S.A. Manufactured Home Construction and Safety Standards (24 CFR Part 3280).~~

~~*424.3 Location:* Manufactured housing shall be located and installed in accordance with RSAs 31:116, 47:22 b, and 674:32, and in accordance with Title IV of the CODE OF ORDINANCES, Chapter 28, Zoning Code.~~

~~424.3.1 Anchorage and tie down: Every parking space for mobile units shall be provided with devices for anchoring the unit to prevent overturning or uplift. The owner of the parking space shall anchor or cause to be anchored all mobile units located on the parking space. Where concrete platforms are provided for the parking of mobile units, anchorage shall be provided by eyelets embedded in the concrete with adequate anchor plates or hooks, or other suitable means. The anchorage shall be adequate to withstand wind forces and uplift as required in Chapter 16 for buildings and structures, based upon the size and weight of the units.~~

- (m) ~~Delete “Table 503 ALLOWABLE HEIGHT AND BUILDING AREAS” in its entirety and insert in place thereof “TABLE 503 revised for the NH STATE BUILDING CODE, ALLOWABLE HEIGHT AND BUILDING AREAS.”~~

TABLE 503 revised for the NH STATE BUILDING CODE
 ALLOWABLE HEIGHT AND BUILDING AREAS

Height limitations shown as stories and feet above grade plane -- Area limitations as determined by the definition of "Area, building", per floor -- UL = Unlimited

GROUP	TYPE I		TYPE II		TYPE III		TYPE IV		TYPE V	
	A	B	A	B	A	B	A	B	A	B
A-1	UL	5 St. 65'	3 St. 40'	2 St. 30'	3 St. 40'	2 St. 30'	3 St. 40'	3 St. 40'	1 St. 20'	1 St. 20'
Theaters	UL	19,950	13,125	8,400	8,400	11,550	8,400	12,600	6,925	4,200
A-2	UL	3 St. 40'	2 St. 30'	1 St. 20'	1 St. 20'	2 St. 30'	1 St. 20'	2 St. 30'	1 St. 20'	1 St. 20'
Nightclubs	UL	5,700	3,750	2,400	2,400	3,300	2,400	3,600	2,550	1,200
A-2	UL	5 St. 65'	3 St. 40'	2 St. 30'	2 St. 30'	3 St. 40'	2 St. 30'	3 St. 40'	1 St. 20'	1 St. 20'
Restaurants	UL	19,950	13,125	8,400	8,400	11,550	8,400	12,600	6,925	4,200
A-3	UL	5 St. 65'	3 St. 40'	2 St. 30'	2 St. 30'	3 St. 40'	2 St. 30'	3 St. 40'	1 St. 20'	1 St. 20'
Lecture hall, etc.	UL	19,950	13,125	8,400	8,400	11,550	8,400	12,600	6,925	4,200
A-3	UL	5 St. 65'	3 St. 40'	2 St. 30'	2 St. 30'	3 St. 40'	2 St. 30'	3 St. 40'	1 St. 20'	1 St. 20'
Churches only	UL	34,200	22,500	14,400	14,400	19,800	14,400	21,600	15,300	7,200
A-4	UL	5 St. 65'	3 St. 40'	2 St. 30'	2 St. 30'	3 St. 40'	2 St. 30'	3 St. 40'	1 St. 20'	1 St. 20'
Indoor sports	UL	19,950	13,125	8,400	8,400	11,550	8,400	12,600	6,925	4,200
A-5	UL	UL	UL	UL	UL	UL	UL	UL	UL	UL
Outdoor assembly	UL	7 St. 85'	5 St. 65'	3 St. 40'	3 St. 40'	4 St. 50'	3 St. 40'	5 St. 65'	3 St. 40'	2 St. 30'
B	UL	34,200	22,500	14,400	14,400	19,800	14,400	21,600	15,300	7,200
Business	UL	5 St. 65'	3 St. 40'	2 St. 30'	2 St. 30'	3 St. 40'	2 St. 30'	3 St. 40'	1 St. 20'	1 St. 20'
E	UL	34,200	22,500	14,400	14,400	19,800	14,400	21,600	15,300	7,200
Education	UL	6 St. 75'	4 St. 50'	2 St. 30'	2 St. 30'	3 St. 40'	2 St. 30'	4 St. 50'	2 St. 30'	1 St. 20'
F-1	UL	22,800	15,000	9,600	9,600	13,200	9,600	14,400	10,200	4,800
Moderate factory	UL	7 St. 85'	5 St. 65'	3 St. 40'	3 St. 40'	4 St. 50'	3 St. 40'	5 St. 65'	3 St. 40'	2 St. 30'
F-2	UL	34,200	22,500	14,400	14,400	19,800	14,400	21,600	15,300	7,200
Low factory	UL	1 St. 20'	1 St. 20'	1 St. 20'	1 St. 20'	1 St. 20'	1 St. 20'	1 St. 20'	1 St. 20'	NP
H-1	UL	14,400	7,500	4,800	4,800	6,600	4,800	7,200	5,100	NP
Detonation	UL	3 St. 40'	2 St. 30'	1 St. 20'	1 St. 20'	2 St. 30'	1 St. 20'	2 St. 30'	1 St. 20'	NP
H-2	UL	14,400	7,500	4,800	4,800	6,600	4,800	7,200	5,100	NP
H-3	UL	7 St. 85'	5 St. 65'	3 St. 40'	3 St. 40'	4 St. 50'	3 St. 40'	5 St. 65'	3 St. 40'	2 St. 30'
Physical	UL	28,800	15,000	9,600	9,600	13,200	9,600	14,400	10,200	4,800
H-4	UL	7 St. 85'	5 St. 65'	3 St. 40'	3 St. 40'	4 St. 50'	3 St. 40'	5 St. 65'	3 St. 40'	2 St. 30'
H-5	UL	3 St. 55'	3 St. 55'	3 St. 55'	3 St. 55'	3 St. 55'	3 St. 55'	3 St. 55'	3 St. 55'	2 St. 30'
HPM	UL	3 St. 55'	3 St. 55'	3 St. 55'	3 St. 55'	3 St. 55'	3 St. 55'	3 St. 55'	3 St. 55'	2 St. 30'
I-1	UL	9 St. 100'	4 St. 50'	3 St. 40'	3 St. 40'	4 St. 50'	3 St. 40'	4 St. 50'	3 St. 40'	2 St. 30'
Residential care	UL	19,950	13,125	8,400	8,400	11,550	8,400	12,600	6,925	4,200
I-2	UL	4 St. 50'	2 St. 30'	1 St. 20'	1 St. 20'	1 St. 20'	1 St. 20'	1 St. 20'	1 St. 20'	NP
I-3	UL	17,100	11,250	7,200	7,200	9,900	7,200	10,800	7,650	NP
Incapacitated	UL	4 St. 50'	2 St. 30'	1 St. 20'	1 St. 20'	2 St. 30'	1 St. 20'	2 St. 30'	1 St. 20'	NP
I-4	UL	14,250	9,375	6,000	6,000	8,250	6,000	9,000	6,375	NP
Restrained	UL	17,100	11,250	7,200	7,200	9,900	7,200	10,800	7,650	NP
Day care	UL	6 St. 75'	4 St. 50'	2 St. 30'	2 St. 30'	3 St. 40'	2 St. 30'	4 St. 50'	3 St. 40'	2 St. 30'
M	UL	22,800	15,000	9,600	9,600	13,200	9,600	14,400	10,200	4,800
Mercantile	UL	9 St. 100'	4 St. 50'	3 St. 40'	3 St. 40'	4 St. 50'	3 St. 40'	4 St. 50'	3 St. 40'	2 St. 35'
R-1	UL	22,800	15,000	9,600	9,600	13,200	9,600	14,400	10,200	4,800
Hotel	UL	9 St. 100'	4 St. 50'	3 St. 40'	3 St. 40'	4 St. 50'	3 St. 40'	4 St. 50'	3 St. 40'	2 St. 35'
R-2*	UL	22,800	15,000	9,600	9,600	13,200	9,600	14,400	10,200	4,800
Multiple family	UL	4 St. 50'	4 St. 50'	4 St. 50'	4 St. 50'	4 St. 50'	4 St. 50'	4 St. 50'	4 St. 50'	2 St. 35'
R-3*	UL	22,800	15,000	9,600	9,600	13,200	9,600	14,400	10,200	4,800
R-4	UL	4 St. 50'	4 St. 50'	4 St. 50'	4 St. 50'	4 St. 50'	4 St. 50'	4 St. 50'	4 St. 50'	2 St. 35'
Multiple single family	UL	22,800	15,000	9,600	9,600	13,200	9,600	14,400	10,200	4,800
R-4	UL	4 St. 50'	4 St. 50'	4 St. 50'	4 St. 50'	4 St. 50'	4 St. 50'	4 St. 50'	4 St. 50'	1 St. 30'
Residential board/care	UL	5 St. 65'	4 St. 50'	2 St. 30'	2 St. 30'	3 St. 40'	2 St. 30'	4 St. 50'	3 St. 40'	2 St. 30'
S-1	UL	19,950	13,125	8,400	8,400	11,550	8,400	12,600	6,925	4,200
Moderate storage	UL	7 St. 85'	5 St. 65'	3 St. 40'	3 St. 40'	4 St. 50'	3 St. 40'	5 St. 65'	3 St. 40'	2 St. 30'
S-2	UL	34,200	22,500	14,400	14,400	19,800	14,400	21,600	15,300	7,200
Low storage	UL	5 St. 65'	4 St. 50'	2 St. 30'	2 St. 30'	3 St. 40'	2 St. 30'	4 St. 50'	3 St. 40'	2 St. 30'
U	UL	19,950	13,125	8,400	8,400	11,550	8,400	12,600	6,925	4,200
Utility	UL	UL	UL	UL	UL	UL	UL	UL	UL	UL

a. As applicable in Section 101.2

ALLOWABLE HEIGHTS AND BUILDING AREAS

(n) ~~Delete "Section 506, AREA MODIFICATIONS"~~ in its entirety and insert in its place the following "SECTION 506 AREA MODIFICATIONS."

SECTION 506 AREA MODIFICATIONS

~~506.1 General.~~ The provisions of this section shall modify the area limitations of Table 503 as herein specified.

~~506.2 Street frontage increase.~~ Where a building or structure has more than 25 percent of the building perimeter fronting on a street or other unoccupied space, the area limitations specified in Table 503 shall be increased 2 percent for each 1 percent of such excess frontage. The unoccupied space shall be on the same lot or shall be dedicated for public use, shall not be less than 30 feet (9,144 mm) in width, and shall have access from a street by a posted fire lane not less than 18 feet (5,486 mm) in width.

~~506.3 Automatic sprinkler system.~~ Where a building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1, the area limitations specified in Table 503 shall be increased 200 percent for one- and two-story buildings and 100 percent for buildings more than two stories in height.

~~Exceptions:~~

- ~~1. The automatic sprinkler system increase shall not apply to buildings with occupancy in Use Group H-1.~~
- ~~2. The automatic sprinkler system increase shall not apply to any fire area with occupancy in Use Group H-2 or H-3.]~~

([e]m) Insert the following new Section “1608.2.1 Ground Snow Loads”:

1608.2.1 Minimum Ground Snow Loads. The ground snow loads to be used in determining the design snow loads for roofs shall equal or exceed those given in the [U.S.] US Army Corps of Engineer[ing], Engineer Research and Development Center, Cold Regions Research and Engineering Laboratory Publication ERDC/CRR[E]EL TR-02-6 **Ground Snow Loads for New Hampshire**. In all cases, the actual snow load shall be approved by the building official.

([p]n) Delete Section “1612.3 Establishment of flood hazard areas” in its entirety and insert in its place the following Section “1612.3 Establishment of flood hazard areas”

1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas and elevations of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled “The Flood Insurance Study for the County of Merrimack, New Hampshire,” with an effective date of April 19, 2010, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM). The adopted flood hazard maps and supporting data are hereby adopted by reference and declared to be a part of this section.

([q]o) Insert the following new Section “1612.3.1 Special Flood Hazard requirements”:

1612.3.1 Special Flood Hazard Requirements: All buildings, structures, development, and uses within the City's flood hazard areas shall comply with, and be limited by, Article 28-3-2 FLOOD HAZARD (FH) DISTRICT of the City of Concord Zoning Ordinance, including specifically identified “prohibited uses” and specifically identified raised minimum elevations.

~~(r)~~ Insert the date “May 12, 1981” in place of “[DATE TO BE INSERTED BY THE JURISDICTION.] (Note: it is recommended that this date coincide with the effective date of building codes within the jurisdiction)” in Section “3409.2 Applicability.”

~~([s]p)~~ Adopt “APPENDIX G, SECTION G101 ADMINISTRATION, SECTION G102 APPLICABILITY”, SECTION G103 POWERS AND DUTIES (excluding Section G103.7 Alterations in coastal areas [~~and Section G103.8 Records~~]), Section G401.1 Development in floodways, and SECTION G501 MANUFACTURED HOMES” as a part of this Code.

