

## **TITLE XIV: STRUCTURAL SAFETY**

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## **CHAPTER 140: BENNET BUILDING CODE**

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140.61	International Building Code; Section 3306.4; Amended
140.62	International Building Code; Section 3306.7; Deleted
140.63	International Building Code; Appendix C; Adopted
140.64	International Building Code; Appendix C; Section C105; Added

### ***Cross-reference:***

*Comprehensive Plan, See Ch. 153*

*Fire Regulations, See Ch. 90*

*Subdivision Regulations, See Ch. 151*

*Zoning Code, See Ch. 152*

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### **§ 140.01 INTERNATIONAL BUILDING CODE, 2009 EDITION; ADOPTION BY REFERENCE; APPLICATION TO EXTRATERRITORIAL ZONING JURISDICTION.**

The International Building Code, 2009 Edition, as published by the International Code Council, Inc., a copy of which is on file in the office of the Village Clerk/Treasurer, be and the same is hereby adopted as the Building Code for the Village of Bennet and for the area within its extraterritorial zoning jurisdiction, for regulating and governing the construction, alteration, enlargement, replacement, and repair of buildings and structures, by providing the standards for



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supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; and the demolition of structures as herein provided; providing for the issuance of permits and collection of fees therefor; with the additions, insertions, deletions and changes as hereinafter provided in this Chapter.

(1994 Code, § 9-101) (Ord. 2005-11.1, passed 11-14-2005; Am. Ord. 2005-12.2, passed 12-12-2005; Am. Ord. 2013-8.1, § 1, passed 10-14-2013)

### **§ 140.02 INTERNATIONAL BUILDING CODE; SECTION 101.1; AMENDED.**

Section 101.1 of the International Building Code is amended to read as follows:

**101.1 Title.** These regulations shall be known as the Building Code of the Village of Bennet, hereinafter referred to as “this code.”

(Ord. 2013-8.1, § 2, passed 10-14-2013)

### **§ 140.03 INTERNATIONAL BUILDING CODE; SECTION 101.3; AMENDED.**

Section 101.3 of the International Building Code is amended to read as follows:

**101.3 Intent.** The purpose of this code is to establish the minimum requirements to safeguard the public health, safety, and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, and safety to life and property from fire and other hazards attributable to the built environment.

(Ord. 2013-8.1, § 3, passed 10-14-2013)

### **§ 140.04 INTERNATIONAL BUILDING CODE; SECTION 101.4; AMENDED.**

Section 101.4 of the International Building Code is amended to read as follows:

**101.4 Referenced codes.** The other codes listed in Sections 101.4.1 through 101.4.3 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

**101.4.1 Gas.** The provisions of the International Fuel Gas Code shall apply to the installation of gas piping from the point of delivery, gas appliances and the installation and operation of residential and commercial gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

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**101.4.2 Mechanical.** The provisions of the International Mechanical Code shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

**101.4.3 Plumbing.** The provisions of the Uniform Plumbing Code, 2009 Edition, as adopted and amended by the Village of Bennet, shall apply to the erection, installation, alteration, repair, relocation, replacement and addition to, use, or maintenance of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system within this jurisdiction.

(Ord. 2013-8.1, § 4, passed 10-14-2013)

### **§ 140.05 INTERNATIONAL BUILDING CODE; SECTION 103; DELETED.**

That Section 103 of the International Building Code (Department of Building Safety) is deleted in its entirety.

(Ord. 2013-8.1, § 5, passed 10-14-2013)

### **§ 140.06 INTERNATIONAL BUILDING CODE; SECTIONS 105.1.1 AND 105.1.2; DELETED.**

Sections 105.1.1 relating to annual permits and 105.1.2 relating to annual permit records be and the same are hereby deleted in their entirety.

(Ord. 2013-8.1, § 6, passed 10-14-2013)

### **§ 140.07 INTERNATIONAL BUILDING CODE; SECTION 105.2; AMENDED.**

Section 105.2 of the International Building Code is amended to read as follows:

**105.2 Work exempt from permit.** Exemptions from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

1. One-story detached accessory structures, provided the floor area does not exceed 200 square feet (18.58 m<sup>2</sup>).

2. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.

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3. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2:1.
4. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below.
5. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
6. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
7. Swings and other playground equipment accessory to a one- or two-family dwelling.
8. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
9. Shingling and residing.  
(Ord. 2013-8.1, § 7, passed 10-14-2013)

### **§ 140.08 INTERNATIONAL BUILDING CODE; SECTION 107.1; AMENDED.**

Section 107.1 of the International Building Code is amended to read as follows:

**107.1 General.** Plans, specifications, legal surveys, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit. When such plans are not prepared by an architect or engineer, the building official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The building official may require plans, computations, and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by state law. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

**Exception:** The building official may waive the submission of plans, calculations, construction inspections requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.  
(Ord. 2013-8.1, § 8, passed 10-14-2013)

### **§ 140.09 INTERNATIONAL BUILDING CODE; SECTION 109; AMENDED.**

Section 109 of the International Building Code is amended to read as follows:

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### **SECTION 109 FEES**

**109.1 Payment of fees.** A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

**109.2 Schedule of permit fees.** The Village Board shall adopt, by resolution, a schedule of permit fees for each permit, for plan review, and for inspections to be issued or conducted under this code.

**109.3 Plan review fees.** When a plan or other data is required to be submitted by Section 107.1, a plan review fee shall be paid at the rate stated in the adopted schedule of fees. For one additional plan review of corrections made on the original plans after the initial plan review shall be performed at no cost to the applicant; however, where plans require further corrections, are incomplete, or are changed necessitating additional plan review, an additional plan review fee shall be charged at the rate stated in the adopted schedule of fees.

**109.4 Work Commencing Before Permit Issuance.** Any person who commences any work on a building, structure, electrical, gas, mechanical, or plumbing system before obtaining the necessary permits shall be subject to a fee equal to twice the otherwise established fee for issuance of the required permit.

**109.5 Related fees.** The payment of the fee for the construction, alteration, removal, or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

**109.6 Refunds.** There shall be no refunds or credits given on permits or applications regulated by this Chapter that have expired. A request for refund may be made to the Village Board of Trustees only when the permit holder returns an unused permit prior to the expiration date of the permit. A refund of a plan review fee may be requested only when an application for a permit for which such fee has been paid is withdrawn or cancelled before any plan review is performed. (Ord. 2013-8.1, § 9, passed 10-14-2013)

### **§ 140.10 INTERNATIONAL BUILDING CODE; SECTION 110.1; AMENDED.**

Section 110.1 of the International Building Code is amended to read as follows:

**110.1 General.** All construction or work for which a permit is required shall be subject to inspection by the building official and all such construction work shall remain accessible and exposed for inspection purposes until approved by the building official. In addition, certain types of construction shall have continuous inspection as specified in Section 1704.

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Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the village. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the village shall not be valid.

A survey of the lot or lots upon which permitted work for additions, alterations, or repairs are being accomplished shall be provided by a duly licensed surveyor of the state of Nebraska before plans and specifications shall be accepted by the building official to verify compliance of the construction or work with building line setback requirements of the Bennet Zoning Code. All boundary corners of a lot or lots with permanent survey monuments shall be marked in the field by a duly licensed surveyor of the state of Nebraska.

The monuments set shall be constructed of material capable of being detected by commonly used magnetic locators. These monuments shall consist of an iron pipe or steel rod with a minimal diameter of one-half inch and minimal length of twenty-four inches. A durable cap bearing the registration number of the professional land surveyor responsible for the establishment of the monument shall be affixed securely to the top of each monument.

Said permanent survey monument shall be maintained and readily identifiable during the entire period of the time that the construction work is being accomplished for which a permit is required.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the village shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.  
(Ord. 2013-8.1, § 10, passed 10-14-2013)

### **§ 140.11 INTERNATIONAL BUILDING CODE; SECTIONS 110.3.3 and 110.3.7; DELETED.**

Sections 110.3.3 and 110.3.7 of the International Building Code (Lowest Floor Elevation) and (Energy Efficient Inspections) are hereby deleted.  
(Ord. 2013-8.1, § 11, passed 10-14-2013)

### **§ 140.12 INTERNATIONAL BUILDING CODE; SECTION 110.3.11; ADDED.**

**110.3.11 Reinspections.** A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.  
(Ord. 2013-8.1, § 12, passed 10-14-2013)

**§ 140.13 INTERNATIONAL BUILDING CODE; SECTION 110.7; ADDED.**

**110.7 Address identification.** All additions, alterations, or repairs for which a permit is required by this code shall be provided with a construction address identification sign. Said identification sign shall be a sign of metal, wood, plastic, or other approved rigid material with permanent identification numbers and letters thereon indicating the legally assigned street or other type address assigned by the building official. Said identification sign shall have numbers and letters of such size and shall be so placed upon the construction site that said sign is readily visible and identifiable from the public street. Said identification sign shall be properly maintained during the entire period of time that the construction or work is being accomplished or maintained.  
(Ord. 2013-8.1, § 13, passed 10-14-2013)

**§ 140.14 INTERNATIONAL BUILDING CODE; SECTION 111.2; AMENDED.**

**111.2 Certificate issued.** After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the building official, the building official shall issue a certificate of occupancy.  
(Ord. 2013-8.1, § 14, passed 10-14-2013)

**§ 140.15 INTERNATIONAL BUILDING CODE; SECTION 111.5; ADDED.**

**111.5 Change in use.** Changes in the character or use of a building shall not be made except as specified in Section 34.08 of this code.  
(Ord. 2013-8.1, § 15, passed 10-14-2013)

**§ 140.16 INTERNATIONAL BUILDING CODE; SECTION 112; DELETED.**

Section 112 of the International Building Code (Service Utilities) is deleted in its entirety.  
(Ord. 2013-8.1, § 16, passed 10-14-2013)

**§ 140.17 INTERNATIONAL BUILDING CODE; SECTION 113; DELETED.**

Section 113 of the International Building Code (Board of Appeals) is deleted in its entirety.  
(Ord. 2013-8.1, § 17, passed 10-14-2013)

**§ 140.18 INTERNATIONAL BUILDING CODE; SECTION 116; DELETED.**

Section 116 of the International Building Code (Unsafe Structures and Equipment) is deleted in its entirety.  
(Ord. 2013-8.1, § 18, passed 10-14-2013)

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### **§ 140.19 INTERNATIONAL BUILDING CODE; SECTION 305.2; AMENDED.**

Section 305.2 of the International Building Code is amended to read as follows:

**305.2 Day care.** The use of a building or structure, or portion thereof, for educational, supervision, or personal care services for more than twelve children older than 2½ years of age, shall be classified as a Group E occupancy.  
(Ord. 2013-8.1, § 19, passed 10-14-2013)

### **§ 140.20 INTERNATIONAL BUILDING CODE; SECTION 310.1; AMENDED.**

Section 310.1 of the International Building Code is amended to read as follows:

**310.1 Residential Group R.** The R-3 Residential Occupancies of Section 310.1 of the International Building Code are amended to read as follows:

**R-3 Residential occupancies** where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:

Buildings that do not contain more than two dwelling units.

Adult care facilities that provide accommodations for twelve or fewer persons of any age for less than 24 hours.

Child care facilities that provide accommodations for twelve or fewer persons of any age for less than 24 hours.

Congregate living facilities with 16 or fewer persons.

Adult care and child care facilities that are within a single-family home are permitted to comply with the International Residential Code.

Except as amended above, all other provisions of Section 310.1 as set forth in the International Building Code are adopted as written.  
(Ord. 2013-8.1, § 20, passed 10-14-2013)

### **§ 140.21 INTERNATIONAL BUILDING CODE; SECTION 406.1.2; AMENDED.**

Section 406.1.2 of the International Building Code is amended to read as follows:

**406.1.2 Area increase.** Group U occupancies used for the storage of private or pleasure-type motor vehicles where no repair work is completed or fuel is dispensed are permitted to be 3,000 square feet (279 m<sup>2</sup>) when the following provisions are met:



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1. For a mixed occupancy building, the exterior wall and opening protection for the Group U portion of the building shall be as required for the major occupancy of the building. For such a mixed occupancy building, the allowable floor area of the building shall be as permitted for the major occupancy contained therein.

2. For a building containing only a Group U occupancy, the exterior wall shall not be required to have a fire-resistance rating and the area of openings shall not be limited when the fire separation distance is 5 feet (1524 mm) or more.

More than one 900-square-foot Group U occupancy shall be permitted to be in the same building, provided each 900-square-foot area is separated by fire walls complying with Section 706. (Ord. 2013-8.1, § 21, passed 10-14-2013)

### **§ 140.22 INTERNATIONAL BUILDING CODE; SECTION 406.1.4; AMENDED.**

Section 406.1.4 of the International Building Code is amended to read as follows:

#### **406.1.4 Separation.** Separations shall comply with the following:

1. The private garage shall be separated from the dwelling unit and its attic area by means of a minimum 5/8-inch Type X gypsum board applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than a 5/8-inch Type X gypsum board or equivalent. Door openings between a private garage and the dwelling unit shall be equipped with either solid wood doors or solid or honeycomb core steel doors not less than 1 3/8 inches (34.9 mm) thick, or doors in compliance with Section 715.4.3. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted.

2. A separation is not required between a Group R-3 and U carport, provided the carport is entirely open on two or more sides and there are not enclosed areas above. (Ord. 2013-8.1, § 22, passed 10-14-2013)

### **§ 140.23 INTERNATIONAL BUILDING CODE; SECTION 423.3; ADDED.**

Section 423.3 is added to the International Building Code to read as follows:

**423.3 Construction of storm shelters.** Buildings, structures, and parts thereof intended for use as a storm shelter shall be designed and constructed in accordance with the recommendations of the Federal Emergency Management Agency and design standard FEMA 361. (Ord. 2013-8.1, § 23, passed 10-14-2013)



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### **§ 140.24 INTERNATIONAL BUILDING CODE; SECTION 501.2; AMENDED.**

Section 501.2 of the International Building Code is amended to read as follows:

**501.2 Premises identification.** Buildings shall have approved address numbers, building numbers or approved building identification in accordance with Bennet Municipal Code Chapter 6-201. Address numbers shall be a minimum of 4 inches in height, except address numbers located on a building set back any distance from the property line shall be a minimum of 8 inches in height. (Ord. 2013-8.1, § 24, passed 10-14-2013)

### **§ 140.25 INTERNATIONAL BUILDING CODE; SECTION 503.1.4; ADDED.**

Section 503.1.4 is added to the International Building Code to read as follows:

**503.1.4 Location on property.** Buildings shall adjoin or have access to a public way or yard on not less than one side. Required yards shall be permanently maintained. For the purpose of this section, the centerline of an adjoining public way shall be considered an adjacent property line. Active primary railroad lines where rail cars cannot be parked for extended periods of time may also be considered as a public way. (Ord. 2013-8.1, § 25, passed 10-14-2013)

### **§ 140.26 INTERNATIONAL BUILDING CODE; SECTION 503.1.5; ADDED.**

Section 503.1.5 is added to the International Building Code to read as follows:

**503.1.5 Primary railroad lines.** For the purpose of this section, active primary railroad lines where rail cars cannot be parked for extended periods of time may also be considered as a public way. (Ord. 2013-8.1, § 26, passed 10-14-2013)

### **§ 140.27 INTERNATIONAL BUILDING CODE; SECTIONS 717.2 AND 717.2.1; AMENDED.**

Sections 717.2 and 717.2.1 of the International Building Code are amended to read as follows:

**717.2 Fireblocking required.** Fireblocking shall be provided to cut off all concealed draft openings (both vertical and horizontal) and to form an effective fire barrier between stories, and between a top story and the roof space. Fireblocking shall be provided in wood-frame construction in the following locations:

1. In concealed spaces of stud walls and partitions, including furred spaces, at the ceiling and floor level and at 10 foot (3048 mm) intervals both vertical and horizontal. Batts or

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blankets of mineral or glass fiber or other approved non-rigid materials shall be allowed as fireblocking in walls constructed using parallel rows of studs or staggered studs.

2. Fireblocking of cornices of a two-family dwelling is required at the line of dwelling unit separation.

**717.2.1 Materials.** Fireblocking shall consist of 2-inch (51 mm) nominal lumber; or two thicknesses of 1-inch (25.4 mm) nominal lumber with broken lap joints; or one thickness of  $2\frac{3}{32}$ -inch (19.8 mm) wood structural panels with joints backed by  $2\frac{3}{32}$ -inch (19.8 mm) wood structural panels; or one thickness of  $\frac{3}{4}$ -inch (19.1 mm) particleboard with joints backed by  $\frac{3}{4}$ -inch (19.1 mm) particleboard;  $\frac{1}{2}$ -inch (12.7 mm) gypsum board; or  $\frac{1}{4}$ -inch (6.4 mm) cement-based millboard. Loose-fill insulation material shall not be used as a fireblock unless specifically tested in the form and manner intended for use to demonstrate its ability to remain in place and to retard the spread of fire and hot gases. The integrity of all fireblocks shall be maintained.

(Ord. 2013-8.1, § 27, passed 10-14-2013)

### **§ 140.28 INTERNATIONAL BUILDING CODE; SECTION 717.4.2; EXCEPTION 3; AMENDED.**

Exception 3 to Section 717.4.2 of the International Building Code is amended to read as follows:

3. In occupancies in Groups R-1 and R-2 that do not exceed four stories in height, the attic space shall be subdivided by draftstops into areas not exceeding 3,000 square feet (279 m<sup>2</sup>).  
(Ord. 2013-8.1, § 28, passed 10-14-2013)

### **§ 140.29 INTERNATIONAL BUILDING CODE; SECTION 903.2.7; AMENDED.**

Section 903.2.7 of the International Building Code is amended to read as follows:

**[F] 903.2.7 Group M.** An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 12,000 square feet (1115 m<sup>2</sup>).
  2. A Group M fire area is located more than three stories above grade plane.
  3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m<sup>2</sup>).
- (Ord. 2013-8.1, § 29, passed 10-14-2013)

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### **§ 140.30 INTERNATIONAL BUILDING CODE; SECTION 903.2.8; EXCEPTION; ADDED.**

Section 903.2.8 of the International Building Code is amended to read as follows:

**[F] 903.2.8 Group R.** An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

**Exception:** A sprinkler system is not required when all of the following conditions exist:

1. The building is an R-2 apartment occupancy and contains 8 or fewer apartment units.
2. Separation is maintained between living units by means of 1 hour fire partitions creating a complete vertical separation from foundation to roof.
3. Each living unit has its own separate exit access independent of other living units.  
(Ord. 2013-8.1, § 30, passed 10-14-2013)

### **§ 140.31 INTERNATIONAL BUILDING CODE; SECTION 1003.5; EXCEPTION 4; ADDED.**

Section 1003.5 of the International Building Code is amended by adding an Exception 4 to read as follows:

4. Doors serving building equipment rooms which are not normally occupied.  
(Ord. 2013-8.1, § 31, passed 10-14-2013)

### **§ 140.32 INTERNATIONAL BUILDING CODE; SECTION 1004.1.1; AMENDED.**

Section 1004.1.1 of the International Building Code is amended to read as follows:

**1004.1.1 Areas without fixed seating.** The number of occupants shall be computed at the rate of one occupant per unit of area as prescribed in Table 1004.1.1. For areas without fixed seating, the occupant load shall not be less than that number determined by dividing the floor area under consideration by the occupant per unit of area factor assigned to the occupancy as set forth in Table 1004.1.1. Where an intended use is not listed in Table 1004.1.1, the building official shall establish a use based on a listed use that most nearly resembles the intended use.  
(Ord. 2013-8.1, § 32, passed 10-14-2013)

### **§ 140.33 INTERNATIONAL BUILDING CODE; SECTION 1008.1.9.7; AMENDED.**

Section 1008.1.9.7 of the International Building Code is amended to read as follows:

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**1008.1.9.7 Delayed egress locks.** Approved, listed, delayed egress locks shall be permitted to be installed on doors serving any occupancy except Group A and H occupancies in buildings that are equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or an approved automatic smoke or heat detection system installed in accordance with Section 907, provided that the doors unlock in accordance with Items 1 through 6 below. A building occupant shall not be required to pass through more than one door equipped with a delayed egress lock before entering an exit.

1. The doors unlock upon actuation of the automatic sprinkler system or automatic fire detection system.
2. The doors unlock upon loss of power controlling the lock or lock mechanism.
3. The door locks shall have the capability of being unlocked by a signal from the fire command center.
4. The initiation of an irreversible process which will release the latch in not more than 15 seconds when a force of not more than 15 pounds (67 N) is applied for 1 second to the release device. Initiation of the irreversible process shall activate an audible signal in the vicinity of the door. Once the door lock has been released by the application of force to the releasing device, relocking shall be by manual means only.

**Exception:** Where approved, a delay of not more than 30 seconds is permitted.

5. A sign shall be provided on the door located above and within 12 inches (305 mm) of the release device reading: PUSH UNTIL ALARM SOUNDS. DOOR CAN BE OPENED IN 15 SECONDS.
6. Emergency lighting shall be provided at the door.  
(Ord. 2013-8.1, § 33, passed 10-14-2013)

### **§ 140.34 INTERNATIONAL BUILDING CODE; SECTION 1009.1; EXCEPTION 5; ADDED.**

Section 1009.1 of the International Building Code is amended by adding an Exception 5 to read as follows:

5. Private stairways serving less than 10 occupants within an individual apartment unit (R-2) may be 34 inches in width.  
(Ord. 2013-8.1, § 34, passed 10-14-2013)

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### **§ 140.35 INTERNATIONAL BUILDING CODE; SECTION 1009.4.2; EXCEPTION 5; AMENDED.**

Exception 5 to Section 1009.4.2 of the International Building Code is amended to read as follows:

5. In Group R-3 occupancies; within dwelling units in Group R-2 occupancies; and in Group U occupancies that are accessory to a Group R-3 occupancy or accessory to individual dwellings units in Group R-2 occupancies; the maximum riser height shall be 7.75 inches (197 mm); the minimum tread depth shall be 10 inches (254 mm) including nosing; the minimum winder tread depth at the walkline shall be 10 inches (254 mm) including nosing; and the minimum winder tread depth shall be 7 inches.

(Ord. 2013-8.1, § 35, passed 10-14-2013)

### **§ 140.36 INTERNATIONAL BUILDING CODE; SECTION 1009.4.2; EXCEPTION 8; ADDED.**

Section 1009.4.2 of the International Building Code is amended by adding an Exception 8 to read as follows:

8. Private steps and stairways serving ancillary areas such as mechanical rooms and stairways to unoccupied roofs may be constructed with an 8-inch maximum rise and 9-inch minimum tread depth.

(Ord. 2013-8.1, § 36, passed 10-14-2013)

### **§ 140.37 INTERNATIONAL BUILDING CODE; SECTION 1013.2; AMENDED.**

Section 1013.2 of the International Building Code is amended to read as follows:

**1013.2 Height.** Guards shall form a protective barrier not less than 42 inches (1067 mm) high, measured vertically above the leading edge of the tread, adjacent walking surface or adjacent seatboard.

#### **Exceptions:**

1. Guards shall form a protective barrier not less than 36 inches (1067 mm) high, for occupancies in Group R-3, and within individual dwelling units in occupancies in Group R-2. (Excluding exterior balcony railings)
2. For occupancies in Group R-3, and within individual dwelling units in occupancies in Group R-2, guards whose top rail also serves as a handrail shall have a height not less than 34 inches (864 mm) and not more than 38 inches (965 mm) measured vertically from the leading edge of the stair tread nosing.

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3. The height in assembly seating areas shall be in accordance with Section 1028.14.  
(Ord. 2013-8.1, § 37, passed 10-14-2013)

### **§ 140.38 INTERNATIONAL BUILDING CODE; SECTION 1014.2.1; AMENDED.**

Section 1014.2.1 of the International Building Code is amended to read as follows:

**1014.2.1 Multiple tenants.** Where more than one tenant occupies any one floor of a building or structure, each tenant space, dwelling unit and sleeping unit shall be provided with access to the required exits without passing through adjacent tenant spaces, dwelling units and sleeping units.  
(Ord. 2013-8.1, § 38, passed 10-14-2013)

### **§ 140.39 INTERNATIONAL BUILDING CODE; CHAPTER 11; DELETED.**

Chapter 11 of the International Building Code (Accessibility) is deleted in its entirety.  
(Ord. 2013-8.1, § 39, passed 10-14-2013)

### **§ 140.40 INTERNATIONAL BUILDING CODE; CHAPTER 13; DELETED.**

Chapter 13 of the International Building Code (Energy Efficiency) is deleted in its entirety.  
(Ord. 2013-8.1, § 40, passed 10-14-2013)

### **§ 140.41 INTERNATIONAL BUILDING CODE; SECTIONS 1403.5 AND 1403.6; DELETED.**

Sections 1403.5 and 1403.6 of the International Building Code (Flood Resistance) are hereby deleted.  
(Ord. 2013-8.1, § 41, passed 10-14-2013)

### **§ 140.42 INTERNATIONAL BUILDING CODE; SECTION 1405.5; AMENDED.**

Section 1405.5 of the International Building Code is amended to read as follows:

**1405.5 Wood veneers.** Wood veneers on exterior walls of buildings of Types I, II, III and IV construction shall be not less than 1-inch (25 mm) nominal thickness, 0.438-inch (11.1 mm) exterior hardboard siding or 0.375-inch (9.5 mm) exterior-type wood structural panels or particleboard and shall conform to the following:

1. The veneer does not exceed three stories in height, measured from grade, except where fire-retardant-treated wood is used, the height shall not exceed four stories.

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2. The veneer is attached to or furred from a noncombustible backing that is fire-resistance rated as required by other provisions of this code.

3. Where open or spaced wood veneers (without concealed spaces) are used, they shall not project more than 24 inches (610 mm) from the building wall.

4. Any deteriorated or rotting veneer shall be removed prior to installing new veneer. An approved weather barrier shall be installed over the existing wood exterior veneer prior to overlaying with a new veneer product.  
(Ord. 2013-8.1, § 42, passed 10-14-2013)

### **§ 140.43 INTERNATIONAL BUILDING CODE; SECTION 1406.3; AMENDED.**

Section 1406.3 of the International Building Code is amended to read as follows:

**1406.3 Balconies and similar projections.** Balconies, roof soffits, and similar projections of combustible construction other than fire-retardant-treated wood shall be fire-resistance rated in accordance with Table 601 for floor construction or shall be of Type IV construction in accordance with Section 602.4. The aggregate length shall not exceed 50 percent of the building's perimeter on each floor.

