

ORDINANCE NO. 2022-_____

AN ORDINANCE regulating the construction, alteration, equipment, use, occupancy, and location of buildings and structures in Putnam County, Indiana; incorporating by reference building rules, codes and standards required to be enforced under IC 36-7-2-9; providing for the issuance of permits, inspections, and penalties for violations.

All ordinance or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

BE IT ORDAINED by the County Commissioners of Putnam County, Indiana as follows:

Title XV, Chapter 150 of the Putnam County Code of Ordinances shall be amended and restated in its entirety as follows:

BUILDING CODE

§ 150.01 TITLE.

This Ordinance and all material included herein by reference shall be known as the “Building Code of Putnam County, Indiana.”

§ 150.02 PURPOSE.

The purpose of this Ordinance is to protect the life, public safety, health, and general welfare of the citizens of Putnam County, Indiana, and shall be construed in such a manner as to effectuate this purpose.

§ 150.03 DEFINITIONS.

Unless otherwise clearly indicated by its context, the words and terms defined in this section shall have the specified meanings:

1. "Advanced Structural Components (Per IC 22-11-21-2)
 - (a). means lightweight I-Joists or lightweight roof trusses that:
 - (1). have less mass cross-sectional area than sawn lumber of equivalent proportions used in an equivalent application
 - (2) are assembled from combustible or noncombustible materials, or both.
 - (b) The term does not include a structural assembly, joist, or truss that provides at least one (1) hour of fire resistance when tested in accordance with the ATM Standard E119.
2. "ASTM" refers to the American Society for Testing and Materials.
3. "Building Commissioner", as used in this Ordinance, includes individuals employed by the Building Department that are authorized to represent the Building Commissioner.
4. "Class 1 Structure" (Per IC 22-12-1-4)
 - (a). means:
 - (1). a building or structure that is intended to be or is occupied or otherwise used in any part by any the public, three (3) or more tenants, one (1) or more persons who act as the employees of another.
 - (2). A site improvement affecting access by persons with physical disabilities to a building or structure described in subdivision (1).
 - (3). Outdoor event equipment.
 - (4) Any class of building or structures that the commission determines by rules to affect a building or structure described in subdivision (1), except buildings or structures described in subsections (c) through (f).
 - (b). Subsection (a)(1) includes a structure that contains three (3) or more condominium units (as defined in IC 32-25-2-9) or other units that:
 - (1). Are intended to be or are used or leased by the owner of the unit
 - (2). Are not completely separated from each other by an unimproved space.
 - (c). Subsection (a)(1) does not include a building or structure that:
 - (1). Is intended to be or is used only for agricultural purpose on the land where it is located; and

(2). Is not used for retail trade or is a stand used for retail sales of farm produce for eight (8) or less consecutive months in a calendar year.

(d). Subsection (a)(1) does not include a Class II Structure

(e). Subsection (a)(1) does not include a vehicular bridge.

(f). Subsection (a)(1) does not include a structure that is intended to be or is occupied solely to provide periodic maintenance or repair of:

(1). The structure; or

(2). Mechanical or electrical equipment located within and affixed to the structure.

5. "Class 2 Structure" (Per IC 22-12-1-5).

(a) means:

(1). A townhouse or a building or structure that is intended to contain or contains only one (1) dwelling unit or two (2) dwelling units unless any part of the building or structure is regularly used as a Class 1 Structure.

(2). An outbuilding for a structure described in subdivision (1), such as a garage, barn, or family swimming pool, including an above ground swimming pool, unless any part of the outbuilding is regularly used as a Class 1 Structure.

(b). Subsection (a) does not include a vehicular bridge.

(c). For purposes of subsection (a)(1), "Townhouse" means a single-family dwelling unit constructed in a group of three (3) or more attached units in which each unit:

(1) extends from foundation to roof

(2) is not more than three

(3) stories in height; (3) is separated from each adjoining unit by: two or one-hour fire-resistance rated walls with exposure from both sides; or a common two (2) hour fire-resistance rated wall; and

(4) has open space on at least two (2) sides

6. "Commission" (Per IC 22-12-1-6) refers to the Fire Prevention and Building Safety Commission.

7. "Construction" (Per IC 22-12-1-7).

