

ICC 2018
CITY OF PASS CHRISTIAN, MISSISSIPPI
MINUTE BOOK 115

REGULAR MEETING

AUGUST 7, 2018

BE IT REMEMBERED that the Mayor and Board of Aldermen of the City of Pass Christian, Mississippi met on the above date at the City Hall, 200 West Scenic Dr, Pass Christian, Mississippi at 6:00 p.m., same being the time and place for said meeting.

PRESENT: Mayor Leo "Chipper" McDermott, Alderwoman Regina Charlot, Alderman At Large Kenny Torgeson, Alderman Buddy Clarke, Alderman Anthony Hall, Alderman Victor Pickich, City Attorney Malcolm Jones, Police Chief Hendricks and City Clerk Marian Gest

There being a quorum present to transact the business of the City, the following proceedings were had and done.

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, Ordinance adopting new Building Codes. L-3.

- Alderman Anthony Hall Aye
- Alderman Buddy Clarke Aye
- Alderwoman Regina Charlot Aye
- Alderman at Large Kenny Torgeson Aye
- Alderman Victor Pickich Aye

I, Dawn Sanders, duly appointed Deputy City Clerk for the City of Pass Christian; do hereby certify that the above is a true and correct copy of a motion passed and approved by the Mayor and Board of Aldermen of the City of Pass Christian at the regular meeting held on the 14th day of August 2018.

This 14th day of August 2018

Dawn Sanders
Dawn Sanders, Deputy City Clerk



8/14/2018
Date

ORDINANCE No. 668

AN ORDINANCE FOR ADOPTION OF
THE FAMILY OF INTERNATIONAL BUILDING CODES
AND OTHER CODES FOR
THE CITY OF PASS CHRISTIAN

WHEREAS, the statutes of the State of Mississippi, Section 17-2-1 et seq. of the Mississippi Code of 1972, as amended, empower and require the City to enact certain construction codes published by a nationally recognized code group which sets minimum standards and has the proper provisions to maintain up-to-date amendments with minimum standard guides for building, plumbing, electrical, gas, sanitary, and other related codes in Mississippi; and

WHEREAS, the City of Pass Christian wishes to adopt certain amendments to the International Building Codes and other Codes previously adopted, which regulate and govern the conditions and maintenance of all property, buildings and structures; provide standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; for the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures in the City of Pass Christian; and also provide for the issuance of permits and collection of fees therefore; and repealing all other ordinances and parts of the ordinances in conflict therewith.

NOW THEREFORE BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Pass Christian, Mississippi as follows;

Section 1. That the following Codes are adopted by reference as though they were fully copied herein

International Building Code, 2018 edition, including Appendixes A, B, E, F, G and J

International Residential Code, 2018 edition, including Appendixes A, B, C, D, E, J, L, M and P

International Mechanical Code, 2018 edition, including Appendixes A and B

International Plumbing Code, 2018 edition, including Appendixes A, E, and F

International Fuel Gas Code, 2018 edition, including Appendix A

International Private Sewage Disposal Code, 2018 Edition

International Existing Building Code, 2018 edition, including Appendix C

NFPA 70, National Electrical Code, 2017 edition, including Appendixes

NFPA 101, Life Safety Code, 2018 Edition, Including Annexes A, B, C and D
International Fire Code, 2018 edition, including Appendixes B, C, D and E.
SBCCI Standard for Sound Control, SSTD 8-87.

ICC 600, 2014 Edition, Standards for Residential Construction in High Wind Regions

International Swimming Pool and Spa Code, 2018 Edition, and Appendixes

International Property Maintenance Code, 2018 Edition, including Appendix A

These Codes are hereby adopted as the Building Codes of the City of Pass Christian, Mississippi for regulating and governing the conditions and maintenance of all properly, building, buildings and structures: by providing the standards for 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 for the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Codes on file in the Office of the Code Office of the City of Pass Christian are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance.

Section 2. The following code sections are hereby revised:

International Building Code

109.2 Schedule of permit fees. See Schedule of Fees attached.

109.6 Refunds. When authorized by the City to do so the Code Official shall be authorized to refund fees as follows:

- I. The full amount of any fee paid under which was erroneously paid or collected.
2. Not more than seventy-five (75%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

Not more than fifty (50%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.

The Code Official shall not be authorized to refund any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

1612.3 Establishment of Flood Hazard Areas. To establish flood hazard areas the governing body has adopted by separate ordinance a flood hazard map, ordinance and supporting data. The flood hazard map includes, at a minimum, areas of a special flood hazard as identified by the Federal Emergency Management Agency for the City of Pass Christian, Mississippi, as amended or revised with the accompanying Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto.

The adopted flood hazard maps and supporting data previously adopted and included herein by reference are declared to be a part of this section.