#### **Exceptions:**

1. On buildings of Type I and II construction, three stories or less in height, fire-retardant-treated wood shall be permitted for balconies, porches, decks and exterior stairways not used as required exits.
  2. Untreated wood is permitted for pickets and rails or similar guardrail devices that are limited to 42 inches (1067 mm) in height.
  3. Balconies and similar projections on buildings of Type III, IV and V construction shall be permitted to be of Type V construction, and shall not be required to have a fire-resistance rating where sprinkler protection is extended to these areas.
  4. Where sprinkler protection is extended to the balcony areas, the aggregate length of the balcony on each floor shall not be limited.
- (Ord. 2013-8.1, § 43, passed 10-14-2013)

### **§ 140.44 INTERNATIONAL BUILDING CODE; SECTION 1509.6; ADDED.**

Section 1509.6 is added to the International Building Code to read as follows:

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**1509.6 Outdoor deck framing for roof top seating and assembly areas.** Combustible wood framing may be permitted on roof tops of buildings provided that the roof is not located more than 75 feet above the lowest level of fire department vehicle access. In addition to this limitation, the combustible framing may not exceed 4 feet in height above the floor or deck level used as a walking surface. Similar structures that exceed 48 inches in height shall be of a type of construction not less in fire-resistance rating than required for the building to which it is attached. Occupied roofs shall be provided with exits as required for stories, regardless of whether roof top construction is enclosed or open to the sky. Any such structure that is covered shall be provided with all fire protection systems required for the building to which it is attached. All such structures intended for human occupancy shall have minimum 42 inch high guard rails regardless of their height above the plane of the roof. Floor deck area shall be limited to one-third total roof area.  
(Ord. 2013-8.1, § 44, passed 10-14-2013)

### **§ 140.45 INTERNATIONAL BUILDING CODE; SECTION 1510.3; AMENDED.**

Section 1510.3 to the International Building Code is amended to read as follows:

**1510.3 Recovering versus replacement.** New roof coverings shall not be installed without first removing existing roof coverings where any of the following conditions occur:

1. Where the existing roof or roof covering is water soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.
2. Where the existing roof covering is wood shake, slate, clay, cement or asbestos-cement tile.
3. Before applying new roof sheathing, all old roof covering materials shall be removed and the roof's original sheathing exposed. New roofing materials shall not be installed over existing rotten or deteriorated shingles or sheathing. No more than two layers of shingles may be installed on a roof. Subsequent roofing after two layers of shingles will require the removal of all shingles to the base roof sheathing or structure.  
(Ord. 2013-8.1, § 45, passed 10-14-2013)

### **§ 140.46 INTERNATIONAL BUILDING CODE; SECTION 1608.2; AMENDED.**

Section 1608.2 to the International Building Code is amended to read as follows:

**1608.2 Ground snow loads.** The ground snow loads to be used in determining the design snow loads for roofs are given in ASCE 7 or Figure 1608.2 for the contiguous United States and Table 1608.2 for Alaska. The ground snow load shown in Table 1608.2 for Bennet, Nebraska, shall be 30 pounds per square foot.  
(Ord. 2013-8.1, § 46, passed 10-14-2013)



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### **§ 140.47 INTERNATIONAL BUILDING CODE; SECTION 1612; DELETED.**

Section 1612 to the International Building Code (Flood Loads) is deleted in its entirety.  
(Ord. 2013-8.1, § 47, passed 10-14-2013)

### **§ 140.48 INTERNATIONAL BUILDING CODE; SECTION 1613; DELETED.**

Section 1613 to the International Building Code (Earthquake Loads) is deleted in its entirety.  
(Ord. 2013-8.1, § 48, passed 10-14-2013)

### **§ 140.49 INTERNATIONAL BUILDING CODE; SECTION 1804.4; DELETED.**

Section 1804.4 to the International Building Code (Grading and Fill in Flood Hazard Areas) is deleted in its entirety.  
(Ord. 2013-8.1, § 49, passed 10-14-2013)

### **§ 140.50 INTERNATIONAL BUILDING CODE; SECTION 1805.1.2.1; DELETED.**

Section 1805.1.2.1 to the International Building Code (Flood Hazard Areas) is deleted in its entirety.  
(Ord. 2013-8.1, § 50, passed 10-14-2013)

### **§ 140.51 INTERNATIONAL BUILDING CODE; SECTION 1809.5; AMENDED.**

Section 1809.5 to the International Building Code is amended to read as follows:

**1809.5 Frost protection.** Foundation walls, piers, and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. Extending below the frost line of the locality; or
2. Erecting on solid rock.

**Exception:** Free-standing buildings meeting all of the following conditions shall not be required to be protected:

1. Classified in Occupancy Category I, in accordance with Section 1604.5;
2. Area of 600 square feet (56 m<sup>2</sup>) or less for light-frame construction or 400 square feet (37 m<sup>2</sup>) or less for other than light-frame construction; and
3. Eave height of 10 feet (3048 mm) or less.

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Footings shall not bear on frozen soil unless such condition is of a permanent character.  
(Ord. 2013-8.1, § 51, passed 10-14-2013)

### **§ 140.52 INTERNATIONAL BUILDING CODE; SECTION 2304.11.5.1; ADDED.**

Section 2304.11.5.1 to the International Building Code is added to read as follows:

**2304.11.5.1 Deck supporting structure.** Decks shall be supported by a continuous column and shall not be supported by the deck below.

(Ord. 2013-8.1, § 52, passed 10-14-2013)

### **§ 140.53 INTERNATIONAL BUILDING CODE; TABLE 2308.8(1); DELETED.**

Table 2308.8(1) to the International Building Code (Floor Joist Spans for Common Lumber Species (Residential Sleeping Areas)) is deleted in its entirety.

(Ord. 2013-8.1, § 53, passed 10-14-2013)

### **§ 140.54 INTERNATIONAL BUILDING CODE; SECTION 2410; ADDED.**

Section 2410 to the International Building Code is added to read as follows:

#### **SECTION 2410 WINDOW CLEANING/EXTERIOR MAINTENANCE, ANCHORAGE SYSTEMS**

**2410.1 Window Cleaning/Exterior Maintenance, Anchorage Systems.** All buildings where window cleaning or exterior maintenance is performed employing suspended equipment shall be equipped with roof anchorage or other approved devices that will provide for safe use of the equipment in conformance with the provisions of ANSI IWCA I-14.1. Grading and landscaping shall be considered in determining the probability of suspended equipment being necessary.

(Ord. 2013-8.1, § 54, passed 10-14-2013)

### **§ 140.55 INTERNATIONAL BUILDING CODE; CHAPTERS 27, 28 AND 29; DELETED.**

Chapters 27 (Electrical), 28 (Mechanical Systems) and 29 (Plumbing Systems) to the International Building Code are deleted in their entirety.

(Ord. 2013-8.1, § 55, passed 10-14-2013)

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### **§ 140.56 INTERNATIONAL BUILDING CODE; SECTION 3109; DELETED.**

Section 3109 to the International Building Code (Swimming Pool Enclosures and Safety Devices) is deleted in its entirety.  
(Ord. 2013-8.1, § 56, passed 10-14-2013)

### **§ 140.57 INTERNATIONAL BUILDING CODE; SECTIONS 3202.3.2 AND 3202.3.3; DELETED.**

Sections 3202.3.2 and 3202.3.3 to the International Building Code (Windows, Balconies, Architectural Features and Mechanical Equipment) and (Encroachments 15 Feet or more above Grade) are deleted in their entirety.  
(Ord. 2013-8.1, § 57, passed 10-14-2013)

### **§ 140.58 INTERNATIONAL BUILDING CODE; SECTION 3202.5; ADDED.**

Section 3202.5 to the International Building Code is added to read as follows:

**3202.5 Ornamental facing.** Ornamental facing may be attached to an existing building provided such building has been in existence for more than ten years. Such ornamental facing may extend not more than 8 inches (203 mm) beyond the lot line on any village street, sidewalk, or other public ground where such building is so located that it cannot be refaced without such occupancy of public property; provided such occupancy is not prohibited by state or federal regulations; and provided further such ornamental facing shall not be less than 9 feet (2743 mm) in the clear above the sidewalk, street level, or finish grade immediately below. Ornamental facing may be added to existing buildings provided it not extend more than 2 inches (52mm) beyond the lot line on the public ground to the finish grade.  
(Ord. 2013-8.1, § 58, passed 10-14-2013)

### **§ 140.59 INTERNATIONAL BUILDING CODE; SECTION 3303; AMENDED.**

Section 3303 to the International Building Code is amended to read as follows:

#### **SECTION 3303 DEMOLITION OF BUILDINGS**

**3303.1 Purpose.** The purpose of this section is to regulate and provide minimum standards for the demolition of buildings.

**3303.2 Definition.** For the purpose of this section, the word “demolish” is defined as follows: Demolish shall mean and include the razing, tearing down, or removal of all or part of a building; the removal of the outer facing of a building but leaving a skeleton or structural frame; or the removal of an upper story or stories of a building. Demolish shall also include “deconstruction”

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which is the whole or partial disassembly of structures for the purposes of reusing salvaged building materials.

### **3303.3 Demolition permit.**

**3303.3.1 Permit required.** No person shall demolish or remove a building, or part thereof, without first having obtained a permit therefor from the building official.

**3303.3.2 Application for permit.** To obtain a demolition permit the applicant shall first file an application therefor in writing on a form furnished by the building official. Such application shall set forth a statement of the facts necessary to fully describe the building, its use, its legal description, and address. Provisions shall be made by the applicant for the proper abandonment of all utilities as required by this code before a demolition permit may be issued. Applications for demolition permits shall expire 180 days after the application date.

**3303.4 Advisory note; safety requirements.** All demolition work should be performed in conformance with “Safety Requirements for Demolition,” ANSI A10.6-1990 as published by American National Standards Institute, Inc.

**3303.5 Liability insurance.** Whenever any building which is to be demolished has been used, or is being used, for any occupancy group except detached one- or two-family occupancies, the person applying for the demolition permit shall, as a part of the application, be required to:

1. At all times maintain public liability insurance coverage for all claims arising out of all work in the Village of Bennet and within 1 mile of the corporate limits thereof done by or under the supervision of the demolition contractor under the provisions of this code. Such insurance shall be in the form of a commercial or comprehensive general liability policy, or an acceptable substitute policy form as permitted by the Village Attorney, with a minimum combined single limit of \$500,000.00 aggregate for any one occurrence on any job for which a permit is required under this code, provided the Village of Bennet shall be named an additional insured thereunder. The coverages required herein shall be subject to review and approval by the Village Attorney for conformance with the provisions of this section.

2. At all times keep on file with the building official a current certificate of insurance signed by a qualified agent of an insurance company licensed to do business in the state of Nebraska and approved by the Village Attorney for conformance with the provisions of this section evidencing the existence of valid and effective policies of insurance naming the village as an additional insured for the coverage required by subsection 1 of this section, the limits of each policy, the policy number, the name of the insurer, the effective date and expiration date of each policy, the deductibles or self-insurance retainers of each policy, and a copy of an endorsement placed on each policy requiring 30 days notice by mail to the building official before the insurer may cancel the policy for any reason, and upon request of the building official or the Village Attorney, a copy of any endorsements placed on such policies or the declarations page of such policies. Any termination, reduction, or lapse of such insurance shall automatically terminate the privilege of the demolition contractor to be issued permits under the provisions of this code, unless other insurance

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meeting the requirements of this section is provided and in full force and effect at the time of such termination or cancellation.

Where the building official determines that the proposed demolition of a building involves a greater risk than normal, the building official may require a certificate evidencing liability coverage in excess of the minimum sum stated above.

**3303.6 Permit fees.** A fee for each demolition permit shall be paid to the building official as set forth in the Bennet Fee Schedule.

Where work for which a permit is required by this chapter is commenced prior to obtaining said permit, the fees above specified shall be doubled. The payment of such double fee shall not relieve any person from fully complying with the requirements of this chapter in the execution of the work or from any other penalties prescribed herein.

The applicant shall apply and pay for any street use permit, any permit for parking meters which shall be out of use during the demolition. Fee refunds shall be in accordance with Section 109.6.

**3303.7 Utility disconnection.** All water and sanitary sewer services shall be disconnected and sealed and said disconnects shall be inspected and approved by the Bennet Utility Superintendent.

**3303.8 Completion of demolition work.** All demolition work, including the removal of the foundation, must start within 30 days and must be completed within 60 days from the date of the demolition permit issuance. Upon completion of the demolition work, the applicant shall clean the premises of all debris, request an inspection of the premises and then fill all excavations and grade the area with top soil or other material approved by the building official.

**3303.9 Building official may stop demolition.** The building official shall have the authority to stop the demolition or removal of any building or structure or part thereof, when the same is being done in a reckless or careless manner, or in violation of the provisions of this chapter or any other ordinances of the village. When such work is stopped by order of the building official, it shall not be resumed without approval of the building official.

A demolition permit may be revoked by the building official at any time upon a violation of the terms thereof, or upon a violation of any provision of this chapter or any other ordinance of the village.

**3303.10 Securing the demolition site.** All demolition sites shall be secured at all times during the demolition process.

**3303.11 Expiration.** All demolition permits shall expire after 60 days from issuance. The building official may allow an extension of 30 days due to extenuating circumstances. Demolition must be completed in accordance with 3303.8.

(Ord. 2013-8.1, § 59, passed 10-14-2013)

**§ 140.60 INTERNATIONAL BUILDING CODE; SECTION 3306.2; AMENDED.**

Section 3306.2 to the International Building Code is amended to read as follows:

**3306.2 Walkways.** A walkway shall be provided for pedestrian travel in front of every construction and demolition site unless the applicable governing authority authorizes the sidewalk to be fenced or closed. Walkways shall be of sufficient width to accommodate the pedestrian traffic, but in no case shall they be less than 4 feet (1219 mm) in width. Walkways shall be provided with a durable walking surface and shall be designed to be accessible in accordance with Nebraska Accessibility Guidelines.

(Ord. 2013-8.1, § 60, passed 10-14-2013)

**§ 140.61 INTERNATIONAL BUILDING CODE; SECTION 3306.4; AMENDED.**

Section 3306.4 to the International Building Code is amended to read as follows:

**3306.4 Construction fences.** Construction fences shall be at least 4 feet (1219 mm) in height and shall be securely anchored at each end and every 15 feet (4572 mm) of length. The largest opening in the fence shall be such that a 6-inch (152 mm) sphere may not pass through it. The fence shall be erected a distance from the building equal to the height of the building or as otherwise approved by the building official. For the purposes of this section, construction fences shall also mean construction railings.

(Ord. 2013-8.1, § 61, passed 10-14-2013)

**§ 140.62 INTERNATIONAL BUILDING CODE; SECTION 3306.7; DELETED.**

Section 3306.7 to the International Building Code (Covered Walkways) is deleted in its entirety.

(Ord. 2013-8.1, § 62, passed 10-14-2013)

**§ 140.63 INTERNATIONAL BUILDING CODE; APPENDIX C; ADOPTED.**

Appendix C of the International Building Code (Group U – Agricultural Buildings) is hereby adopted.

(Ord. 2013-8.1, § 63, passed 10-14-2013)

**§ 140.64 INTERNATIONAL BUILDING CODE; APPENDIX C; SECTION C105; ADDED.**

Section C105 is added to Appendix C of the International Building Code to read as follows:

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### **C105 ROOF SNOW LOAD**

**C105.1** Agricultural buildings located in the A-1 zoning district as regulated by the Bennet Zoning Code shall be designed for a minimum of 20# roof snow load.  
(Ord. 2013-8.1, § 64, passed 10-14-2013)





## **CHAPTER 141: BENNET RESIDENTIAL CODE**

### Sections:

141.01	International Residential Code, 2009 Edition; Adoption by Reference; Application to Extraterritorial Zoning Jurisdiction
141.02	International Residential Code; Section R101.1; Amended
141.03	International Residential Code; Section R101.3; Amended
141.04	International Residential Code; Section R103; Deleted
141.05	International Residential Code; Section R105.2; Amended
141.06	International Residential Code; Section R105.3.1.1; Amended
141.07	International Residential Code; Section R107; Deleted
141.08	International Residential Code; Section R108; Amended
141.09	International Residential Code; Section R109.1; Amended
141.10	International Residential Code; Section R109.1.2; Amended
141.11	International Residential Code; Section R109.1.4; Amended
141.12	International Residential Code; Section R109.1.7; Added
141.13	International Residential Code; Section R109.5; Added
141.14	International Residential Code; Section R110.2 and R110.3; Amended
141.15	International Residential Code; Section R115; Added
141.16	International Residential Code; Section R301.2.4; Amended
141.17	International Residential Code; Table R301.2(1); Amended
141.18	International Residential Code; Table R301.5; Amended
141.19	International Residential Code; Table R301.7; Amended
141.20	International Residential Code; Section R302.1; Amended
141.21	International Residential Code; Table R302.1; Amended
141.22	International Residential Code; Section R302.2; Amended
141.23	International Residential Code; Section R302.3; Amended
141.24	International Residential Code; Section R302.5.2; Deleted
141.25	International Residential Code; Section R302.6; Amended
141.26	International Residential Code; Table R302.6; Amended
141.27	International Residential Code; Section R302.12; Amended
141.28	International Residential Code; Section R303.1; Exception 2; Amended
141.29	International Residential Code; Section R303.3; Amended
141.30	International Residential Code; Section R303.4; Deleted
141.31	International Residential Code; Section R303.5; Deleted
141.32	International Residential Code; Section R305; Amended
141.33	International Residential Code; Section R306.2; Amended
141.34	International Residential Code; Figure R307.1; Amended
141.35	International Residential Code; Section R307.3; Added
141.36	International Residential Code; Section R309.3; Amended
141.37	International Residential Code; Section R309.5; Added
141.38	International Residential Code; Section R310.1; Amended
141.39	International Residential Code; Section R310.3; Amended
141.40	International Residential Code; Section R311.3.2; Amended

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141.41	International Residential Code; Section R311.7; Amended
141.42	International Residential Code; Section R312; Amended
141.43	International Residential Code; Section R313; Deleted
141.44	International Residential Code; Section R314.3; Amended
141.45	International Residential Code; Section R314.4; Amended
141.46	International Residential Code; Section R315; Amended
141.47	International Residential Code; Section R317.1; Amended
141.48	International Residential Code; Section R317.1.2; Deleted
141.49	International Residential Code; Section R317.1.4; Amended
141.50	International Residential Code; Section R319; Amended
141.51	International Residential Code; Section R320; Deleted
141.52	International Residential Code; Section R322; Deleted
141.53	International Residential Code; Table R401.4.1; Amended
141.54	International Residential Code; Section R403.1; Amended
141.55	International Residential Code; Section R403.1.1; Amended
141.56	International Residential Code; Table R403.1; Amended
141.57	International Residential Code; Figure R403.1(1); Amended
141.58	International Residential Code; Section R403.1.3.2; Amended
141.59	International Residential Code; Section R403.1.4.1; Amended
141.60	International Residential Code; Section R403.1.6; Amended
141.61	International Residential Code; Section R403.3; Deleted
141.62	International Residential Code; Section R403.4; Amended
141.63	International Residential Code; Section R403.4.1; Deleted
141.64	International Residential Code; Table R403.4; Deleted
141.65	International Residential Code; Table R404.1.1(1); Deleted
141.66	International Residential Code; Figure R404.1.1(3); Added
141.67	International Residential Code; Table R404.1.2(1); Deleted
141.68	International Residential Code; Table R404.1.2(2); Deleted
141.69	International Residential Code; Table R404.1.2(3); Deleted
141.70	International Residential Code; Table R404.1.2(4); Deleted
141.71	International Residential Code; Table R404.1.2(8); Deleted
141.72	International Residential Code; Table R404.1.2(9); Deleted
141.73	International Residential Code; Section R404.1.2.2; Amended
141.74	International Residential Code; Figures R404.1.2.2(1) through R404.1.2.2(9); and Figure R404.1.2.2.1 Added
141.75	International Residential Code; Section R404.1.5.2; Amended
141.76	International Residential Code; Figure R404.1.5.2; Added
141.77	International Residential Code; Section R408.7; Deleted
141.78	International Residential Code; Section R502.2.2.3; Amended
141.79	International Residential Code; Section R502.3; Amended
141.80	International Residential Code; Sections R502.3.1, R502.3.2, R502.3.3, Table R502.3.1(1), Table R502.3.3(1) and Table R502.3.3(2); Deleted
141.81	International Residential Code; Section R502.7; Amended
141.82	International Residential Code; Section R502.10; Amended
141.83	International Residential Code; Section R601.3; Amended
141.84	International Residential Code; Figure R602.10.3.5; Added

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141.85	International Residential Code; Figure R602.10.4; Added
141.86	International Residential Code; Section R703.1; Amended
141.87	International Residential Code; Table R703.7.3.1; Deleted
141.88	International Residential Code; Section R703.7.3; Deleted
141.89	International Residential Code; Section R703.7.4; Amended
141.90	International Residential Code; Section R703.7.4.2; Deleted
141.91	International Residential Code; Figure R703.7; Deleted
141.92	International Residential Code; Section R703.7.5; Amended
141.93	International Residential Code; Section R703.7.6; Amended
141.94	International Residential Code; Section R703.8; Amended
141.95	International Residential Code; Section R703.9.2.1; Amended
141.96	International Residential Code; Section R703.9.2.2; Amended
141.97	International Residential Code; Section R703.12.1; Added
141.98	International Residential Code; Section R802.3; Amended
141.99	International Residential Code; Section R905.2.7.1; Amended
141.100	International Residential Code; Section R907.3; Amended
141.101	International Residential Code; Section R1003.11; Deleted
141.102	International Residential Code; Section R1003.11.2; Deleted
141.103	International Residential Code; Section R1003.11.3; Deleted
141.104	International Residential Code; Section R1003.11.4; Amended
141.105	International Residential Code; Section R1003.11.5; Deleted
141.106	International Residential Code; Section R1003.14; Deleted
141.107	International Residential Code; Section R1004.4; Deleted
141.108	International Residential Code; Chapter 11; Deleted
141.109	International Residential Code; Chapters 19 through 22, and 24 through 42; Deleted

## ***BENNET RESIDENTIAL CODE***

### **§ 141.01 INTERNATIONAL RESIDENTIAL CODE, 2009 EDITION; ADOPTION BY REFERENCE; APPLICATION TO EXTRATERRITORIAL ZONING JURISDICTION.**

Except as hereinafter provided by specific amendment, the International Residential Code, 2009 Edition, as published by the International Code Council, Inc., a copy of which is on file in the office of the Village Clerk/Treasurer, be and the same is hereby adopted as the Residential Code for the Village of Bennet and for the area within its extraterritorial zoning jurisdiction, for the purpose of regulating and governing the construction, alteration, enlargement, replacement, repair, equipment, location, removal, and demolition of detached one- and two-single-family dwellings (townhouses) not more than 3 stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefor; with the additions, insertions, deletions, and changes as hereinafter provided in this Chapter.

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(1994 Code, § 9-102) (Ord. 2005-11.1, passed 11-14-2005; Am. Ord. 2005-12.2, passed 12-12-2005; Am. Ord. 2013-8.2, § 1, passed 10-14-2013)

### **§ 141.02 INTERNATIONAL RESIDENTIAL CODE; SECTION R101.1; AMENDED.**

Section R101.1 of the International Residential Code is amended to read as follows:

**R101.1 Title.** These provisions shall be known as the Bennet Residential Code and shall be cited as such and will be referred to herein as “this code.”  
(Ord. 2013-8.2, § 2, passed 10-14-2013)

### **§ 141.03 INTERNATIONAL RESIDENTIAL CODE; SECTION R101.3; AMENDED.**

Section R101.3 of the International Residential Code is amended to read as follows:

**R101.3 Intent.** The purpose of this code is to establish the minimum requirements to safeguard the public safety, health, and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributable to the built environment.  
(Ord. 2013-8.2, § 3, passed 10-14-2013)

### **§ 141.04 INTERNATIONAL RESIDENTIAL CODE; SECTION R103; DELETED.**

Section R103 of the International Residential Code (Department of Building Safety) is deleted in its entirety.  
(Ord. 2013-8.2, § 4, passed 10-14-2013)

### **§ 141.05 INTERNATIONAL RESIDENTIAL CODE; SECTION R105.2; AMENDED.**

That Section R105.2 of the International Residential Code is amended to read as follows:

**R105.2 Work exempt from permit.** Permits shall not be required for the following. Exemptions from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

1. One story detached accessory structures, provided the floor area does not exceed 200 square feet (18.58 m<sup>2</sup>).
2. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.

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3. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
4. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade and not over any basement or story below.
5. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
6. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
7. Swings and other playground equipment accessory to a one- or two-family dwelling.
8. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
9. Shingling and residing.  
(Ord. 2013-8.2, § 5, passed 10-14-2013)

### **§ 141.06 INTERNATIONAL RESIDENTIAL CODE; SECTION R105.3.1.1; AMENDED.**

Section R105.3.1.1 of the International Residential Code is amended to read as follows:

**R105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas.** For buildings located in a floodplain within the village's zoning jurisdiction, the regulations and specifications set forth in the Bennet Zoning Regulations Section 152.053 shall apply.  
(Ord. 2013-8.2, § 6, passed 10-14-2013)

### **§ 141.07 INTERNATIONAL RESIDENTIAL CODE; SECTION R107; DELETED.**

Section R107 of the International Residential Code (Temporary Structures and Uses) is hereby deleted in its entirety.  
(Ord. 2013-8.2, § 7, passed 10-14-2013)

### **§ 141.08 INTERNATIONAL RESIDENTIAL CODE; SECTION R108; AMENDED.**

Section 108 of the International Residential Code is amended to read as follows:

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### **SECTION R108 FEES**

**R108.1 Payment of fees.** A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment for a permit be released until the additional fee, if any, has been paid.

**R108.2 Schedule of permit fees.** For each permit to be issued, and for any plan review or inspection to be conducted under this code.

**R108.3 Plan review fees.** When a plan or other data is required to be submitted by Section R105.3, a plan review fee shall be paid at the rate stated in the Bennet Schedule of Permit Fees. One additional plan review of corrections made on the original plans after the initial plan review shall be performed at no cost to the applicant; however, where plans require further corrections, are incomplete, or are changed necessitating additional plan review, an additional plan review fee shall be charged at the rate stated in the Schedule of Permit Fees.

**R108.4 Related fees.** The payment of the fee for construction, alteration, removal, or demolition for work done in connection with or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

**R108.5 Refunds.** There shall be no refunds or credits given on permits or applications regulated by this Chapter that have expired. A request for refund may be made to the Village Board of Trustees only when the permit holder returns an unused permit prior to the expiration of the permit. A refund of plan review fee may be requested only when an application for a permit for which such fee has been paid is withdrawn or cancelled before any plan review is done.

**R108.6 Work commencing before permit issuance.** Any person who commences any work requiring a permit on a building, structure, electrical, gas, mechanical, or plumbing system before obtaining the necessary permits shall be subject to a fee equal to twice the otherwise established fee for issuance of the required permit.  
(Ord. 2013-8.2, § 8, passed 10-14-2013)

### **§ 141.09 INTERNATIONAL RESIDENTIAL CODE; SECTION R109.1; AMENDED.**

Section R109.1 of the International Residential Code is amended to read as follows:

**R109.1 Types of inspections.** All construction or work for which a permit is required shall be subject to inspection by the building official and all such construction work shall remain accessible and exposed for inspection purposes until approved by the building official.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the village.