(a) means any of the following:

- (1) fabrication of any part of an industrialized building system or mobile structure for use at another site
- (2) Erection or assembly of any part of a Class 1 or Class 2 Structure at the site where it will be used
- (3) Installation of any part of the permanent heating, ventilating, air conditioning, electrical, plumbing, sanitary, emergency detection, emergency communication, or fire or explosion suppression systems for a Class 1 or Class 2 Structure at the site where it will be used
- (4) Work undertaken to alter, remodel, rehabilitate, or add to any part of a Class 1 or Class 2 Structure
- (5) Work undertaken to relocate any part of a Class 1 or Class 2 Structure, except a mobile structure

8. "Industrialized Building System" (Per IC 22-12-1-14)

(a) means any part of a building or other structure that is in whole or in substantial part fabricated in an off-site manufacturing facility for installation or assembly at the building site as part of a Class 1 or Class 2 Structure, or another building or structure. However, the term does not include a mobile structure or a system that is capable of inspection at the building site.

9. "Manufactured Home" (Per IC 22-12-1-16)

(a) Has the meaning set forth in 42 U.S.C 5402 as it existed on January 1, 2003

(b) U.S.C 5402 as it existed January 1, 2003 states: **MANUFACTURED HOME** means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under this 42 U.S.C. 5401 et seq. and except that such term shall not include any self-propelled recreational vehicle.

10. "Mobile Structure" (Per IC 22-12-1-17)

(a) Means any part of a fabricated unit that is designed to be:

1. Towed on its own chassis
2. Connected to utilities for year-round occupancy or use as a Class 1 Structure, a Class 2 Structure, or another structure

(b) The term includes the following:

1. Two (2) or more components that can be retracted for towing purposes and subsequently expanded for additional capacity.
2. Two (20 or more units that are separately towable but designed to be joined into one (1) integral unit
3. One (1) or more units that include a hoisting and lowering mechanism equipped with a platform that:
 - a. Moves between two (2) or more landings
 - b. Is used to transport one (1) or more individuals

11. "Person" (Per IC 22-12-1-18)

(a) Means an individual, corporation, limited liability company, partnership, unincorporated association, or governmental entity.

12. "Qualifying Property" means any property subject to this code.

13. "Structure" means both Class 1 and Class 2 structures, unless specifically stated otherwise.

14. "Vehicular Bridge" (Per IC 22-12-1-26)

(a) Means any bridge that is neither:

1. A pedestrian walkway; nor
2. A passageway for light vehicles

Suspended between two (2) or more parts of a building or between two (2) or more buildings.

§ 150.04 SCOPE.

1. All Construction shall be accomplished in compliance with the provisions of this Building Ordinance.
2. Pursuant to IC 22-16-2-6, this Building Ordinance shall not apply to Industrialized Building Systems or Mobile Structures certified under IC 22-15-4.
3. Pursuant to IC 22-13-2-9, this Building Ordinance is not applicable to regulated amusement devices, regulated boilers, regulated pressure vessels, or regulated lifting devices.

§ 150.05 AUTHORITY.

The Building Commissioner is hereby authorized and directed to administer and enforce the following:

1. All of the provisions of this Building Ordinance.
2. Variances granted in according with IC 22-13-2-11.
3. Orders issued under IC 22-12-7.

§ 150.06 SEVERABILITY.

Should any provision (section, clause, phrase, word, or any other portion) of this Ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions be given the effect intended in adopting this Ordinance. To this end, the provisions of this Ordinance are severable.

§ 150.07 SUPREMACY.

If any provision of this Ordinance conflicts with any Building or Fire Safety Law adopted or administered by the Commission, the Commission's laws govern.

§ 150.08 EFFECT OF ADOPTION ON PRIOR ORDINANCE.

The expressed or implied repeal of amendment by this Ordinance of any other Ordinance or part of any other Ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this Ordinance. Such rights, liabilities, and other proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended Ordinance as if this Ordinance had not been adopted.

§ 150.09 BUILDING PERMIT REQUIRED.

Construction is prohibited unless in the conformity with a valid building permit obtained from the Building Commissioner prior to commencement of Construction.

§ 150.10 APPLICATION FOR BUILDING PERMIT.

