



2009

BUILDING CODE

FOR THE TOWN OF LITCHFIELD, NH

September 29, 1984

Recodified March 1986

Amended March 1988, March 1990, March 1996

TABLE OF CONTENTS

	<u>Page</u>
100.00 PURPOSE AND AUTHORITY	1
110.00 ADOPTION OF THE PLUMBING CODE.....	3
120.00 ADOPTION OF THE MECHANICAL CODE.....	4
130.00 ADOPTION OF THE FIRE PREVENTION CODE.....	5
140.00 ADOPTION OF THE ELECTRICAL CODE	5
200.00 AMENDMENTS TO THE BUILDING CODE.....	5
210.00 SAVING CLAUSE.....	6
220.00 EFFECTIVE DATE.....	6

100.00 *PURPOSE AND AUTHORITY*

This Building Code is adopted pursuant to and in accordance with the authority granted by NH RSA 674:51 and RSA 674:52 and governs the construction, remodeling and maintenance of all buildings and structures in the Town of Litchfield.

The purpose of this code is to provide for the health, safety and welfare of Litchfield residents by ensuring a minimum standard of building construction; to provide reasonable safeguards for sanitation; to protect against the hazards of inadequate, defective or unsafe mechanical and/or electrical systems and installations; and to safeguard against the hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings.

100.01 *GENERAL PROVISIONS*

100.01.01 Copies of the Codes. Copies of all of the national codes referred to in this ordinance are on file in the offices of the code enforcement officer, the Town clerk and the Board of Selectmen.

100.01.02 Code Enforcement Officer. All references to a “code official” in any of the codes shall be designated to be the “code enforcement officer” in the Town of Litchfield

100.02 *ADOPTION OF THE BUILDING CODE*

The “BOCA National Building Code, Twelfth Edition, 1993” as published by the Building Officials and Code Administrators International, Inc. is hereby adopted as the Building Code for the Town of Litchfield, NH with the additions, insertions, deletions and changes, if any, prescribed in Section 100.02.

100.02 *ADDITIONS, INSERTIONS, DELETIONS AND CHANGES*

The following sections of the BOCA Building Code are revised as follows:

100.02.01 Amend section 101.1 Title, by inserting the Town of Litchfield as the jurisdiction.

100.02.02 Amend section 104.2 Appointment, as follows:

104.02 Appointment: The code official shall be a BOCA certified building inspector appointed by the Board of Selectmen and shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.

100.02.03 Add section 108.1.1 Construction Time Limits as follows:

108.1.1 Construction Time Limits: Work on buildings must be started within six (6) months of the date of issuance of the permit. Outside of dwellings, barns, garages and other buildings of comparable or larger size shall be completed within five (5) years of the date of issuance of the permit. Smaller structures shall be completed on the outside within two (2) years of the date of issuance of the permit.

TOWN OF LITCHFIELD, NH
BUILDING CODE

100.02.04 Amend section 112.3.1 Fees as follows:

112.3.1 Fee Schedule: A fee for each plan examination, building permit and inspection shall be paid in accordance with the attached schedule which will be provided to each applicant by the Building Department.

100.02.05 Add section 112.3.1 Review of fee schedule as follows:

112.3.1 Review of fee schedule. The code official shall make annual recommendations to the Board of Selectmen for adjustments to the fee schedule for permits issued by the Building Department. Not less than thirty (30) days prior to the implementation of the fee schedule under this section, the Board of Selectmen shall publish notice of the fee schedule and shall conduct a public hearing thereon. Such schedule of fees are subject to approval by the Board of Selectmen and shall become a part of this ordinance.

100.02.06 Amend section 116.2 Notice of violation by adding the following at the end of the paragraph:

The Board of Selectmen shall also receive notice of all violations.

100.02.07 Delete section 116.4 Violation Penalties and replace it with a new section 116.4 Violation Penalties to read as follows:

116.4 Violation penalties: Any person who violates any provision of this code or fails to comply with any of the requirements thereof, who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official shall be subject to such fines, penalties and remedies as set forth in NH RSA 676:15 - 17-a.

100.02.08 Amend section 117.2 Unlawful continuance by inserting dollar values for fines as follows:

“... fine of not less than \$25.00 nor more than \$100.00.”