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A survey of the lot or lots upon which permitted work for additions, alterations, or repairs are being accomplished shall be provided by a duly licensed surveyor of the state of Nebraska before plans and specifications shall be accepted by the building official to verify compliance of the construction or work with building line setback requirements of the Bennet Zoning Code. All boundary corners of a lot or lots with permanent survey monuments shall be marked in the field by a duly licensed surveyor of the state of Nebraska.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the village shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.  
(Ord. 2013-8.2, § 9, passed 10-14-2013)

### **§ 141.10 INTERNATIONAL RESIDENTIAL CODE; SECTION R109.1.2; AMENDED.**

Section R109.1.2 of the International Residential Code is amended to read as follows:

**R109.1.2 Plumbing, mechanical, and gas systems inspection.** Rough inspection of plumbing, mechanical and gas systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed, and prior to framing inspection.  
(Ord. 2013-8.2, § 10, passed 10-14-2013)

### **§ 141.11 INTERNATIONAL RESIDENTIAL CODE; SECTION R109.1.4; AMENDED.**

Section R109.1.4 of the International Residential Code be amended to read as follows:

**R109.1.4 Frame inspection.** Inspection of framing construction shall be made after all framing, firestopping, draftstopping, and bracing are in place and after the water-resistive barrier and flashing is installed but before the exterior wall covering is installed.  
(Ord. 2013-8.2, § 11, passed 10-14-2013)

### **§ 141.12 INTERNATIONAL RESIDENTIAL CODE; SECTION R109.1.7; ADDED.**

Section R109.1.7 is added to the International Residential Code to read as follows:

**R109.1.7 Reinspections.** A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.  
(Ord. 2013-8.2, § 12, passed 10-14-2013)

**§ 141.13 INTERNATIONAL RESIDENTIAL CODE; SECTION R109.5; ADDED.**

Section R109.5 is added to the International Residential Code to read as follows:

**R109.5 Address identification.** All additions, alterations, or repairs for which a permit is required by this code shall be provided with a construction address identification sign. Said identification sign shall be a sign of metal, wood, plastic, or other approved rigid material with permanent identification numbers and letters thereon indicating the legally assigned street or other type address assigned by the building official. Said identification sign shall have numbers and letters of such size and shall be so placed upon the construction site that said sign is readily visible and identifiable from the public street. Said identification sign shall be properly maintained during the entire period of time that the construction or work is being accomplished or maintained.  
(Ord. 2013-8.2, § 13, passed 10-14-2013)

**§ 141.14 INTERNATIONAL RESIDENTIAL CODE; SECTION R110.2 AND R110.3; AMENDED.**

That Sections R110.2 and R110.3 of the International Residential Code are amended to read as follows:

**R110.2 Change in use.** Changes in the character or use of a building shall not be made except as specified in Chapter 34, Section 3408, of the International Building Code.

**R110.3 Certificate issued.** After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the village, the building official shall issue a certificate of occupancy.  
(Ord. 2013-8.2, § 14, passed 10-14-2013)

**§ 141.15 INTERNATIONAL RESIDENTIAL CODE; SECTION R115; ADDED.**

Section R115 is added to the International Residential Code to read as follows:

**SECTION R115  
DEMOLITION OF BUILDINGS**

**R115.1 General.** Demolition of buildings shall comply with Section 3303 of the International Building Code as adopted by the Village of Bennet in the Bennet Municipal Code. Demolition under this code must start within 30 days and be completed 60 days after the date the permit was issued. The building official may extend a demolition permit an additional 30 days. Applications for demolition permits shall expire 180 days after the application date.  
(Ord. 2013-8.2, § 15, passed 10-14-2013)



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### § 141.16 INTERNATIONAL RESIDENTIAL CODE; SECTION R301.2.4; AMENDED.

Section R301.2.4 of the International Residential Code is amended to read as follows:

**R301.2.4 Floodplain construction.** For buildings located in a floodplain within the village's zoning jurisdiction, the provisions of Section 152.053 of the Bennet Zoning Regulations shall apply.

(Ord. 2013-8.2, § 16, passed 10-14-2013)

### § 141.17 INTERNATIONAL RESIDENTIAL CODE; TABLE R301.2(1); AMENDED.

Table R301.2(1) of the International Residential Code is amended to read as follows:

**TABLE R301.2(1)  
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD	WIND SPEED <sup>d</sup> (mph)	SEISMIC DESIGN CATEGORY <sup>f</sup>	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP <sup>e</sup>	ICE BARRIER UNDERLAYMENT REQUIRED <sup>h</sup>	FLOOD HAZARDS <sup>g</sup>
			Weathering <sup>a</sup>	Frost Line Depth <sup>b</sup>	Termite <sup>c</sup>			
30 psf	90 mph	B	Severe	36"	Moderate to Heavy	70° F	Yes	See HZR Sec. 5.18

All footnotes to Table R301.2(1) of this code shall apply.  
(Ord. 2013-8.2, § 17, passed 10-14-2013)

### § 141.18 INTERNATIONAL RESIDENTIAL CODE; TABLE R301.5; AMENDED.

Table R301.5 of the International Residential Code is amended to read as follows:

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**TABLE R301.5  
MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS  
(in pounds per square foot)**

USE	LIVE LOAD
Attics with limited storage <sup>b, g, h</sup>	20
Attics without storage <sup>b</sup>	10
Attics served with a fixed stairs	40
Decks and exterior balconies <sup>e</sup>	40
Fire escapes	40
Guardrails and handrails <sup>d</sup>	200 <sup>h</sup>
Guardrails in-fill components <sup>f</sup>	50 <sup>h</sup>
Passenger vehicle garages <sup>a</sup>	50 <sup>a</sup>
Rooms other than sleeping rooms	40
Sleeping rooms	40
Stairs	40 <sup>c</sup>

For SI: 1 pound per square foot = 0.0479 kPa, 1 square inch = 645 mm<sup>2</sup>,  
1 pound = 4.45 N.

All footnotes to Table No. R301.5 of this code shall apply.  
(Ord. 2013-8.2, § 18, passed 10-14-2013)

**§ 141.19 INTERNATIONAL RESIDENTIAL CODE; TABLE R301.7; AMENDED.**

Table R301.7 of the International Residential Code is amended to read as follows:

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**TABLE R301.7**  
**ALLOWABLE DEFLECTION OF STRUCTURAL MEMBERS<sup>a,b,c,d,e</sup>**

STRUCTURAL MEMBER	ALLOWABLE DEFLECTION
Rafters having slopes greater than 3:12 with no finished ceiling attached to rafters	L/180
Interior walls and partitions	H/240
All other structural members L/240	L/240
Exterior walls with plaster or stucco finish	H/360
Exterior walls —wind loads <sup>a</sup> with brittle finishes	H/240
Exterior walls—wind loads <sup>a</sup> with flexible finishes	H/180
Floors – 16'6" or less	L/360
Floors over 16'6" span	L/480

Note: L = span length, H = span height.

All footnotes to Table R301.7 of this code shall apply.  
(Ord. 2013-8.2, § 19, passed 10-14-2013)

### § 141.20 INTERNATIONAL RESIDENTIAL CODE; SECTION R302.1; AMENDED.

Section R302.1 of the International Residential Code is amended to read as follows:

**R302.1 Exterior walls.** Construction, projections, openings and penetrations of exterior walls of dwellings and accessory buildings shall comply with Table R302.1. These provisions shall not apply to walls, projections, openings or penetrations in walls that are perpendicular to the line used to determine the fire separation distance. Projections beyond the exterior wall shall not extend more than 12 inches into the areas where openings are prohibited. No part of a detached structure shall be closer than 2 feet from a lot line.

#### Exceptions:

1. Detached tool sheds and storage sheds, playhouses and similar structures exempted from permits are not required to provide wall protection based on location on the lot. Projections beyond the exterior wall shall not extend over the lot line.
2. An accessory building located less than 6 feet from a dwelling unit including decks greater than 30 inches above grade, shall be protected with no less than 5/8-inch Type X gypsum

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board applied to the interior side of the walls and the ceiling. The door shall be no less than a solid core or steel door no less than 1¾-inch thickness. No other openings shall be permitted. (Ord. 2013-8.2, § 20, passed 10-14-2013)

### § 141.21 INTERNATIONAL RESIDENTIAL CODE; TABLE R302.1; AMENDED.

Table R302.1 of the International Residential Code is amended to read as follows:

**TABLE R302.1  
EXTERIOR WALLS**

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	(Fire-resistance rated)	1 hour with exposure from both sides*	0 feet
	(Not fire-resistance rated)	0 hours	>5 feet
Projections	(Fire-resistance rated)	1 hour on the underside	<3 feet
	(Not fire-resistance rated)	0 hours	> or = 3 feet
Openings	Not allowed	N/A	<3 feet
	25% maximum of wall area	0 hours	3 feet
	Unlimited	0 hours	5 feet
Penetrations	All	Comply with Section R317.3	<5 feet
		None required	5 feet

\*Detached Garages – 1 hour protection from the inside only.  
(Ord. 2013-8.2, § 21, passed 10-14-2013)

### § 141.22 INTERNATIONAL RESIDENTIAL CODE; SECTION R302.2; AMENDED.

Section R302.2 of the International Residential Code is amended to read as follows:

**R302.2 Townhouses.** Each townhouse shall be considered a separate building and shall be separated by fire-resistance-rated wall assemblies meeting the requirements of Section R302.1 for exterior walls.

**Exception:** A common 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with the Village of Bennet Electrical Code. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.

**R302.2.1 Continuity.** The fire-resistant-rated wall or assembly separating townhouses shall be continuous from the foundation to the underside of the roof sheathing, deck or slab. The fire-resistance rating shall extend the full length of the wall or assembly, including wall extensions through and separating attached enclosed accessory structures.

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**R302.2.2 Parapets.** Parapets constructed in accordance with Section R302.2.3 shall be constructed for townhouses as an extension of exterior walls or common walls in accordance with the following:

1. Where roof surfaces adjacent to the wall or walls are at the same elevation, the parapet shall extend not less than 30 inches above the roof surfaces.
2. Where roof surfaces adjacent to the wall or walls are at different elevations and the higher roof is not more than 30 inches above the lower roof, the parapet shall extend not less than 30 inches above the lower roof surface.

**Exception:** A parapet is not required in the two cases above when the roof is covered with a minimum class C roof covering, and the roof decking or sheathing is of noncombustible materials or approved fire-retardant-treated wood for a distance of 4 feet on each side of the wall or walls, or one layer of  $\frac{5}{8}$ -inch Type X gypsum board is installed directly beneath the roof decking or sheathing, supported by a minimum of nominal 2-inch ledgers attached to the sides of the roof framing members, for a minimum distance of 4 feet on each side of the wall or walls.

3. A parapet is not required where roof surfaces adjacent to the wall or walls are at different elevations and the higher roof is more than 30 inches above the lower roof. The common wall construction from the lower roof to the underside of the higher roof deck shall have not less than a 1-hour fire-resistance rating. The wall shall be rated for exposure from both sides.

4. Penetration and openings in the roof shall not be located within 5 feet of the property line.

**R302.2.3 Parapet construction.** Parapets shall have the same fire-resistance rating as that required for the supporting wall or walls. On any side adjacent to a roof surface, the parapet shall have noncombustible faces for the uppermost 18 inches (457 mm), to include counterflashing and coping materials. Where the roof slopes towards a parapet at slopes greater than 2 units vertical in 12 units horizontal (16.7-percent slope), the parapet shall extend to the same height as any portion of the roof within a distance of 3 feet (914 mm), but in no case shall the height be less than 30 inches (762 mm).

**R302.2.4 Structural independence.** Each individual townhouse shall be structurally independent.

### Exceptions:

1. Foundations supporting exterior walls or common walls.
2. Structural roof and wall sheathing from each unit may fasten to the common wall framing.

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3. Nonstructural wall and roof coverings.
4. Flashing at termination of roof covering over common wall.

Figure R302.2 (1) is added to the International Residential Code as shown on said figure at the end of this Chapter.

Figure R302.2 (2) is added to the International Residential Code as shown on said figure at the end of this Chapter.

Figure R302.2 (3) is added to the International Residential Code as shown on said figure at the end of this Chapter.

Figure R302.2 (4) is added to the International Residential Code as shown on said figure at the end of this Chapter.

(Ord. 2013-8.2, § 22, passed 10-14-2013)

### **§ 141.23 INTERNATIONAL RESIDENTIAL CODE; SECTION 302.3; AMENDED.**

Section R302.3 of the International Residential Code is amended to read as follows:

**R302.3 Two-family dwellings.** Dwelling units in two-family dwellings shall be separated from each other by wall and/or floor assemblies of not less than 1-hour fire-resistive rating when tested in accordance with ASTM E 119. Fire-resistance-rated floor-ceiling and wall assemblies shall extend to and be tight against the exterior wall, and wall assemblies shall extend to the underside of the roof sheathing. The minimum connection between units of a two-family dwelling shall be an 8-foot roof connection measured parallel to the adjoining walls and connected to each unit.

#### **Exceptions:**

1. A fire resistance rating of ½ hour shall be permitted in buildings equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13.
2. Where the common wall of the dwelling units is located on a property line, the units shall be separated by fire-resistance-rated wall assemblies meeting the requirements of Section R302 for exterior walls.
3. Wall assemblies need not extend through attic spaces when the ceiling is protected by not less than 5/8-inch Type X gypsum board and an attic draft stop constructed as specified in Section R502.12.1 is provided above and along the wall assembly separating the dwellings. The structural framing supporting the ceiling shall also be protected by not less than ½-inch gypsum board or equivalent.

(Ord. 2013-8.2, § 23, passed 10-14-2013)

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### **§ 141.24 INTERNATIONAL RESIDENTIAL CODE; SECTION 302.5.2; DELETED.**

Section R302.5.2 of the International Residential Code (Duct Penetration) is hereby deleted.  
(Ord. 2013-8.2, § 24, passed 10-14-2013)

### **§ 141.25 INTERNATIONAL RESIDENTIAL CODE; SECTION R302.6; AMENDED.**

Section R302.6 of the International Residential Code is amended to read as follows:

**R302.6 Separation required.** The garage shall be separated from the residence and its attic area by not less than  $\frac{5}{8}$ -inch Type X gypsum board applied to the garage wall side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than  $\frac{5}{8}$ -inch Type X gypsum board or equivalent. Where the separation is a floor-ceiling assembly, the structure supporting the separation shall also be protected by not less than  $\frac{5}{8}$ -inch Type X gypsum board or equivalent. A cantilever projecting over a garage door shall be protected on the underside by not less than  $\frac{5}{8}$ -inch Type X gypsum board.

Garages located less than 6 feet from a dwelling unit on the same lot shall be protected with not less than  $\frac{5}{8}$ -inch Type X gypsum board applied to the interior side of exterior walls that are within this area. Openings in these walls shall be regulated by Table R302.1. This provision does not apply to garage walls that are perpendicular to the adjacent dwelling unit wall. Accessory buildings 120 square feet or greater, located less than 6 feet from the residence shall be protected by not less than  $\frac{5}{8}$ -inch Type X gypsum board applied to the interior side, with no openings permitted.  
(Ord. 2013-8.2, § 25, passed 10-14-2013)

### **§ 141.26 INTERNATIONAL RESIDENTIAL CODE; TABLE R302.6; AMENDED.**

Table R302.6 of the International Residential Code is amended to read as follows:

**TABLE R302.6  
DWELLING/GARAGE SEPARATION**

<b>SEPARATION</b>	<b>MATERIAL</b>
From the residence and attics	Not less than $\frac{5}{8}$ -inch Type X gypsum board or equivalent applied to the garage side.
Structure(s) supporting floor/ceiling assemblies used for separation required by this section	Not less than $\frac{5}{8}$ -inch Type X gypsum board or equivalent.
Garages located less than 6 feet from a dwelling unit on the same lot	Not less than $\frac{5}{8}$ Type X gypsum board or equivalent applied to the interior side of exterior walls that area within this area.

(Ord. 2013-8.2, § 26, passed 10-14-2013)

**§ 141.27 INTERNATIONAL RESIDENTIAL CODE; SECTION R302.12; AMENDED.**

Section R302.12 of the International Residential Code is amended to read as follows:

**R302.12 Draftstopping.** In combustible construction where there is usable space both above and below the concealed space of a floor/ceiling assembly, draftstops shall be installed so that the area of the concealed space does not exceed 1,000 square feet. Draftstopping shall divide the concealed space into approximately equal areas. Where the assembly is enclosed by a floor membrane above and a ceiling membrane below, draftstopping shall be provided in floor/ceiling assemblies under the following circumstances:

1. Ceiling is suspended under the floor framing.
2. Floor framing is constructed of truss-type open-web or perforated members.

Attics in combustible construction. Draftstopping shall be installed so that no part of the attic is greater than 3,000 square feet in area.

(Ord. 2013-8.2, § 27, passed 10-14-2013)

**§ 141.28 INTERNATIONAL RESIDENTIAL CODE; SECTION R303.1; EXCEPTION 2; AMENDED.**

Exception 2 of Section 303.1 of the International Residential Code relating to habitable rooms is amended to read as follows:

2. The glazed areas shall not be required to be provided in habitable rooms in basements except for bedrooms where Exception 1 above is satisfied and artificial light is provided capable of producing an average illumination of 6 foot candles over the area of the room at a height of 30 inches above the floor level.

(Ord. 2013-8.2, § 28, passed 10-14-2013)

**§ 141.29 INTERNATIONAL RESIDENTIAL CODE; SECTION R303.3; AMENDED.**

Section R303.3 of the International Residential Code is amended to read as follows:

**R303.3 Bathrooms.** Bathrooms, water closet compartments, laundry rooms, and other similar rooms shall be provided with a mechanical ventilation system. The minimum ventilation rates shall be 50 cfm for intermittent ventilation or 20 cfm for continuous ventilation. Ventilation air from the space shall be exhausted directly to the outside.

In laundry rooms, dryers vented directly to the outside are deemed to meet the requirements of this section.

(Ord. 2013-8.2, § 29, passed 10-14-2013)



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### **§ 141.30 INTERNATIONAL RESIDENTIAL CODE; SECTION R303.4; DELETED.**

Section R303.4 of the International Residential Code (Opening Location) is deleted in its entirety.  
(Ord. 2013-8.2, § 30, passed 10-14-2013)

### **§ 141.31 INTERNATIONAL RESIDENTIAL CODE; SECTION R303.5; DELETED.**

Section R303.5 of the International Residential Code (Outside Opening Protection) is deleted in its entirety.  
(Ord. 2013-8.2, § 31, passed 10-14-2013)

### **§ 141.32 INTERNATIONAL RESIDENTIAL CODE; SECTION R305; AMENDED.**

Section R305 of the International Residential Code is amended to read as follows:

#### **SECTION R305 CEILING HEIGHT**

**R305.1 Ceiling Heights.** Habitable space shall have a ceiling height of not less than 7 feet 6 inches. The required height shall be measured from the finished floor to the lowest projection from the ceiling.

#### **Exceptions:**

1. Bathrooms, hallways, toilet rooms and laundry rooms shall have a ceiling height of not less than 7 feet.
2. For rooms with sloped ceilings, at least 50 percent of the required floor area of the room must have a ceiling height of at least 7 feet 6 inches. No portion of the room with a ceiling height of less than 5 feet shall be included.
3. The ceiling height above bathroom fixtures shall be such that the fixture is capable of being used for its intended purpose. A shower or tub equipped with a showerhead shall have a minimum ceiling height of 6 feet 8 inches above a minimum area 30 inches by 30 inches at the showerhead.

**R305.1.1 Basements.** Habitable space in basements within a single family dwelling unit shall have a ceiling height of not less than 7 feet.

#### **Exceptions:**

1. Beams, soffits, ducts and piping shall not be less than 6 feet 6 inches from the floor and shall not exceed  $\frac{1}{3}$  of the total ceiling area of the room.

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2. Bathrooms, hallways, toilet rooms and laundry rooms shall have a minimum ceiling height of 6 feet 8 inches.
  3. Lighting fixtures shall be a minimum of 6 feet 6 inches above the floor.
  4. Ceiling fans shall be a minimum of 7 feet from the floor.
- (Ord. 2013-8.2, § 32, passed 10-14-2013)

### **§ 141.33 INTERNATIONAL RESIDENTIAL CODE; SECTION R306.2; AMENDED.**

Section R306.2 of the International Residential Code is amended to read as follows:

**R306.2 Kitchen.** Each dwelling unit shall be provided with a kitchen area and every kitchen area shall be provided with a sink. Domestic free-standing or built-in ranges shall have a vertical clearance above the cooking top of not less than 30 inches to unprotected combustible material. When the underside of such combustible material is protected with insulating millboard at least ¼-inch thick covered with 28 gage metal or a metal ventilating hood, the distance shall be not less than 24 inches.

(Ord. 2013-8.2, § 33, passed 10-14-2013)

### **§ 141.34 INTERNATIONAL RESIDENTIAL CODE; FIGURE R307.1; AMENDED.**

Figure R307.1 of the International Residential Code (Minimum Fixture Clearances) is amended as shown on said figure at the end of this Chapter.

(Ord. 2013-8.2, § 34, passed 10-14-2013)

### **§ 141.35 INTERNATIONAL RESIDENTIAL CODE; SECTION R307.3; ADDED.**

Section R307.3 is added to the International Residential Code to read as follows:

**R307.3 Access to whirlpool pump.** Access shall be provided to circulation pumps in accordance with the fixture manufacturer's installation instructions. Where the manufacturer's instructions do not specify the location and minimum size of field fabricated access openings, a 12-inch by 12-inch minimum size opening shall be installed to provide access to the circulation pump. Where pumps are located more than 2 feet from the access opening, an 18-inch by 18-inch minimum size opening shall be installed. A door or panel shall be permitted to close the opening. In all cases, the access opening shall be unobstructed and be of the size necessary to permit the removal and replacement of the circulation pump.

(Ord. 2013-8.2, § 35, passed 10-14-2013)

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### **§ 141.36 INTERNATIONAL RESIDENTIAL CODE; SECTION R309.3; AMENDED.**

Section R309.3 of the International Residential Code is amended to read as follows:

**R309.3 Flood hazard areas.** For buildings located in a floodplain within the village's zoning jurisdiction, the provisions of Section 152.053 of the Bennet Zoning Code shall apply. (Ord. 2013-8.2, § 36, passed 10-14-2013)

### **§ 141.37 INTERNATIONAL RESIDENTIAL CODE; SECTION R309.5; ADDED.**

Section R309.5 is added to the International Residential Code to read as follows:

**R309.5 Headroom clearance.** Any portion of a garage shall have an unobstructed headroom clearance of not less than 6 feet 8 inches above the finished floor to any ceiling, beam, pipe, or similar construction except for wall-mounted shelves, storage surfaces, racks, or cabinets. (Ord. 2013-8.2, § 37, passed 10-14-2013)

### **§ 141.38 INTERNATIONAL RESIDENTIAL CODE; SECTION R310.1; AMENDED.**

Section R310.1 of the International Residential Code is amended to read as follows:

**R310.1 Emergency escape and rescue required.** Every sleeping room shall have at least one operable emergency escape and rescue window or exterior door opening for emergency escape and rescue. Rooms with a storage closet greater than 18 inches in depth or direct access to a bathroom shall also comply with this requirement. Where openings are provided as a means of escape and rescue, they shall have a clear opening height not more than 44 inches above the floor. The net clear opening dimensions required by this section shall be obtained by the normal operation of the window or door opening from the inside. Escape and rescue window openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2.

**R310.1.1 Minimum opening area.** All emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet (0.530 m<sup>2</sup>).

**R310.1.2 Minimum opening height.** The minimum net clear opening height shall be 24 inches (610 mm).

**R310.1.3 Minimum opening width.** The minimum net clear opening width shall be 20 inches (508 mm).

**R310.1.4 Operational constraints.** Emergency escape and rescue openings shall be operational from the inside of the room without the use of keys, tools or special knowledge.

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**R310.1.5 Double hung egress window.** Double hung windows must meet the requirements for an egress window without removing the upper sash.  
(Ord. 2013-8.2, § 38, passed 10-14-2013)

### **§ 141.39 INTERNATIONAL RESIDENTIAL CODE; SECTION R310.3; AMENDED.**

Section R310.3 of the International Residential Code is amended to read as follows:

**R310.3 Bulkhead enclosures.** Bulkhead enclosures shall provide direct access only to furnace, water heater, and other mechanical, plumbing and electrical equipment.  
(Ord. 2013-8.2, § 39, passed 10-14-2013)

### **§ 141.40 INTERNATIONAL RESIDENTIAL CODE; SECTION R311.3.2; AMENDED.**

Section R311.3.2 of the International Residential Code is amended to read as follows:

**R311.3.2 Floor elevations for other exterior doors.** Doors other than the required egress door shall be provided with landings or floors not more than 7¾ inches below the top of the threshold.

#### **Exceptions:**

1. Where a stairway of 4 or more risers is located on the exterior side of the door, other than the required exit door, a landing is required.
  2. The height of floors at a garage utility door shall not be more than 7¾ inches lower than the top of the threshold.
- (Ord. 2013-8.2, § 40, passed 10-14-2013)

### **§ 141.41 INTERNATIONAL RESIDENTIAL CODE; SECTION R311.7; AMENDED.**

Section R311.7 of the International Residential Code is amended to read as follows:

#### **R311.7 Stairways.**

**R311.7.1 Width.** Stairways shall not be less than 36 inches in clear width at all points above the permitted handrail height and below the required headroom height. Handrails shall not project more than 4.5 inches on either side of the stairway and the minimum clear width of the stairway at and below the handrail height, including treads and landings, shall not be less than 31.5 inches where a handrail is installed on one side and 27 inches where handrails are provided on both sides.

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### Exceptions:

1. The width of spiral stairways shall be in accordance with Section R311.7.9.1.
2. Private stairways for lofts or attics may be 30 inches in width provided the minimum clear width at and below the railing shall not be less than 25½ inches.
3. Stringers and other projections such as trim and similar decorative features may project into the required width 1½ inches on each side.

**R311.7.2 Headroom.** The minimum headroom in all parts of the stairway shall not be less than 6 feet 8 inches measured vertically from the sloped plane adjoining the tread nosing or from the floor surface of the landing or platform.

**Exception:** When demonstrated to the building official there are practical difficulties in achieving 6 feet 8 inches headroom in existing construction, a minimum of 6 feet 6 inches headroom may be allowed.

**R311.7.3 Walkline.** The walkline across winder treads shall be concentric to the curved direction of travel through the turn and located 12 inches from the side where the winders are narrower.

### **R311.7.4 Stair treads and risers.**

**R311.7.4.1 Riser height.** The maximum riser height shall be 7¾ inches. The riser shall be measured vertically between leading edges of the adjacent tread. The greatest riser height within any flight of stairs shall not exceed the smallest by more than ¾ inch. The minimum riser height shall be no less than 4 inches. Open risers are permitted.

**R311.7.4.2 Tread depth.** The minimum tread depth shall be 10 inches unless at the discretion of the building official, it may be adjusted to accommodate existing conditions. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than ¾ inch. Winder treads shall have a minimum tread depth of 10 inches measured at a point 12 inches from the side where the treads are narrower. Winder treads shall have a minimum tread depth of 7 inches at any point.

**R311.7.4.3 Profile.** The radius of curvature at the nosing shall be no greater than 9/16 inch. A nosing not less than ¾ inch but not more than 1¼ inches be provided on stairways with solid risers. The greatest nosing projection shall not exceed the smallest nosing projection by more than ¾ inch between two stories, including the nosing at the level of floors and landings. Beveling of nosings shall not exceed ½ inch. Risers shall be vertical or sloped under the tread above from the underside of the nosing above at an angle not more than 30 degrees from the vertical. Open risers are permitted.

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**Exception:** A nosing is not required where the tread depth is a minimum of 10 inches.

**R311.7.4.4 Exterior wood/plastic composite stair treads.** Wood/plastic composite stair treads shall comply with the provisions of Section R317.4.

**R311.7.5 Landings for stairways.** There shall be a floor or landing at the top and bottom of each stairway.

**Exceptions:**

1. A floor or landing is not required at the top of an interior flight of stairs, including stairs in an enclosed garage, provided a door does not swing over the stairs. A flight of stairs shall not have a vertical rise larger than 12 feet between floor levels or landings. The width of each landing shall not be less than the width of the stairway served. Every landing shall have a minimum dimension of 36 inches measured in the direction of travel.
2. The bottom of an exterior stair shall be supported by a concrete or stone pad that provides a minimum landing of 12 inches, the top of which is at grade level, and shall be the width of the stairs.

**R311.7.6 Stairway walking surface.** The walking surface of treads and landings of stairways shall be sloped no steeper than one unit vertical in 48 inches horizontal (2-percent slope).

**R311.7.7 Handrails.** Handrails shall be provided on at least one side of each continuous run of treads or flight with four or more risers. The handrail for circular, and winding stairs shall be located on the side where the tread is narrower.