1. Any person required to have a building permit shall submit a complete application to the Building Commissioner.
2. This application shall be submitted on a form prepared by the Building Commissioner, and shall contain the following:
 - a. Information that the Building Commissioner determines to be necessary to locate and contact the applicant.
 - b. A clear and understandable copy of detailed plans and specifications drawn to scale which indicate in a precise manner the nature and location of all Construction to be accomplished.
 - c. A plot plan drawn to scale; provided however, such plot plan shall not be required in the instance where all such Construction is to occur entirely within an existing Structure. This plot plan shall reflect the location of the Structure in relation to existing property lines and shall show streets, curbs, sidewalks and proposed changes or additions to such streets, curbs, and sidewalks.
 - d. If required by Indiana Law or any Rule of the Fire Prevention and Building Safety Commission, a copy of a Construction Design Release for the proposed Construction issued pursuant to IC 22-15-3-1.
 - e. All information required pursuant to IC 22-11-21-9 for qualifying properties containing Advanced Structural Components.
 - f. Any additional information that the Building Commissioner finds to be necessary to determine that the Construction will conform to all applicable building and fire safety laws and will not violate any other applicable ordinances or laws.
 - g. The fee established by the County Commissioners.
3. Application for a building permit shall be made by the person entitled to obtain the permit or by an employee or agent of that person. The Building Commissioner may require that such an employee or agent provide written authority to apply for a permit.

4. Any construction within the Towns of Bainbridge, Cloverdale, Fillmore, Roachdale, Reelsville and Russellville must first obtain a building permit for the County Building Commissioner. For the Towns of Bainbridge, Cloverdale, and Roachdale, their respective ordinance will apply to all construction activities, including but not limited to setbacks, zoning, and building size.

§ 150.11 REVIEW OF APPLICATION.

Prior to the issuance of a building permit, the Building Commissioner shall:

1. Review all building permit applications to determine full compliance with the provisions of this code
2. Review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding
3. Review building permit application for major repairs within the floodplain area having special flood hazards to determine that the proposed repair:
 - a. Uses construction materials and utility equipment that is resistant to flood damage
 - b. Uses construction methods and practices that will minimize flood damage (if applicable to all other flood prevention ordinances).
4. Review building permit application for new construction or substantial improvements within the floodplain area having special flood hazards to assure that the proposed construction (including prefabricated and mobile homes):
 - a. Are protected against flood damage
 - b. Are designed (or modified) and anchored to prevent flotation, collapse or lateral movement of the structure, flood damage
 - c. Uses construction methods or practices that will minimize flood damage (if applicable to all other flood prevention ordinance)
5. Make necessary changes in plans and specifications to ensure full compliance with this code
6. Assume that the proposed construction utilizes construction methods, standards and practices that will minimize the threat of life, limb, health, environment, public safety and welfare.

§ 150.12 ISSUANCE OF BUILDING PERMIT.

1. The Building Commissioner shall issue a building permit to a person after the person has submitted a completed application, including any application fee, provided that the proposed Construction will conform to all applicable building and fire safety laws and will not violate any other applicable Ordinances or Laws.
2. If the property for which a building permit is being obtained is within the two-mile fringe of the City of Greencastle, the applicant must first obtain an Improvement Location Permit from the City of Greencastle before a building permit will be issued.
3. If the structure for which a building permit is being obtained as any plumbing (such as, but not limited to toilets, kitchen sink, utility sink) and is not severed by a municipal sewer, a permit from the Putnam County Health Department for an on-site sewage system is required before a building permit will be issued.
4. If the property for which a building permit is being obtained requires an entrance off a county-maintained road or State maintained highway, a driveway cut permit is required from either the Putnam County Highway Department or the Indiana Department of Transportation (INDOT) before a building permit will be issued.

§ 150.13 PERMIT VALIDITY.

1. Work must be started and have received an approved foundation inspection within three months of permit issuance.
2. An issued permit is valid for a period of one (1) year from the date of issuance. All work must be completed within the one (1) year period, or the permit shall be required to be renewed.
3. Pools: All required fencing and/or automatic covers, shall be required to be fully executed, installed and approved before the completed pool is filled with water. In the event of noncompliance, the penalty, and remedial provisions of this code, as amended from time to time, shall apply.

§ 150.14 PERMIT EXTENSION AND/OR RENEWALS.