100.02.09 Add the following to the end of section 118.3 Issuance of certificate:

The following items or certifications must also be provided to the code official prior to the issuance of a certificate of occupancy.

1. The road must be constructed and approved in accordance with the requirements of the Town of Litchfield, including required inspections up to and including the placement of the bituminous concrete binder course. Effective May 1, 1990.
2. A certified plot plan prepared by a registered professional engineer or a licensed land surveyor must be submitted to the code official. The certified plot plan must show the property lines of the entire lot, setback lines, location of all above ground approved structures, locations of all underground structures/utilities, existing property line monumentation, a written certification that the location and use of all structures do or do not conform to the zoning requirements for said lot and certification regarding the existence of floodplain (100 year) on said lot.
3. Granite or concrete bounds meeting the requirements of the Town of Litchfield must be set at all property corners and turning points except in wetlands where iron pipes may be used. Marking all corners and turning points may not be required for parcels over 5 acres.
4. Street numbers are assigned by the Litchfield Fire Department. Minimum size house numbers of 4 inches in height shall be affixed on said structure in a conspicuous location as approved by the code official.

100.02.10 Add the following to the end of section 310.1 General:

Single family dwelling units shall have a minimum ground floor area of 800 square feet. Duplex units shall have a minimum ground floor area of 800 square feet for the first unit and a minimum floor area of 500 square feet for the second unit.

110.00 ADOPTION OF THE PLUMBING CODE

The “BOCA National Plumbing Code, Ninth Edition, 1993” as published by the Building Officials and Code Administrators International, Inc. is hereby adopted as the Plumbing Code for the Town of Litchfield, NH with the additions, insertions and changes, if any, prescribed in Section 110.01

110.01.01 Amend Section P-101.1 Title, by inserting the Town of Litchfield as the jurisdiction.

110.01.02 Amend Section P-105.2 Appointment, as follows:

P-105.2 Appointment: The code official shall be a licensed NH plumber or a BOCA certified plumbing inspector appointed by the Board of Selectmen and shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the Board of Selectmen.

110.01.03 Add section P-113.3.1 Review of fee schedule as follows:

P-113.3.1 Review of fee schedule. The code official shall make annual recommendations to the Board of Selectmen for adjustments to the fee schedule for permits issued by the Building Department. Not less than thirty (30) days prior to the implementation of the fee schedule under this section, the Board of Selectmen shall publish notice of the fee schedule and shall conduct a public hearing thereon. Such schedule of fees are subject to approval by the Board of Selectmen and shall become a part of this ordinance.

110.01.04 Amend section P-113.2 Fee Schedule as follows:

P-113.2 Fee Schedule: The fees for all plumbing work shall be as indicated on the attached schedule and will be provided to each applicant by the Building Department.

110.01.05 Amend section P-116.2 Notice of violation by adding the following at the end of the paragraph:

The Board of Selectmen shall also receive notice of all violations.

110.01.06 Delete section P-116.4 Violation Penalties and replace it with a new section P-116.4 Violation Penalties to read as follows:

116.4 Violation penalties: Any person who violates any provision of this code or fails to comply with any of the requirements thereof who shall erect, install, alter or repair plumbing work in violation of the approved construction documents, approved permit or a directive of the code official shall be subject to such fines, penalties and remedies set forth in NH RSA 676:15 - 17-a.

110.01.07 Amend section 117.2 Unlawful continuance by inserting dollar values for fines as follows:

“... fine of not less than \$25.00 nor more than \$100.00.”

110.01.08 Amend section P-309.4 Freezing as follows:

P-309.4 Freezing: Water service piping shall be installed below recorded frost penetration but not less than 4 feet below grade. In climates with freezing temperatures, plumbing piping in exterior building walls or areas subjected to freezing shall be protected against freezing by insulation or heat or both.

110.01.09 Amend section **P-309.4 Sewer depth** as follows:

P-309.5 Sewer depth: Building sewers that connect to private sewage disposal systems shall be a minimum of 18 inches below finished grade at the point of septic tank connection

120.00 ADOPTION OF THE MECHANICAL CODE

The “BOCA National Mechanical Code, Eighth Edition, 1993” as published by the Building Officials and Code Administrators International, Inc. is hereby adopted as the Mechanical Code for the Town of Litchfield, NH with the additions, insertions and changes, if any, prescribed in Section 120.01.