**R311.7.7.1 Height.** Handrail height, measured vertically from the sloped plane adjoining the tread nosing, or finish surface of ramp slope, shall be not less than 34 inches and not more than 38 inches (965 mm).

**R311.7.7.2 Continuity.** Handrails for stairways shall be continuous for the full length of the flight, from a point directly above the top riser of the flight to a point directly above the lowest riser of the flight. Handrails adjacent to a wall shall have a space of not less than 1½ inch between the wall and the handrails.

**Exceptions:**

1. Handrails shall be permitted to be interrupted by a newel post at the turn.
2. The use of a volute, turnout, starting easing or starting newel shall be allowed over the lowest tread.

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3. Handrails shall be permitted to be interrupted at the point where a stairway wall changes to an open guard.

**R311.7.7.3 Grip-size.** All required handrails shall be of one of the following types or provide equivalent graspability.

1. Type I. Handrails with a circular cross section shall have an outside diameter of at least  $1\frac{1}{4}$  inches and not greater than 2 inches. If the handrail is not circular, it shall have a perimeter dimension of at least 4 inches and not greater than  $6\frac{1}{4}$  inches with a maximum cross section of dimension of  $2\frac{1}{4}$  inches. Edges shall have a minimum radius of 0.01 inch.

2. Type II. Handrails with a perimeter greater than  $6\frac{1}{4}$  inches shall have a graspable finger recess area on both sides of the profile. The finger recess shall begin with a distance of  $\frac{3}{4}$  inch measured vertically from the tallest portion of the profile and achieve a depth of at least  $\frac{5}{16}$  inch within  $\frac{7}{8}$  inch to a level that is not less than  $1\frac{3}{4}$  inches below the tallest portion of the profile. The minimum width of the handrail above the recess shall be  $1\frac{1}{4}$  inches to a maximum of  $2\frac{3}{4}$  inches. Edges shall have a minimum radius of 0.01 inches.

3. Type III. Handrails for exterior stairs of an individual dwelling unit may consist of a  $1\frac{1}{2}$  inch x  $3\frac{1}{2}$  inch rail mounted in a horizontal position.

**R311.7.8 Illumination.** All stairs shall be provided with illumination in accordance with Section R303.6.

**R311.7.9 Special stairways.** Spiral stairways, winder stairways, circular stairways, and bulkhead enclosure stairways shall comply with all requirements of Section R311.7 except as specified below.

**R311.7.9.1 Spiral stairways.** Spiral stairways are permitted, provided the minimum width shall be 26 inches with each tread having a  $7\frac{1}{2}$ -inch minimum tread depth at 12 inches from the narrower edge. All treads shall be identical, and the rise shall be no more than  $9\frac{1}{2}$  inches. A minimum headroom of 6 feet 6 inches shall be provided.

**R311.7.9.2 Circular stairways.** Circular and winding stairways shall have a tread depth at a point not more than 12 inches from the side where the treads are narrower of not less than 10 inches and the minimum depth of any tread shall not be less than 7 inches. The largest tread depth shall not exceed the smallest by more than  $\frac{3}{8}$  inch.

(Ord. 2013-8.2, § 41, passed 10-14-2013)

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### **§ 141.42 INTERNATIONAL RESIDENTIAL CODE; SECTION R312; AMENDED.**

Section R312 of the International Residential Code is amended to read as follows:

#### **SECTION R312 GUARDS**

**R312.1 Guards.** Porches, balconies, ramps or raised floor surfaces located more than 30 inches above the floor or grade below shall have guards not less than 36 inches in height. Open sides of stairs with a total rise of more than 30 inches above the floor or grade below shall have guards not less than 34 inches in height measured vertically from the nosing of the treads. Porches and decks which are enclosed with insect screening shall be equipped with guards where the walking surface is located more than 30 inches above the floor or grade below.

A guard is required when a sidewalk, patio, or driveway is 60 inches or less from an egress window well 30 inches in height or greater.

A guard is required when a sidewalk, patio, or driveway is 30 inches or less from a retaining wall of 30 inches in height or greater to the floor or grade below.

When retaining wall heights are between 30 inches and 60 inches to the floor or grade below, there shall be a distance ratio maintained from the sidewalk, patio, or driveway equal to or greater than the retaining wall height if no guard is to be installed.

**R312.2 Guard opening limitations.** Required guards on open sides of stairways, raised floor areas, balconies and porches shall have intermediate rails or ornamental closures which do not allow passage of a sphere 5 inches or more in diameter.

**Exception:** The triangular openings formed by the riser, tread and bottom rail of a guard at the open side of a stairway are permitted to be of such a size that a sphere 6 inches cannot pass through.  
(Ord. 2013-8.2, § 42, passed 10-14-2013)

### **§ 141.43 INTERNATIONAL RESIDENTIAL CODE; SECTION R313; DELETED.**

Section R313 of the International Residential Code (Automatic Fire Sprinkler Systems) is deleted in its entirety.  
(Ord. 2013-8.2, § 43, passed 10-14-2013)

### **§ 141.44 INTERNATIONAL RESIDENTIAL CODE; SECTION R314.3; AMENDED.**

Section R314.3 to the International Residential Code is amended to read as follows:

**R314.3 Single- and multiple-station smoke alarms.** Single- and multiple-station smoke alarms shall be installed in the following locations:



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1. In each sleeping room; and
2. On each story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

When more than one smoke alarm is required to be installed within an individual dwelling unit the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

All smoke alarms shall be listed and installed in accordance with the provisions of this code and the household fire warning equipment provisions of NFPA 72.  
(Ord. 2013-8.2, § 44, passed 10-14-2013)

### **§ 141.45 INTERNATIONAL RESIDENTIAL CODE; SECTION R314.4; AMENDED.**

Section R314.4 to the International Residential Code is amended to read as follows:

**R314.4 Power Source.** Smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. Smoke alarms shall be interconnected.

#### **Exceptions:**

1. Smoke alarms shall be permitted to be battery operated when installed in buildings without commercial power.
  2. Interconnection and hard-wiring of smoke alarms in existing areas shall not be required where the alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure.
- (Ord. 2013-8.2, § 45, passed 10-14-2013)

### **§ 141.46 INTERNATIONAL RESIDENTIAL CODE; SECTION R315; AMENDED.**

Section R315 to the International Residential Code is amended to read as follows:

**SECTION R315  
CARBON MONOXIDE ALARMS**

**R315.1 Carbon monoxide alarms location.** For new construction, additions, and interior alterations requiring a building permit that have an attached garage or fuel-fired appliances, one approved carbon monoxide alarm shall be installed on each floor and located in the immediate vicinity of the bedrooms.

**R315.2 Alarm requirements.** Single station carbon monoxide alarms shall be listed as complying with UL 2034 and shall be installed in accordance with this code and the manufacturer's installation instructions. A combination smoke alarm and carbon monoxide alarm is permitted. Carbon monoxide detectors are not required to be hardwired or interconnected. (Ord. 2013-8.2, § 46, passed 10-14-2013)

**§ 141.47 INTERNATIONAL RESIDENTIAL CODE; SECTION R317.1; AMENDED.**

Section R317.1 of the International Residential Code is amended to read as follows:

**R317.1 Location required.** Protection of wood and wood based products from decay shall be provided in the following locations by the use of naturally durable wood or wood that is preservative-treated in accordance with AWPA U1 for the species, product, preservative and end use. Preservatives shall be listed in Section 4 of AWPA U1.

1. Wood joists or the bottom of a wood structural floor when closer than 18 inches (457 mm) or wood girders when closer than 12 inches to the exposed ground in crawl spaces or unexcavated area located within the periphery of the building foundation.
2. All wood framing members that rest on concrete or masonry exterior foundation walls and are less than 8 inches from the exposed ground.
3. Sills and sleepers on a concrete or masonry slab that is in direct contact with the ground unless separated from such slab by an impervious moisture barrier.
4. The ends of wood girders entering exterior masonry or concrete walls having clearances of less than ½ inch on tops, sides and ends.
5. Wood siding, sheathing and wall framing on the exterior of a building having a clearance of less than 6 inches from the ground or less than 2 inches measured vertically from concrete steps, porch slabs, patio slabs, and similar horizontal surfaces exposed to the weather.
6. Wood structural members supporting moisture-permeable floors or roofs that are exposed to the weather, such as concrete or masonry slabs, unless separated from such floors or roofs by an impervious moisture barrier.

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7. Wood furring strips or other wood framing members attached directly to the interior of exterior masonry walls or concrete walls below grade.

8. Bottom sill plates for bearing walls cannot be imbedded in concrete.  
(Ord. 2013-8.2, § 47, passed 10-14-2013)

### **§ 141.48 INTERNATIONAL RESIDENTIAL CODE; SECTION R317.1.2; DELETED.**

Section R317.1.2 to the International Residential Code (Ground Contact) is hereby deleted.  
(Ord. 2013-8.2, § 48, passed 10-14-2013)

### **§ 141.49 INTERNATIONAL RESIDENTIAL CODE; SECTION R317.1.4; AMENDED.**

Section R317.1.4 of the International Residential Code is amended to read as follows:

**R317.1.4 Wood columns.** Wood columns shall be approved wood of natural decay resistance or approved pressure-preservative-treated wood. Posts, poles and columns supporting permanent structures shall bear upon a concrete footing and shall not be imbedded in the concrete or in the ground unless approved for such use.

#### **Exceptions:**

1. Columns exposed to the weather or in basements when supported by concrete piers or metal pedestals projecting 1 inch above a concrete floor or 6 inches above exposed earth and the earth is covered by an approved impervious moisture barrier.
2. Columns in enclosed crawl spaces or unexcavated areas located within the periphery of the building when supported by a concrete pier or metal pedestal at a height more than 8 inches (203mm) from exposed earth and the earth is covered by an impervious moisture barrier.

(Ord. 2013-8.2, § 49, passed 10-14-2013)

### **§ 141.50 INTERNATIONAL RESIDENTIAL CODE; SECTION R319; AMENDED.**

Section R319 of the International Residential Code is amended to read as follows:

#### **SECTION R319 PREMISES IDENTIFICATION**

**R319.1 Premises identification.** Approved numbers or addresses shall be provided for all new buildings in such a position as to be plainly visible and legible from the street or road fronting

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the property. Premises shall have addresses provided on buildings as specified under Chapter 6-201 of the Bennet Municipal Code.

(Ord. 2013-8.2, § 50, passed 10-14-2013)

### **§ 141.51 INTERNATIONAL RESIDENTIAL CODE; SECTION R320; DELETED.**

Section R320 of the International Residential Code (Accessibility) is hereby deleted.  
(Ord. 2013-8.2, § 51, passed 10-14-2013)

### **§ 141.52 INTERNATIONAL RESIDENTIAL CODE; SECTION R322; DELETED.**

Section R322 to the International Residential Code (Flood-Resistant Construction) is deleted in its entirety. (Chapter 152.03 of the Bennet Zoning Code will apply.)  
(Ord. 2013-8.2, § 52, passed 10-14-2013)

### **§ 141.53 INTERNATIONAL RESIDENTIAL CODE; TABLE R401.4.1; AMENDED.**

Table R401.4.1 to the International Residential Code is amended to read as follows:

**TABLE R401.4.1  
PRESUMPTIVE LOAD-BEARING VALUES OF  
FOUNDATION MATERIALS<sup>a</sup>**

<b>CLASS OF MATERIAL</b>	<b>LOAD-BEARING PRESSURE (pounds per square foot)</b>
Crystalline bedrock	12,000
Sedimentary and foliated rock	4,000
Sandy gravel and/or gravel (GW and GP)	3,000
Sand, silty sand, clayey sand, silty gravel and clayey gravel (SW, SP, SM, SC, GM and GC)	2,000
Clay, sandy clay, silty clay, clayey silt, silt and sandy silt (CL, ML, MH and CH)	2,000

For SI: 1 pound per square foot = 0.0479 kPa.

a. When soil tests are required by Section R401.4, the allowable bearing capacities of the soil shall be part of the recommendations.  
(Ord. 2013-8.2, § 53, passed 10-14-2013)

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### **§ 141.54 INTERNATIONAL RESIDENTIAL CODE; SECTION R403.1; AMENDED.**

Section R403.1 of the International Residential Code is amended to read as follows:

**R403.1 General.** All exterior walls shall be supported on continuous solid or fully grouted masonry or concrete footings, wood foundations, or other approved structural systems which shall be of sufficient design to accommodate all loads according to Section R301 and to transmit the resulting loads to the soil within the limitations as determined from the character of the soil. Footings shall be supported on undisturbed natural soils or engineered fill. Slabs and monolithic slabs shall not bear on new fill unless compacted. Concrete footing shall be designed and constructed in accordance with the provisions of Section R403 or in accordance with ACI 332. (Ord. 2013-8.2, § 54, passed 10-14-2013)

### **§ 141.55 INTERNATIONAL RESIDENTIAL CODE; SECTION R403.1.1; AMENDED.**

Section R403.1.1 of the International Residential Code is amended to read as follows:

**R403.1.1 Minimum size.** Minimum sizes for concrete and masonry footings shall be as set forth in Table R403.1 and Figure R403.1(1). The footing width, W, shall be based on the load-bearing value of the soil in accordance with Table R401.4.1. Spread footings shall be at least 8 inches thick. Footing projections, P, shall be at least 2 inches and shall not exceed the thickness of the footing. The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R401.4.1. Footings for wood foundations shall be in accordance with the details set forth in Section R403.2. (Ord. 2013-8.2, § 55, passed 10-14-2013)

### **§ 141.56 INTERNATIONAL RESIDENTIAL CODE; TABLE R403.1; AMENDED.**

Table R403.1 to the International Residential Code is added to read as follows:

**TABLE R403.1**  
**MINIMUM WIDTH OF CONCRETE OR**  
**MASONRY FOOTINGS**  
**(inches)<sup>a</sup>**

	LOAD-BEARING VALUE OF SOIL (psf)		
	2,000	3,000	≥4,000
<b>Conventional light-frame construction</b>			
1-story	12	12	12
2-story	16	12	12
3-story	17	12	12
<b>4-inch brick veneer over light frame or 8-inch hollow concrete masonry</b>			
1-story	12	12	12
2-story	16	12	12
3-story	24	16	12
<b>8-inch solid or fully grouted masonry</b>			
1-story	12	12	12
2-story	21	14	12
3-story	32	21	16

For SI: 1 inch = 25.4 mm, 1 pound per square foot = 0.0479 kPa.

- a. Where minimum footing width is 12 inches, use of a single wythe of solid or fully grouted 12-inch nominal concrete masonry units is permitted.  
 (Ord. 2013-8.2, § 56, passed 10-14-2013)

**§ 141.57 INTERNATIONAL RESIDENTIAL CODE; FIGURE R403.1(1); AMENDED.**

Figure R403.1(1) of the International Residential Code (Minimum Footing Reinforcement) is amended as shown on said figure at the end of this Chapter.  
 (Ord. 2013-8.2, § 57, passed 10-14-2013)

**§ 141.58 INTERNATIONAL RESIDENTIAL CODE; SECTION R403.1.3.2; AMENDED.**

Section R403.1.3.2 of the International Residential Code is amended to read as follows:

**R403.1.3.2 Slabs-on-ground with turned-down footings.** Slabs-on-ground with turned-down footings shall have the minimum of one No. 4 bar at the top and the bottom of the footing.  
 (Ord. 2013-8.2, § 58, passed 10-14-2013)

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### **§ 141.59 INTERNATIONAL RESIDENTIAL CODE; SECTION R403.1.4.1; AMENDED.**

Section R403.1.4.1 to the International Residential Code is amended to read as follows:

**R403.1.4.1 Frost protection.** Foundation walls, piers and other permanent supports of buildings and structures shall extended below the frost line specified in Table R301.2.(1).

#### **Exceptions:**

1. Protection of freestanding accessory structures with an area of 400 square feet or less, of light-framed construction, with an eave height of 10 feet or less shall not be required.
  2. Protection of freestanding accessory structures with an area of 500 square feet or less, of light-framed construction, with an eave height of 10 feet or less shall be allowed to be a monolithic slab as shown in Figure R403.3(1).
  3. Decks less than 400 square feet not supported by a dwelling need not be provided with footings that extend below the frost line.
- (Ord. 2013-8.2, § 59, passed 10-14-2013)

### **§ 141.60 INTERNATIONAL RESIDENTIAL CODE; SECTION R403.1.6; AMENDED.**

Section R403.1.6 to the International Residential Code is amended to read as follows:

**R403.1.6 Foundation anchorage.** When braced wall panels are supported directly on continuous foundations, the wall wood sill plate or cold-formed steel bottom track shall be anchored to the foundation in accordance with this section.

The wood sole plate at exterior walls on monolithic slabs and wood sill plate shall be anchored to the foundation with anchor bolts spaced a maximum of 6 feet on center. There shall be a minimum of two bolts per plate section with one bolt located not more than 12 inches or less than seven bolt diameters from each end of the plate section. In Seismic Design Categories D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub>, anchor bolts shall be spaced at 6 feet on center and located within 12 inches of the ends of each plate section at interior braced wall lines when required by Section R602.10.9 to be supported on a continuous foundation. Bolts shall be at least ½ inch in diameter and shall extend a minimum of 7 inches into masonry or concrete. Interior bearing wall sole plates on monolithic slab foundation shall be positively anchored with approved fasteners. A nut and washer shall be tightened on each bolt of the plate. Sills and sole plates shall be protected against decay and termites where required by Section R318. Cold-formed steel framing systems shall be fastened to the wood sill plates or anchored directly to the foundation as required in Section R505.3.1.

#### **Exceptions:**

1. Foundation anchorage, spaced as required to provide equivalent anchorage to ½-inch-diameter anchor bolts. “Y” foundation anchor straps are not equivalent.

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2. Walls 24 inches total length or shorter connecting offset braced wall panels shall be anchored to the foundation with a minimum of one anchor bolt located in the center third of the plate section and shall be attached to adjacent braced wall panels per Figure R602.12.5 at corners.
3. Walls 12 inches total length or shorter connecting offset braced wall panels shall be permitted to be connected to the foundation without anchor bolts.  
(Ord. 2013-8.2, § 60, passed 10-14-2013)

### **§ 141.61 INTERNATIONAL RESIDENTIAL CODE; SECTION R403.3; DELETED.**

Section R403.3 of the International Residential Code (Frost Protected Shallow Foundations) is deleted in its entirety.  
(Ord. 2013-8.2, § 61, passed 10-14-2013)

### **§ 141.62 INTERNATIONAL RESIDENTIAL CODE; SECTION R403.4; AMENDED.**

Section R403.4 of the International Residential Code is amended to read as follows:

**R403.4 Footings for precast concrete foundations.** Footings for precast concrete foundations shall be as described in Table R403.1.  
(Ord. 2013-8.2, § 62, passed 10-14-2013)

### **§ 141.63 INTERNATIONAL RESIDENTIAL CODE; SECTION R403.4.1; DELETED.**

Section R403.4.1 of the International Residential Code (Crushed Stone Footings) is hereby deleted.  
(Ord. 2013-8.2, § 63, passed 10-14-2013)

### **§ 141.64 INTERNATIONAL RESIDENTIAL CODE; TABLE R403.4; DELETED.**

Table R403.4 of the International Residential Code (Minimum Depth of Crushed Stone Footings) is hereby deleted.  
(Ord. 2013-8.2, § 64, passed 10-14-2013)

### **§ 141.65 INTERNATIONAL RESIDENTIAL CODE; TABLE R404.1.1(1); DELETED.**

Table R404.1.1(1) of the International Residential Code (Plain Masonry Foundation Walls) is hereby deleted.  
(Ord. 2013-8.2, § 65, passed 10-14-2013)



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### **§ 141.66 INTERNATIONAL RESIDENTIAL CODE; FIGURE R404.1.1(3); ADDED.**

Figure R404.1.1(3) (Permanent Masonry Foundation Basement Wall Section) is added to the International Residential Code as shown on said Figure at the end of this Chapter.  
(Ord. 2013-8.2, § 66, passed 10-14-2013)

### **§ 141.67 INTERNATIONAL RESIDENTIAL CODE; TABLE R404.1.2(1); DELETED.**

Table R404.1.2(1) of the International Residential Code (Minimum Horizontal Reinforcement for Concrete Basement Walls) is hereby deleted.  
(Ord. 2013-8.2, § 67, passed 10-14-2013)

### **§ 141.68 INTERNATIONAL RESIDENTIAL CODE; TABLE R404.1.2(2); DELETED.**

Table R404.1.2(2) of the International Residential Code (Minimum Vertical Reinforcement for 6-inch Nominal Flat Concrete Basement Walls) is hereby deleted.  
(Ord. 2013-8.2, § 68, passed 10-14-2013)

### **§ 141.69 INTERNATIONAL RESIDENTIAL CODE; TABLE R404.1.2(3); DELETED.**

Table R404.1.2(3) of the International Residential Code (Minimum Vertical Reinforcement for 8-inch Nominal Flat Concrete Basement Walls) is hereby deleted.  
(Ord. 2013-8.2, § 69, passed 10-14-2013)

### **§ 141.70 INTERNATIONAL RESIDENTIAL CODE; TABLE R404.1.2(4); DELETED.**

Table R404.1.2(4) of the International Residential Code (Minimum Vertical Reinforcement for 10-inch Nominal Flat Concrete Basement Walls) is hereby deleted.  
(Ord. 2013-8.2, § 70, passed 10-14-2013)

### **§ 141.71 INTERNATIONAL RESIDENTIAL CODE; TABLE R404.1.2(8); DELETED.**

Table R404.1.2(8) of the International Residential Code (Minimum Vertical Reinforcement for 6-, 8-, 10-inch and 12-inch Nominal Flat Basement Walls) is hereby deleted.  
(Ord. 2013-8.2, § 71, passed 10-14-2013)

**§ 141.72 INTERNATIONAL RESIDENTIAL CODE; TABLE R404.1.2(9); DELETED.**

Table R404.1.2(9) of the International Residential Code (Minimum Spacing for Alternate Bar Size and/or Alternate Grade of Steel) is hereby deleted.  
(Ord. 2013-8.2, § 72, passed 10-14-2013)

**§ 141.73 INTERNATIONAL RESIDENTIAL CODE; SECTION R404.1.2.2; AMENDED.**

Section R404.1.2.2 of the International Residential Code is amended to read as follows:

**R404.1.2.2 Reinforcement for foundation walls.** Concrete foundation walls shall be laterally supported at the top and bottom and vertical reinforcement shall be provided in accordance with Figures R404.1.2.2(1) through R404.1.2.2(9).  
(Ord. 2013-8.2, § 73, passed 10-14-2013)

**§ 141.74 INTERNATIONAL RESIDENTIAL CODE; FIGURES R404.1.2.2(1) THROUGH R404.1.2.2(9) AND FIGURE R404.1.2.2.1; ADDED.**

Figures R404.1.2.2(1) through R404.1.2.2(9) (Reinforcement for Foundation Walls) and Figure R404.1.2.2.1 (Deadman/4 Foot Concrete Wall) are added to the International Residential Code as shown on such Figures at the end of this Chapter.  
(Ord. 2013-8.2, § 74, passed 10-14-2013)

**§ 141.75 INTERNATIONAL RESIDENTIAL CODE; SECTION R404.1.5.2; AMENDED.**

Section R404.1.5.2 of the International Residential Code is amended to read as follows:

**R404.1.5.2 Concrete wall thickness.** The thickness of concrete foundation walls shall be equal to or greater than the thickness of the wall in the *story* above. Concrete foundation walls with corbels, brackets or other projections built into the wall for support of masonry veneer or other purposes are not within the scope of the tables in this section.

Where a concrete foundation wall is reduced in thickness to provide a 4-inch shelf for the support of masonry veneer or a bearing ledge for joists, the reduced thickness of the wall shall not be less than 6 inches. Vertical reinforcement shall be based on the thickness of the thinner portion of the wall.

**Exception:** Where the height of the reduced thickness portion measured to the underside of the floor assembly or sill plate above is less than or equal to 24 inches and the reduction in thickness does not exceed 4 inches, the vertical reinforcement is permitted to be based on the thicker portion of the wall.  
(Ord. 2013-8.2, § 75, passed 10-14-2013)

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### **§ 141.76 INTERNATIONAL RESIDENTIAL CODE; FIGURE R404.1.5.2; ADDED.**

Figure R404.1.5.2 (Garage Stub Wall Foundation Detail) is added to the International Residential Code as shown on such Figure at the end of this Chapter.  
(Ord. 2013-8.2, § 76, passed 10-14-2013)

### **§ 141.77 INTERNATIONAL RESIDENTIAL CODE; SECTION R408.7; DELETED.**

Section R408.7 of the International Residential Code (Flood Resistance) is hereby deleted.  
(Ord. 2013-8.2, § 77, passed 10-14-2013)

### **§ 141.78 INTERNATIONAL RESIDENTIAL CODE; SECTION R502.2.2.3; AMENDED.**

Section R502.2.2.3 of the International Residential Code is amended to read as follows:

**R502.2.2.3 Deck lateral load connection.** The lateral load connection required by Section R502.2.2 shall be permitted to be in accordance with Figure R502.2.2.3. Hold-down tension devices shall be installed in not less than two locations per deck, and each device shall have an allowable stress design capacity of not less than 1,500 pounds.

**Exception:** Hold-down tension devices shall not be required when a 2 x 4 diagonal brace is installed on the underside of the floor joist, tying all joists together, including the ledger.  
(Ord. 2013-8.2, § 78, passed 10-14-2013)

### **§ 141.79 INTERNATIONAL RESIDENTIAL CODE; SECTION R502.3; AMENDED.**

Section R502.3 of the International Residential Code is amended to read as follows:

**R502.3 Allowable joist spans.** Spans for floor joists shall be in accordance with Table R502.3.1(2). For other grades and species and for other loading conditions, refer to the AF&PA Span Tables for Joists and Rafters.  
(Ord. 2013-8.2, § 79, passed 10-14-2013)

### **§ 141.80 INTERNATIONAL RESIDENTIAL CODE; SECTIONS R502.3.1, R502.3.2, R502.3.3, TABLE R502.3.1(1), TABLE R502.3.3(1) AND TABLE 502.3.3(2); DELETED.**

Sections R502.3.1, R502.3.2, and R502.3.3, and Tables R502.3.1(1), R502.3.3.(1) and R502.3.3(2) of the International Residential Code are hereby deleted.  
(Ord. 2013-8.2, § 80, passed 10-14-2013)

**§ 141.81 INTERNATIONAL RESIDENTIAL CODE; SECTION R502.7; AMENDED.**

Section R502.7 of the International Residential Code is amended to read as follows:

**R502.7 Lateral restraint at supports.** Joists shall be supported laterally at the ends by full-depth solid blocking not less than 2 inches nominal in thickness; or by attachment to a header, band, or rim joist, or to an adjoining stud, or the floor sheathing and interior bearing partitions; or shall be otherwise provided with lateral support to prevent rotation.

**Exception:** Trusses, structural composite lumber, structural glued-laminated members and I-joists shall be supported laterally as required by the manufacturer's recommendations.

**R502.7.1 Bridging.** Joists exceeding a nominal 2 by 8 inches shall be supported laterally by solid blocking, diagonal bridging (wood or metal), or a continuous 1-inch-by-3-inch strip nailed across the bottom of the joists perpendicular to joists at intervals not to exceed 8 feet. Dimensional lumber shall be supported laterally by solid blocking, diagonal bridging (wood or metal), or a continuous 1-inch-by-3-inch strip nailed across the bottom of joists perpendicular to joists at intervals not exceeding 8 feet.