1. The permit expiration date may be extended for up to thirty (30) days for good cause, without additional fee, if the extension is requested prior to the normal expiration date.
2. The permit may be renewed once if the renewal is requested, and the fee is paid prior to the initial expiration date of the permit.
3. The fee for permit renewal is as follows:

- (a). Full one year renewal: 80% of original building fee
 - (b). Six months renewal: 40% of original building fee
 - (c). Minimum renewal fee shall be sixty dollars (\$60).
4. Permits that have expired may be renewed once if the renewal is requested within thirty (30) days after its initial expiration and if the fee is paid as follows:
- (a). Full one year renewal: same as the original building permit fee
 - (b). Six months renewal: 75% of original building fee
5. Any permit which has been expired for over thirty (30) days shall be considered null and void and a new permit is required and cannot be issued until approved by the Building Commissioner, or his/her duly assigned representative.
6. Permits obtained under this code cannot be assigned, transferred, or sublet without the explicit approval of the Building Commissioner. Any permit assigned, transferred, or sublet without this approval shall be considered null and void.

§ 150.15 ADVANCED STRUCTURAL COMPONENTS (Per IC 22-11-21).

1. Required Information About Advanced Structural Components: An applicant for a county issued building permit for a Class 1 or Class 2 Structure must provide the following information:
- a. The street address of a qualifying property containing advanced structural components
 - b. The name of the township in which the qualifying property is located
 - c. The types of advanced structural components used in the qualifying property
 - d. The location of the advanced structural components used in the floor, roof, or both, of the qualifying property
2. The building permit application form used to comply with subsection (a) must include a place on the form for providing the information required under subsection (1).

3. Electronic Notification of Use of Advanced Structural Components: For all building permits issued covering the construction of qualifying properties containing Advanced Structural Components, the Building Commissioner shall send electronic notice, read receipt requested, of a structure's use of advanced structural components not later than ninety (90) days after issuing the building permit to the:
 - a. Local Fire Department responsible for the area where the structure is located
 - b. 911 telephone call center responsible for the area where the structure is located
4. 911 Telephone Call Center Duties Concerning Qualifying Property Information: Upon receiving a notification described under subsection 3 of this section, the receiving 911 telephone call center shall:
 - a. Maintain the information contained in the notification for the qualifying property
 - b. Relay the information contained in a qualifying property's notification to all responding public safety units whenever dispatching public safety units to a qualifying property's address

§ 150.16 CERTIFICATE OF OCCUPANCY.

No certificate of occupancy for any Structure shall be issued unless such Structure was constructed in compliance with the provisions of this Building Ordinance. It shall be unlawful to occupy any Structure unless a full, partial, or temporary certificate of occupancy has been issued by the Building Commissioner.

§ 150.17 GENERAL AUTHORITY TO MAKE INSPECTIONS AND INVESTIGATIONS.

1. All Construction is subject to periodic inspections by the Building Commissioner irrespective of whether a building permit has been or is required to be obtained.
2. The Building Commissioner may at any reasonable time go in, upon, around, or about the premises whether any Structure subject to the provisions of this Building Ordinance or to the rules of Fire Prevention and Building Safety Commission is located for the purposes of inspection and investigation of such Structure. Such inspection and investigation may be made before and/or after construction on the project is completed for the purposes of determining whether the structure meets building standards and procedures and ascertaining whether the construction and procedures have been accomplished in a manner consistent with the Building Ordinance and the rules of the Fire Prevention and Building Safety Commission.

3. After the issuance of any issuance of any building permit hereunder, the owner or contractor shall cause to be made such inspections of work being done under such permit as are necessary to ensure full compliance worth the intent of this code and the terms of the permit.
4. Reinspection: There shall be an additional fee of sixty dollars (\$60) in the event an inspection is requested and/or made and work is not in compliance with the intent of this code.
5. Reinspection fees are due prior to the inspection and/or prior to issuance of the certificate of occupancy or final approval.

§ 150.18 INSPECTIONS BY FIRE DEPARTMENT.

The Building Commissioner and the Fire Department shall work cooperatively to conduct inspections and investigations to promote compliance with fire safety laws (The Fire Department has independent authority to conduct inspections and take enforcement action under IC 36-8-17).

§ 150.19 WITHHOLD ISSUANCE OF PERMITS.

1. Whenever a person who is either an applicant for a building permit or obtainer of a building permit owes fees (including checks returned for insufficient funds, permit fees owed pursuant to County Ordinance, or inspection fees owed pursuant to County Ordinance) to the Building Commissioner the Building Commissioner may withhold the issuance of subsequently requested permits until such time that the debt is satisfied.
2. Whenever a person applies for a building permit for a Structure that is not being used or constructed in conformance with applicable provisions of an applicable zoning ordinance or other ordinance relating to land use, the Building Commissioner is authorized to withhold the issuance of requested permit(s) until such time the property is brought into conformance with applicable ordinances.