~~([t]q)~~ Adopt “APPENDIX H, SECTION H105 DESIGN AND CONSTRUCTION, and SECTION H106 ELECTRICAL” as a part of this Code.

26-1-10 - Amendments to the **2018** International Residential Code~~[/2009(IRC)]~~.

The following amendments are hereby made to the **2018** International ~~[Building]~~ **Residential** Code~~[/2009]~~, adopted by Section 26-1-1:

(a) Insert the words “City of Concord” in place of “[~~name of jurisdiction~~] **[NAME OF JURISDICTION]**” in Section “R101.1 Title.”

(b) Amend Section “R103.1 Creation of enforcement agency” by inserting the following two sentences after the first and only sentence:

All references to the “Department of Building Safety” shall mean the Code Administration Division of the Community Development Department. All references to the “Building Official” shall mean the Code Administrator.

~~(c)~~ Delete Section “R103.3 Deputies” and “R104.7 Department records” in their entirety.

~~([d]c)~~ Delete Section “R105.2 Work exempt from permit, Building Item 1” in its entirety and insert new item number “1” as follows:

1. One-story detached playhouses, **sheds** and similar uses provided the height does not exceed 12 feet (3.66 m) and the floor area does not exceed 60 square feet (5.57 m²).

~~([e]d)~~ Delete Section “R105.2 Work exempt from permit, Building Item 2” in its entirety and insert new item number “2” as follows:

2. Fences **not over 8 feet (2,438 mm) high**.

~~([f]e)~~ Delete Section “R105.2 Work exempt from permit, Building Item 7” in its entirety and insert new item number “7” as follows:

7. Painting, papering, tiling, carpeting, cosmetic trim work and similar finish work, nonstructural roof coverings and nonstructural exterior building siding.

~~([g]f)~~ Delete Sections “R112.1 General,” “R112.2 Limitations on authority,” “R112.3 Qualifications,” and “R112.4 Administration” in their entirety and insert in place thereof the following:

R112.1 Means of Appeal. Appeals from any decision of the Code Administrator made under the provisions of this Code shall be to the **Building Code** Board of Appeals

established by Article 26-4, of the Building *Regulations*. [~~Code and shall be governed by the provisions of that Article and RSA 673, 674, and 677.~~]

([h]) [~~Renumber Sections “R112.2.1 Determination of substantial improvement in areas prone to flooding” and “R112.2.2 Criteria for issuance of a variance for areas prone to flooding,” to be “R112.2 Determination of substantial improvement in areas prone to flooding,” and “R112.3 Criteria for issuance of a variance for areas prone to flooding,” respectively.~~]

([g]) Delete Sections “R113.2 Notice of Violation,” “R113.3 Prosecution of Violation,” and “R113.4 Violation Penalties” in their entirety and insert in place thereof the following:

R113.2 Violations: Whenever a violation of this Building Code occurs or is alleged to occur, any person may file a written complaint. Such complaint, stating fully the cause and basis thereof shall be filed with and recorded by the Code Administrator. Upon being informed of a possible violation or upon personal initiative, the Code Administrator may make or cause to be made an investigation of the alleged violation. If the Code Administrator determines that there is a violation, the Code Administrator may issue an order to the person responsible for the violation as provided for in RSA 676:17-a, that the violator cease and desist or otherwise abate said violation, or may give notice as provided for in RSA 676:17-b, informing the person responsible that a violation exists and ordering that the violator abate said violation within a reasonable time determined by the Code Administrator. If after such notice and order such violation has not been abated within the time specified, the Code Administrator may institute injunction, abatement, or other appropriate action as provided for in RSA 676:15, to enjoin, abate, or remove said violation, or may issue a summons as provided for in RSA 676:17, or may issue a citation as provided for in RSA 676:17-b, or any combination of the three.

R113.3 Penalties: Any person or corporation, whether as principal, agent, occupant, employee, or otherwise who violates any provisions of this Building Code shall pay a civil penalty for each offense not to exceed the limits as prescribed in RSA 676:17, I(b).

([h]) Delete Section “R114.[3]2 Unlawful Continuance” in its entirety and insert in its place the following:

R114.[3]2 Unlawful Continuance: Any person 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 separate offense for failure to comply with the order, and shall be subject to the penalties and abatement procedures of Sections R113.2 and R113.3.

([i]) Insert the following new “Section R115 Conditions of Permit”:

SECTION R115 CONDITIONS OF PERMIT

R115.1 Compliance with all City of Concord codes and ordinances. Building permits are issued on the express condition that all work performed under the permit shall be performed in a manner that complies with all city ordinances. A violation of any

city ordinance in the course of performing work under a permit shall be considered a violation of the Building Code and shall be subject to the enforcement provisions, penalties and abatement procedures of Sections 113.2 and 113.3.

R115.2 Violations. Each permit holder shall be responsible for the conduct of all persons and of all subcontractors under hire by the permit holder to ensure compliance with all requirements of this Code. Each person and each subcontractor shall also be individually responsible for compliance with those requirements of this Code for which that person or subcontractor has control. Any person who violates any city ordinance in the course of performing work under a permit shall be considered in violation of the Building Code and shall be subject to the enforcement provisions, penalties and abatement procedures of Sections R113.2 and R113.3.

(Hj) Insert the following data into the appropriate boxes of Table R301.2(1) ***CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA:***

~~[Ground Snow Loads]~~ ***GROUND SNOW LOAD.....70 psf***

Wind90

~~[Seismic Design Category]~~ ***SEISMIC DESIGN CATEGORY.....C***

WeatheringSevere

Frost line depth[4'] ***48"***

Termitenone to slight

~~[Decaynone to slight]~~

~~[Winter Design Temp.....3]~~ ***WINTER DESIGN TEMP.... 3 degrees Fahrenheit***

ICE BARRIER UNDERLAYMENT REQUIRED..... yes

~~[Flood Hazard]~~ ***FLOOD HAZARDSrefer to the 2018 International Building Code[IBC] Section 1612[-3], as amended***

AIR FREEZING INDEX 2,000

MEAN ANNUAL TEMP 45.3

SECTION II: Amend the CODE OF ORDINANCES, Title III – Building and Housing Codes, Chapter 26, Building Regulations, Article 26-2, Certificates, by modifying it as follows:

26-2-1 ***Permanent*** Certificate of Occupancy ***for New Buildings.***

A person shall not occupy or use a building or structure in whole or in part, until a Certificate of Occupancy shall have been issued by the Code ~~[Enforcement]~~ Administrator. **A**

Certificate of Occupancy shall only be issued after all permit inspections have been approved and all Department sign-offs have been obtained. [~~There shall be posted on all premises, except for dwellings a notice issued by the Code Enforcement Administrator stating the purpose for which the building may be used in its several parts, the maximum permissible live load on the several floors, the number of occupants that may be accommodated in the several stories, if such number is limited by a provision of law or by the permit, and all special stipulations of the permit, if any.~~]

26-2-2 – Permanent Certificate of Occupancy for Existing Buildings.

A Certificate of Occupancy shall be required before occupying or using in whole or in part any addition to, area altered, renovated, or reconfigured in an existing building or structure for which a building permit is required. A Certificate of Occupancy shall also be required before occupying or using the portion of an existing building or structure for which there are changes in the purpose or level of activity within a building that involves a change in application of the requirements of the Building or Fire Prevention Codes. A Certificate of Occupancy shall only be issued after all permit inspections have been approved and all Department sign-offs have been obtained.

26-2-[2]3 – Temporary Certificate of Occupancy for New and Existing Buildings.

[~~Upon request of the holder of a permit, or of the owner, the Code Enforcement Administrator may issue a Temporary Certificate of Occupancy for part of a building or structure; provided that such temporary occupancy or use would not jeopardize life or property;~~]

Upon written request of the building permit holder or property owner, the Code Administrator may issue a Temporary Certificate of Occupancy prior to a permanent Certificate of Occupancy when a building or portions thereof may be used safely. The Temporary Certificate of Occupancy shall specify the areas of the building and the time period for which temporary occupancy is valid. A permanent Certificate of Occupancy shall be issued after all permit inspections have been approved and all Department sign-offs have been obtained.

~~26-2-3 – Certificate of Occupancy for buildings or Structures Added to or Altered.~~

~~A person shall not occupy or use, in whole or in part, a building or structure added to, or so altered, wholly or in part, as to change its classification of occupancy or a building or structure added to or altered for which a Certificate of Occupancy shall have been issued by the Code Enforcement Administrator. However, if the occupancy or use of such building was not discontinued during the work on the addition or alteration, the occupancy or use of the building or structure shall not continue more than thirty (30) days after completion of the additions or alterations unless such Certificate shall have been issued.~~

~~26-2-4 – Certificate for Change of Occupancy.~~

~~(a) A person shall not occupy or use in whole or in part a building or structure where the change of occupancy is inconsistent with the last issued Certificate of Occupancy for such building or structure, unless a new Certificate of Occupancy is secured.~~

~~(b) The occupancy of a building or structure shall not be deemed to have changed because of a temporary vacancy or change of ownership or tenancy. The reestablishment of a building or structure, after a change of occupancy has been made, or of a prior use that is not permitted in a new building or structure of the same type of construction, is prohibited. The change from a specifically prohibited use to another specifically prohibited use shall not be made.~~

~~26-2-5— Issuance of Certificate of Occupancy.~~

~~A Certificate of Occupancy shall be issued within five (5) working days after written application therefore, if the building or structure at the time of such application shall be entitled thereto. The Code Enforcement Administrator shall not issue a Certificate of Occupancy until he is satisfied that all laws of the State of New Hampshire, Ordinances of the City of Concord and all rules and regulations issued pursuant to those laws and Ordinances have been complied with. Copies of Certificates of Occupancy shall be furnished, on request to persons having a proprietary interest in the building or structure.]~~

24-2-4 Certificate of Occupancy for Licensing Purposes.

When a property owner or lessee requires proof of a Certificate of Occupancy for a building, in whole or in part, for State licensing purposes, the Code Administrator will issue a Certificate of Occupancy after all required inspections have been approved and all required Department sign-offs have been obtained.

24-2-5 Certificate of Completion for Accessory Buildings and Structures.

A Certificate of Completion for accessory buildings and structures will be issued upon request after all required permit inspections have been approved and all Department sign-off have been obtained.

24-2-6 Certificate of Compliance for Mechanical, Electrical, and Plumbing Installations.

Upon satisfactory completion of mechanical, electrical, plumbing installation inspections, a Certificate of Compliance may be issued upon written request.

~~[26-2-6— Certificate for Completed Installations.~~

~~A person shall not use or permit the use of equipment or appliances until the appropriate Certificate has been issued when a Certificate is specifically required by a provisions of this Code for an installation, extension or alteration of such equipment or appliances.~~

~~26-2-7— Notice of Certificate of Occupancy.~~

~~A person shall not sell, rent, lease or otherwise permit any person to occupy or use, in whole or in part, a newly constructed building or structure for which a Certificate of Occupancy, under the~~

~~provisions of this Code are required unless a copy of the Certificate of Occupancy or written notice that a Certificate of Occupancy has not been issued and that the building or structure may not be legally occupied, in whole or in part, until such a Certificate is issued, is furnished to the person buying, renting, leasing or otherwise intending to occupy said building or structure.]~~

~~26-2-7~~[26-2-8] - Penalty.

Any person who is found guilty of violating any of the provisions of this Article shall be subject to the penalties prescribed by Section 57 of the City Charter. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

SECTION III: Amend the CODE OF ORDINANCES, Title III – Building and Housing Codes, Chapter 26, Building Regulations, Article 26-4, Board of Appeal, by modifying it as follows:

ARTICLE 26-4 – ***BUILDING CODE*** BOARD OF APPEALS

26-4-1 – Appointment.

There is hereby established a board to be called the ***Building Code*** Board of Appeals in accordance with ***RSA chapters 673:3***, consisting of five (5) members. Members shall be qualified by experience and training to rule on matters pertaining to building construction and fire protection. Each member shall be an architect, or structural engineer, or builder, or superintendent of construction, or mechanical, or electrical contractor or qualified by experience and training to rule on matters pertaining to fire protection. Board Members and three (3) alternate members shall be recommended by the City Manager and approved by the City Council.

26-4-2 - Term of Office.

The members of this Board shall be appointed or removed as provided for by the provisions of RSA 673.

26-4-3 - Quorum.

A majority of the Board shall constitute a quorum. In varying the application of any provision of this Title or in modifying an order of the Code [Enforcement] Administrator or Fire Chief, affirmative votes of three (3) members shall be required. No member of the Board shall pass upon any question in which he is interested, directly or indirectly.

26-4-4 - Meetings and Records.

Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. All hearings before the Board shall be open to the public. The Board

shall keep minutes of its proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating such facts, and shall also keep records of its examinations and other official action. Such minutes and such records shall be public records.

26-4-5 - Procedures.

The Board shall establish rules and regulations for its own procedure not inconsistent with the provisions of this Title.