3412.2 Applicability. Structures existing sixty (60) days after the adoption of this ordinance, in which there is work involving additions, alterations or changes of occupancy shall be made to comply with the requirements of this section or the provisions of Sections 3403 through 3409. The provisions in Sections 3412.2.1 through 3412.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies of H or I. To the extent there is any conflict with the City's Floodplain Prevention Ordinance with any Building Code adopted by this ordinance the provisions of the City's Floodplain Prevention Code will prevail.

International Residential Code

R108.2 Schedule of permit fees. (See Schedule of Fees attached.)

R313 Automatic Fire Sprinkler Systems. Delete in its entirety.

P2904 Dwelling Unit Fire Sprinkler Systems. Delete in its entirety.

R302.2 Townhouses, Exception, on the first line, change "1-hour to 2-hour".

R302.2.6 Structural Independence, Exception No. 5, on the first line, change
"1- hour" to "2 -hour".

E4002.14 - Tamper Resistant Receptacles - Delete in its entirety.

E3909.12 - Arc-fault circuit interrupter protection. Delete all areas, except bedrooms, where this provision shall apply. Replace with:

"Arc-fault protection of bedroom outlets. All branch circuits that supply 120-volt, single-phase, 15- and 20-ampere outlets installed in bedrooms shall be protected by a combination type or branch/feeder type arc-fault circuit interrupter installed to provide protection of the entire branch circuit. Effective January 1, 2008, such arc-fault circuit interrupter devices shall be combination type.

Exception: The location of the arc-fault circuit interrupter shall be permitted to be at other than the origination of the branch circuit provided that:

1. The arc-fault circuit interrupter is installed within 6 feet (1.8 m) of the branch circuit over-current device as measured along the branch circuit conductors and
2. The circuit conductors between the branch circuit over-current device and the arc-fault circuit interrupter are installed in a metal raceway or a cable with a metallic sheath.

International Mechanical Code

106.5.2 Fee Schedule. (See Schedule of Fees attached.)

106.5.3 Fee refunds. When authorized by the City the Code Official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid under which was erroneously paid or collected.

2. Not more than seventy-five (75%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

3. Not more than fifty (50%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.

The Code Official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

108.4 Violation Penalties. Persons, who shall violate any provision of these Codes, fail to comply with any of the requirements thereof or who erect, install, alter, or repair work in violation of the approved construction documents or directives of the Code Official or a permit or certificate issued under the provisions of this Code, shall be guilty of a misdemeanor, punishable by a fine of not more than one-thousand dollars (\$1,000.00) or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

108.5 Stop Work Orders. Upon notice from the Code Official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than two hundred (\$200.00) dollars or more than one thousand (\$1,000.00) dollars.

International Plumbing Code

106.6.2.1 Fee Schedule. (See Schedule of Fees attached.).

106.5.3 Fee refunds. The Code Official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid under which was erroneously paid or collected.
2. Not more than seventy-five (75%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than fifty (50%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.

The Code Official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

108.4 Violation Penalties. Persons who shall violate a provision of this Code, fail to comply with any of the requirements thereof or erect, install, alter, or repair work in violation of the approved construction documents or directive of the code official or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand (\$1,000.00) dollars or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

108.5 Stop Work Orders. Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Any person who shall

continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than two hundred (\$200.00) dollars or more than one thousand (\$1,000.00) dollars.

International Fuel Gas Code

106.6.2 Fee schedule. (See Schedule of Fees attached.)

106.6.3 Fee refunds. When authorized by the City the Code Official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid under which was erroneously paid or collected.
2. Not more than 75 (75%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 50 (50%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.

The Code Official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

108.4 Violation Penalties. Persons, who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter, or repair work in violation of the approved construction documents or directives of the code official or of a permit or certificate issued under the provisions of this code shall be guilty of a misdemeanor punishable by a fine of not more than one thousand (\$1,000.00) dollars or by imprisonment not exceeding thirty (30) days or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

108.5 Stop Work Orders. Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than two hundred (\$200.00) dollars or more than one thousand (\$1,000.00) dollars.

International Fire Code

109.4 Violation Penalties. Persons, who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair or do work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand (\$1,000.00) dollars or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than two hundred (\$200.00) dollars or more than one thousand (\$1,000.00) dollars.

903.3.2 Quick Response and Residential Sprinklers. Delete requirements only for one - and two-family dwellings and also R-3 Occupancies for Boarding

Houses (or Air BnBs) with transient occupants of 10 or fewer. Sprinkler requirements for all other occupancies under R-3 Occupancies will continue.

International Existing Building Code

108.2 Fee Schedule. (See Schedule of Fees attached.)

108.6 Fee refunds. The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid under which was erroneously paid or collected.
2. Not more than seventy-five (75%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than fifty (50%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.

The Code Official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

113.4 Violation Penalties. Persons, who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter, or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one-thousand dollars (\$1,000.00) or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after the notice has been served shall be deemed a separate offense.