§150.20 PERMIT REVOCATION.

The Building Commissioner may revoke a building permit when any of the following apply:

1. The application, plans, or supporting documents contain a false statement or misrepresentation as to a material fact.
2. The application, plans, or supporting documents reflect a lack of compliance with building or fire safety laws.
3. There is failure to comply with the Building Ordinance.

4. The Structure for which the building permit has been issued is not being used or constructed in conformance with an applicable zoning ordinance or other ordinance relating to land use.

§ 150.21 STOP-WORK ORDER.

1. The Building Commissioner may issue an order requiring suspension of the pertinent Construction (stop-work order) in accordance with this section.
2. The stop work order shall:
 - a. Be in writing.
 - b. State with specificity the Construction to which it is applicable and the reason for its issuance.
 - c. Be posted on the property in a conspicuous place.
 - d. If practical, be given to:
 - i. The person doing the Construction; and
 - ii. To the owner of the property or the owner's agent.
 - e. Identify the specific law, order, or interpretation upon which the finding of noncompliance is based, specifying the edition, chapter, and section of any applicable building code or fire code.
 - f. The stop-work order shall state the condition under which Construction may be resumed.
3. The Building Commissioner may issue a stop-work order if:
 - a. Construction is proceeding in an unsafe manner, including, but not limited to, in violation of any standard set forth in this Building Ordinance or any state law pertaining to safety during Construction.
 - b. Construction is occurring in violation of this Building Ordinance or in such a manner that if Construction is allowed to proceed, there is a reasonable probability that it will be substantially difficult to correct the violation.
 - c. Construction for which a building permit is required is proceeding without a building permit being in force.

4. The issuance of a stop-work order shall in no way limit the operation of penalties provided elsewhere in this Building Ordinance.

§ 150.21 WORKMANSHIP.

All work on the construction, alteration and repair of building or structure shall be performed in a good and workmanlike manner according to accepted standards and practices in the trade.

§ 150.22 CIVIL ACTION.

Pursuant to IC 36-1-6-4, the County may initiate a civil action in a court of competent jurisdiction to restrain any person from violating a provision of this Building Ordinance.

§ 150.23 MONETARY PENALTY.

Any person violating any provision of this Building Ordinance may be subject to a fine in any sum not exceeding two thousand five hundred dollars (\$2,500). The assessment of a monetary penalty shall in no way limit the operation of the penalties provided elsewhere in this Building Ordinance.

§ 150.24 RIGHT OF APPEAL.

Any person aggrieved by an order issued under this Building Ordinance shall have the right to petition for review of any order of the Building Commissioner. Such a person may file a petition using either, or both, of the following procedures:

1. Pursuant to IC 36-7-8-9, a person aggrieved by a decision of the Building Department may appeal as in other civil actions. The appellant must, by registered mail, give the County Executive a fifteen (15) day written notice of his or her intention to appeal. This notice must concisely state the appellant's grievance. If, pursuant to IC 36-1-6-9, the County has established by ordinance to hear appeals of orders issued under ordinances, then a person aggrieved by an order may petition for review with this administrative body in accordance with said ordinance. If no such administrative body exists, then the person may petition a court for judicial review of the order.
2. Appeals to the Commission.
 - a. A person aggrieved by an order issued under this Building Ordinance may appeal to the Commission, in accordance with IC 22-13-2-7.
 - b. The Commission may modify or reverse any order issued by the County that covers a subject governed by IC 22-12, IC 22-13, IC 22-14, IC 22-15, a fire safety or building rule.

- c. The Commission must review orders that concern a Class 2 Structure if the person aggrieved by the order petitions for review under IC 4-21.5-3-7 within thirty (30) days after the issuance of the order.
- d. The Commission may review all other orders issued under this Building Ordinance.
- e. The review of an order by the Commission does not suspend the running of the time period under any statute in which a person must petition a court for judicial review of the order.