26-4-6 - Appeals.

Any person aggrieved, including the head of any agency of the municipality, may appeal any decision or interpretation by the Code Administrator or Fire Chief made under the provisions of Title III. An appeal may be taken within thirty (30) days from the date of the decision appealed, by filing with the Code ~~[Enforcement]~~ Administrator or Fire Chief and with the **Building Code** Board of Appeals a notice of appeal, specifying the grounds thereof, except that in the case of a building or structure which, in the opinion of the Code ~~[Enforcement]~~ Administrator or Fire Chief, is unsafe or dangerous, he may in his order limit the time of such appeal to a shorter period. He also shall forthwith transmit to the **Building Code** Board of Appeals all the papers upon which the action appealed from was taken. This article shall not apply to Article 26-9, Demolition Review.

26-4-7 - Hearing and Notice.

The Board shall fix a reasonable time for the hearing of an appeal, giving public notice thereof as well as notice to the parties of interest. Due notice of any hearing shall be deemed to be not less than seven (7) days. Public notice shall be given by posting at City Hall.

26-4-8 - Modifications and Variations by the Board.

The **Building Code** Board of Appeals, when so appealed to and after public hearing, may vary the application of any provision of this Title to any particular case when, in its opinion, the enforcement thereof would do manifest injustice, and would be contrary to the spirit and purpose of this title or public interest, or when in its opinion, the interpretation of the Code ~~[Enforcement]~~ Administrator or Fire Chief should be modified or reversed. A decision of the **Building Code** Board of Appeals to vary the application of any provision of this Title, or to modify an order of the Code Administrator or Fire Chief, shall specify in what manner such variation or modification is made, and the reasons therefor.

26-4-9 - Decision of the Board.

The **Building Code** Board of Appeals shall in every case reach a decision without unreasonable or unnecessary delay. Every decision of the Board shall be in writing and shall indicate a vote upon the decision. Every decision shall be promptly filed in the office of the Code Administrator or Fire Chief and shall be open to public inspection. A certified copy shall be sent by mail or otherwise to appellant. If a decision of the Board reverses or modifies a refusal, order,

or disallowance of the Code Administrator or Fire Chief, or varies the application of any provision of this Title, he shall take action immediately in accordance with such decision.

SECTION IV: Amend the CODE OF ORDINANCES, Title III – Building and Housing Codes, Chapter 26, Building Regulations, Article 26-5, Special Use Requirements, by modifying it as follows:

26-5-1 - Mobile Homes *and Manufactured Housing*.

~~[All mobile homes placed within the City of Concord shall be built in accordance with the National Manufactured Housing and Construction Standards Act of 1974 of the United States Department of Housing and Urban Development, as amended. Mobile homes placed within the City of Concord shall only be used as single family residences.]~~

Mobile Homes will be treated as “Manufactured housing”, as defined in RSA 205-D:1 Definitions. All Manufactured housing, installed within the City of Concord, shall conform to RSA 205-D, Manufactured Housing Installation Standards.

26-5-2 - Mobile Home Parks.

Parks and portions thereof intended for parking of mobile homes shall comply with the following requirements:

(a) Definitions.

Mobile home: A mobile home as defined in Article 28-2, Definitions, of the Zoning Ordinance.

Mobile home lot: A mobile home lot as defined in Article 28-2, Definitions, of the Zoning Ordinance.

Mobile home park: A mobile home park as defined in Article 28-2, Definitions, of the Zoning Ordinance.

Mobile home stand: That part of an individual mobile home lot which has been reserved for the placement of the mobile home, appurtenant structures or additions.

- (b) Non-conforming Uses. Any lawful mobile home park existing at the time of the adoption of this Section may be continued although it does not conform to the standards and provisions contained herein. ~~[All such mobile home parks, however, must obtain a license according to procedures outlined in this Section and comply with and maintain the minimum standards set forth in the Sanitary Laws and Regulations of the New Hampshire State Department of Health for Mobile Home and Trailer Parks. Any nonconforming mobile home park that is discontinued as a business enterprise shall not be issued a license for reestablishment except in conformity with this section.]~~ Expansion or alteration of existing mobile parks will be permitted only in strict conformity with this Section.

~~[(e) License.~~

~~1. It shall be unlawful for any person, persons, firm or corporation to maintain or operate a mobile home park within the City of Concord unless he holds a valid license which is issued annually by the Code Enforcement Administrator and approved by the Fire Chief.~~

~~2. Application for a mobile home park license shall be filed with and issued by the Code Enforcement Administrator with the approval of the Fire Chief for a calendar year. The application shall be in writing, and signed by the applicant who shall file with the application proof of ownership of the premises or of a lease or written permission from the owner. The application shall be accompanied by two (2) complete sets of plans drawn to scale showing the location of the proposed mobile home park, which shall show the name and address of the applicant; the location and legal description of the park; its area and dimensions; number, location and size of developed and platted mobile home lots; those lots occupied and name of each lot occupant; location of any existing buildings and proposed structures; location, name and widths of streets and walkways; and the location of water, sewer, gas and other utilities and sewage disposal facilities.~~

~~3. Application for a license to operate a new mobile home park or to expand or alter an existing one shall require approval of park design by the Planning Board. The Board shall determine the adequacy of the design with respect to arrangements of lots, streets, and other facilities to assure conditions favorable to health, safety and convenience.~~

~~4. Application for renewal of license shall be made in duplicate by the holder of the license to the Code Enforcement Administrator, and shall contain any change in the last information submitted.]~~

~~[(d)c) Location, Size and Lots. The location and size of mobile home parks, and the size of lots for siting individual mobile homes shall be as specified in Article 28-4, Use Regulations, and in section 28-6-9 Mobile Home Parks, of the Zoning Ordinance.~~

~~[(e)d) Streets, Walks, Parking, Lighting and Stands.~~

- ~~1. All mobile home parks shall be provided with safe and convenient vehicular access from abutting public streets or roads to each mobile home lot. All park streets shall be well drained, paved and maintained in good condition, and may not exceed a grade of eight (8) percent. All mobile home lots where off-street parking areas are provided shall abut upon a paved street at least thirty (30) feet in width. If on-street parking is permitted, the minimum width of street pavement shall be forty (40) feet.~~
- ~~2. No street names shall be used which will duplicate or be confused with names of existing streets within the park and the City. Street names shall be subject to the approval of the Planning Board.~~

3. Walkways not less than three (3) feet wide shall be provided from each mobile home stand to the street. All service buildings shall have similar walkways.
4. Off-street parking shall be provided in all mobile home parks where streets are less than forty (40) feet in width for the use of park occupants and guests. Such parking shall be furnished at the rate of at least two (2) car spaces for each lot. Required car parking spaces shall be so located as to provide convenient access to the mobile home. In no event shall such spaces be located more than two hundred (200) feet from the mobile home that they are intended to serve.
5. All streets and walks within the park shall be adequately lighted at night.
- ~~6. The mobile home stand shall provide an adequate foundation for the placement of a mobile home. Stand foundations shall be of such construction as to prevent heaving, shifting or settling due to frost action.]~~

(f) Water Supply.

1. An accessible, adequate, safe and potable supply of water shall be provided each mobile home. Where a public supply of water of satisfactory quantity, quality and pressure is available, connection shall be made thereto and its supply used exclusively. When a satisfactory public water supply is not available, a private water supply system may be developed and used subject to approval by the City Health Officer and the State Health Authority.
2. The water supply shall be capable of delivering a minimum of one hundred fifty (150) gallons per day per mobile home.
3. The water supply system of the mobile home park shall be connected by pipes to all mobile homes, buildings and other facilities requiring water.
4. All water piping, fixtures and other equipment shall be constructed and maintained in accordance with State and City regulations and requirements and shall be of a type and in locations approved by the Code [Enforcement] Administrator.

(g) Electrical Distribution System.

1. Every mobile home park shall contain an electrical wiring system consisting of wiring, fixtures, equipment, and appurtenances which shall be installed and maintained in accordance with applicable [State] *local Public Utility Regulations* and City of Concord Electrical Codes and regulations governing such systems.
- ~~2. Main power lines not located underground shall be suspended at least eighteen (18) feet above the ground. There shall be a minimum horizontal clearance of three (3) feet between overhead wiring and any mobile home, service building or other structure.]~~
- ~~3]2. [All direct burial conductors or cables shall be buried at least eighteen (18) inches below the ground surface and shall be insulated and specially designed for the purpose. Such] *Electrical* conductors shall be located not less than one foot radial distance from water, sewer, gas or communication lines.~~

- ~~4. Each mobile home lot shall be provided with an approved disconnecting device and overcurrent protective equipment. The minimum service per outlet shall be 120/240 volts, AC, fifty (50) amperes.~~
- ~~5. Where the calculated load of the mobile home is more than fifty (50) amperes either a second outlet receptacle shall be installed or electrical service shall be provided by means of permanently installed conductors.~~
- ~~6. Outlet receptacles at each mobile home stand shall be located not more than twenty (20) feet from the overcurrent protective devices in the mobile home, and a three-pole, three or four wire grounding type shall be used. Receptacles shall be of weatherproof construction and configurations shall be in accordance with American Standard Outlet Receptacle C-73-1.~~
- ~~7. The mobile home shall be connected to the outlet receptacle by an approved type of flexible cable with connectors and a male attachment plug.~~
- ~~8. A power post shall be located near each mobile home. Installed posts shall be buried not less than thirty (30) inches in the ground with forty eight (48) inches exposed above ground complete with a support foot to prevent settling. Power posts shall be either fourteen (14) gauge galvanized steel with sixteen (16) gauge galvanized covers or four (4) by four (4) inch creosoted timber posts. The power outlet shall be contained in sixteen (16) gauge galvanized covers with the bottom edge of the covers protected with insulating edge guard to prevent wire damage, and a bushing to protect wires entering the power outlet. A lug for up to No. four (4) wire shall be provided for proper electrical grounding. The power outlet shall consist of a weather proof housing, a fifty (50) or sixty (60) ampere two hundred fifty (250) volt, two (2) pole, air circuit breaker with neutral bar, and a fifty (50) or sixty (60) ampere one hundred twenty/two hundred forty (120/240) volt AC three (3) pole with U-ground pole utility power outlet and one duplex two (2) pole U-grounded convenience receptacle.~~
- ~~9. All exposed non-current carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for the mobile home or other equipment.]~~

([h]g) Refuse Disposal.

1. The storage, collection, and disposal of refuse in the mobile home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution.
2. Where the City provides collection services twice weekly, the mobile home park [licensee] **management** will provide and maintain one “dumpster” refuse container of six (6) cubic yards capacity for every twenty (20) mobile homes. Dumpster refuse containers shall be placed in locations satisfactory to the Director of Public Works.

3. Where municipal disposal service is not available, the mobile home park [~~licensee~~] **management** shall provide flytight, watertight, rodent proof containers in sufficient number which shall be located not more than one hundred fifty (150) feet from any mobile home lot. All refuse shall be collected at least twice weekly and shall be transported in covered vehicles or covered containers to a disposal site approved by the Director of Public Works.
4. Refuse collection stands shall be provided for all refuse containers. Such container stands shall be so designed as to prevent containers from being tipped.

(~~i~~)**h**) Sewage Disposal.

1. All sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic or other movement and shall be separated from the park water supply system at a safe distance. Sewers shall be at a grade which will insure a velocity of two (2) feet per second when flowing full. All sewer lines shall be constructed of materials approved by the Code [~~Enforcement~~] Administrator, shall be adequately vented, and shall have watertight joints.
2. Each mobile home shall be provided with either a four (4) inch diameter cast iron sewer riser pipe having a four (4) inch cast iron dandy clean out plug or an approved four (4) inch asbestos-cement class 1500 connection. The sewer riser pipe shall be so located on each stand that the sewer connection to the mobile home drain outlet will approximate a vertical position.
3. The sewer connection shall have a nominal inside diameter of at least four (4) inches, and the slope of any portion thereof shall be at least one-fourth ($\frac{1}{4}$) inch per foot. The sewer connection shall consist of one pipe line only without any branch fittings. All joints shall be watertight.
4. Where the sewer lines of the mobile home park are not connected to a public sewer, all proposed sewage disposal facilities shall be approved by the Code [~~Enforcement Administrator~~] prior to construction. Effluents from park sewage facilities shall not be discharged into any surface waters.

(~~j~~)**i**) Service Buildings.

1. For each one hundred (100) mobile home lots, or fractional part thereof, there shall be one emergency flush toilet, one shower stall, and one lavatory for each sex. The building containing such emergency sanitary facilities shall be accessible to all mobile homes.
2. Service buildings shall have sound resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions around showers, lavatories, and other plumbing fixtures shall be constructed of dense, non-absorbent, waterproof material or covered with moisture resistant material.