120.01.01 Amend Section M-101.1 Title, by inserting the Town of Litchfield as the jurisdiction.

120.01.02 Amend Section M-105.2 Appointment, as follows:

M-105.2 Appointment: The code official shall be a BOCA certified mechanical inspector appointed by the Board of Selectmen and shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the Board of Selectmen.

120.01.03 Amend M-113.2 Periodic inspections as follows:

M-113.2 Periodic inspections: The fees for all periodic inspections shall be as indicated in the schedule provided by the Building Department.

120.01.04 Amend M-113.3 Fee schedule as follows:

M-113.3 Fee schedule: The fees for all mechanical work shall be as indicated in the attached schedule and will be provided to each applicant by the Building Department.

120.01.05 Add section M-113.3.1 Review of fee schedule as follows:

M-113.3.1 Review of fee schedule. The code official shall make annual recommendations to the Board of Selectmen for adjustments to the fee schedule for permits issued by the Building Department. Not less than thirty (30) days prior to the implementation of the fee schedule under this section, the Board of Selectmen shall publish notice of the fee schedule and shall conduct a public hearing thereon. Such schedule of fees are subject to approval by the Board of Selectmen and shall become a part of this ordinance.

120.01.06 Amend section M-116.2 Notice of violation by adding the following at the end of the paragraph:

The Board of Selectmen shall also receive notice of all violations.

120.01.07 Delete section M-116.4 Violation Penalties and replace it with a new section M-116.4 Violation Penalties to read as follows:

M-116.4 Violation penalties: Any person who violates any provision of this code or fails to comply with any of the requirements thereof who shall erect, install, alter or repair mechanical work in violation of the approved construction documents, approved permit or a directive of the code official shall be subject to such fines, penalties and remedies set forth in NH RSA 676:15 - 17-a.

120.01.08 Amend section M-117.2 Unlawful continuance by inserting dollar values for fines as follows:

“... fine of not less than \$25.00 nor more than \$100.00.”

130.00 ADOPTION OF THE FIRE PREVENTION CODE

The “BOCA National Fire Prevention Code, Eighth Edition, 1993” as published by the Building Officials and Code Administrators International, Inc. is hereby adopted as the Fire Prevention Code for the Town of Litchfield, NH with the additions, insertions and changes, if any, prescribed in Section 130.01

130.01.01 Amend section F-101.1 Title, by inserting the Town of Litchfield as the jurisdiction.

130.01.02 Delete section F-3003.2 Storage and replace it with a new section F-3003.2 Storage of Explosives as follows:

F-3003.2 Storage of Explosives: The storage of explosive materials is subject to the rules and regulations established by the NH Division of State Police promulgated under RSA 158:9-f.

140.00 ADOPTION OF THE ELECTRICAL CODE

The “National Electrical Code, 1996 Edition” as published by the National Fire Protection Association is hereby adopted as the Electrical Code for the Town of Litchfield, NH.

200.00 AMENDMENTS TO THE BUILDING CODE

Amendments to the local Building Code, including the BOCA National Building Code, the BOCA National Plumbing Code, the BOCA National Mechanical Code, the BOCA National Fire Prevention Code and the NFPA Electrical Code, may be made using the simplified process for amending national codes adopted by reference as set forth in RSA 674:52, VI, and as follows:

- a. The building inspector, planning board or their designee shall prepare an amendment to those portions of the local building code that refer to, or that make insertions in, deletions from or exceptions to, the national codes. No amendment to the local building code except as may be necessary to effect the substitution of revised national codes or code provisions for codes or provisions previously adopted shall be adopted using the simplified procedure of this paragraph.
- b. The planning board shall hold a public hearing on the proposed update or revision, with notice as provided in RSA 675:7. Such notice shall include information stating where the proposed local building code amendment and the new or amended national codes or code provisions are available for public inspection.
- c. Following such hearing, the update or revision shall become final upon approval by the Selectmen and recording with the Town Clerk.

210.00 *SAVING CLAUSE*

Nothing in this Ordinance or in the national codes hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just legal right or remedy of any character be lost, impaired or affected by this Ordinance.

220.00 *EFFECTIVE DATE*

These Codes shall take effect upon their passage on March 12, 1996.

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