§ 150.25 ADOPTION OF RULES BY REFERENCE

1. Pursuant to IC 22-13-2-3(b), the rules of the Commission as set out in the following Articles of Title 675 of the Indiana Administrative Code are hereby incorporated by reference in this code and shall include any later amendments to those rules.
 - a. Article 13 – Building Codes
 - b. Article 14 – Indiana Residential Code
 - c. Article 16 – Indiana Plumbing Code
 - d. Article 17 – Indiana Electrical Code
 - e. Article 18 – Indiana Mechanical Code
 - f. Article 19 – Indiana Energy Conservation Code
 - g. Article 20 – Indiana Swimming Pool Code
 - h. Article 22 – Indiana Fire Code
 - i. Article 25 – Indiana Fuel Gas Code
 - j. Article 28 – NFPA Standards
2. Two (2) copies of the above rules incorporated by reference are on file in the Office of the Planning and Building Department for public inspection as required by IC 36-1-5-4.
3. The Building Commissioner and the Commission may grant a variance to the fire safety and building laws adopted in this Building Ordinance. Pursuant to IC 22-13-2-7(b), a variance granted by the Building Commissioner is not effective until it has been approved by the Commission.

§ 150.26 LIFTING DEVICES LOCATED WITHIN A PRIVATE RESIDENCE.

1. Pursuant to IC 22-12-1-22(b)(12), lifting devices, such as elevators and wheelchair lifts, located within a private residence are not regulated lifting devices. Therefore, the following standards applicable to lifting devices located within a private residence are incorporated by reference:

- a. Part 5.3, Private Residence Elevators, ANIS/ASME A17.1-2000, Safety Code for Elevators and Escalators published by the American Society of Mechanical Engineers, Three Park Avenue, New York, New York, 10016.
 - b. Part 5.4, Private Residence Inclined Elevators, ANSI/ASME A17.1-2000, Safety Code for Elevators and Escalators published by the American Society of Mechanical Engineers, Three Park Avenue, New York, New York, 10016.
 - c. Section 5, Private Residence Vertical Platform Lifts, ASME A18.1a, 2001 (Addenda to ASME 18.1-1999), Safety Standard for Platform and Stairway Chair Lifts, published by the American Society of Mechanical Engineers, Three Park Avenue, New York, New York, 10016.
 - d. Section 6, Private Residence Inclined Platform Lifts, ASME A18.1a, 2001 (Addenda to ASME 18.1-1999), Safety Standard for Platform and Stairway Chair Lifts, published by the American Society of Mechanical Engineers, Three Park Avenue, New York, New York, 10016.
 - e. Section 7, Private Inclined Stairway Lifts, ASME A18.1a, 2001 (Addenda to ASME 18.1-1999), Safety Standard for Platform and Stairway Chair Lifts, published by the American Society of Mechanical Engineers, Three Park Avenue, New York, New York, 10016.
2. Two (2) copies of the above lifting device standards incorporated by reference are on file in the Office of the Planning and Building Department for public inspection as required by IC 36-1-5-4.

§ 150.27 VIOLATIONS.

It shall be unlawful for any person, firm, or corporation whether as owner, lessee, sub-lessee or occupant, to erect, construct, enlarge, alter, repair, improve, convert, equip, use, occupy or maintain any building or structure, other than fences in the county or cause or permit the same to be done contrary to or in violation of the provisions of this code.

§ 150.28 RIGHT OF APPEAL.

All persons, firms, corporations, or entities shall have the right to appeal any order of the Building Commissioner first through the Board of Zoning Appeals and then to the Fire Prevention and Building Safety Commission of the State in accordance with the provisions of IC 22-13-2-7 and IC 4-21.5-3-7.

§ 150.29 REMEDIES.

The Building Commissioner through the Planning Department’s legal counsel shall in the name of the county bring actions in the Circuit Court of the county for mandatory and injunctive relief in the enforcement of and to secure compliance with any such action for mandatory or injunctive relief and be joined with an action to recover the penalties provided for in this code.

§ 150.30 EFFECTIVE DATE.

This building Ordinance shall be in full force and effect from and after the date on which both the following have occurred:

1. The County Commissioners have adopted this ordinance.
2. The Fire Prevention and Building Safety Commission of Indiana has approved of this ordinance as required by IC 22-13-2-5.

Approved by the County Commissioners on this _____ day of _____, 2022.

Rick Woodall, President

ATTESTED BY: _____
Kristina Berish, Auditor

Tom Helmer, Vice President

Dave Berry, Member

Approved by the Fire Prevention and Building Safety Commission of Indiana on this _____ day of _____, 2022.

Chairman
Fire Prevention and Building Safety Commission