3. Toilets shall be located in separate compartments equipped with self-closing doors. Shower stalls shall be of the individual type. The rooms shall be screened to prevent direct view of the interior when the exterior doors are open.
4. Illumination levels shall be maintained as follows:
 - General seeing tasks5 [~~foot-candles~~]**foot-candles**
 - Toilet room, in front of mirrors40 [~~foot-candles~~]**foot-candles**
 - Laundry room (when provided)40 [~~foot-candles~~]**foot-candles**
5. Hot and cold water shall be furnished to every lavatory, sink, shower, and laundry fixture, and cold water shall be furnished to every water closet and urinal.

(~~k~~) Fuel Supply and Storage.

1. Where natural gas is used, piping systems shall be installed and maintained in accordance with applicable codes and regulations set forth in *NFPA 501A – Standard for Fire Safety Criteria for Manufactured Home Installations, Sites, and Communities*. [~~the National Fire Protection Association's Standards: No. 501A, Fire Protection in Trailer Courts.~~] Installation of piping systems shall be subject to inspection and approval by the Fire Chief.
- ~~2. Liquefied petroleum gas systems shall be installed and maintained in accordance with applicable codes and regulations set forth in the National Fire Protection Association's Standards: No. 58, Storage and Handling of Liquefied Petroleum Gas. Installation of systems shall be subject to inspection and approval by the Fire Chief.]~~

(~~h~~) Fire Protection.

1. All mobile home parks shall be subject to the rules and regulations of the Fire Department Code.
2. Portable fire extinguishers of a type approved by the Fire Department shall be kept in service buildings and at all other locations designated by the Fire Chief and shall be maintained in good operating condition. Locations of fire extinguishers and fire safety rules and regulations shall be posted in conspicuous places and in accordance with the procedures outlined by *NFPA 501A – Standard for Fire Safety Criteria for Manufactured Home Installations, Sites, and Communities*. [~~the National Fire Protection Association's Standards: No. 501A, Fire Protection in Trailer Courts.~~]
3. Fire hydrants shall be installed when the park is within five hundred (500) feet of the City water system in accordance with the following requirements:
 - (3a) The water supply system shall permit the operation of a minimum of two and one-half (2½) inch hose streams;

(3b) Each of two nozzles, held four (4) feet above the ground, shall deliver at least seventy-five (75) gallons of water per minute at a flowing pressure of at least thirty (30) pounds per square inch at the highest elevation of the park; and

(3c) Fire hydrants shall be located within six hundred (600) feet of any mobile home, service building, or other structure in the park.

4. Each mobile home park shall provide approved fire alarm boxes or approved telephone facilities or other approved methods to contact the Fire Department. Alarm systems shall be in central locations designated by the Fire Chief.
5. Each mobile home park shall provide ingress and egress facilities at separate and strategic locations that will permit the passage of occupant vehicles and the ~~[fire fighting]~~ **firefighting** equipment of the City.

~~(m)~~ Miscellaneous Parking Management Responsibilities.

1. The ~~[person to whom a license for a mobile home park is issued]~~ **park management** shall operate the park in compliance with this Section, and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair, and in a clean and sanitary condition.
2. The park management shall notify park occupants of all applicable provisions of this Section and inform them of their duties and responsibilities thereunder.
3. The park management shall be responsible for the proper placement of each mobile home on its mobile home stand which includes securing its stability and installing all utility connections. The management shall also be responsible for the disconnection of all utilities prior to the departure of a mobile home.
4. The park management shall maintain a register containing the names of all park occupants. Such register shall be available to any civil authority inspecting the park.
- ~~[5. The License Certificate shall be conspicuously posted in the office of or on the premises of the mobile park at all times.]~~
- ~~[6]~~5. The park management shall be responsible for notifying the Chief Assessor of the arrival or impending departure of any occupied mobile home or change of ownership that occurs within the park.
- ~~[7]~~6. The park management shall maintain the entire park area free of dry brush, leaves, weeds and debris.
- ~~[8. No park shall permit the entrance of a mobile home whose heating unit is not protected by an automatic thermal disconnecting device placed within range above the~~

~~heating unit itself. In addition, at the main exit door the heating unit shall have a manual disconnecting switch with a red engraved or stenciled plate reading:~~

~~“EMERGENCY SWITCH OIL (GAS) BURNER”~~

~~9. No park shall permit the entrance of a mobile home having evaporating type heating or cooking facilities without the approval of the Fire Chief.]~~

~~([n]m)~~ Responsibilities of Park Occupants.

- ~~1. The park occupant shall comply with all applicable requirements of this Section, and shall maintain his mobile home lot, its facilities and equipment in good repair and in a clean and sanitary condition.~~
- ~~2. No owner or person in charge of a dog, cat or other pet animal shall permit it to run at large or to commit any nuisance in the park.~~

~~([o]n)~~ Enforcement.

- ~~1. Whenever a violation of this Section occurs, or is alleged to have occurred, any person may file a written complaint stating in full the causes and bases thereof with the Code [Enforcement] Administrator or the Fire Chief who shall immediately record such complaint, investigate, and if the investigation discloses a basis for the complaint, he shall take such action as may be necessary to correct the violation.~~
- ~~2. If the Code [Enforcement] Administrator or the Fire Chief shall find that any of the provisions of this Section are being violated, he shall notify in writing the person responsible for such violations indicating the nature of the violation and ordering the action necessary to correct it. He shall take any other action authorized or required by this Section to insure compliance with, or to prevent violation of, its provisions.~~

~~[(p)]~~ Revocation of license.

- ~~1. The Code Enforcement Administrator or the Fire Chief may revoke any license to maintain and operate a mobile home park when the licensee has been found guilty by a court of competent jurisdiction of violating any provision of this Section. After such conviction, the license may be reissued if the circumstances leading to conviction have been remedied and the park is being maintained and operated in full compliance with the law.]~~

26-5-3 - Travel Trailers.

~~[Except as otherwise provided by law, plumbing, heating and electrical systems in travel trailers used as dwellings in this City shall be in accordance with the requirements of American Standard Installation of Plumbing, Heating and Electrical Systems in Travel Trailers as sponsored by the Mobile Homes Manufacturers Association and the Trailer Coach~~

Association and approved May 23, 1963 by the American Standards Association which are hereby adopted and made part of this Code.]

Travel trailers, campers, and recreational vehicles may not be used as dwellings.

[26-5-4— Swimming Pools.

Pools used for swimming or bathing shall be in conformity with the following requirements:

- (a) ~~*Fencing.* Every outdoor swimming pool shall be completely surrounded by a fence or wall not less than four (4) feet in height, which shall be so constructed as not to have openings, holes, or gaps larger than four (4) inches in any dimension except for doors and gates; and if a picket fence is erected or maintained, the horizontal dimensions shall not exceed four (4) inches. A dwelling house or accessory building may be used as part of such enclosure.~~
- (b) ~~*Gates.* All gates or doors opening through such enclosures shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in actual use, except that the door of any dwelling which forms a part of the enclosure need not be so equipped.~~
- (c) ~~*Applicability.* The requirements of this Code shall be applicable to all new swimming pools hereafter constructed, other than indoor pools, and shall apply to all existing pools which have a minimum depth of eighteen (18) inches of water. No person in possession of land with the City, either as owner, purchaser, lessee, tenant or a licensee, upon which is situated a swimming pool having a minimum depth of eighteen (18) inches shall fail to provide and maintain such fence or wall as herein provided.~~
- (d) ~~*Appeals and Hearings.* The Board of Adjustment, after public hearing, may make modifications in individual cases, upon a showing of good cause with respect to the height, nature or location of the fence, wall, gates or latches, or the necessity therefor, provided the protection as sought hereunder is not reduced thereby. The Board of Adjustment may permit other protective devices or structures to be used so long as the degree of protection afforded by the substitute devices or structures is not less than the protection afforded by the wall, fence, gate and latch described herein.~~
- (e) ~~*State Requirements.* Swimming pools shall conform to all requirements of the New Hampshire Department of Health and Welfare.]~~

26-5-[5]4 – Radio and Television Towers.

All [radio and television] towers shall be designed and constructed as herein provided:

- (a) Location and Access. [The towers shall be so located and equipped with step bolts and ladders as to be readily accessible for inspection purposes.] No guy wires or other accessories shall cross or encroach upon any street or other public space, or over any electric power lines, or encroach upon any other privately owned property without written consent of the owner.

- (b) Construction. All [~~radio~~] towers, *supporting structures and equipment* shall conform to the City of Concord Building Code. [~~be constructed of steel or other approved corrosion-resistive non-combustible materials. Steel members shall be not less than three-sixteenths (3/16) inch thick if painted to comply with accepted engineering standards. Within the limitations set forth in Article 12, Fire Limits, isolated radio and television towers may be constructed of lumber sizes qualifying for mill type construction when not more than one hundred (100) feet in height.~~
- (c) ~~Loads. The structure shall be securely braced and anchored to resist a wind of not less than thirty (30) pounds per square foot on the net area of both sides of latticed construction and on the projected area of the antennae plus the wind on ice covered sections in localities where subject to freezing temperatures. Where subject to winds of unusual velocity, the loads shall be increased accordingly. Due allowance shall be made for effect of shape of individual elements and contour of the tower in computing wind loads.~~
- (d) ~~Dead Load. Antennae and towers shall be designed for the dead load plus ice load in regions where ice formation is likely to occur.~~
- (e) ~~Uplift. Adequate foundations and anchorage shall be provided to resist two (2) times the calculated wind uplift.~~
- (f) ~~Electrical Requirements. Radio towers shall be grounded to comply with the requirements of the National Electrical Code and the approved rules with a copper conductor of not less than No. 8 U.S. gauge or its equivalent; or shall be grounded through a resistance coil in the radio circuit.]~~

([g]c) Antennae.

1. No Permit Required. Antenna structures for private radio or television reception not more than twelve (12) feet in height may be erected and maintained on the roof of any building without a building permit. No such structure, however, shall be erected so as to injure the roof covering and when removed from the roof, the roof covering shall be repaired to maintain weather and water tightness. The installation shall in no case be erected nearer to the lot line than the total height of the antennae structure nor shall such structure be installed near electric power lines nor shall it encroach upon any street or other public space.
2. Permits Required. The approval of the Code [Enforcement] Administrator shall be secured for all antenna structures more than twelve (12) feet in height. The application shall be accompanied by detailed drawings of the structure and methods of anchorage. All connections to the roof structure must be properly flashed to maintain water tightness. The design and materials of construction shall comply with the requirements of Subsection (b) above for character, quality and minimum dimensions.
- [3. ~~Electric Grounding. All wiring shall comply with the requirements of Article 14 and the National Electrical Code and the antennae shall be grounded either by direct copper ground or through a resistance coil in the circuit.]~~

26-5-6 – Modular Building Standards.

Any “Modular building”, as defined in RSA 205-C:1 Definitions, installed within the City of Concord, shall conform to RSA 205-C, Modular Building Standard.

SECTION V: Amend the CODE OF ORDINANCES, Title III – Building and Housing Codes, Chapter 26, Building Regulations, Article 26-8, Hazardous Buildings and Structures, Section 26-8-9, Fire Department, as follows:

26-8-9 – Fire Department.

Prior to completion of a Hazardous Building Report, or acceptance of such report by the City Council as set forth in Section 26-8-2, the Fire Department may enter and examine all structures which it determines are a “hazardous building” as defined in Section 26-8-1 for the purpose of completing risk assessments in order to ascertain the threat to the public health and safety, and the feasibility of conducting ~~[fire fighting]~~ **firefighting**, rescue, or emergency medical services at such properties and corresponding potential threat to personnel undertaking such activities. Based upon the results of the risk assessments, the Fire Department shall have the authority to affix markings to such structures or properties to inform emergency personnel how to undertake ~~[fire fighting]~~ **firefighting**, rescue, or other emergency response operations at such properties. Markings shall be affixed to the street side of the premises or near the main entrance. The markings shall be no larger than four (4) square feet. The Fire Department shall be required to remove such markings at such time as the Code Administrator or City Council has determined that the structure is no longer a “hazardous building” as defined in Section 26-8-1.

SECTION VI: Amend the CODE OF ORDINANCES, Title III – Building and Housing Codes, Chapter 26, Building Regulations, Article 26-13, Existing Building Code, Section 26-13-1, International Existing Building Code Adopted, as follows:

26-13-1 – International Existing Building Code Adopted.

~~[The 2006 International Existing Building Code]~~ **The 2018 International Existing Building Code, together with any amendments by the State Building Code Review Board and this Article, [is]are** hereby adopted and shall be known as the Existing Building Code of the City of Concord. This Code establishes the minimum requirements to safeguard the public health, safety, and welfare insofar as they are affected by the repair, alteration, change of occupancy, addition, and relocation of existing buildings. All repairs, alterations, changes of occupancy, additions, and relocations of existing buildings shall from the effective date of this ordinance, be performed in accordance with its provisions.

SECTION VII: Amend the CODE OF ORDINANCES, Title III – Building and Housing Codes, Chapter 26, Building Regulations, Article 26-14, Electrical Code, Section 26-14-1, Electrical Standards, as follows:

26-14-1 – Electrical [~~Standards~~]*Code*.