114.2 Stop Work Orders. Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than two hundred (\$200.00) dollars or more than one thousand (\$1,000.00) dollars.

International Property Maintenance Code

112.2 Stop Work Orders (Issuance). Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owners agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than two hundred (\$200.00) dollars or more than one thousand (\$1,000.00) dollars.

112.4 Violation Penalties (Failure to Comply). Persons, who shall violate a provision of this code, or who shall fail to comply with any of the requirements thereof, or erect, install, alter, or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not exceeding

thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 2. The following sections are hereby revised:

Section 101.1. Insert: City of Pass Christian, MS (NAME OF JURISDICTION)

Section 103.5. Insert: Schedule of fees according to schedule attached)

Section 112.4. Insert: Schedule of fees according to schedule attached Section

302.4. Insert: 24 inches (HEIGHT IN INCHES)

Section 304.1.4. Insert: "January 1 to December 31" (DATES IN TWO LOCATIONS)

Section 602.3. Insert: "January 1 to December 31" (DATES IN TWO

LOCATIONS) Section 602.4. Insert: "October 1 until May 1" (DATES IN TWO LOCATIONS)

International Private Sewer Disposal

Code 106.1.2 Fee Schedule. (See Schedule. of fees attached).

106.4.3 Fee refunds. The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid under which was erroneously paid or collected,
2. Not more than seventy-five (75%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than fifty (50%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.

The Code Official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

108.4 Violation Penalties. Persons, who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter, or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one-thousand dollars (\$1,000.00) or by imprisonment not exceeding thirty (30) days, or both such. fine and imprisonment. Each day that a violation' continues after due notice has been served shall be deemed a separate offense.

108.5 Stop Work Orders. Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Any person who shall continue any work after having been served with a stop work order, except such work as that person is

directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than two hundred (\$200.00) dollars or more than one thousand (\$1,000.00) dollars.

International Swimming Pool and Spa Code

105.6.2 Fee Schedule. (See Schedule of fees attached).

105.63.3 Fee refunds. The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid under which was erroneously paid or collected.
2. Not more than seventy-five (75%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than fifty (50%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended,

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

108.4 Violation Penalties. Persons, who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter, or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one-thousand dollars (\$1,000.00) or by imprisonment not exceeding thirty (30) days, or both such. fine and imprisonment. Each day that a violation' continues after due notice has been served shall be deemed a separate offense.

108.5 Stop Work Orders. Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and

shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than two hundred (\$200.00) dollars or more than one thousand (\$1,000.00) dollars.

Section 3. Wherever the words "Board of Appeals" appears in any of the aforementioned Codes substitute the "Mayor and Board of Aldermen".

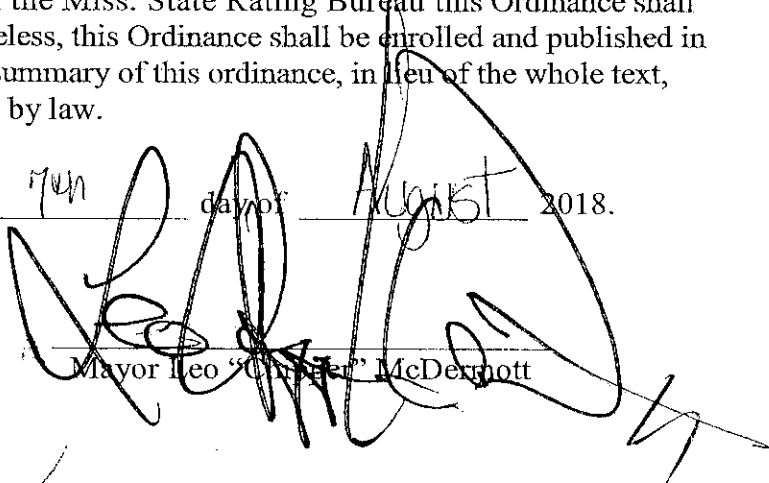
Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this ordinance.

Section 5. That nothing in this ordinance or in these Building Codes hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. Any conflicting Ordinance, and amendments, including but not limited to Ordinance No. 634 adopted prior to this Ordinance and inconsistent herewith, are hereby repealed by this Ordinance.

Section 7. To preserve the public safety and welfare of the citizens of this community because of the immediate need for the enactment of current building code regulations to meet the requirements of the Miss. State Rating Bureau this Ordinance shall take effect on August 31, 2018. Nevertheless, this Ordinance shall be enrolled and published in the time and manner required by law. A summary of this ordinance, in lieu of the whole text, shall be published in the manner provided by law.

SO ORDAINED this the 7th day of August 2018.



Mayor Leo "Chopper" McDermott



WITNESSETH:

Dawn Sanders
Deputy City Clerk