**Exception:** Trusses, structural composite lumber, structural glued-laminated members and I-joists shall be supported laterally as required by the manufacturer's recommendations.  
(Ord. 2013-8.2, § 81, passed 10-14-2013)

**§ 141.82 INTERNATIONAL RESIDENTIAL CODE; SECTION R502.10; AMENDED.**

Section R502.10 of the International Residential Code is amended to read as follows:

**R502.10 Framing of openings.** Openings in floor framing shall be framed with a header and trimmer joists. When the header joist span does not exceed 4 feet, the header joist may be a single member the same size as the floor joist. Single trimmer joists may be used to carry a single header joist that is located within 3 feet of the trimmer joist bearing. When the header joist span exceeds 4 feet, the trimmer joists and the header joist shall be doubled and of sufficient cross section to support the floor joists framing into the header. Approved hangers shall be used for the header joist to trimmer joist connection. Tail joists over 12 feet long shall be supported at the header by framing anchors or on ledger strips not less than 2 inches by 2 inches.  
(Ord. 2013-8.2, § 82, passed 10-14-2013)

**§ 141.83 INTERNATIONAL RESIDENTIAL CODE; SECTION R601.3; AMENDED.**

Section R601.3 of the International Residential Code is amended to read as follows:

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**R601.3 Vapor retarders.** Class I or II vapor retarders are not permitted on the interior side of framed walls.  
(Ord. 2013-8.2, § 83, passed 10-14-2013)

### **§ 141.84 INTERNATIONAL RESIDENTIAL CODE; FIGURE R602.10.3.5; ADDED.**

Figure R602.10.3.5 (Alternate Braced Wall Panel at Garage Door Openings) is added to the International Residential Code as shown on such Figure at the end of this Chapter.  
(Ord. 2013-8.2, § 84, passed 10-14-2013)

### **§ 141.85 INTERNATIONAL RESIDENTIAL CODE; FIGURE R602.10.4; ADDED.**

Figure R602.10.4 (Braced Walls Used During Continuous OSB Sheathing) is added to the International Residential Code as shown on such Figure at the end of this Chapter.  
(Ord. 2013-8.2, § 85, passed 10-14-2013)

### **§ 141.86 INTERNATIONAL RESIDENTIAL CODE; SECTION R703.1; AMENDED.**

Section R703.1 of the International Residential Code is amended to read as follows:

**R703.1 Exterior Coverings; General.** To promote building durability, exterior walls shall provide the building with a weather-resistant exterior wall envelope. The exterior wall envelope shall include flashing as described in Section R703.8. The envelope shall provide proper integration of flashings with the WRB and the exterior veneer. These components, in conjunction, shall provide a means of draining water that enters the assembly to the exterior.

Exterior walls shall provide the building with a weather-resistant exterior wall envelope. The exterior wall envelope shall include flashing as described in Section R703.8. The exterior wall envelope shall be designed and constructed in such a manner as to prevent the accumulation of water within the wall assembly by providing a water-resistive barrier behind the exterior veneer as required by Section R703.2.

Any deteriorated or rotting veneer shall be removed prior to installing new veneer. An approved weather barrier shall be installed prior to overlaying with a new veneer product.  
(Ord. 2013-8.2, § 86, passed 10-14-2013)

### **§ 141.87 INTERNATIONAL RESIDENTIAL CODE; TABLE R703.7.3.1; DELETED.**

Table R703.7.3.1 of the International Residential Code (Allowable Spans for Lintels Supporting Masonry Veneer) is hereby deleted.  
(Ord. 2013-8.2, § 87, passed 10-14-2013)

**§ 141.88 INTERNATIONAL RESIDENTIAL CODE; SECTION R703.7.3; DELETED.**

Section R703.7.3 of the International Residential Code (Lintels) is hereby deleted.  
(Ord. 2013-8.2, § 88, passed 10-14-2013)

**§ 141.89 INTERNATIONAL RESIDENTIAL CODE; SECTION R703.7.4; AMENDED.**

Section R703.7.4 of the International Residential Code is amended to read as follows:

**R703.7.4 Anchorage.** Anchors, supports and ties shall be noncombustible and corrosion resistant. When the terms “corrosion resistant” or “noncorrosive” are used in this section, they shall mean having a corrosion resistance equal to or greater than a hot-dipped galvanized coating of 1.5 ounces of zinc per square foot (458 g/m<sup>2</sup>) of surface area. When an element is required to be corrosion resistant or noncorrosive, all of its parts, such as screws, nails, wire, dowels, bolts, nuts, washers, shims, anchors, ties and attachments, shall be corrosion resistant.  
(Ord. 2013-8.2, § 89, passed 10-14-2013)

**§ 141.90 INTERNATIONAL RESIDENTIAL CODE; SECTION R703.7.4.2; DELETED.**

Section R703.7.4.2 of the International Residential Code (Air Space) is hereby deleted.  
(Ord. 2013-8.2, § 90, passed 10-14-2013)

**§ 141.91 INTERNATIONAL RESIDENTIAL CODE; FIGURE R703.7; DELETED.**

Figure R703.7 of the International Residential Code (Masonry Veneer Wall Details) is hereby deleted.  
(Ord. 2013-8.2, § 91, passed 10-14-2013)

**§ 141.92 INTERNATIONAL RESIDENTIAL CODE; SECTION R703.7.5; AMENDED.**

Section R703.7.5 of the International Residential Code is amended to read as follows:

**R703.7.5 Flashing.** Flashing shall be located beneath the first course of masonry above finished ground level above the foundation wall or slab and at other points of support, including structural floors, shelf angles and lintels when masonry veneers are designed in accordance with Section R703.7. See Section R703.8 for additional requirements.

**Exception:** The requirements of R703.7.5 may be deleted if a poured concrete foundation is used with a minimum 8-inch brickledge drop and all exterior window and door openings are caulked with sealant.

(Ord. 2013-8.2, § 92, passed 10-14-2013)

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### § 141.93 INTERNATIONAL RESIDENTIAL CODE; SECTION R703.7.6; AMENDED.

Section R703.7.6 of the International Residential Code is amended to read as follows:

**R703.7.6 Weepholes.** Weepholes shall be provided in the outside wythe of masonry walls at a maximum spacing of 33 inches on center. Weepholes shall not be less than  $\frac{3}{16}$  inch in diameter. Weepholes shall be located immediately above the flashing.

**Exception:** The requirements of R703.7.6 may be deleted if a poured concrete foundation is used with a minimum 8-inch brickledge drop and all exterior window and door openings are flashed per 703.8 amended.

(Ord. 2013-8.2, § 93, passed 10-14-2013)

### § 141.94 INTERNATIONAL RESIDENTIAL CODE; SECTION R703.8; AMENDED.

Section R703.8 of the International Residential Code is amended to read as follows:

**R703.8 Flashing.** Approved corrosion-resistive flashing shall be provided in the exterior wall envelope in such a manner as to prevent entry of water into the wall cavity or penetration of water to the building structural framing components. The flashing shall extend to the surface of the exterior wall finish and shall be installed to prevent water from reentering the exterior wall envelope. Approved corrosion-resistant flashings shall be installed at all of the following locations:

1. At top of all exterior window and door openings in such a manner as to be leakproof.
2. At the intersection of chimneys or other masonry construction with frame or stucco walls, with projecting lips on both sides under stucco copings.
3. Under and at the ends of masonry, copings and sills.
4. Continuously above all projecting wood or composite trim.
5. Where exterior porches, decks or stairs attach to a wall or floor assembly of wood-frame construction.
6. At wall and roof intersections.
7. At built-in gutters.

#### Exceptions:

1. The requirements of subparagraph 3 above may be deleted if a poured concrete foundation is used with a minimum 8-inch brickledge drop.

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2. The requirements of subparagraph 3 above may be deleted where soffits serve as protection for the upper course of brick veneer.  
(Ord. 2013-8.2, § 94, passed 10-14-2013)

### **§ 141.95 INTERNATIONAL RESIDENTIAL CODE; SECTION R703.9.2.1; AMENDED.**

Section R703.9.2.1 of the International Residential Code is amended to read as follows:

**R703.9.2.1 Water-resistive barrier.** The water-resistive barrier shall comply with Section R703.2 or ASTM E 2570. No. 15 asphalt shall not be permitted as a water-resistive barrier.  
(Ord. 2013-8.2, § 95, passed 10-14-2013)

### **§ 141.96 INTERNATIONAL RESIDENTIAL CODE; SECTION R703.9.2.2; AMENDED.**

Section R703.9.2.2 of the International Residential Code is amended to read as follows:

**R703.9.2.2 Installation:** The water-resistive barrier shall be applied between the drainage system and the wall sheathing as per R703.6.3.  
(Ord. 2013-8.2, § 96, passed 10-14-2013)

### **§ 141.97 INTERNATIONAL RESIDENTIAL CODE; SECTION R703.12.1; ADDED.**

Section R703.12.1 is added to the International Residential Code to read as follows:

**R703.12.1 Water-resistive barrier.** A water-resistive vapor-permeable barrier complying with ASTM E2556 for Type II water-resistive barrier shall be installed as required in Section R703.2 with an approved rain screen (drainage system) that has either a minimum depth of 1/8 inch or has an average minimum drainage efficiency of 90 percent when tested in accordance with ASTM E 2273. The WRB shall be installed between the rain screen and the wall sheathing. Flashing shall be installed in accordance with Section R703.8. No. 15 asphalt shall not be permitted as a water-resistant barrier.  
(Ord. 2013-8.2, § 97, passed 10-14-2013)

### **§ 141.98 INTERNATIONAL RESIDENTIAL CODE; SECTION R802.3; AMENDED.**

Section R802.3 of the International Residential Code is amended to read as follows:

**R802.3 Framing details.** Rafters shall be framed to ridge board or to each other with a gusset plate as a tie. Ridge board shall be at least 1-inch nominal thickness and not less in depth than the cut end of the rafter. At all valleys and hips there shall be a valley or hip rafter not less than 2-inch nominal thickness and not less in depth than the cut end of the rafter. Hip and valley rafters



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shall be supported at the ridge by a brace to a bearing partition or be designed to carry and distribute the specific load at that point. Where the roof pitch is less than three units vertical in 12 units horizontal (25-percent slope), structural members that support rafters and ceiling joists, such as ridge beams, hips and valleys, shall be designed as beams.

A roof that is over framed on a lower roof shall bear on a ledger board. The ledger board shall be a minimum of 2 x 6 inches and shall be located on the inside of the heel cut. On existing roofs the roof covering shall be removed to allow the ledger board to bear on the roof sheathing and rafters. The framed roof shall comply with R802.11.  
(Ord. 2013-8.2, § 98, passed 10-14-2013)

### **§ 141.99 INTERNATIONAL RESIDENTIAL CODE; SECTION R905.2.7.1; AMENDED.**

Section R905.2.7.1 of the International Residential Code is amended to read as follows:

**R905.2.7.1 Ice barrier; conditioned floor area.** In areas where there has been a history of ice forming along the eaves causing a backup of water as designated in Table R301.2(1), an ice barrier that consists of a least two layers of underlayment cemented together or of a self-adhering polymer modified bitumen sheet or other method approved by the building official, shall be used in lieu of normal underlayment and extend from the lowest edges of all roof surfaces to at least 36 inches.

#### **Exceptions:**

1. The ice barrier may be omitted when a raised heel truss or other framing method provides space for a minimum of R-38 attic insulation along the exterior wall.
2. The ice barrier may be omitted for attached garages and detached accessory structures that contain no conditioned floor area.

(Ord. 2013-8.2, § 99, passed 10-14-2013)

### **§ 141.100 INTERNATIONAL RESIDENTIAL CODE; SECTION R907.3; AMENDED.**

Section R907.3 of the International Residential Code is amended to read as follows:

**R907.3 Recovering versus replacement.** New roof coverings shall not be installed without first removing existing roof coverings where any of the following conditions occur:

1. Where the existing roof or roof covering is water-soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.
2. Where the existing roof covering is wood shake, slate, clay, cement or asbestos-cement tile.

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3. Where the existing roof has two or more applications of any type of roof covering.

**Exception:** The application of new protective coating over existing spray polyurethane foam roofing systems shall be permitted without tear-off of existing roof covering.  
(Ord. 2013-8.2, § 100, passed 10-14-2013)

### **§ 141.101 INTERNATIONAL RESIDENTIAL CODE; SECTION R1003.11; DELETED.**

Section R1003.11 of the International Residential Code (Masonry Chimneys; Flue Lining (Material)) is hereby deleted.  
(Ord. 2013-8.2, § 101, passed 10-14-2013)

### **§ 141.102 INTERNATIONAL RESIDENTIAL CODE; SECTION R1003.11.2; DELETED.**

Section R1003.11.2 of the International Residential Code (Flue Linings for Specific Appliances) is hereby deleted.  
(Ord. 2013-8.2, § 102, passed 10-14-2013)

### **§ 141.103 INTERNATIONAL RESIDENTIAL CODE; SECTION R1003.11.3; DELETED.**

Section R1003.11.3 of the International Residential Code (Gas Appliances) is hereby deleted.  
(Ord. 2013-8.2, § 103, passed 10-14-2013)

### **§ 141.104 INTERNATIONAL RESIDENTIAL CODE; SECTION R1003.11.4; AMENDED.**

Section R1003.11.4 of the International Residential Code is amended to read as follows:

**R1003.11.4 Pellet fuel-burning appliances.** Flue lining and vent systems for use in masonry chimneys with pellet fuel-burning appliances shall be limited to the following:

1. Flue lining systems complying with Section R1003.11.1.
2. Pellet vents listed for installation within masonry chimneys. (See Section R1003.11.6 for marking.)  
(Ord. 2013-8.2, § 104, passed 10-14-2013)

### **§ 141.105 INTERNATIONAL RESIDENTIAL CODE; SECTION R1003.11.5; DELETED.**

Section R1003.11.5 of the International Residential Code (Oil-Fired Appliances) is hereby deleted.  
(Ord. 2013-8.2, § 105, passed 10-14-2013)

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### **§ 141.106 INTERNATIONAL RESIDENTIAL CODE; SECTION R1003.14; DELETED.**

Section R1003.14 of the International Residential Code (Flue Area (Appliance)) is hereby deleted.

(Ord. 2013-8.2, § 106, passed 10-14-2013)

### **§ 141.107 INTERNATIONAL RESIDENTIAL CODE; SECTION R1004.4; DELETED.**

Section R1004.4 of the International Residential Code (Unvented Gas Log Heaters) is hereby deleted.

(Ord. 2013-8.2, § 107, passed 10-14-2013)

### **§ 141.108 INTERNATIONAL RESIDENTIAL CODE; CHAPTER 11; DELETED.**

Chapter 11 of the International Residential Code (Energy Efficiency) is hereby deleted in its entirety.

(Ord. 2013-8.2, § 108, passed 10-14-2013)

### **§ 141.109 INTERNATIONAL RESIDENTIAL CODE; CHAPTERS 19 THROUGH 22, AND 24 THROUGH 42; DELETED.**

Chapters 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, and 42 of the International Residential Code are hereby deleted in their entirety.

(Ord. 2013-8.2, § 109, passed 10-14-2013)

FIGURE R302.2. (1)

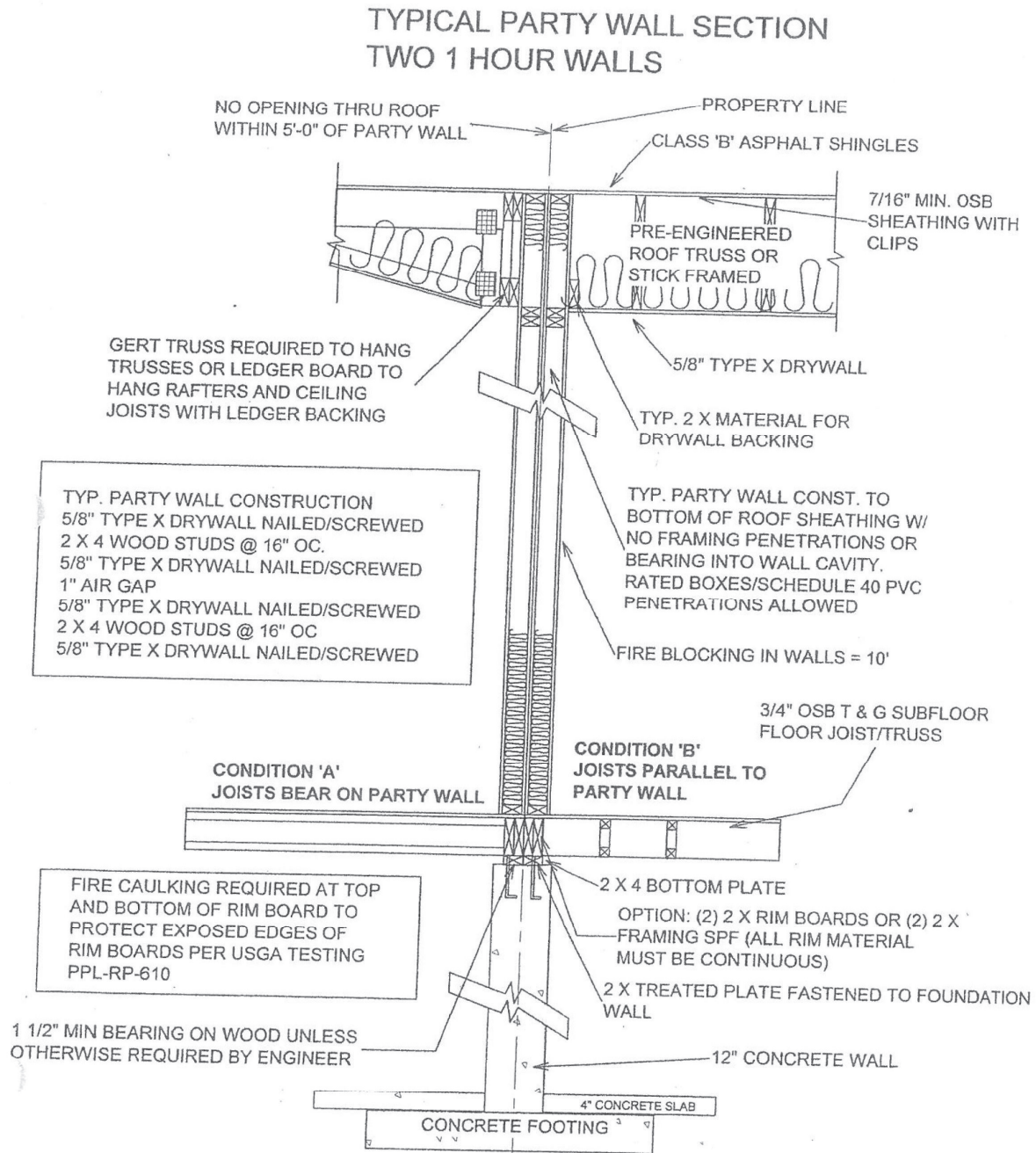


FIGURE R302.2 (2)

# TYPICAL PARTY WALL SECTION 2 HOUR NON BEARING WALL WITH PARALLEL BEARING WALLS

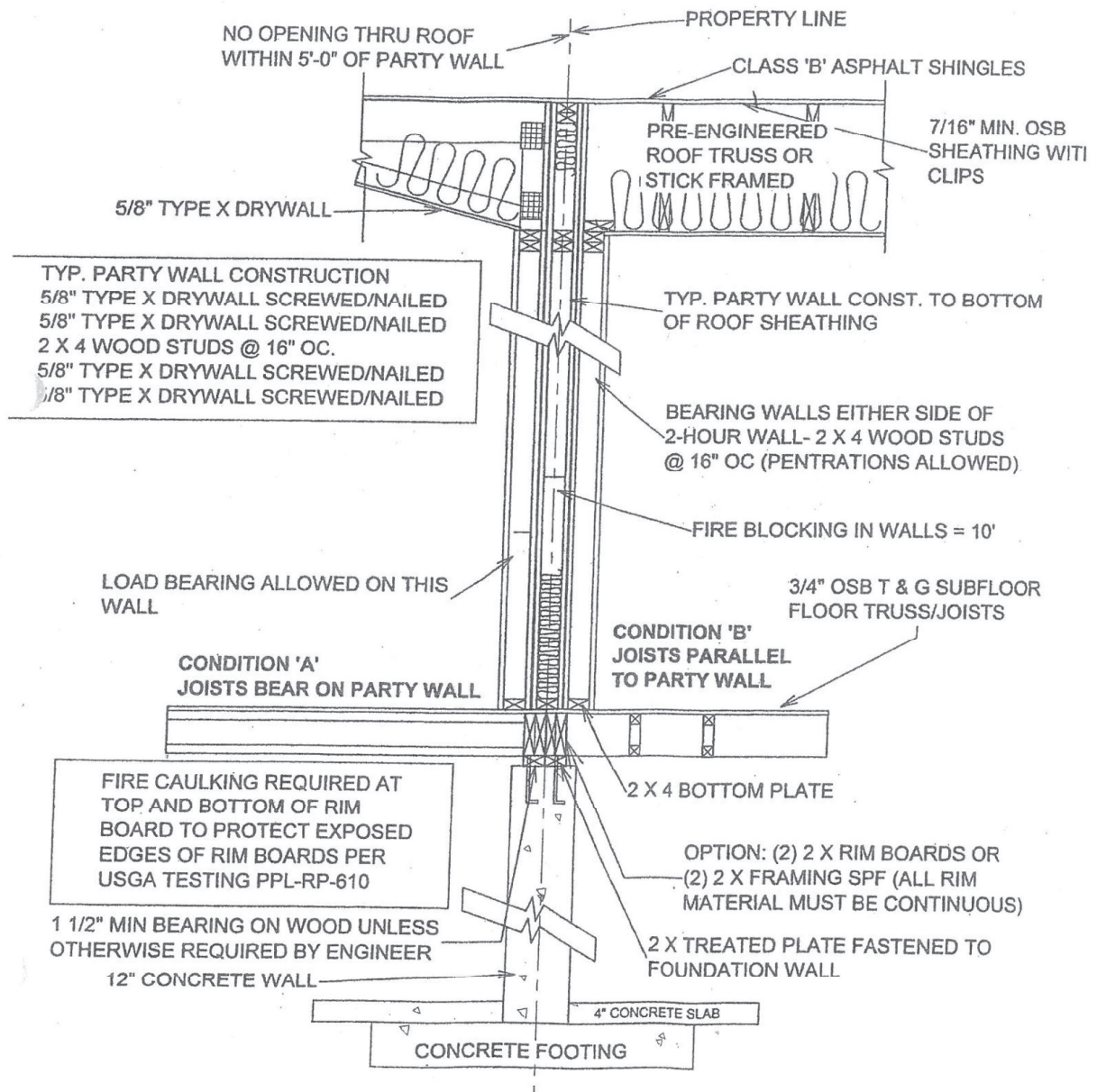
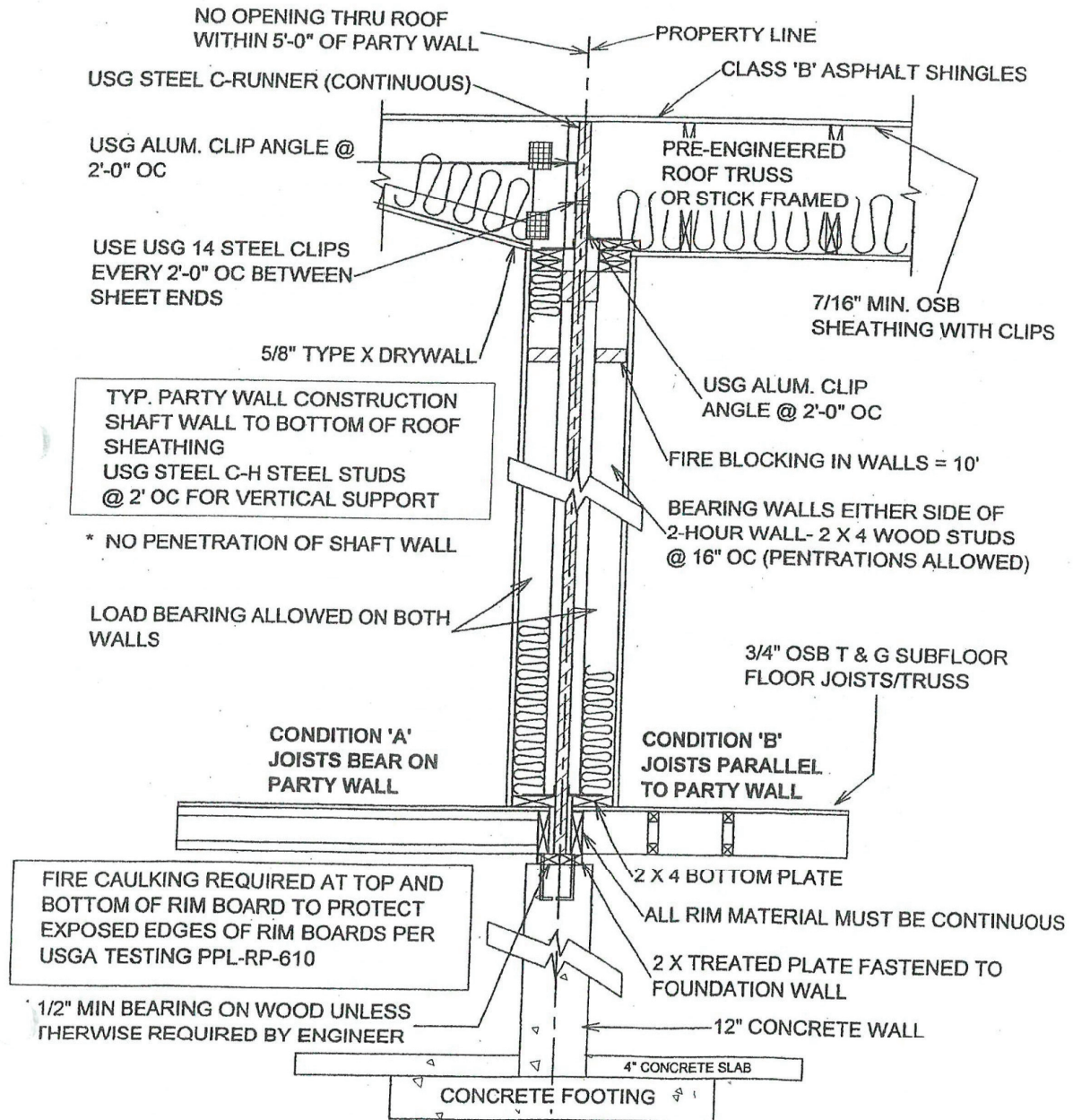




FIGURE R302.2. (1)

FIGURE R302.2 (3)