~~[The National Fire Protection Association, National Electrical Code, 2008 Edition, NFPA 70-2008, including annexes A through H as amended by this Article,]~~ ***The 2020 NFPA 70 – National Electric Code, as amended by the State Building Code Review Board***, is hereby adopted and together with this Article, shall be known as the Electrical Code of the City of Concord. All installations, repairs, and alterations of electrical work shall, from the effective date of this Ordinance, be performed in accordance with its provisions.

26-14-2 - Administration and Enforcement.

The administration and enforcement of this Article shall be the duty of the Code Administrator, who is hereby authorized to take such action as may be reasonably necessary to enforce the provisions and purposes of this Article. Such persons may be appointed and authorized as assistants and agents of the Code Administrator as may be necessary to carry out the provisions of this Article.

26-14-3 – Supervision of Work by Master *Electrician* or Journeyman Electrician Required.

No individual, firm, partnership or corporation shall engage in the business of installing, repairing, or altering electrical installations unless the electrical work performed in the course of such business is under the supervision of a licensed Master *electrician* or Journeyman ~~[E]~~electrician employed full-time by the individual, firm, partnership or corporation.

26-14-4 – Master Electrician, Journeyman Electrician, Apprentice *Electrician, Electrical Installations* Defined.

For the purposes of this Article, the terms “Master ~~[E]~~electrician” “*Journey electrician*” “*Apprentice electrician*” and “*Electrical installations*” shall be defined by RSA 319-C:2 *Definitions*. ~~[,Journeyman Electrician and Apprentice” shall mean a Master Electrician or Journeyman Electrician licensed under the provisions of RSA 329 A or an “Apprentice” as defined therein.]~~

26-14-5 – Use of Licensee's Name by Another.

No person who has obtained a license under the provisions of RSA 319-C shall allow his/her name to be used by another person or persons either for the purpose of obtaining permits or for doing work under the provisions of this Article.

26-14-6 – Permits Required for Electrical Work.

Electrical work covered by ~~[this Code]~~ ***the Electrical Code of the City of Concord*** shall not be undertaken until a permit for same has been issued by the Code Administrator.

26-14-7 – Application for Permit Required.

Application for a permit shall be filed with, and on a form provided by, the Code Administrator, and shall be accompanied by such specifications, plans, and data as may be required to enable the Code Administrator to ascertain whether the proposed electrical work will conform to the requirements of ~~[this Code]~~ ***the Electrical Code of the City of Concord.***

26-14-8 – Permits Issued.

A permit shall be issued only to a Master ~~[E]~~electrician, ***an electrical corporation or a partnership meeting the requirements of RSA 319-C:10, or a homeowner meeting the requirements of RSA 319-C:15, II.*** ~~[except that a permit may be issued to any person to do any work regulated by this Article in a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings, provided the person is the bona fide owner of such dwelling and that the same will be occupied by said owner and that said owner shall personally purchase all materials and perform all labor in connection therewith.]~~

26-14-9 – Electrical Permit Fee Schedule.

- (a) An electrical permit shall not be issued pursuant to this Article until the fee listed in Schedule I of Chapter 1 has been paid. Nor shall an amendment to the permit be approved until the additional fee, if any, required by this Article has been paid. The fees for permits shall be payable at the Code Administration office at the time of application.
- (b) In case of abandonment or discontinuance, the cost of work performed under a permit may be estimated, and adjustment of the fee made and the portion of the fee for uncompleted work returned to the permit holder, provided that no refund of the prescribed application fee listed in Schedule I of Chapter 1 shall be made. If such discontinuance is due to revocation of the permit, a similar adjustment and return may be made, provided that no refund shall be made until all penalties and legal fees incurred or imposed by due authority have been collected.

Any request for a refund shall be made in writing. In no case shall a refund be made for a request submitted later than one year after the date of issuance of the permit, nor shall the amount exceed eighty (80) percent of the original fee paid as calculated on the unit prices in Schedule I of Chapter 1. After such a refund has been paid, no work shall be resumed until a new application has been made and a new permit has been issued.

26-14-10 – Condition of Permit.

Electrical permits are issued on the express condition that all work performed under the permit shall be performed in a manner that complies with all City Ordinances. A violation of any City Ordinance in the ~~[course]~~ ***course*** of performing the work under a permit shall be considered a violation of the Electrical Code ***of the City of Concord*** and subject to the enforcement provisions and penalties set forth in this Article.

26-14-11 - Expiration of Permit.

Any permit issued under the provisions of this Article shall expire and become invalid if the permitted work is not commenced within, six (6) months of the permit issue date, or if the work is suspended or abandoned for a period of six (6) months or more after work was begun.

26-14-12 - Revocation of Permit.

The Code Administrator may revoke any permit issued under this Article if the permit issuance was based on erroneous or falsified information, statements or representations.

26-14-13 - Variation from Permit.

If the actual work done varies significantly from that set forth in the permit, the Code Administrator may require the person responsible for the work to trace all new lines and indicate new outlets and all other work performed.

26-14-14 - Inspection.

When the electrical work authorized by a permit has been undertaken, the Code Administrator may, if deeming it advisable or necessary, inspect or cause to be inspected said work while it is in the process of completion. Upon completion of the work authorized by a permit, the person responsible for the same shall notify the Code Administrator who shall, within a reasonable time, make or cause to be made an inspection of the work and such tests as may be necessary to determine if the authorized electrical work conforms to the provisions of this Code.

Electrical work shall not be covered or concealed until it has been inspected and approved by the Code Administrator in the presence of the person responsible for the work.

The Code Administrator is hereby authorized at any reasonable time to enter any building, structure or premises to perform any function required or allowed by this Code.

26-14-15 - Certificate.

Electrical work covered by ~~[this Code]~~ *the Electrical Code of the City of Concord* shall not be energized until a certificate to do so has been issued by the Code Administrator authorizing such energizing. No individual, firm, partnership or corporation shall use, knowingly permit the use of, or supply electricity for electric wiring for light, heat, or power in a building or structure unless the certificate required has been issued.

26-14-16 - Temporary Electricity.

The Code Administrator may issue a temporary permit for a reasonable period of time upon application to use electricity in part of an electrical wiring system before the system has been completed and a certificate issued, if such use will not be dangerous to person or property and will not have detrimental effect on the rest of the system.

26-14-17 - Reinspection.

The Code Administrator is hereby authorized to make a reinspection of any electrical work covered by ~~[this Code]~~ ***the Electrical Code of the City of Concord*** whenever necessary for the purpose of public safety. If any such electrical work is found not to conform to the requirements of ~~[this Code]~~ ***the Electrical Code of the City of Concord***, the Code Administrator may revoke all existing permits and certificates relating thereto and the use of such electrical work shall be discontinued until it has been made to conform to the requirements of this Code and a new certificate has been issued therefor.

26-14-18 - Examination of Existing Electrical Installations.

In connection with the issuance of an electrical permit or whenever the Code Administrator shall have reasonable grounds for believing that the interests of public safety so require, the Code Administrator is hereby authorized to inspect any existing electrical wiring or equipment installed in, any building or structure prior to adoption of or amendment to ~~[this Code]~~ ***the Electrical Code of the City of Concord***. If the Code Administrator finds any electrical components so defective as to be dangerous to person or property, the Code Administrator may order those components repaired, ***replaced, disconnected, or made to comply with the Electrical Code of the City of Concord*** within a reasonable time. Failure to ~~[repair the wiring or components]~~ ***make safe the defective electrical components*** within the time specified shall be a violation of ~~[this Code]~~ ***the Electrical Code of the City of Concord***. If the Code Administrator finds any circuits which, because of their wire size or condition, should be limited as to load, the Code Administrator may issue an order limiting the size of fuses or circuit breakers to be used in such circuits and failure to comply with such order shall also be a violation of ~~[this Code]~~ ***the Electrical Code of the City of Concord***.

26-14-19 - Employee Liability.

Neither the Code Administrator nor any authorized representative when acting on behalf of the City of Concord shall be rendered liable for any damage that may accrue to any person or property as a result any act or omission in the discharge of duties related to administering this Code. Any suit brought against the Code Administrator or any authorized representative shall be defended by the City until final resolution and any judgment against the individual employee shall be assumed by the City.

26-14-20 - Violations.

Whenever a violation of ***the*** ~~[this Plumbing Code]~~ ***Electrical Code of the City of Concord*** occurs or is alleged to occur, any person may file a written complaint. Such complaint, stating fully the cause and basis thereof, shall be filed with and recorded by the Code Administrator. Upon being informed of a possible violation, or upon personal initiative, the Code Administrator may make or cause to be made an investigation of the alleged violation. If the Code Administrator determines that there is a violation, the Code Administrator may issue an order to the person responsible for the violation as provided for in RSA 676:17-a, that the violator cease

and desist or otherwise abate said violation, or may give notice as provided for in RSA 676:17-b, informing the person responsible that a violation exists and ordering that the violator abate said violation within a reasonable time determined by the Code Administrator. If after such notice and order such violation has not been abated within the time specified, the Code Administrator may institute injunction, abatement, or other appropriate action as provided for in RSA 676:15, to enjoin, abate, or remove said violation, or may issue a summons as provided for in RSA 676:17, or may issue a citation as provided for in RSA 676:17-b, or any combination of the three (3).

26-14-21 - Penalties.

Any person or corporation, whether as a principal, agent, occupant, employee, or otherwise who violates any provisions of [~~this~~] *the Electrical Code of the City of Concord* shall pay a civil penalty for each offense not to exceed the limits as prescribed in RSA 676:17, I (b).

26-14-22 - Unlawful Continuance.

Any person 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 separate offense for failure to comply with the order, and shall be subject to the penalties and abatement procedures of Sections 26-14-20 and 26-14-21.

26-14-23 - Disregard of Notice.

Any person who has been issued an unsafe notice and who refuses or neglects to comply with the requirements of the order to abate the unsafe condition, or to correct improper work, shall be guilty of a separate offense for failure to comply with the order, and shall be subject to the penalties and abatement procedures of Sections 26-14-20 and 26-14-21.

26-14-24 - Means of Appeal.

Appeals from any decision of the Code Administrator made under the provisions of [~~this Code~~] *the Electrical Code of the City of Concord* shall be to the *Building Code* Board of Appeals established by Article 26-4, of the Building *Regulations*. [~~Code and shall be governed by the provisions of that Article and RSA 673, 674 and 677.~~]

~~[26-14-25 - Amendments to the National Electrical Code, 2008 Edition, NFPA 70-2008.~~

~~The following amendments are hereby made to the National Electrical Code, 2008 Edition, NFPA 70-2008 as adopted by Section 26-14-1:~~

~~(a) — Reserved.~~

~~(b) — Amend Section 80.13(13) by deleting the words “and shall conduct the inspection within _____ days” at the end of the second sentence.~~

- (c) — Delete Section “80.15 Electrical Board” including Sections (A) through (H) in its entirety.
- (d) — Delete Section “80.19(D) Annual Permits” in its entirety.
- (e) — Amend Section 80.19(F)(3) by deleting all of the words beginning with “or until _____ days have elapsed” through the end of the first and only sentence of the section.
- (f) — Delete Section “80.23 Notice of Violations, Penalties” in its entirety.
- (g) — Delete Sections “80.25(C) Notification,” “80.25(D) Other Territories,” and “80.25(E) Disconnection” in their entirety and insert in place thereof the following:

~~“80.25(C) No electrical service shall be connected nor electrical power supplied without authorization by the Electrical Inspector.”~~

- (h) — Delete Section “80.27 Inspector's Qualifications” including Sections (A) through (D) in its entirety.
- (i) — Insert the words “City of Concord” in the blank in Section 80.29 Liability for Damages.
- (j) — Delete Section “80.35 Effective Date” in its entirety.
- (k) — Add the following sentence after the second and last sentence in Section 680.1 Scope:

~~“When an installation involves a residential swimming pool as defined in Section 3109 of the International Building Code/2009, and when a wall of a dwelling serves as part of the required barrier around the pool, an alarm, power cover or other approved means of protection as described in Section 3109.1.4.8 of the International Building Code/2009 shall be installed.”~~]

26-14-25 [26] - Manufactured Housing.

[Provisions of this Article adopting the National Electrical Code, 2008 Edition, NFPA 70-2008, including annexes A through H shall not apply to manufactured housing or manufactured housing parks when these provisions vary from the requirements of the U.S.A. Manufactured Home Construction and Safety Standards (24CFR Part 3280) for electrical systems in manufactured housing.]

All electrical installations servicing or supporting Manufactured housing, as defined in RSA 205-D:1, shall comply with the Electrical Code of the City of Concord.

SECTION VIII: Amend the CODE OF ORDINANCES, Title III – Building and Housing Codes, Chapter 26, Building Regulations, Article 26-15, Fuel Gas Code, by deleting it in its entirety and reserving it, as follows:

~~[26-15-1—Fuel Gas Code Adopted.~~

~~The International Fuel Gas Code/2006 including appendices A through D, as amended by this Article, is hereby adopted and together with this Article, shall be known as the Fuel Gas Code of the City of Concord. All installations, repairs, and alterations involving fuel gas piping, equipment and accessory work shall, from the effective date of this ordinance, be performed in accordance with its provisions.~~

~~26-15-2—Amendments to the International Fuel Gas Code/2006~~

~~The following amendments are hereby made to the International Fuel Gas Code/2006 as adopted by Section 26-15-1.~~

~~(a) Insert the words “City of Concord” in place of “[name of jurisdiction]” in Section 101.1 Title.~~

~~(b) Delete Section “103.1 General” in its entirety and insert in its place the following:~~

~~103.1 Referenced Terminology: All references to “the Department of Inspection” shall mean the Department of Building Safety as defined in Section 103.1 of the Building Code of the City of Concord. All references to the 'Code Official' shall mean the Code Administrator.~~

~~(c) Amend Section “106.4 Permit issuance” by adding the following after the second sentence and before Section 106.4.1 “Approved construction documents”:~~

~~All fuel gas work requiring a permit shall be permitted under Article 26-17 Mechanical Code.~~

~~(d) Delete Section “106.5.2 Fee Schedule” in its entirety and insert in its place the following section:~~

~~106.5.2 Fee Schedule. The fees for fuel gas work shall be as specified in Section 26-17-3 of the Mechanical Code.~~

~~(e) Delete Section “106.5.3 Refunds” in its entirety and insert in its place the following:~~

~~—106.6 Compliance with all codes.~~

~~106.6.1: Compliance with all City of Concord codes and ordinances. Mechanical permits are issued on the express condition that all work performed under the permit shall be performed in a manner that complies with all city ordinances. A violation of any city ordinance in the course of performing work under a permit~~

~~shall be considered a violation of the Fuel Gas Code and subject to the enforcement provisions and penalties set forth in this section.~~

~~106.6.2: Each permit holder shall be responsible for the conduct of all persons and of all subcontractors under hire by the permit holder to ensure compliance with all requirements of this Code. Each person and each subcontractor shall also be individually responsible for compliance with those requirements of this Code for which that person or subcontractor has control.~~

~~(f) — Delete Sections “108.2 Notice of violation,” “108.3 Prosecution of violation,” “108.4 Violation penalties,” “108.5 Stop work orders,” and “108.6 Abatement of violation” in their entireties and insert in place thereof the following:~~

~~108.2 Violations: Whenever a violation of this Fuel Gas Code occurs or is alleged to occur, any person may file a written complaint. Such complaint, stating fully the cause and basis thereof, shall be filed with and recorded by the Code Administrator. Upon being informed of a possible violation, or upon personal initiative, the Code Administrator may make or cause to be made an investigation of the alleged violation. If the Code Administrator determines that there is a violation, the Code Administrator may issue an order to the person responsible for the violation as provided for in RSA 676:17-a, that the violator cease and desist or otherwise abate said violation, or may give notice as provided for in RSA 676:17-b, informing the person responsible that a violation exists and ordering that the violator abate said violation within a reasonable time determined by the Code Administrator. If after such notice and order such violation has not been abated within the time specified, the Code Administrator may institute injunction, abatement, or other appropriate action as provided for in RSA 676:15, to enjoin, abate, or remove said violation, or may issue a summons as provided for in RSA 676:17, or may issue a citation as provided for in RSA 676:17-b, or any combination of the three.~~

~~108.3 Penalties: Any person or corporation, whether as a principal, agent, occupant, employee, or otherwise who violates any provisions of this Fuel Gas Code shall pay a civil penalty for each offense not to exceed the limits as prescribed in RSA 676:17, I(b).~~

~~108.4 Unlawful continuance: Any person 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 separate offense for failure to comply with the order, and shall be subject to the penalties and abatement of Sections 108.2 and 108.3.~~

~~108.5 Disregard of notice: Any person who has been issued an unsafe notice and who refuses or neglects to comply with the requirements of the order to abate the unsafe condition, shall be guilty of a separate offense for failure to comply with the order, and shall be subject to the penalties and abatement procedures of Sections 108.2 and 108.3.~~

~~108.6 Emergency measures: Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.~~

~~(g) Delete Sections “109.1 Application for appeal” through “Section 109.7 Court Review” in their entireties and insert in place thereof the following:~~

~~109.1 Means of appeal. Appeals from any decision of the Code Administrator made under the provisions of this Code shall be to the Board of Appeals established by Article 26-4, of the Building Code and shall be governed by the provisions of that Article and RSA 673, 674, and 677.]~~

Reserved.

SECTION IX: Amend the CODE OF ORDINANCES, Title III – Building and Housing Codes, Chapter 26, Building Regulations, Article 26-16, Fire Prevention Code, as follows:

26-16-1 – Fire Prevention Code Adopted.

~~[The International Fire Code/2009 as amended by this Article,]~~ *The State Fire Code, as defined by RSA 153:1, VI-a* is hereby adopted and together with this Article shall be known as the Fire Prevention Code of the City of Concord.

26-16-2 - Administration and Enforcement.

The administration and enforcement of this Article shall be the duty of the *Fire Chief* ~~[Code Official who shall be the City Manager or the City Manager's designee]~~. The *Fire Chief* ~~[Code Official]~~ is hereby authorized to take such action as may be reasonably necessary to enforce the provisions and purposes of this Article and to appoint and authorize such assistants and agents as may be necessary to carry out the provisions of this Article.

~~[26-16-3 – Amendments to the International Fire Code/2009.~~

The following amendments are hereby made to the International Fire Code/2009 as adopted by Section 26-16-1:

(a) ~~Insert the words “City of Concord in place of “[name of jurisdiction]” in Section “101.1 Title.”~~

(b) ~~Amend Section “102.10 Conflicting provisions” by adding the following second sentence to the single paragraph in that Section:
“Where conflict exists between this Fire Prevention Code and Article 26-18 Life Safety Code of this Ordinance, the greatest restriction or requirement shall prevail.”~~

- (c) Delete Section “103.1 General” in its entirety and insert in its place the following Section:

“103.1 General: All references to 'the Department of Fire Prevention' and to the 'Code Official' shall mean the City Manager or the City Manager's designee.”

- (d) Amend Section “105.1.1 Permits required” by adding the following fourth sentence to the single paragraph in that Section:

“Permits shall be obtained from the Code Official for all activities and uses listed within this Code and this Article. If any fire protection system is installed or if any permitted use is initiated without issuance of a required Fire Prevention Permit, then the installer, building owner, or occupant shall be guilty of violation.”

- (e) Delete Sections “108.1 Board of appeals established” through “108.3 Administration in their entirety and insert in place thereof the following Section:

“108.1 Means of Appeal: Appeals from any decision of the Code Official made under the provision of this code shall be to the Board of Appeals established by Article 26-4, of the Building Code and shall be governed by the provisions of that Article and RSA 673, 674 and 677.”

- (f) Delete Section “109.2 Notice of violation” including Subsections 109.2.1 “Service” through “109.2.4 Unauthorized Tampering” in their entirety and insert in place thereof the following Sections:

“109.2 Violations: Whenever a violation of this Fire Prevention Code occurs or is alleged to occur, any person may file a written complaint. Such complaint stating fully the cause and basis thereof, shall be filed with and recorded by the Fire Code Official. Upon being informed of a possible violation or upon personal initiative, the Fire Code Official may make or cause to be made an investigation of the alleged violation. If the Fire Code Official determines that there is a violation, the Fire Code Official may issue an order to the person responsible for the violation as provided for in RSA 676:17-a that the violator cease and desist or otherwise abate said violation or may give notice as provided for in RSA 676:17-b informing the person responsible that a violation exists and ordering that the violator abate said violation within a reasonable time determined by the Fire Code Official. If after such notice and order such violation has not been abated within the time specified, the Fire Code Official may institute injunction, abatement, or other appropriate action as provided for in RSA 676:15, to enjoin, abate or remove said violation, or may issue a summons as provided for in RSA 676:17, or may issue a citation as provided for in RSA 676:17-b, or any combination of the three.”

- (g) Delete Sections “109.3 Violation penalties” and “109.3.1 Abatement of violation” in their entirety and insert in place thereof the following Sections:

~~“109.3 Penalties: Any person or corporation, whether as a principal, agent, occupant, employee, or otherwise who violates any provisions of this Property Maintenance Code shall pay a civil penalty for each offense not to exceed the limits as prescribed in RSA 676:17, I(b).”~~

~~“109.4 Abatement: The imposition of the penalties herein prescribed shall not preclude the City Solicitor from instituting an appropriate action or proceeding to prevent an unlawful use or maintenance, or to restrain, correct or abate a violation, or to prevent the occupancy of a building or structure or portion thereof, or of the premises, or to prevent an illegal act, conduct business or use in or about any premises.”~~

~~“109.5 Disregard of notice: Any person who has been issued an unsafe notice or a notice of violation and who refuses or neglects to comply with the requirements therein shall be guilty of a separate offense for failure to comply and shall be subject to the penalties and abatement procedures of Sections 109.2, 109.3 and 109.4.”~~

- (h) ~~Insert the additional new Sections “110.5 Unlawful continuance” and 110.6 Disregard of notice” as follows::~~

~~“110.5 Unlawful continuance: Any person who refuses to leave, interferes with the evacuation of other occupants, or continues any operation after having been given an evacuation order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be of a separate offense for failure to comply with the order and shall be subject to the penalties and abatement procedures of Sections 109.2, 109.3 and 109.4.”~~

~~“110.6 Disregard of notice: Any person who has been issued an unsafe notice or a notice of violation and who refuses or neglects to comply with the requirements therein shall be guilty of a separate offense for failure to comply and shall be subject to the penalties and abatement procedures of Section s 109.2, 109.3 and 109.4.”~~

- (i) ~~Delete Section “111.4 Failure to comply” in its entirety and insert in its place the following Section:~~

~~“111.4 Failure to comply: Any person who has been issued a stop work order or a notice of violation and who shall continue any work, except such work as that person is directed to perform to remove a violation or unsafe condition, or who otherwise fails, refuses or neglects to comply with the requirements therein, shall be guilty of a separate offense for failure to comply and shall be subject to the penalties and abatement procedures of Sections 109.2, 109.3, and 109.4.”~~

- (j) ~~Insert the additional new Section “503.1.4 Designation” as follows:~~

~~“503.1.4 Designation: The Fire Code Official shall establish minimum acceptable standards for fire lanes and shall designate locations for both public and private fire lanes. The fire lanes so designated shall be listed in a schedule and maintained on file in the City Clerk's Office in accordance Title II, Traffic Code, Article 18, Parking Section 18-1-~~

~~15, Fire Lanes, of the Concord Code of Ordinances. The owner of property encumbered by a fire lane shall post and maintain signs and roadway markings approved by the Fire Code Official.”~~

(k) ~~Insert the additional new section “506.1 Emergency access, security locking systems” as follows:~~

~~“506.1 Emergency access, security locking systems: A person shall not sell, occupy, or permit another to occupy any newly constructed building or sell an existing building that does not have installed an approved key box system. The Code Administrator shall not issue a Certificate of Change of Occupancy for an existing building until an approved key box system has been installed. This section shall not apply to residential dwellings containing less than four (4) dwelling units.”~~

~~“Key box: The key box shall be of a UL type approved by the Fire Chief. It shall be installed in a location approved by the Fire Chief and shall contain the following:~~

- ~~(1) Keys to locked points of egress whether on the interior or exterior of such buildings.~~
- ~~(2) The keys to locked mechanical equipment rooms.~~
- ~~(3) The keys to locked electrical rooms.~~
- ~~(4) Keys to elevator controls.~~
- ~~(5) Keys to other areas as directed by the Fire Chief or his designee.”~~

~~“Affected occupancies: Key boxes shall be required in the following occupancies:~~

~~Buildings with monitored fire alarm systems.
Assembly uses.
Education uses (excluding day care centers with 12 or fewer children in residential occupancy).
Healthcare uses.
Detention and correctional facilities.
Hotels, motels and dormitories.
Apartment buildings (greater than 3 tenant spaces).
Lodging and rooming houses.
Residential board and care homes.
Mercantile uses.
Business uses.
Industrial uses.
Storage uses.
High rise buildings.
or as per Fire Alarm System Regulations.”~~

(k) ~~Insert the additional new Section “503.1.4 Designation” as follows:~~

~~“503.1.4 Designation: The Code Official shall establish minimum acceptable standards for fire lanes and shall designate locations for both public and private fire lanes. The fire lanes so designated shall be listed in a schedule and maintained on file in the City Clerk's~~

~~Office in accordance Title II, Traffic Code, Article 18, Parking Section 18-1-15, Fire Lanes, of the Concord Code of Ordinances. The owner of property encumbered by a fire lane shall post and maintain signs and roadway markings approved by the Code Official."~~

- (l) ~~Insert the additional new Sections "603.5.3 Nonflue connected stoves and space heaters" and "603.5.4 Gravity oil supply tanks" as follows:~~