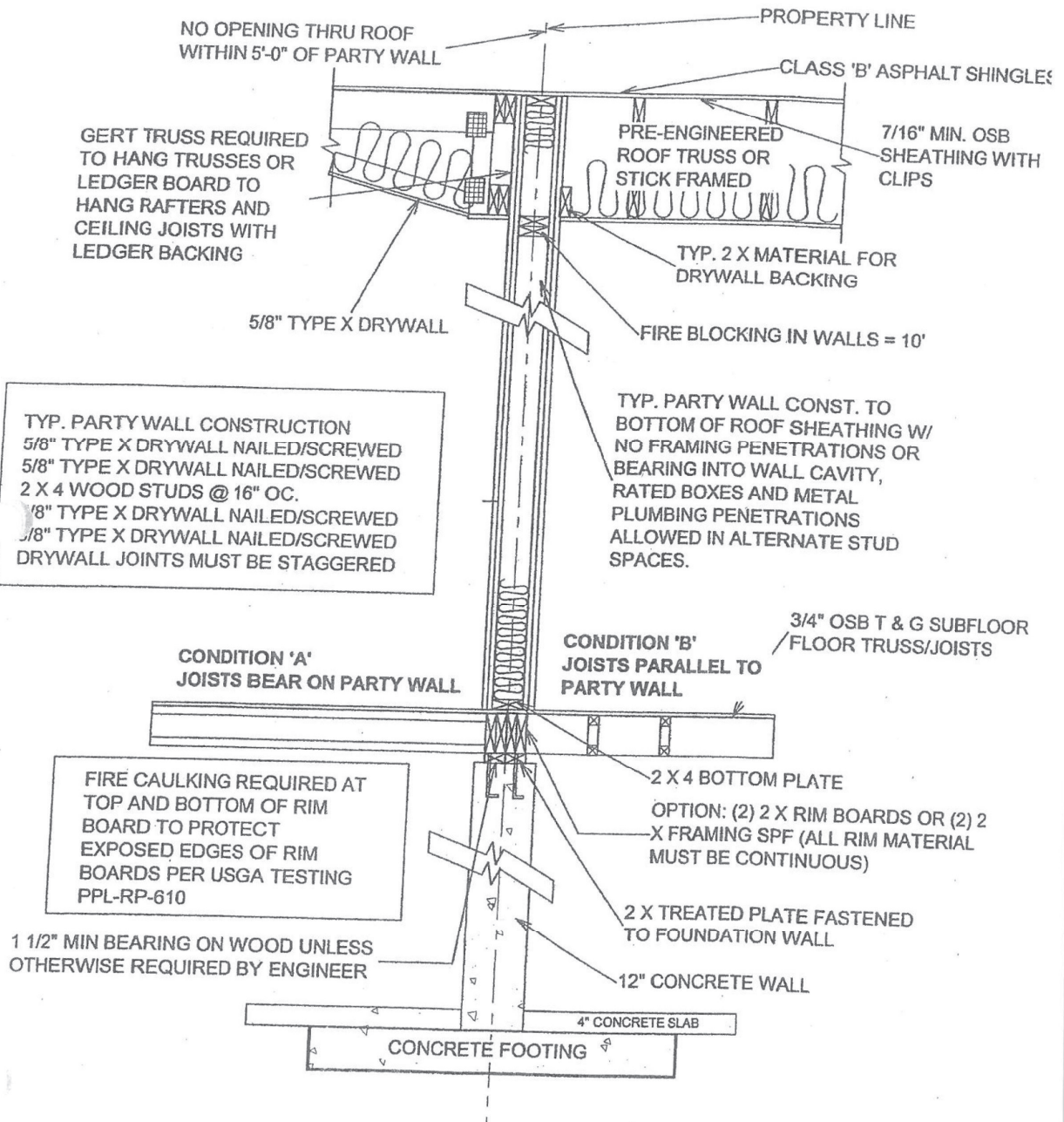
## TYPICAL PARTY WALL SECTION ONE 2 HOUR SHAFT WALL



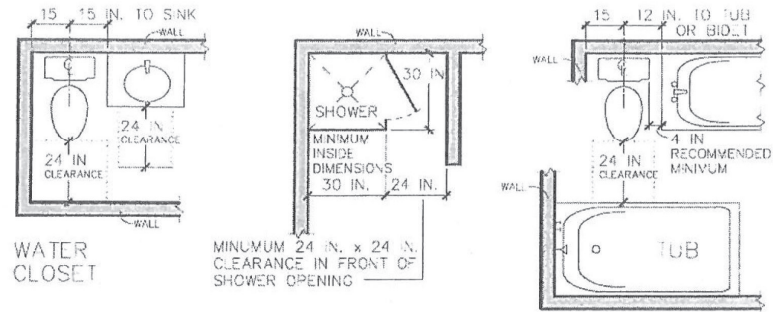
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FIGURE R302.2 (4)

## TYPICAL PARTY WALL SECTION SINGLE 2 HOUR WALL



**FIGURE R307.1**  
**MINIMUM FIXTURE CLEARANCES**



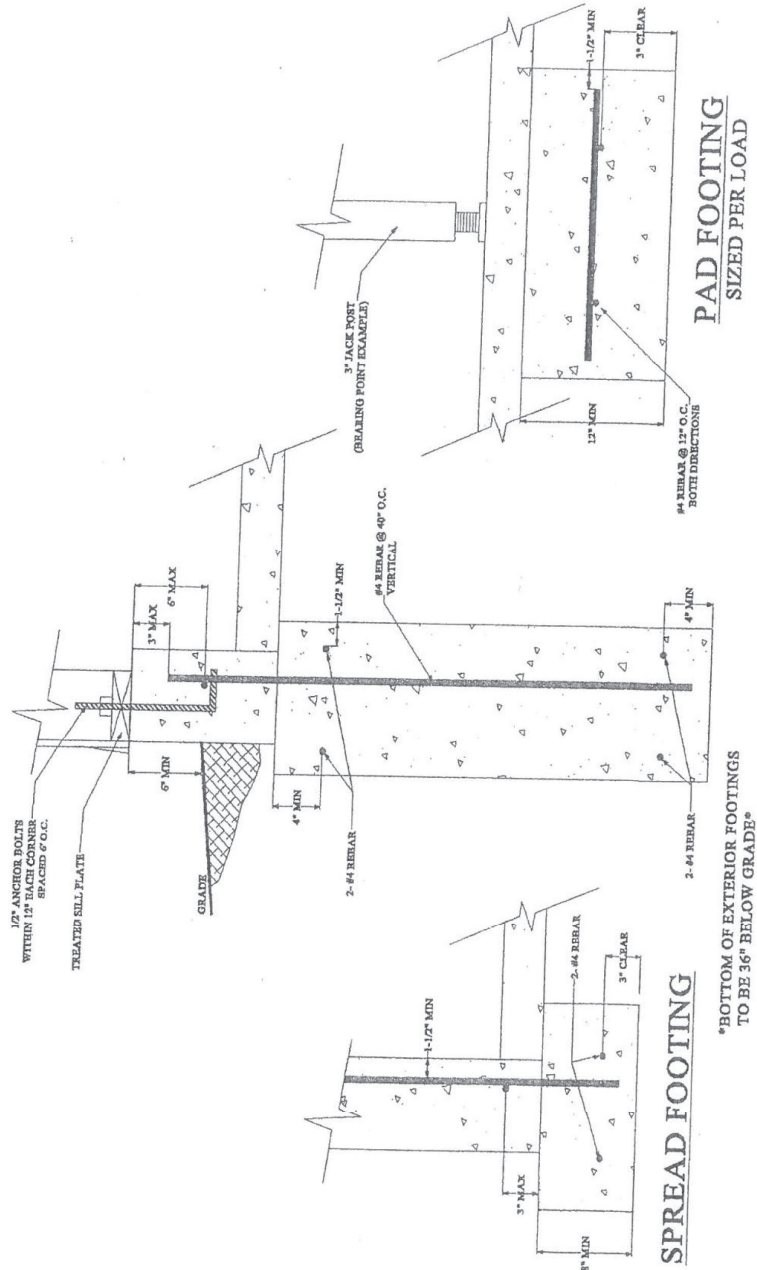
**FIGURE R307.1**  
**MINIMUM FIXTURE CLEARANCES**  
APPROXIMATE SCALE: 1/4" = 1'-0"

THERE SHALL BE A MINIMUM CLEAR FLOOR SPACE OF 24 x 24 INCHES FOR ENTERING OR EXITING OF THE TUB

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**\*FIGURE 403.1(1)**  
**MINIMUM FOOTING REINFORCEMENT**



**STEEL REINFORCEMENT MUST BE IN PLACE BEFORE POURING CONCRETE**

**\*FIGURE R403.1(1)**  
**MONOLITHIC SLAB**

- \*SINGLE STORY ONLY
- \*500 SQ. FT. MAX
- \*20' MIN. DIMENSION
- \*1- ROW BLOCK MAX
- \*12" MAX FILL

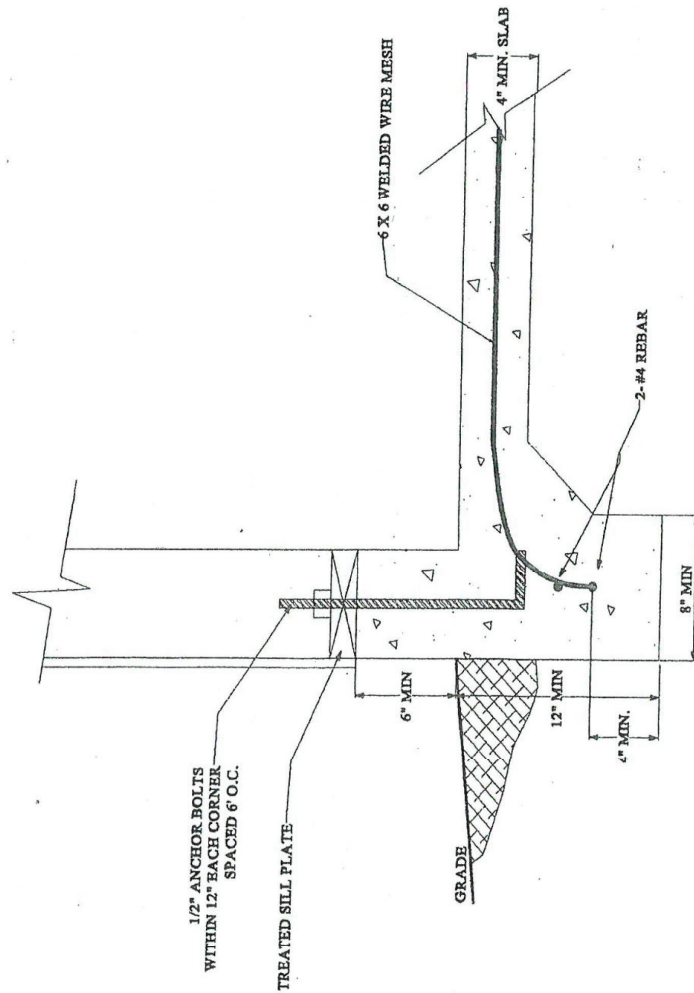


FIGURE R404.1.1 (3)

PERMANENT MASONRY FOUNDATION  
BASEMENT WALL SECTION

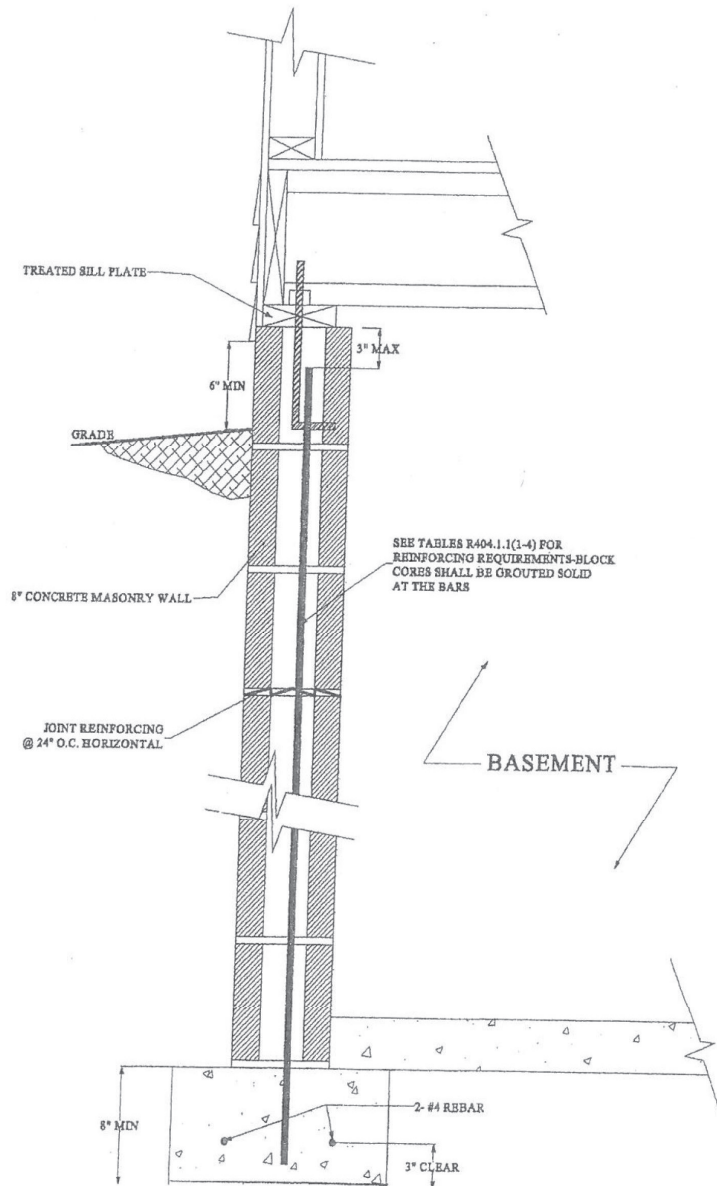
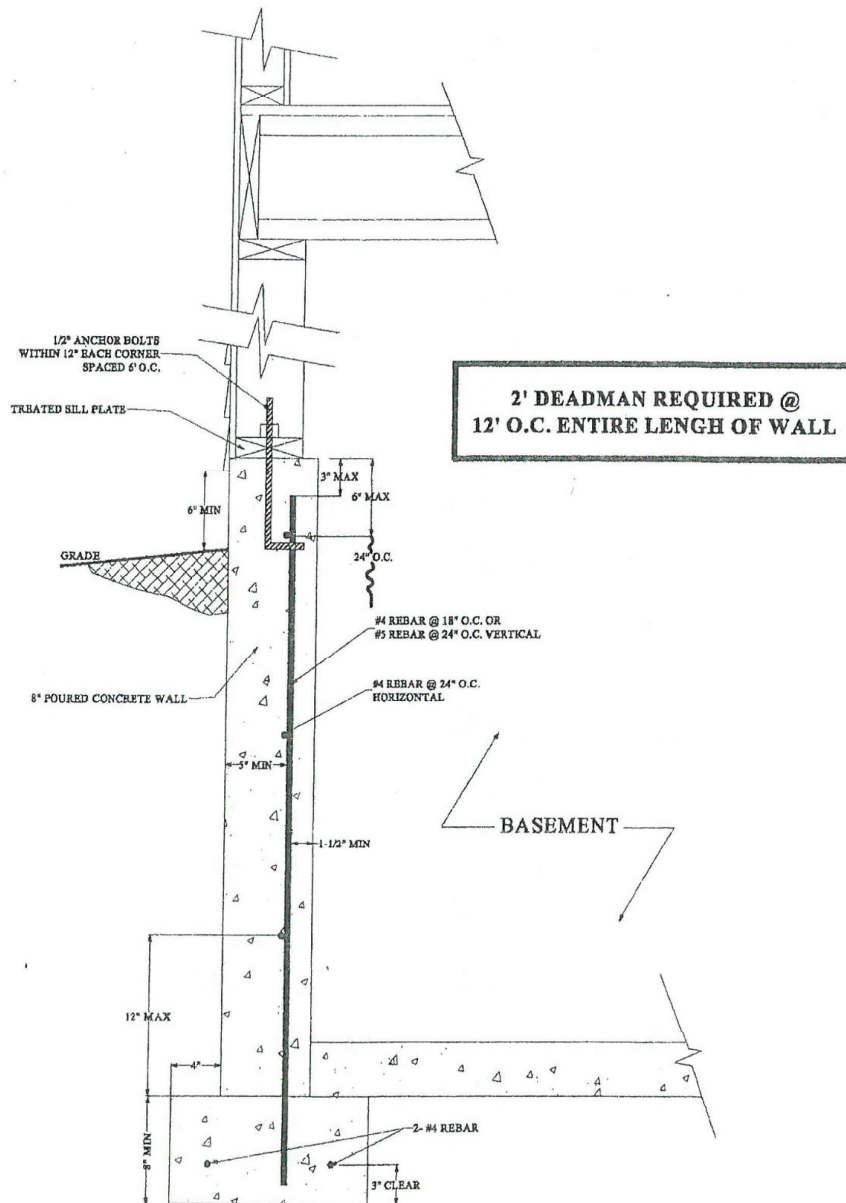


FIGURE R404.1.2.2 (1)

8" PERMANENT POURED DAYLIGHT  
BASEMENT WALL SECTION(4' MAX HEIGHT)



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FIGURE R404.1.2.2 (2)

## 8" PERMANENT POURED FOUNDATION BASEMENT WALL SECTION(8' MAX HEIGHT)

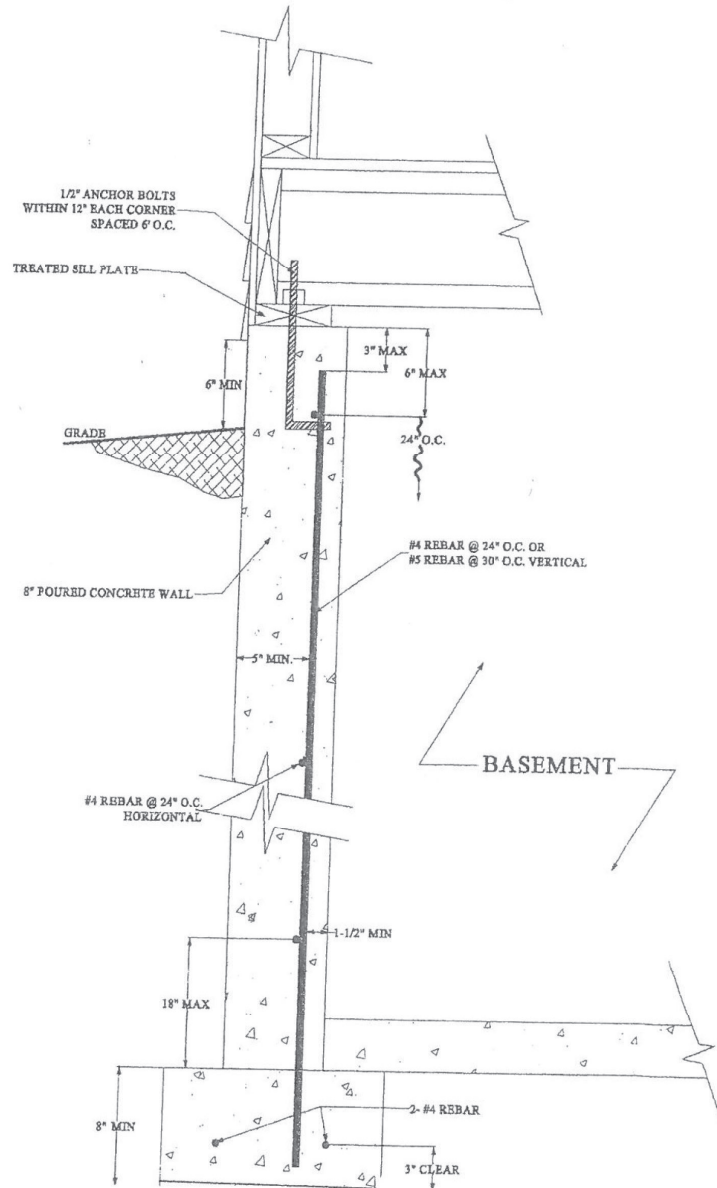
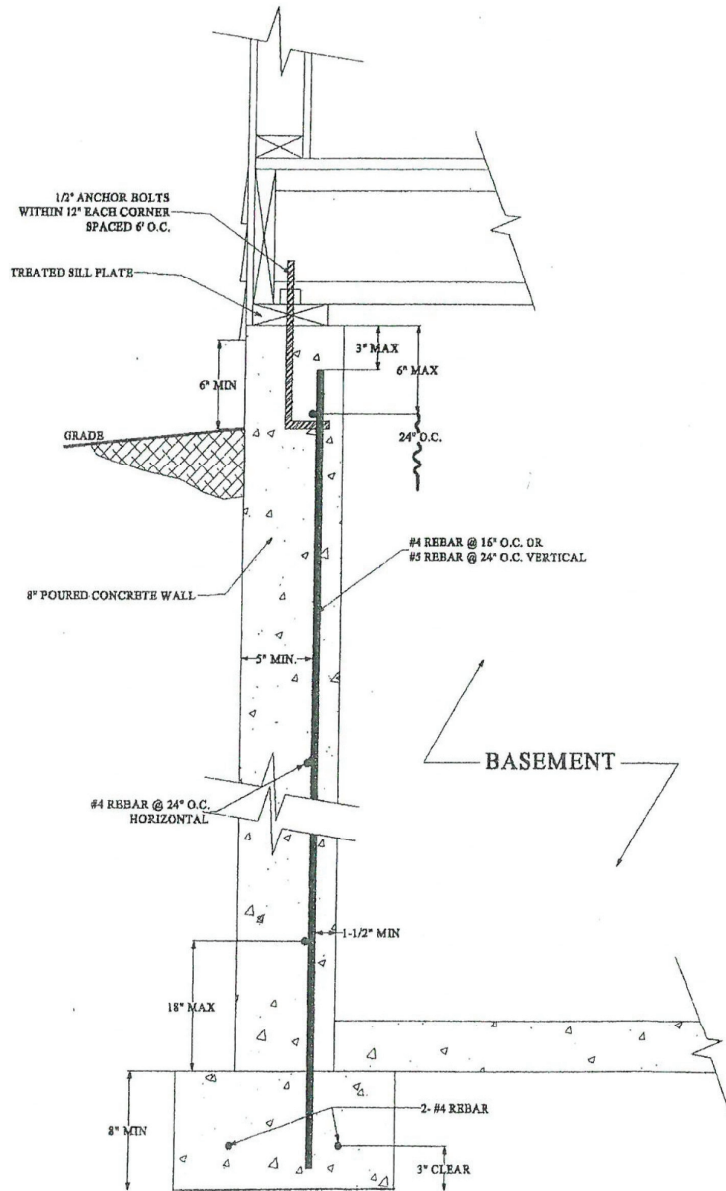


FIGURE R404.1.2.2 (3)

8" PERMANENT POURED FOUNDATION  
BASEMENT WALL SECTION(9' MAX HEIGHT)



# Bennet Residential Code

FIGURE R404.1.2.2 (4)

## 8" PERMANENT POURED FOUNDATION BASEMENT WALL SECTION(10' MAX HEIGHT)

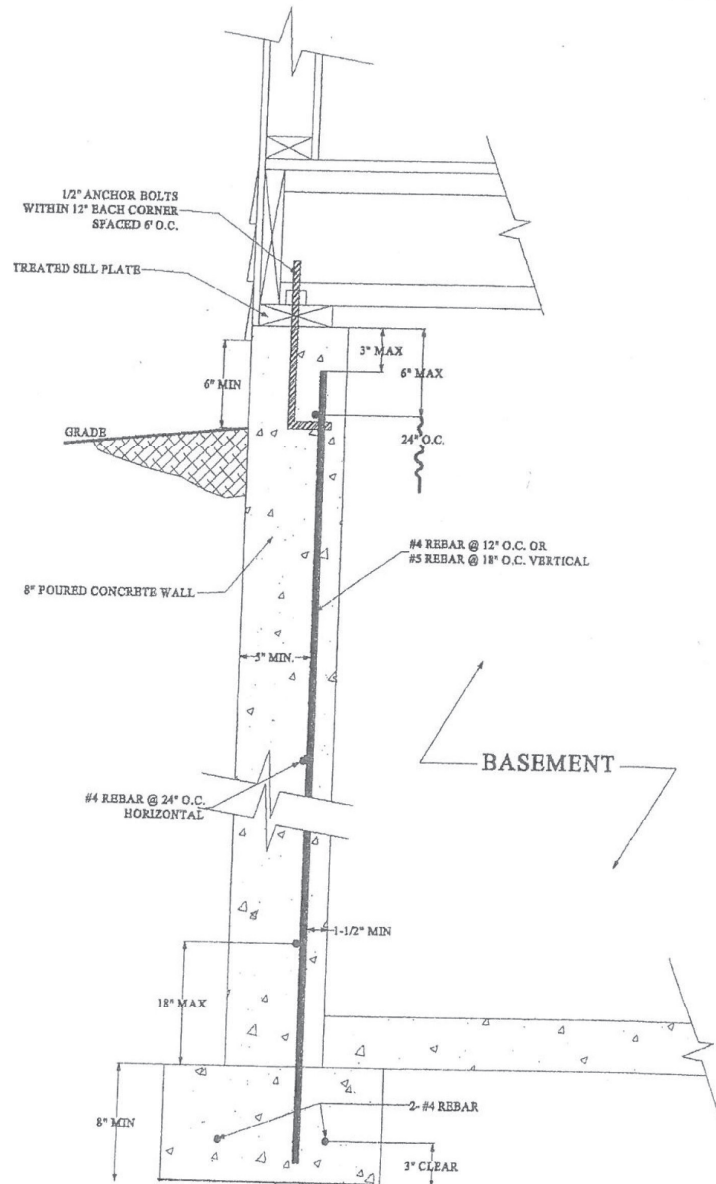
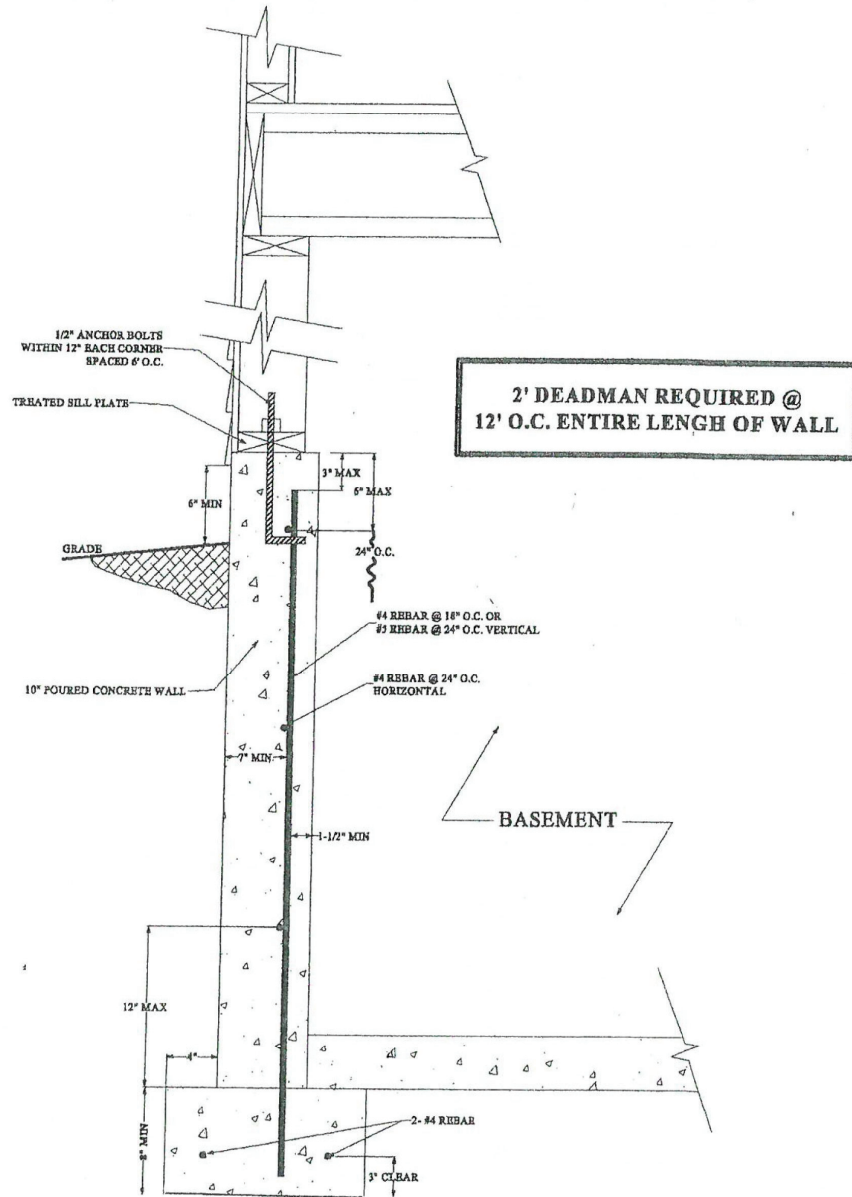