~~"603.5.3 Nonflue connected stoves and space heaters: A permit system in accordance with RSA 31:60-a is hereby established to be administered under the direction of the Fire Code Official. A permit shall be required for the use of any nonflue connected space heater in any building intended for use as an occupied dwelling unit. No person shall use, or allow to be used, a nonflue connected liquid or solid fuel space heater in any multifamily dwelling unit."~~

~~"603.5.4 Gravity oil supply tanks: Gravity oil supply tanks installed in any stove or space heater shall be metal and shall not exceed one three gallon tank."~~

- (m) ~~Insert the additional new Sections "901.10 Alarm systems", "901.10.1 Alarm Regulations," "901.10.2 Alarm monitoring location," and "901.10.3 Waivers" as follows:~~

~~"901.10 Alarm systems."~~

~~"901.10.1 Rules and regulations. The Fire Code Official is authorized to issue rules and regulations for the installation, modification, addition, renovation, removal, disabling, operation, or maintenance of any private fire alarm system. These regulations shall address: reliability; ease of operation and understanding of the private system; compatibility with Fire Department operations and equipment; protection of consumers with regard to system quality; reduction of needless alarms; design parameters; connection to Municipal Fire Alarm circuit or central station monitoring location."~~

~~"901.10.2 Connections. Any person who fails to connect a private fire alarm system to the alarm monitoring location as required by this Ordinance (Section) or a person who connects a private fire alarm system to the municipal fire alarm system without having obtained the permission of the Fire Code Official or who alters a system so that it no longer complies with regulations issued pursuant to this section shall be deemed to be in violation of this Ordinance."~~

~~"901.10.3 Waivers. The Fire Code Official may waive the requirements or portions of the requirements if in the Fire Code Official's sole discretion the Fire Code Official finds that unusual conditions exist that make the installation connection impracticable."~~

- (n) ~~Amend Section "903.2.13 Other required suppression systems, by adding "Section 2204 Dispensing Operations" to Table 903.2.11.6 Additional Required Fire Suppression Systems."~~

(o) ~~Insert the additional new Section “2204.5 Dispensing operation suppression requirements” as follows:~~

~~“2204.5 Dispensing operations fire extinguisher system requirements: A fixed fire extinguisher system shall be installed to cover the entire fuel dispensing area to the satisfaction of the Fire Code Official. The system shall be capable of being activated both manually and automatically. The manual triggering devices shall be in a remote location not more than seventy five feet (75') from the dispensers. The system shall be designed and installed so that activation shall automatically cut off power to the pump dispensing devices, and shall include monitoring devices showing the condition of the system at all times.”~~

(p) ~~Add the following new definition at the end of Section “3802.1 Definitions” as follows:~~

~~“Liquefied petroleum gas equipment: All containers, apparatus, piping, and equipment, except utility distribution piping system, required for the storage and handling of liquefied petroleum gas. Gas consuming appliances shall not be considered as liquefied petroleum gas equipment.”~~

26-16-3[4] - Fire Prevention Fee Schedule.

- (a) A fire prevention permit shall not be issued, nor shall a plan be reviewed, fire protection system installed, or an inspection be conducted until the fees listed in Schedule I of Chapter 1 have been paid. Nor shall an amendment to the permit be approved until the additional fee, if any, required by this Article has been paid. The fees for permits shall be payable at the Code Administration office at the time of application.
- (b) Inspection time for all permits is up to two (2) site visits for a total accumulated time of four (4) hours. Each subsequent hour required shall be at the rate per hour of the inspector's time listed in Schedule I of Chapter 1. This amount shall be paid in full prior to issuance of the Certificate of Occupancy.
- (c) All permits and plans will be scheduled as received. If the permittee wishes to have the job conducted in a more expeditious manner, or, wishes personalized inspections, this will be done at times other than normal working hours at a rate per hour listed in Schedule I of Chapter 1. The amount shall be paid in full prior to issuance of the Certificate of Occupancy.
- (d) If any fire protection system is installed or if any permitted use is initiated without issuance of a required Fire Prevention Permit, then the installer, building owner, or occupant shall be guilty of violation.
 - (1) The fee shall be increased by twenty-five (25) percent for a company's or individual's first such occurrence, fifty (50) percent for a second occurrence, and one hundred (100) percent for any subsequent occurrence.
 - (2) Any request for a refund shall be made in writing. In no case shall a refund be made for a request submitted later than one (1) year after the date of issuance of the permit,

nor shall the amount exceed eighty (80) percent of the original fee paid as calculated on the unit prices in section 26-16-4. After such a refund has been paid, no work shall be resumed until a new application has been made and a new permit has been issued.

- (3) In case of abandonment or discontinuance, the cost of work performed under a permit may be estimated, and adjustment of the fee made and the portion of the fee for uncompleted work returned to the permit holder, provided that no refund of the prescribed application fee listed in section 26-16-4 shall be made. If such discontinuance is due to revocation of the permit, a similar adjustment and return may be made, provided that no refund shall be made until all penalties and legal costs incurred or imposed by due authority have been collected.
- (e) Abatement violations. Any person who has been issued a stop work order, a notice of hazard or a notice of violation and fails, refuses or neglects to comply with the requirements therein, shall be assessed a penalty fee and shall be subject to the additional penalties and abatement procedures of Sections 109.2, 109.3, and 109.4 [see section 26-13-3(f) and (g) above].
- (f) Life safety inspections of school buildings. Inspections shall be conducted annually for all school buildings pursuant to RSA 153:14, *II* (b).

SECTION X: Amend the CODE OF ORDINANCES, Title III, Building and Housing Codes, Chapter 26, Building Regulations, Article 26-17, Mechanical Code, as follows:

26-17-1 – Mechanical [~~Standards~~]**Code**.

The International Mechanical Code/[2009] **2018** including basic principles and appendices A as amended by this Article, is hereby adopted and together with this Article, shall be known as the Mechanical Code of the City of Concord. All installations, repairs, and alterations of mechanical work shall, from the effective date of this ordinance, be performed in accordance with its provisions.

26-17-2 - Administration and Enforcement.

The administration and enforcement of this Article shall be the duty of the Code Administrator, who is hereby authorized to take such action as may be reasonably necessary to enforce the provisions and purposes of this Article. Such persons may be appointed and authorized as assistants and agents of the Code Administrator as may be necessary to carry out the provisions of this Article.

26-17-3 - Mechanical Permit Fee Schedule.

- (a) A mechanical permit shall not be issued until the fees listed in Schedule I of Chapter 1 have been paid. Nor shall an amendment to the permit be approved until the additional fee, if any, required by this Article have been paid. The fees for permits shall be payable at the Code Administration office at the time of application.

- (b) Reserved.
- (c) In case of abandonment or discontinuance, the cost of work performed under a permit may be estimated, an adjustment of the fee made and the portion of the fee for uncompleted work returned to the permit holder, provided that no refund of the prescribed application fee listed in Section 26-17-3(b) shall be made. If such discontinuance is due to revocation of the permit, a similar adjustment and return may be made, provided that no refund shall be made until all penalties and legal fees incurred or imposed by due authority have been collected.

Any request for a refund shall be made in writing. In no case shall a refund be made for a request submitted later than one year after the date of issuance of the permit, nor shall the amount exceed eighty (80) percent of the original fee paid [~~as calculated on the unit prices in Section 26-17-3(b)~~]. After such a refund has been paid, no work shall be resumed until a new application has been made and a new permit has been issued.

- (d) If work requiring a mechanical permit under this Section is undertaken prior to the issuance of a permit, the fee shall be increased by twenty-five (25) percent for a company's or individual's first such occurrence, by fifty (50) percent for a second occurrence, and by one hundred (100) percent for any subsequent occurrence.

26-17-4 – Manufactured Housing.

~~[Provisions of this Article adopting the BOCA National Mechanical Code and its appendixes shall not apply to manufactured housing or manufactured housing parks when these provisions vary from the requirements of the U.S.A. Manufactured Home Construction and Safety Standards (24 CFR Part 3280) for mechanical systems in manufactured housing.]~~

All mechanical installations servicing or supporting Manufactured housing, as defined in RSA 205-D:1, shall comply with the Mechanical Code of the City of Concord.

~~[26-17-5 – Amendments to the International Mechanical Code/2009~~

~~The following amendments are hereby made to the International Mechanical Code/2009 as adopted by Section 26-17-1:~~

- ~~(a) Insert the words “City of Concord” in place of “[name of jurisdiction]” in Section “M-101.1 Title.”~~
- ~~(b) Delete Section “103.1 General” in its entirety and insert in its place the following section:~~

~~103.1 Referenced Terminology: All references to 'the Department of Mechanical Inspection' shall mean the Department of Building Safety as defined in Section 103.1 of the Building Code of the City of Concord. All references to the 'Code Official' shall mean the Code Administrator.~~

~~(c) Insert the “Mechanical Permit Fee Schedule” adopted under Section 26-17-3 of this article into Section “106.5.2 Fee Schedule.”~~

~~(d) Delete Section “106.5.3 Refunds” in its entirety and insert in its place the following:~~

~~106.6 Compliance with all codes.~~

~~106.6.1 Compliance with all City of Concord codes and ordinances. Mechanical permits are issued on the express condition that all work performed under the permit shall be performed in a manner that complies with all city ordinances. A violation of any city ordinance in the course of performing work under a permit shall be considered a violation of the Mechanical Code and subject to the enforcement provisions and penalties set forth in this section.~~

~~106.6.2: Each permit holder shall be responsible for the conduct of all persons and of all subcontractors under hire by the permit holder to ensure compliance with all requirements of this Code. Each person and each subcontractor shall also be individually responsible for compliance with those requirements of this Code for which that person or subcontractor has control.~~

~~(e) Delete Sections “108.2 Notice of violation,” “108.3 Prosecution of violation,” “108.4 Violation penalties,” “108.5 Stop work orders,” and “108.6 Abatement of violation” in their entireties and insert in place thereof the following:~~

~~108.2 Violations: Whenever a violation of this Mechanical Code occurs or is alleged to occur, any person may file a written complaint. Such complaint, stating fully the cause and basis thereof, shall be filed with and recorded by the Code Administrator. Upon being informed of a possible violation, or upon personal initiative, the Code Administrator may make or cause to be made an investigation of the alleged violation. If the Code Administrator determines that there is a violation, the Code Administrator may issue an order to the person responsible for the violation as provided for in RSA 676:17-a, that the violator cease and desist or otherwise abate said violation, or may give notice as provided for in RSA 676:17-b, informing the person responsible that a violation exists and ordering that the violator abate said violation within a reasonable time determined by the Code Administrator. If after such notice and order such violation has not been abated within the time specified, the Code Administrator may institute injunction, abatement, or other appropriate action as provided for in RSA 676:15, to enjoin, abate, or remove said violation, or may issue a summons as provided for in RSA 676:17, or may issue a citation as provided for in RSA 676:17-b, or any combination of the three.~~

~~108.3 Penalties: Any person or corporation, whether as a principal, agent, occupant, employee, or otherwise who violates any provisions of this Mechanical Code shall pay a civil penalty for each not to exceed the limits as provided for in RSA 676:17, I(b).~~

~~108.4 Unlawful continuance: Any person who shall continue any work in or about he 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 separate offense for failure to comply with the order, and shall be subject to the penalties and abatement of Sections 108.2 and 108.3.~~

~~108.5 Disregard of notice: Any person who has been issued an unsafe notice and who refuses or neglects to comply with the requirements of the order to abate the unsafe condition, shall be guilty of a separate offense for failure to comply with the order, and shall be subject to the penalties and abatement procedures of Sections 108.2 and 108.3.~~

~~108.6 Emergency measures: Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.~~

~~(f) Delete Sections “109.1 Application for appeal” through “Section 109.7 Court Review” in their entireties and insert in place thereof the following:~~

~~109.1 Means of appeal. Appeals from any decision of the Code Administrator made under the provisions of this Code shall be to the Board of Appeals established by Article 26-4, of the Building Code and shall be governed by the provisions of that Article and RSA 673, 674, and 677.]~~

SECTION XI: Amend the CODE OF ORDINANCES, Title III, Building and Housing Codes, Chapter 26, Building Regulations, Article 26-18, Life Safety Code, Section 26-18-1, Life Safety Code Adopted, as follows:

26-18-1 Life Safety Code Adopted.

The NFPA 101 Life Safety Code [2015] **2018** Edition as amended by the NH Code of Administrative Rules Saf-C 6008.05, is hereby adopted and together with this Article, shall be known as the Life Safety Code of the City of Concord.

SECTION XII: Amend the CODE OF ORDINANCES, Title III, Building and Housing Codes, Chapter 26, Building Regulations, Article 26-18, Life Safety Code, Section 26-18-6, Means of Appeals, as follows:

26-18-6 - Means of Appeals.