FIGURE R404.1.2.2 (5)

10" PERMANENT POURED DAYLIGHT  
BASEMENT WALL SECTION(4' MAX HEIGHT)





# Bennet Residential Code

FIGURE R404.1.2.2 (6)

## 10" PERMANENT POURED FOUNDATION BASEMENT WALL SECTION(8' MAX HEIGHT)

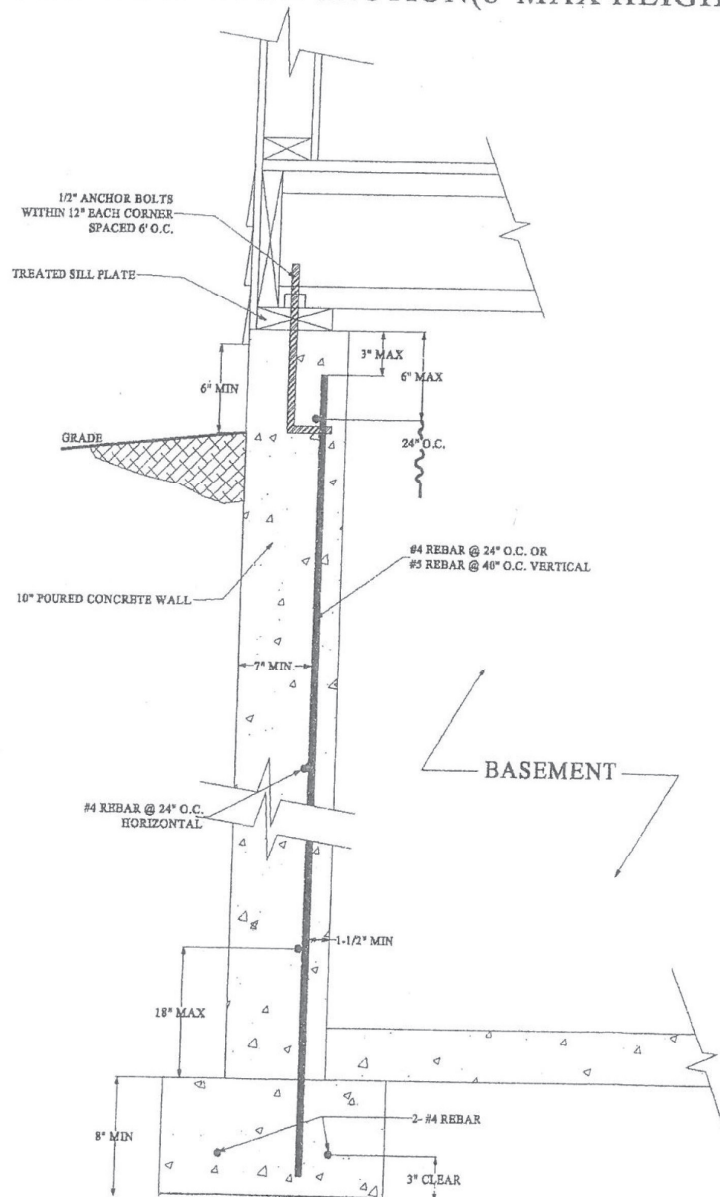
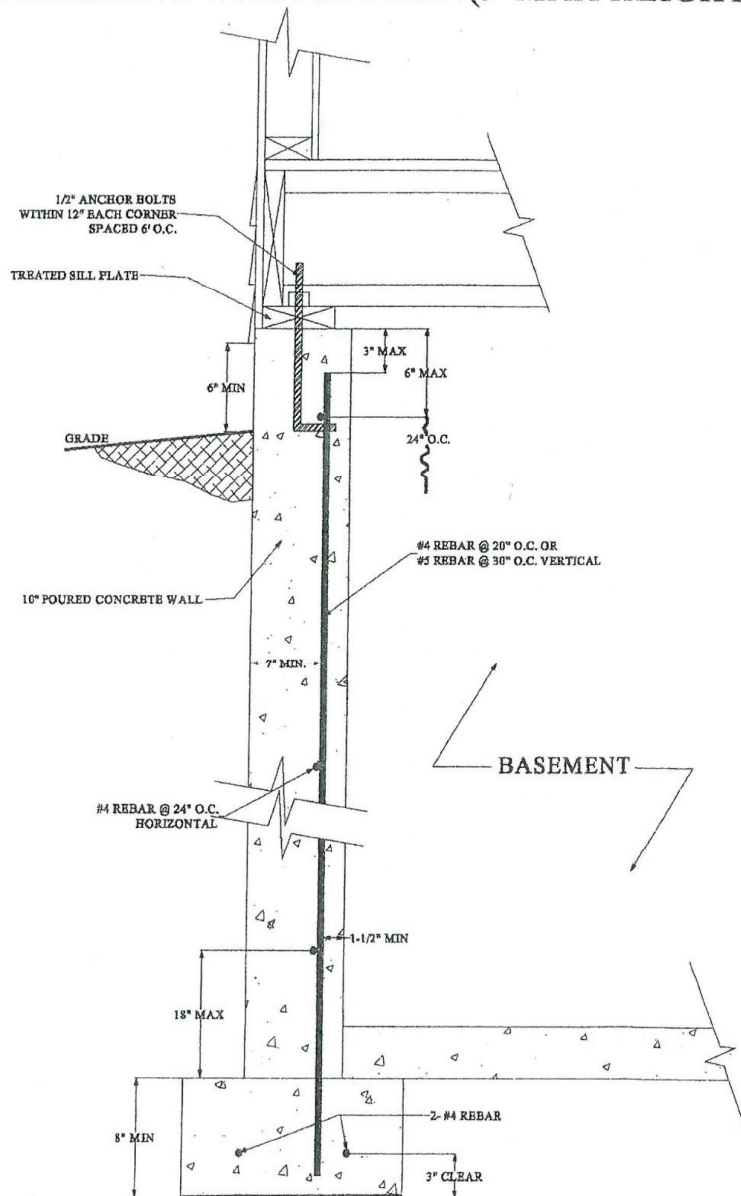


FIGURE R404.1.2.2 (7)

10" PERMANENT POURED FOUNDATION  
BASEMENT WALL SECTION(9' MAX HEIGHT)



# Bennet Residential Code

FIGURE R404.1.2.2 (8)

## 10" PERMANENT POURED FOUNDATION BASEMENT WALL SECTION(10' MAX HEIGHT)

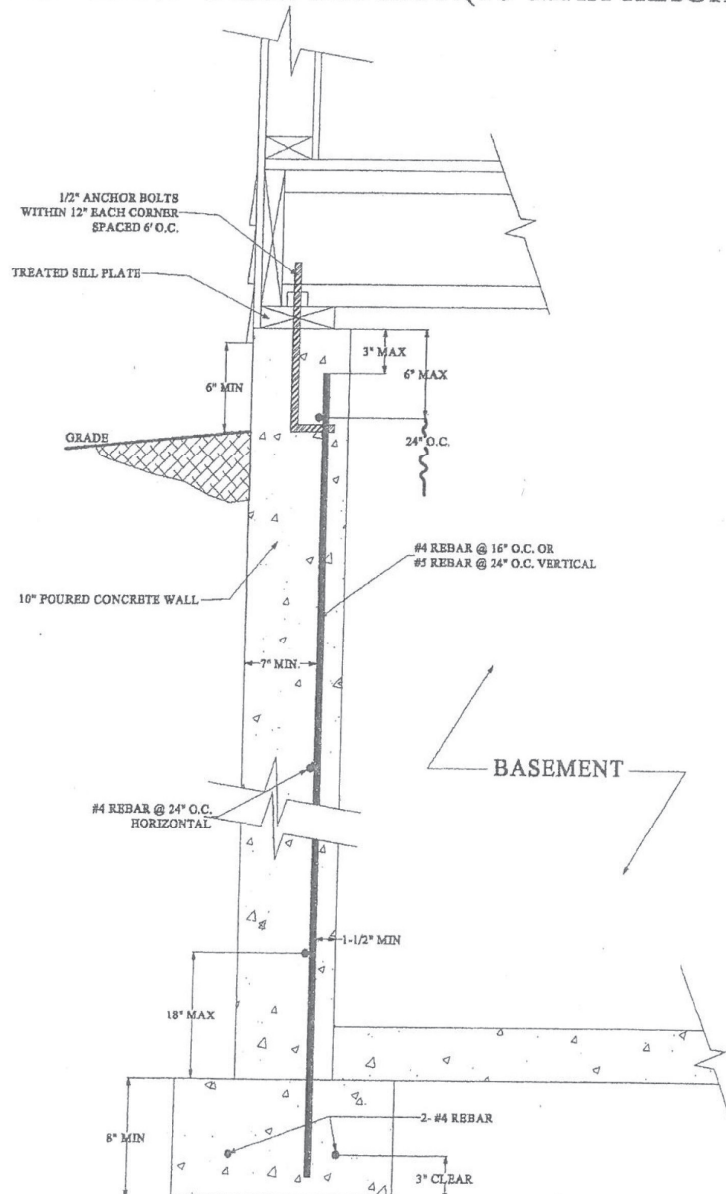
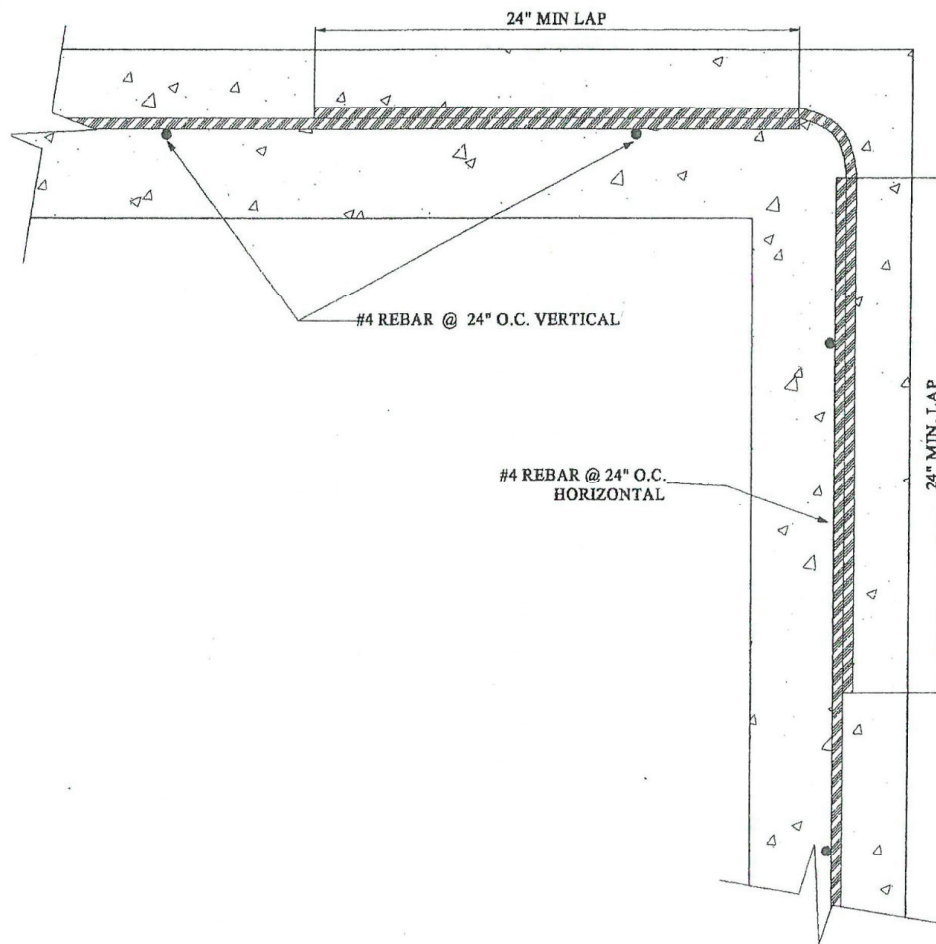


FIGURE R404.1.2.2 (9)

MIN. CONCRETE FOUNDATION  
WALL CORNER DETAIL  
(RESIDENTIAL POURED WALL)



# Bennet Residential Code

FIGURE R404.1.2.2.1

DEADMAN / 4 FOOT CONCRETE WALL 20 FT O.C.

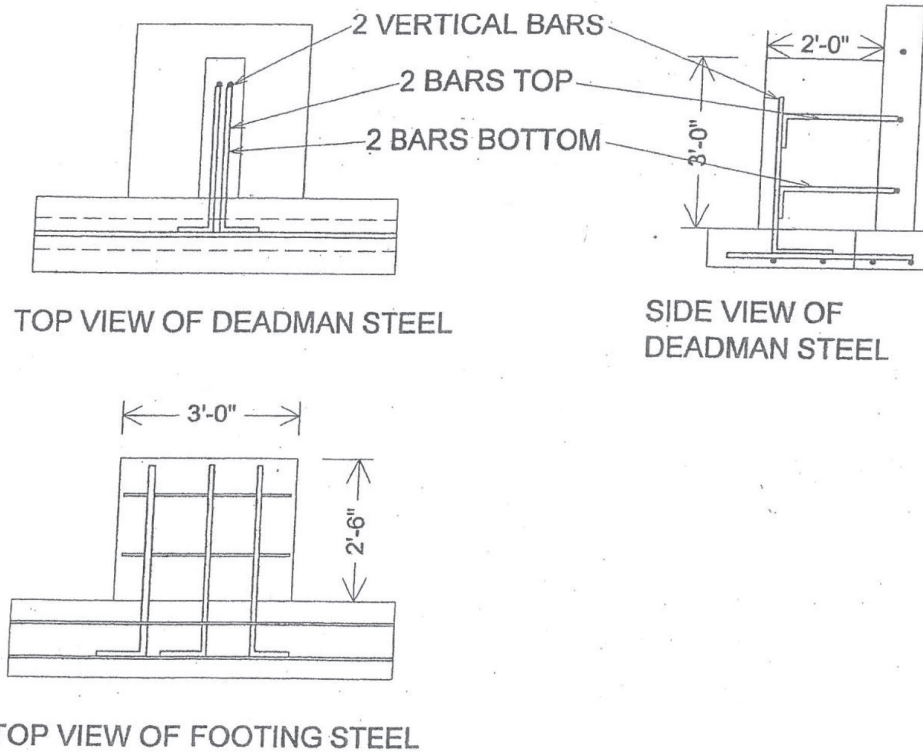


FIGURE R404.1.5.2

## GARAGE DOOR STEM WALL FOR BRACED WALL PANEL

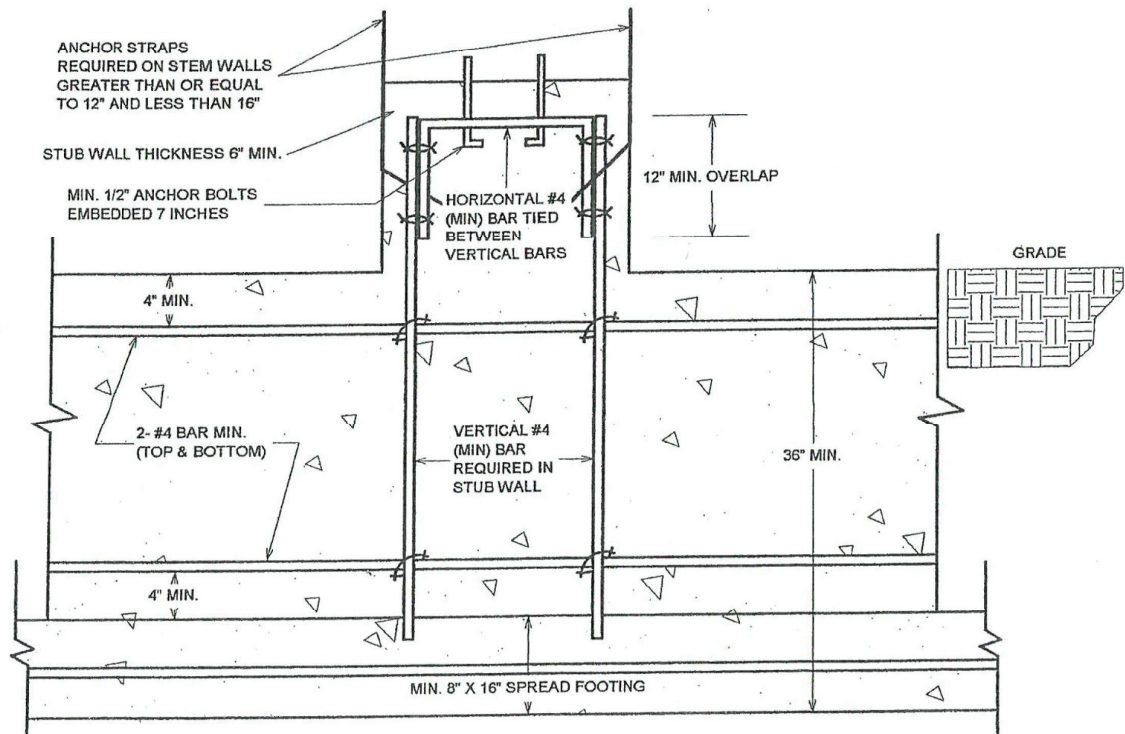
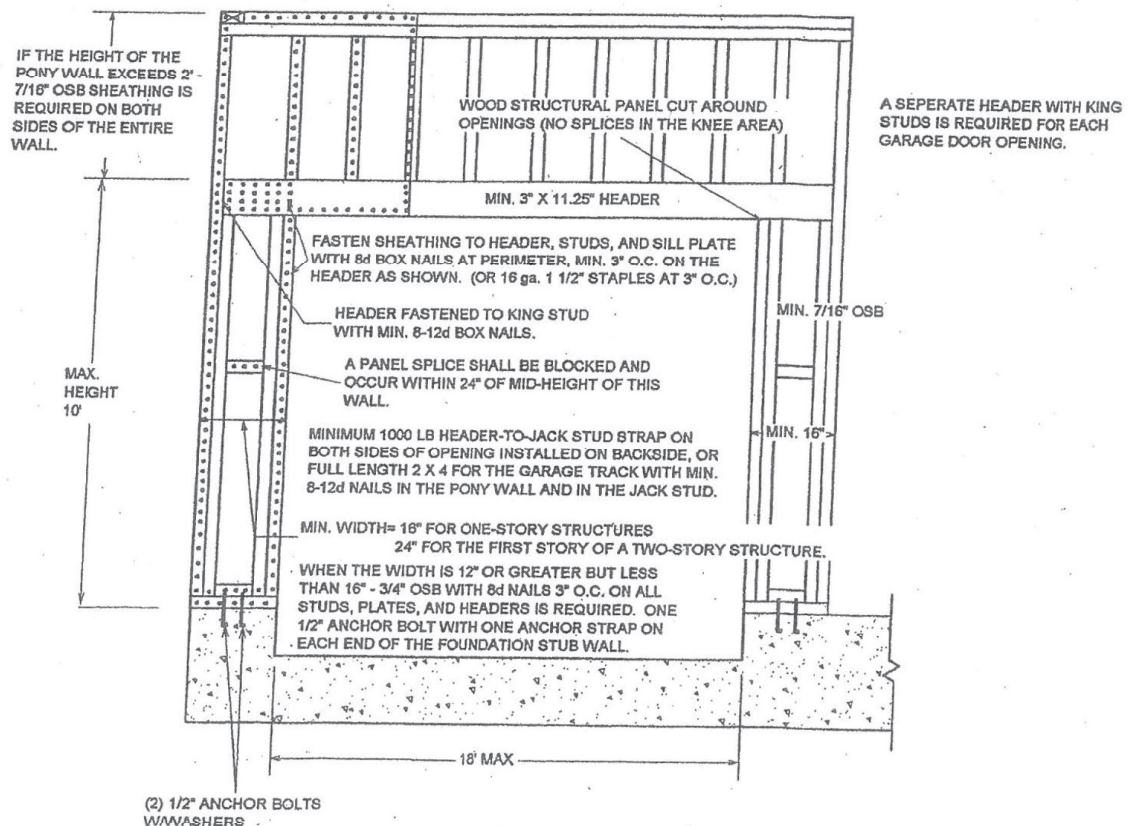


FIGURE 602.10.3.5

**CITY OF LINCOLN/LANCASTER COUNTY  
ALTERNATE BRACED WALL PANEL AT GARAGE DOOR OPENINGS**



\* A WALL LESS THAN 12" IN WIDTH MUST BE DESIGNED BY A LICENSED ENGINEER.



FIGURE R602.10.4

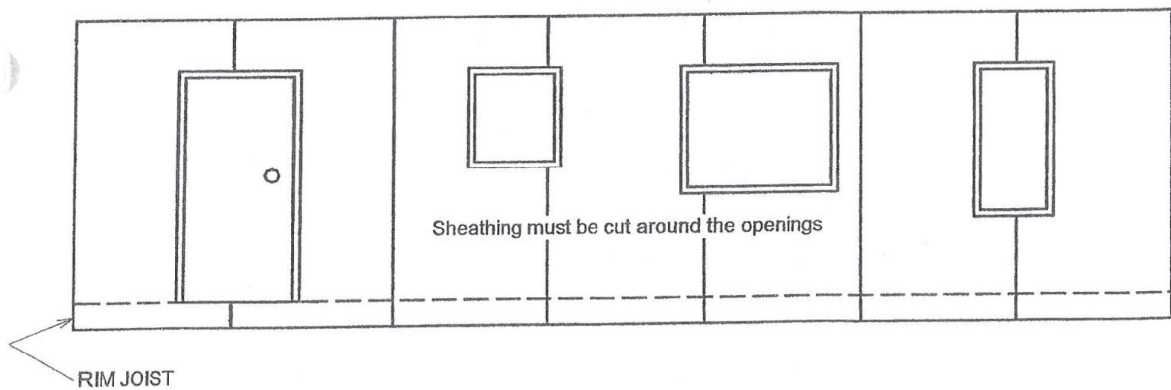
**BRACED WALLS USING CONTINUOUS OSB SHEATHING**

All Panels are a part of the braced wall and contribute to the total strength of the wall.

Minimum sheathing thickness is 7/16" OSB.

Nailing - 8d-6" perimeter and around openings and 12" in the field, or 1 3/4 16 ga staples 4" perimeter and around openings and 8" in the field.

Sheathing can be vertical or horizontal with no blocking.



Wall sheathing extends to bottom of sill plate or 1" metal strap 4' O.C. minimum.



## **CHAPTER 142: BENNET MECHANICAL CODE**

### **Sections:**

- 142.01 International Mechanical Code, 2009 Edition; Adoption by Reference; Application to Extraterritorial Zoning Jurisdiction
- 142.02 International Mechanical Code; Section 101.1; Amended
- 142.03 International Mechanical Code; Section 103; Deleted
- 142.04 International Mechanical Code; Section 109; Deleted
- 142.05 International Mechanical Code; Section 301.2; Deleted
- 142.06 International Mechanical Code; Section 301.7; Deleted
- 142.07 International Mechanical Code; Section 301.13; Deleted
- 142.08 International Mechanical Code; Section 301.15; Deleted
- 142.09 International Mechanical Code; Chapter 11; Deleted

### ***BENNET MECHANICAL CODE***

#### **§ 142.01 INTERNATIONAL MECHANICAL CODE, 2009 EDITION; ADOPTION BY REFERENCE; APPLICATION TO EXTRATERRITORIAL ZONING JURISDICTION.**

Except as hereinafter provided by specific amendment, the International Mechanical Code, 2009 Edition, as published by the International Code Council, Inc., a copy of which is on file in the office of the Village Clerk/Treasurer, be and the same is hereby adopted as the Mechanical Code for the Village of Bennet and for the area within its extraterritorial zoning jurisdiction, for the purpose of regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use, or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; with the additions, insertions, deletions, and changes as hereinafter provided in this Chapter. (1994 Code, § 9-102) (Ord. 2005-11.1, passed 11-14-2005; Am. Ord. 2005-12.2, passed 12-12-2005; Am. Ord. 2013-8.3, § 1, passed 10-14-2013)

#### **§ 142.02 INTERNATIONAL MECHANICAL CODE; SECTION 101.1; AMENDED.**

Section 101.1 of the International Mechanical Code is amended to read as follows:

**101.1 Title.** These regulations shall be known as the Bennet Mechanical Code and shall be cited as such and will be referred to herein as “this code.” (Ord. 2013-8.3, § 2, passed 10-14-2013)

## **Bennet – Structural Safety**

### **§ 142.03 INTERNATIONAL MECHANICAL CODE; SECTION 103; DELETED.**

Section 103 of the International Mechanical Code (Department of Mechanical Inspection) is deleted in its entirety.

(Ord. 2013-8.3, § 3, passed 10-14-2013)

### **§ 142.04 INTERNATIONAL MECHANICAL CODE; SECTION 109; DELETED.**

Section 109 of the International Mechanical Code (Means of Appeal) is deleted in its entirety.

(Ord. 2013-8.3, § 4, passed 10-14-2013)

### **§ 142.05 INTERNATIONAL MECHANICAL CODE; SECTION 301.2; DELETED.**

That Section 301.2 of the International Mechanical Code (Energy Utilization) is deleted in its entirety.

(Ord. 2013-8.3, § 5, passed 10-14-2013)

### **§ 142.06 INTERNATIONAL MECHANICAL CODE; SECTION 301.7; DELETED.**

Section 301.7 of the International Mechanical Code (Electrical) is deleted in its entirety.

(Ord. 2013-8.3, § 6, passed 10-14-2013)

### **§ 142.07 INTERNATIONAL MECHANICAL CODE; SECTION 301.13; DELETED.**

Section 301.13 of the International Mechanical Code (Flood Hazard) is hereby deleted in its entirety.

(Ord. 2013-8.3, § 7, passed 10-14-2013)

### **§ 142.08 INTERNATIONAL MECHANICAL CODE; SECTION 301.15; DELETED.**

Section 301.15 of the International Mechanical Code (Seismic Resistance) is hereby deleted in its entirety.

(Ord. 2013-8.3, § 8, passed 10-14-2013)

### **§ 142.09 INTERNATIONAL MECHANICAL CODE; CHAPTER 11; DELETED.**

Chapter 11 of the International Mechanical Code (Refrigeration) is hereby deleted in its entirety.

(Ord. 2013-8.3, § 9, passed 10-14-2013)

## **CHAPTER 143: BENNET FUEL GAS CODE**

### **Sections:**

- 143.01 International Fuel Gas Code, 2009 Edition; Adoption by Reference; Application to Extraterritorial Zoning Jurisdiction
- 143.02 International Fuel Gas Code, Section 101.1; Amended
- 143.03 International Fuel Gas Code, Section 103, Deleted
- 143.04 International Fuel Gas Code, Section 109; Deleted
- 143.05 International Fuel Gas Code, Section 301.2; Deleted
- 143.06 International Fuel Gas Code, Section 301.11; Deleted
- 143.07 International Fuel Gas Code, Section 301.12; Deleted

### ***BENNET FUEL GAS CODE***

#### **§ 143.01 INTERNATIONAL FUEL GAS CODE, 2009 EDITION; ADOPTION BY REFERENCE; APPLICATION TO EXTRATERRITORIAL ZONING JURISDICTION.**

Except as hereinafter provided by specific amendment, the International Fuel Gas Code, 2009 Edition, as published by the International Code Council, Inc., a copy of which is on file in the office of the Village Clerk/Treasurer, be and the same is hereby adopted as the Fuel Gas Code for the Village of Bennet and for the area within its extraterritorial zoning jurisdiction, for the purpose of regulating and governing fuel gas systems and gas fired appliances as herein provided; providing for the issuance of permits and collection of fees therefor; with the additions, insertions, deletions, and changes as hereinafter provided in this Chapter.

(Ord. 2005-11.1, passed 11-14-2005; Am. Ord. 2013-8.4, § 1, passed 10-14-2013)

#### **§ 143.02 INTERNATIONAL FUEL GAS CODE; SECTION 101.1; AMENDED.**

Section 101.1 of the International Fuel Gas Code is amended to read as follows:

**101.1 Title.** These regulations shall be known as the Bennet Fuel Gas Code and shall be cited as such and will be referred to herein as “this code.”

(Ord. 2013-8.4, § 2, passed 10-14-2013)

#### **§ 143.03 INTERNATIONAL FUEL GAS CODE; SECTION 103; DELETED.**

Section 103 of the International Fuel Gas Code (Department of Inspection) is deleted in its entirety.

(Ord. 2013-8.4, § 3, passed 10-14-2013)

## **Bennet – Structural Safety**

### **§ 143.04 INTERNATIONAL FUEL GAS CODE; SECTION 109; DELETED.**

Section 109 of the International Fuel Gas Code (Means of Appeal) is deleted in its entirety.  
(Ord. 2013-8.4, § 4, passed 10-14-2013)

### **§ 143.05 INTERNATIONAL FUEL GAS CODE; SECTION 301.2; DELETED.**

That Section 301.2 of the International Fuel Gas Code (Energy Utilization) is deleted in its entirety.  
(Ord. 2013-8.4, § 5, passed 10-14-2013)

### **§ 143.06 INTERNATIONAL FUEL GAS CODE; SECTION 301.11; DELETED.**

Section 301.11 of the International Fuel Gas Code (Flood Hazard) is deleted in its entirety.  
(Ord. 2013-8.4, § 6, passed 10-14-2013)

### **§ 143.07 INTERNATIONAL FUEL GAS CODE; SECTION 301.12; DELETED.**

Section 301.12 of the International Fuel Gas Code (Seismic Resistance) is hereby deleted in its entirety.  
(Ord. 2013-8.4, § 7, passed 10-14-2013)

## CHAPTER 144: PLUMBING CODE

### Sections:

- 144.01 Uniform Plumbing Code, 2009 Edition; Adoption by Reference; Application to Extraterritorial Zoning Jurisdiction
- 144.02 Uniform Plumbing Code; Section 101.1; Amended
- 144.03 Uniform Plumbing Code, Table 6-4; Amended

### *BENNET PLUMBING CODE*

#### **§ 144.01 UNIFORM PLUMBING CODE, 2009 EDITION; ADOPTION BY REFERENCE; APPLICATION TO EXTRATERRITORIAL ZONING JURISDICTION.**

The Uniform Plumbing Code, 2009 Edition, as published by the International Association of Plumbing and Mechanical Officials, a copy of which is on file in the office of the Village Clerk/Treasurer, be and the same is hereby adopted as the Plumbing Code for the Village of Bennet and for the area within its extraterritorial zoning jurisdiction, for the purpose of regulating and governing the erection, installation, alteration, repair, relocation, replacement, addition to, use, or maintenance of plumbing systems within the jurisdiction of the Village of Bennet; providing for the issuance of permits and collection of fees therefor; with the amendments, exceptions and deletions as hereinafter provided in this Chapter.

(Ord. 2013-8.5, § 1, passed 10-14-2013)

#### **§ 144.02 UNIFORM PLUMBING CODE; SECTION 101.1; AMENDED.**

Section 101.1 of the Uniform Plumbing Code is amended to read as follows:

**101.1 Title.** This document shall be known as the Bennet Plumbing Code and shall be cited as such and will be referred to herein as “this code.”

(Ord. 2013-8.5, § 2, passed 10-14-2013)

#### **§ 144.03 UNIFORM PLUMBING CODE; TABLE 6-4; AMENDED.**

That Table 6-4 of the Uniform Plumbing Code be amended to read as follows:

## Bennet – Structural Safety

**TABLE 6-4**  
**Materials for Building Supply and Water Distribution Piping and Fittings<sup>1</sup>**

<b>Material</b>	<b>Building Supply Pipe and Fittings</b>	<b>Water Distribution Pipe and Fittings</b>	<b>Referenced Standards(s) Pipe</b>	<b>Referenced Standard(s) Fittings</b>
Brass	X	X	ASTM B43, ASTM B135	
Copper	X	X	ASTM B42, ASTM B75, ASTM B88, ASTM B251, ASTM B302, ASTM B447	ASME B16.15, ASME B16.18, ASME B16.22, ASME B16.26
Ductile-Iron	X	X	AWWA C151	ASME B16.4, AWWA C110, AWWA C153
Galvanized Steel	X	X	ASTM A53	
Malleable Iron	X	X		ASME B16.3
PE-AL-PE	X	X	ASTM F1282, CSA B137.9	ASTM F1282, ASTM F1974, CSA B137.9
PE (Outside Only)	X <sup>2</sup>		ASTM D2239, ASTM D2737, ASTM D3035, AWWA C901, CSA B137.1	ASTM D2609, ASTM D2683, ASTM D3261, ASTM F1055, CSA B137.1
PEX	X	X	ASTM F87, ASTM F877, CSA B137.5	ASTM F877, ASTM F1807, ASTM F1960, ASTM F1961, ASTM F2080, ASTM F2159, CSA B137.5
PEX-AL-PEX	X	X	ASTM F1281, CSA B137.10, ASTM F2262	ASTM F1281, ASTM F1974, ASTM F2434, CSA B137.10
Stainless Steel	X	X	ASTM A269, ASTM A312	

<sup>1</sup>Notwithstanding anything to the contrary in Table 6-4 or elsewhere in the Bennet Plumbing Code, all supply pipe carrying or supplying water from the main to the meter pit or curb stop shall be copper tubing (Type K) conforming to the ASTM Standards for copper pipe and fittings referenced in Table 6-4.

<sup>2</sup>For Building Supply or cold-water applications.  
(Ord. 2013-8.5, § 3, passed 10-14-2013)

## **CHAPTER 145: GENERAL PROVISIONS RELATING TO ADMINISTRATION OF BUILDING CODES**

### **Sections:**

- 145.01 Building Official; Designation
- 145.02 Appeals
- 145.03 Permits; Sewer Capacity
- 145.04 Building Permit; Duplicate to County Assessor
- 145.05 Protection of Excavations
- 145.06 Construction Noise; Limitation of Hours
- 145.07 Receptacles for Building Rubbish and Demolition Debris

### **§ 145.01 BUILDING OFFICIAL; DESIGNATION.**

Notwithstanding any provisions of the International Building Code, 2009 Edition, International Residential Code, 2009 Edition, International Mechanical Code, 2009 Edition, Uniform Plumbing Code, 2009 Edition, International Fuel Gas Code, 2009 Edition to the contrary, the Village Clerk/Treasurer is hereby designated as the Building Official for purposes of administration of the Codes. The village may employ, by contract or otherwise, individuals to provide inspection services as required under the Codes, and the persons, when so employed or contracted, shall be under the supervision and direction of the Village Clerk/Treasurer.  
(Ord. 2013-8.6, § 1, passed 10-14-2013)

### **§ 145.02 APPEALS.**

(A) In order to hear and decide appeals of orders, decisions, or determinations made by the Building Official relative to the application and interpretation of the Building Code, Residential Code, Mechanical Code, Plumbing Code, or Fuel Gas Code, there is hereby created a Board of Appeals. The Board of Appeals shall consist of the Village Clerk/Treasurer, the inspector having responsibility for the Code involved, and 1 member of the Board of Trustees designated to serve on the Board of Appeals.

(B) An application for appeal shall be based upon a claim that the true intent of the code provision in question has been incorrectly interpreted, the provisions of the code in question do not fully apply, or an equally good or better form of construction is proposed. The appeal shall be filed on a form obtained from the Building Official within 20 days after the order, decision or determination appealed from.

(C) The Board shall hear the appeal in an informal setting, without the application of formal rules of evidence. The party appealing shall be heard by the Board and may present relevant

## **Bennet – Structural Safety**

testimony and documentary support for the appeal. The Board shall render an opinion in writing within 3 days after the hearing upon the appeal.  
(Ord. 2013-8.6, § 2, passed 10-14-2013)

### **§ 145.03 PERMITS; SEWER CAPACITY.**

Notwithstanding anything in this code to the contrary, no building permit shall be issued for any residential or other structure requiring connection to the municipal sewer system, unless there is adequate capacity in the village's waste water treatment facilities to accommodate the additional load as determined by the Nebraska Department of Environmental Quality and in accordance with permits issued to the village by the Department of Environmental Quality.  
(Ord. 2013-8.6, § 4, passed 10-14-2013)

### **§ 145.04 BUILDING PERMIT; DUPLICATE TO COUNTY ASSESSOR.**

Whenever a building permit is issued for the erection, alteration, or repair of any building within the jurisdiction of the village, and the improvement is \$2,500 or more, a duplicate of such permit shall be issued to the County Assessor.  
(Ord. 2013-8.6, § 5, passed 10-14-2013)

### **§ 145.05 PROTECTION OF EXCAVATIONS.**

Every open excavation on any construction site within the village, including but not limited to excavations for basements and cellars, having a depth of 3 feet or more shall be completely surrounded by temporary fencing, such as silt or snow fence, at all times that construction work is not actively occurring on the site.  
(Ord. 2013-8.6, § 6, passed 10-14-2013)

### **§ 145.06 CONSTRUCTION NOISE; LIMITATION OF HOURS.**

No person shall operate or permit the operation of any tools or equipment used in construction, drilling, or demolition work within the village between the hours of 10:00 p.m. and 6:00 a.m. the following day on any day in such a manner as to create a noise disturbance across a residential real property boundary or within any residentially zoned area, except for emergency work. For purposes of this section, a noise disturbance shall mean any sounds not occurring in the natural environment that would tend to annoy or disturb persons with reasonable sensitivities, or which injures or endangers the comfort, health, welfare, hearing, peace, or safety of other persons.  
(Ord. 2013-8.6, § 7, passed 10-14-2013)



## **General Provisions Relating to Administration of Building Codes**

### **§ 145.07 RECEPTACLES FOR BUILDING RUBBISH AND DEMOLITION DEBRIS.**

No person shall commence or continue any construction, reconstruction, remodeling, re-roofing, or demolition project on any property within the village without first providing an adequate receptacle located upon the property for the storage of building rubbish or demolition debris generated by such activity. For purposes of this section, a receptacle shall be deemed adequate if it is of sufficient storage capacity to contain all building rubbish or demolition debris generated as the work progresses, with regular collection of the rubbish or debris or regular removal of the receptacle from the property.

(Ord. 2013-8.6, § 8, passed 10-14-2013)



## **CHAPTER 146: MOVING OF BUILDINGS**

### **Sections:**

- 146.01     Moving of Buildings; Regulations
- 146.02     Moving of Buildings; Inspection; Release of Deposit

### **§ 146.01   MOVING OF BUILDINGS; REGULATIONS.**

(A)     It shall be unlawful for any person, firm, or corporation to move any building or structure within the village without a written permit to do so. The fee for such permit shall be established by resolution adopted by the Village Board.

(B)     Application may be made to the Village Clerk/Treasurer and shall include the present and future location of the building to be moved, the proposed route, the equipment to be used, and the other information as the Board of Trustees may require. The application shall be accompanied by a certificate issued by the County Treasurer to the effect that all the provisions regulating the moving of buildings have been complied with on the part of the owner of the real estate upon which the building is presently located. The Village Clerk/Treasurer shall refer the application to the Board of Trustees for approval of the proposed route over which the building is to be moved. Upon approval of the Board of Trustees, the Village Clerk/Treasurer shall then issue the permit, provided that a good and sufficient corporate surety bond, check, or cash in an amount set by motion of the Board of Trustees and conditioned upon moving the building without doing damage to any private or village property is filed with the Village Clerk/Treasurer prior to the granting of any permit.

(C)     No moving permit shall be required to move a building that is 10 feet wide or less, and 20 feet long or less, and when in a position to move, 15 feet high or less.

(D)     In the event it will be necessary for any licensed building mover to interfere with the telephone or telegraph poles and wires, or a gas line, the company or companies owning, using, or operating the poles, wires, or line shall upon proper notice of at least 24 hours, be present and assist by disconnecting the poles, wires, or line relative to the building moving operation. All expense of the disconnection, removal, or related work shall be paid in advance by the licensee unless the disconnection or work is furnished on different terms as provided in the company's franchise.

(E)     Whenever the moving of any building necessitates interference with a water main, sewer main, pipes, or wire belonging to the village, notice in writing of the time and route of the building moving operation shall be given to the various village officials in charge of the village utility departments who shall proceed in behalf of the village and at the expense of the mover to make the disconnections and do the work as is necessary.

## **Bennet – Structural Safety**

(F) Any building proposed to be moved within or into the corporate limits of the Village must first be inspected for compliance with all applicable codes and if not in compliance, any violations must be corrected to the satisfaction of the building official.  
(Ord. 2013-8.7, § 1, passed 10-14-2013)

### **§ 146.02 MOVING OF BUILDINGS; INSPECTION; RELEASE OF DEPOSIT.**

(A) At the time as the building moving has been completed, the designated official shall inspect the premises and report to the Village Clerk/Treasurer as to the extent of damages, if any, resulting from the relocation and whether any village laws have been violated during the operation.

(B) Upon a satisfactory report from the designated official, the Village Clerk/Treasurer shall return the corporate surety bond, cash, or check deposited by the applicant.

(C) In the event the basement, foundation, or portion thereof is not properly filled, covered, or in a clean and sanitary condition, the Board of Trustees may apply the money deposited for the purpose of defraying the expense of correcting the conditions.

(D) If the expense of correcting the hazardous condition is greater than the amount of the deposit set by the Board of Trustees, as required herein, the Board of Trustees may recover the excess expense by civil suit or otherwise as prescribed by law.  
(Ord. 2013-8.7, § 2, passed 10-14-2013)

## CHAPTER 147: UNSAFE BUILDINGS

### Sections:

147.01	Unsafe Buildings; Definition
147.02	Unsafe Buildings; Prohibited
147.03	Unsafe Buildings; Determination; Notice
147.04	Unsafe Buildings; Determination; Appeal
147.05	Unsafe Buildings; Emergency
147.06	Unsafe Buildings; Removal by Village; Special Assessment

### § 147.01 UNSAFE BUILDINGS; DEFINITION.

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

#### ***UNSAFE BUILDING.***

(1) Any building, shed, fence, or other manmade structure:

(a) Which is dangerous to the public health because of its condition and which may cause or aid in the spread of disease or injury to the health of the occupants of it or neighboring structures;

(b) Which because of faulty construction, age, lack of proper repair, or any other cause is especially liable to fire and constitutes or creates a fire hazard; or

(c) Which by reason of faulty construction or any other cause is liable to cause injury or damage by the collapse or fall of all or any part of the structure.

(2) Any ***UNSAFE BUILDING*** in the village is hereby declared to be a nuisance. (1994 Code, § 9-301) (Ord. 2013-8.8, § 1, passed 10-14-2013)

### § 147.02 UNSAFE BUILDINGS; PROHIBITED.

It shall be unlawful to maintain or permit the existence of any unsafe building in the village, and it shall be unlawful for the owner, occupant, or person in custody of any dangerous building to permit the same to remain in an unsafe condition or to occupy the building or permit it to be occupied while it is in an unsafe condition.

(1994 Code, § 9-302) (Ord. 2013-8.8, § 2, passed 10-14-2013) Penalty, See § 10.99

## Bennet – Structural Safety

### ***Statutory reference:***

*Authority to prevent and abate nuisances and unsafe buildings, See Neb. RS 18-1720, 18-1722, and 18-1722.01*

### **§ 147.03 UNSAFE BUILDINGS; DETERMINATION; NOTICE.**

(A) Whenever the Board of Health or designated official is of the opinion that any building or structure in the village is an unsafe building, he or she shall file a written statement to this effect with the Village Clerk/Treasurer. The Clerk/Treasurer shall thereupon cause the property to be posted accordingly, shall file a copy of the determination in the office of the County Register of Deeds, and shall serve written notice upon the owner thereof, and upon the occupant thereof, if any, by certified mail or by personal service.

(B) The notice shall state that the building has been declared to be in an unsafe condition, that the dangerous condition must be removed or remedied by repairing or altering the building or by demolishing it, and that the condition must be remedied within 60 days from the date of receipt. The notice may be in the following terms:

“To \_\_\_\_\_ (owner-occupant of premises) of the premises known and described as \_\_\_\_\_.

“You are hereby notified that \_\_\_\_\_ (describe building) on the premises above mentioned has been determined to be an unsafe building and a nuisance after inspection by \_\_\_\_\_. The causes for this decision are \_\_\_\_\_ (here insert the facts as to the dangerous condition).

“You must remedy this condition or demolish the building within 60 days from the date of receipt of this notice or the village will proceed to do so. Appeal of this determination may be made to the Board of Trustees, acting as the Board of Appeals, by filing with the Village Clerk/Treasurer within 10 days from the date of receipt of this notice a request for a hearing.”

(C) If the person receiving the notice has not complied therewith within 60 days from the date of receipt of the notice, or taken an appeal from the determination that a dangerous building exists within 10 days from the time when this notice is served upon the person by personal service or certified mail, the designated official may, upon orders of the Board of Trustees, proceed to remedy the condition or demolish the unsafe building.

(1994 Code, § 9-303) (Ord. 2013-8.8, § 3, passed 10-14-2013)

### ***Statutory reference:***

*Authority to prevent and abate nuisances and unsafe buildings, See Neb. RS 18-1720, 18-1722, and 18-1722.01*

## **Unsafe Buildings**

### **§ 147.04 UNSAFE BUILDINGS; DETERMINATION; APPEAL.**

(A) Upon receiving the notice to repair or demolish the building, the owner of the building, within the time stipulated, may in writing to the Village Clerk/Treasurer request a hearing before the Board of Trustees, sitting as the Board of Appeals, to present reasons why the building should not be repaired or demolished.

(B) The Board of Trustees shall grant the hearing within 10 days from the date of receiving the request.

(C) A written notice of the Board of Trustees' decision following the hearing shall be sent to the property owner by certified mail.

(D) If the Board of Trustees rejects the appeal, the owner shall have 60 days from the sending of the decision to begin repair or demolition and removal.

(E) If after the 60-day period the owner has not begun work, the Board of Trustees shall proceed to cause the work to be done, provided that the property owner may appeal the decision to the appropriate court for adjudication, during which proceedings the decision of the Board of Trustees shall be stayed.

(F) Where the village has not adopted a building code, the statutes of Nebraska relating to bonded indebtedness and collection of delinquent taxes shall apply.  
(1994 Code, § 9-304) (Ord. 2013-8.8, § 4, passed 10-14-2013)

#### ***Statutory reference:***

*Authority to prevent and abate nuisances and unsafe buildings, See Neb. RS 18-1720, 18-1722, and 18-1722.01*

### **§ 147.05 UNSAFE BUILDINGS; EMERGENCY.**

Where any unsafe building or structure poses an immediate danger to the health, safety, or general welfare of any person or persons and the owner fails to remedy the situation in a reasonable time after notice to do so, the village may summarily repair or demolish and remove the building or structure.

(1994 Code, § 9-305) (Ord. 2013-8.8, § 5, passed 10-14-2013)

### **§ 147.06 UNSAFE BUILDINGS; REMOVAL BY VILLAGE; SPECIAL ASSESSMENT.**

(A) (1) If any owner of any building or structure fails, neglects, or refuses to comply with notice by or on behalf of the village to repair, rehabilitate, or demolish and remove a building or

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structure which is unsafe and a public nuisance, the village may proceed with the work specified in the notice to the property owner.

(2) A statement of the cost of the work shall be transmitted to the Board of Trustees.

(B) The Board of Trustees may:

(1) Levy the cost as a special assessment against the lot or real estate upon which the building or structure is located; or

(2) Collect the cost from the owner of the building or structure and enforce the collection by civil action in any court of competent jurisdiction.

(C) Any special assessment shall be a lien on the real estate and shall be collected in the manner provided for special assessments.

(1994 Code, § 9-306) (Ord. 2013-8.8, § 6, passed 10-14-2013)

### ***Statutory reference:***

*Authority to prevent and abate nuisances and unsafe buildings, See Neb. RS 18-1720, 18-1722, and 18-1722.01*



## **CHAPTER 148: MINIMUM HOUSING CODE**

### **Sections:**

148.01	Title
148.02	Purpose
148.03	Scope
148.04	Enforcement
148.05	Substandard Buildings; Nuisance
148.06	Definitions
148.07	Sanitation
148.08	Heating; Ventilation of Equipment
148.09	Substandard Buildings; Defined
148.10	Placarding
148.11	Appeals
148.12	Violations

### **§ 148.01 TITLE.**

This Chapter shall be known as the “Minimum Housing Code” and may be cited as such.  
(Ord. 2012-3.1 § 1, passed 5-14-2012.)

### **§ 148.02 PURPOSE.**

The purpose of this Chapter is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the use and occupancy of residential buildings and structures within the corporate limits of the Village of Bennet.  
(Ord. No. 2012-3.1 § 2, passed 5-14-2012)

### **§ 148.03 SCOPE.**

The provisions of this Code shall apply to all buildings or portions thereof used, or designed or intended to be used, for human habitation.  
(Ord. No. 2012-3.1 § 3, passed 5-14-2012)

### **§ 148.04 ENFORCEMENT.**

(A) The Building Official is hereby authorized to enforce all of the provisions of this Code.

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(B) Whenever the Building Official determines that there has been a violation of this Code or has grounds to believe that a violation has occurred, notice shall be given to the owner and any occupant of the dwelling, or any other person responsible for the violation, directing such person or persons to abate the violation within ten (10) days of receipt of the notice, or to appeal the determination to the Village Board of Trustees, which shall act as a Board of Appeals. If the violation is not abated within such period, or if an appeal has not been taken, then the Building Official shall proceed to placard the dwelling as hereinafter provided.

(C) Notice shall be deemed to be properly served if a copy thereof is:

(1) Delivered personally;

(2) Sent by certified or first class mail addressed to the address listed in the records of the county assessor, if one is available; or

(3) If notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.  
(Ord. No. 2012-3.1 § 4, passed 5-14-2012)

### **§ 148.05 SUBSTANDARD BUILDINGS; NUISANCE.**

All buildings or portions thereof which are determined to be substandard as defined in § 154.09 are hereby declared to be public nuisances and may be abated in accordance with the procedure hereinafter specified.  
(Ord. No. 2012-3.1 § 5, passed 5-14-2012)

### **§ 148.06 DEFINITIONS.**

For purposes of this Chapter, certain terms, phrases, and words shall be defined as specified in either this Chapter or as specified in the Building Code.

***BUILDING CODE.*** The building code as set forth in Chapter 140 of the Code of Bennet.

***BUILDING OFFICIAL.*** The Village Clerk/Treasurer is hereby designated as the Building Official for purposes of administration of this Code.

***HOT WATER.*** Hot water supplied to plumbing fixtures at a temperature of not less than 110 degrees F.

***MECHANICAL CODE.*** As set forth in Chapter 142 of the Code of Bennet.  
(Ord. No. 2012-3.1 § 6, passed 5-14-2012)

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### **§ 148.07 SANITATION.**

(A) Dwelling Units. Every dwelling unit shall be provided with a bathroom equipped with facilities consisting of a toilet, sink, and either a bathtub or shower.

(B) Fixtures. All plumbing fixtures shall be connected to a sanitary sewer or to an approved private sewage disposal system. All plumbing fixtures shall be connected to an approved system of water supply and provided with hot and cold running water necessary for its normal operation.

All plumbing fixtures shall be of an approved glazed earthenware type or of a similarly nonabsorbent material.

(C) Installation and Maintenance. All sanitary facilities shall be installed and maintained in safe and sanitary condition and in accordance with all applicable laws.  
(Ord. No. 2012-3.1 § 7, passed 5-14-2012)

### **§ 148.08 HEATING; VENTILATION OF EQUIPMENT.**

(A) Heating. Every dwelling unit and guest room shall be provided with heating facilities capable of maintaining a room temperature of 70 degrees F, at a point three (3) feet above the floor in all habitable rooms. Such facilities shall be installed and maintained in a safe condition and in accordance with the Building Code, the Mechanical Code and all other applicable laws. Unvented fuel burning heaters shall not be permitted. All heating devices or appliances shall be of an approved type.

(B) Electrical Equipment. All electrical equipment, wiring and appliances shall be installed and maintained in a safe manner in accordance with all applicable laws. All electrical equipment shall be of an approved type.

(C) Ventilation. Ventilation for fuel burning appliances shall be provided as required in the Mechanical Code and in this Code.  
(Ord. No. 2012-3.1 § 8, passed 5-14-2012)

### **§ 148.09 SUBSTANDARD BUILDINGS; DEFINED.**

Any building or portion thereof including any dwelling unit, guest room or suite of rooms, or the premises on which the same is located, in which there exists any of the following listed conditions to an extent that it endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a substandard building:

(A) Inadequate Sanitation. Inadequate sanitation shall include, but not be limited to, the following:

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(1) Lack of or improper toilet, sink, bathtub or shower in a dwelling unit as described in § 148.07.

(2) Lack of hot and cold running water to plumbing fixtures in a dwelling unit as described in § 148.07.

(3) Lack of adequate heating facilities as described in § 148.08.

(4) Lack of connection to required sewage disposal system as described in § 148.07(B).

(5) Lack of connection to an approved water supply as required by § 148.07(B).

(B) Hazardous Wiring. All electrical wiring, except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good condition and is being used in a safe manner.

(C) Hazardous Plumbing. All plumbing, except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good condition and which is free of cross connections and siphonage between fixtures.  
(Ord. No. 2012-3.1 § 9, passed 5-14-2012)

### **§ 148.10 PLACARDING.**

Any substandard building for which a notice has been issued by the Building Official and for which the defect or defects upon which the notice were based have not been eliminated or an appeal to the Village Board of Trustees has not been filed, shall be placarded by the Building Official. The Building Official shall cause to be posted at each entrance to such substandard building a notice reading as follows: “This structure is unsafe and its occupancy has been prohibited by the Building Official.” It shall be unlawful for any person to enter such structure, except for the purpose of securing the structure, making the required repairs, removing the hazardous condition, or demolishing the same.

The Building Official shall remove the placard whenever the defect or defects upon which the placarding action were based have been eliminated. It shall be unlawful for any person to deface or remove a placard without the approval of the Building Official and any person so doing shall be subject to prosecution.

Any occupied structure placarded by the Building Official shall be vacated. It shall be unlawful for any person to occupy a placarded premises or for any owner or any person responsible for the premises to allow anyone to occupy a placarded premises and any person so doing shall be subject to prosecution.  
(Ord. No. 2012-3.1 § 10, passed 5-14-2012)

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### **§ 148.11 APPEALS.**

The Board of Trustees shall serve as the Board of Appeals for any appeals filed under this Code. All hearings before the Board shall be open to the public. The appellant, the appellant's representative, the Building Official and any person whose interests are affected shall be given an opportunity to be heard and to present any evidence on the issue as to whether or not the Code violations or defects exist, or have been adequately remedied. The Board may affirm, modify, or reverse the decision of the Building Official by a concurring vote of a majority of the total number of elected Board members.

(Ord. No. 2012-3.1 § 11, passed 5-14-2012)

### **§ 148.12 VIOLATIONS.**

It shall be unlawful for any person, firm, or corporation, to use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this Chapter.

(Ord. No. 2012-3.1 § 12, passed 5-14-2012)