Appeals from any decision of the Code [Official] **Administrator** made under the provisions of this Code shall be to the **Building Code** Board of Appeals established by Article 26-4 of the Building **Regulations**. [~~Code and shall be governed by the provisions of that Article and RSA 673, 674, 677.~~]

SECTION XIII: Amend the CODE OF ORDINANCES, Title III, Building and Housing Codes, Chapter 26, Building Regulations, Article 26-18, Life Safety Code, Section 26-18-11, Conflict of Provisions, as follows:

26-18-11 – Conflict of Provisions.

Whenever the provisions of the Life Safety Code conflict with a provision of any other law, ordinance, or regulation adopted by the City of Concord or the State of New Hampshire, the ~~most~~ **more** restrictive provision shall apply.

SECTION XV: Amend the CODE OF ORDINANCES, Title III, Building and Housing Codes, Chapter 26, Building Regulations, Article 26-19, Plumbing Code, as follows:

26-19-1 - Plumbing Standards.

All provisions pertaining to plumbing installations in the 2018 International Building Code, 2018 International Residential Code, and the 2018 International Plumbing Code, [The International Plumbing Code/2009 including appendices A through V as amended by this Article, is hereby adopted and] together with this Article, shall be known as the Plumbing Code of the City of Concord. All installations, repairs, and alterations of plumbing work shall, from the effective date of this Ordinance [~~Article~~], be performed in accordance with its provisions.

26-19-2 - Administration and Enforcement.

The administration and enforcement of this Article shall be the duty of the Code Administrator, who is hereby authorized to take such action as may be reasonably necessary to enforce the provisions and purposes of this Article. Such persons may be appointed and authorized as assistants and agents of the Code Administrator as may be necessary to carry out the provisions of this Article.

26-19-3 - Supervision of Work by Master Plumber Required.

No individual, firm, partnership or corporation shall engage in the business of installing, repairing, or altering plumbing unless the plumbing work performed in the course of such business is under the supervision of a licensed Master Plumber employed full-time by the individual, firm, partnership or corporation.

26-19-4 - Master [P]plumber, Journeyman [P]plumber, **Plumbing** [A]apprentice Defined.

For the purposes of this Article, the terms “Master [P]plumber”, “Journeyman **plumber**”, **and** [Plumber and] “Plumbing [A]apprentice” shall[~~mean a Master Plumber or Journeyman Plumber licensed under the provisions of RSA 329-A or an “Apprentice” as defined therein~~] **be defined by RSA 153:27 Definitions.**

26-19-5 - Use of Licensee's Name by Another.

No person who has obtained a license under the provisions of RSA [~~329-A~~]**153:29 and 153:29-a** shall allow his **or her** name to be used by another person or persons either for the purpose of obtaining permits or for doing work under the provisions of this Article.

26-19-6 - Permits for Plumbing Work.

~~[A permit shall be issued only to a Master Plumber, except a permit may be issued to any person to do any work regulated by this Article in a single family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings, provided the person is the bona fide owner of such dwelling and that the same will be occupied by said owner and that said owner shall personally purchase all materials and perform all labor in connection therewith.]~~

A permit shall be issued only to a Master plumber, a business entity meeting the requirements of RSA 153:29-a, or a homeowner meeting the requirements of RSA 153:36.

26-19-7 - Plumbing Permit Fee Schedule.

- (a) A plumbing permit shall not be issued pursuant to Section 26-19-6 until the fees listed in Schedule I of Chapter 1 have been paid. Nor shall an amendment to the permit be approved until the additional fee, if any, required by this Article have been paid. The fees for permits shall be payable at the Code Administration office at the time of application.
- (b) Reserved.
- (c) In case of abandonment or discontinuance, the cost of work performed under a permit may be estimated, an adjustment of the fee made and the portion of the fee for uncompleted work returned to the permit holder, provided that no refund of the prescribed application fee listed in Section 26-19-7(b) shall be made. If such discontinuance is due to revocation of the permit, a similar adjustment and return may be made, provided that no refund shall be made until all penalties and legal fees incurred or imposed by due authority have been collected.
- (d) Any request for a refund shall be made in writing. In no case shall a refund be made for a request submitted later than one year after the date of issuance of the permit, nor shall the amount exceed eighty (80) percent of the original fee paid as calculated on the unit prices in Section 26-19-7(b). After such a refund has been paid, no work shall be resumed until a new application has been made and a new permit has been issued.
- (e) If work requiring a plumbing permit under this Section is undertaken prior to the issuance of a permit, the fee shall be increased by twenty-five (25) percent for a company's or individual's first such occurrence, by fifty (50) percent for a second occurrence, and by one hundred (100) percent for any subsequent occurrence.

26-19-8 - Manufactured Housing.

~~[Provisions of this Article adopting the International Plumbing Code/2006 and its appendixes shall not apply to manufactured housing or manufactured housing parks when these provisions vary from the requirements of the U.S.A. Manufactured Home Construction and Safety Standards (24 CFR Part 3280) for plumbing systems in manufactured housing.]~~

All plumbing installations servicing or supporting Manufactured housing, as defined in RSA 205-D:1, shall comply with the Plumbing Code of the City of Concord.

26-19-9 – Amendments to the **2018** International Plumbing Code~~[/2009]~~.

The following amendments are hereby made to the **2018** International Plumbing Code~~[/2009]~~ as adopted by Section 26-19-1:

- (a) Insert the words “City of Concord” in place of “[~~name of jurisdiction~~ **NAME OF JURISDICTION**]” in Section “101.1 Title.”
- (b) Delete Section “103.1 General” in its entirety and insert in its place the following:

103.1 [~~Referenced Terminology: All references to “the Department of Plumbing Inspection” shall mean the Department of Building Safety as defined in Section 103.1 of the Building Code of the City of Concord. All references to the ‘Code Official’ shall mean the Code Administrator.~~] **All references to the ‘department of plumbing inspection’ shall mean the Code Administration Office. All references to the ‘code official’ shall mean the Code Administrator.**

- (c) Insert the “Plumbing Permit Fee Schedule” adopted under Section 26-19-7 of this Ordinance into Section “106.6.2 Fee [~~S~~]schedule.”
- (d) Delete Section “106.6.3 **Fee** [~~R~~]refunds” in its entirety and insert in its place the following:

106.~~[6.3]~~7 Compliance with all codes.

~~[106.6.1.a]~~**106.7.1:** Compliance with all City of Concord codes and ordinances. Plumbing permits are issued on the express condition that all work performed under the permit shall be performed in a manner that complies with all city ordinances. A violation of any city ordinance in the course of performing work under a permit shall be considered a violation of the Plumbing Code and subject to the enforcement provisions and penalties set forth in this section.

~~[106.6.2.b]~~**106.7.2:** Each permit holder shall be responsible for the conduct of all persons and of all subcontractors under hire by the permit holder to ensure compliance with all requirements of this Code. Each person and each subcontractor shall also be individually responsible for compliance with those requirements of this Code for which that person or subcontractor has control.

- (e) Delete Section “108.2 Notice of violation,” “108.3 Prosecution of violation,” “108.4 Violation penalties,” 108.5 Stop work orders,” and “108.6 Abatement of violation” in their entireties and insert in place thereof the following sections:

108.2 Violations: Whenever a violation of this Plumbing Code occurs or is alleged to occur, any person may file a written complaint. Such complaint, stating fully the cause and basis thereof, shall be filed with and recorded by the Code Administrator. Upon being informed of a possible violation, or upon personal initiative, the Code

Administrator may make or cause to be made an investigation of the alleged violation. If the Code Administrator determines that there is a violation, the Code Administrator may issue an order to the person responsible for the violation as provided for in RSA 676:17-a, that the violator cease and desist or otherwise abate said violation, or may give notice as provided for in RSA 676:17-b, informing the person responsible that a violation exists and ordering that the violator abate said violation within a reasonable time determined by the Code Administrator. If after such notice and order such violation has not been abated within the time specified, the Code Administrator may institute injunction, abatement, or other appropriate action as provided for in RSA 676:15, to enjoin, abate, or remove said violation, or may issue a summons as provided for in RSA 676:17, or may issue a citation as provided for in RSA 676:17-b, or any combination of the three.

108.3 Penalties: Any person or corporation, whether as a principal, agent, occupant, employee, or otherwise who violates any provisions of this Plumbing Code shall pay a civil penalty for each offense not to exceed the limits as prescribed in RSA 676:17, I(b).

108.4 Unlawful continuance: Any person 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 separate offense for failure to comply with the order, and shall be subject to the penalties and abatement of Sections 108.2 and 108.3.

108.5 Disregard of notice: Any person who has been issued an unsafe notice and who refuses or neglects to comply with the requirements of the order to abate the unsafe condition, shall be guilty of a separate offense for failure to comply with the order, and shall be subject to the penalties and abatement procedures of Sections 108.2 and 108.3.

108.6 Emergency measures: Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

(f) Delete Sections “109.1 Application for appeal” through “Section 109.7 Court [R]review” in their entirety and insert in place thereof the following section:

109.1 Means of appeal. Appeals from any decision of the Code Administrator made under the provisions of this Code shall be to the **Building Code** Board of Appeals established by Article 26-4, of the Building **Regulations**. [~~Code and shall be governed by the provisions of that Article and RSA 673, 674, and 677.~~]

(g) Insert the words “5 feet” and “(1524 mm)” in place of “12 inches” and “(305 mm)” in the last sentence of Section 305.[6]4 Freezing.

(h) Delete Section “305.[6]4.1 Sewer [D]depth.” In its entirety and insert in its place the following:

305.6.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall conform to RSA 485-A relative to minimum depth below grade. Building sewers that connect to public sewers shall be a minimum depth of 4 feet (1,219 mm) below grade or adequately insulated to afford the same protection whenever a condition arises that the 4 feet (1,219 mm) cannot be attained.

- (i) Delete Section “501.6 Water temperature control in piping from tankless heater.” in its entirety and insert in its place the following:

501.6 Water temperature control in piping from tankless heaters. The temperature of water from tankless water heaters installed for faucets for domestic or personal hygiene use shall be a maximum of 130 degrees F (55 degrees C). A tempering device conforming to ASSE 1017 shall be installed to control the water temperature. This provision shall not supersede the requirement for protective shower valves in accordance with sections [424.4]**424.3 through 424.5**.

- (j) Insert the following sentence at the end of the first and only sentence in Section “501.8 Temperature [C]controls”:

Water temperatures supplying faucets for domestic or personal hygiene use shall be limited to a maximum of 130 degrees F (55 [degreed]**degrees C**).

- (k) Insert the following new section:

501.9 Minimum water heater temperatures. Water heaters and indirect fired hot water storage tanks shall be maintained at a minimum temperature of 140 degrees F (60 degrees C) and shall be equipped with a temperature controlling device conforming to ASSE 1017 to limit the maximum hot water temperature to faucets as required by this code.

- (l) Insert the following new section:

603.3 Water service. Water service piping shall be installed below record frost penetration but not less than 5 feet (1,524 mm) below grade. Plumbing piping in exterior building walls or areas subjected to freezing temperatures shall be protected against freezing by insulation or heat or both.

- ~~(m) Amend Table 605.4 Water Service Piping, by deleting “WK, L, WL, M, or WM” from the “Material” column for “Copper or copper alloy tubing” after “Type K” within the parentheses.~~

- ~~(n) Amend Table 605.5 Water Distribution Piping by deleting “WK, WL, M, or WM” from the “Material” column for “Copper or copper alloy tubing” within the parentheses. Do not delete Type “K” or “L.”]~~

- ~~(m[ø]) [Delete the words Section 701.2 Delete “in accordance with the International Private Sewage Disposal Code” at the end of the first and only sentence in Section “701.2 Sewer~~

required.”] ***In Section 701.2 Sewer required, delete “in accordance with the International Private Sewage Disposal Code” at the end of the first and only sentence.***

~~(p) Delete the word “purple” in second sentences of Sections 605.21.2 Solvent cementing, 705.8.2 Solvent cementing, and 705.14.2 Solvent cementing.~~

~~(n[q]) [Insert the numbers “12” and “(30.5 mm)” in place of “[number] and (mm) in Section “904.1 Roof extension.”] ***In Section 903.1 Roof extension, insert “12” in place of “[NUMBER]” and “30.5” in place of “mm”.***~~

~~(o[r]) Insert the following sentence at the end of the last sentence in Section “905.6 Vent for future fixtures”:~~

~~Within a [r] habitable or occupiable space at the lowest level of a structure where plumbing fixtures are not installed, there shall be made available an accessible vent connection, not less than 1½-inch diameter, which is properly connected to the vent system to provide for future venting.~~

SECTION XV: Amend the CODE OF ORDINANCES, Title III, Building and Housing Codes, Chapter 26, Building Regulations, Article 26-22, Energy Conservation Code, as follows:

26-22-1 - Adopted.

The 20~~[09]~~**15** International Energy Conservation Code is hereby adopted and shall be known as the Energy Conservation Code of the City of Concord. This code is an enforceable regulation governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems.

SECTION XVI: This ordinance shall take effect on adoption.

Explanation: Matter removed from the current ordinance appears in [bracket and ~~struck through~~].
Matter inserted into the current ordinances appears in ***bold and italics***.