

## **Ordinance 2016-5**

### **AN ORDINANCE ADOPTING THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS, 2012 EDITION (Second Printing)**

**WHEREAS**, the Town of Taylor desires to adopt building codes regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplies 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 condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures in the Town of Taylor; providing for the issuance of permits and collection of fees therefor; repealing any and all other ordinances or parts of laws in conflict therewith.

**THEREFORE**, as authorized by Mississippi Code Annotated 1972 S.21-19-25 the Board of Aldermen of the Town of Taylor does ordain as follows:

**Section 1.** That the International Residential Code for One- and Two- Family Dwellings, 2012 edition (Second Printing), and all appendices thereto is hereby adopted as the official housing code of the Town of Taylor, in the State of Mississippi.

A copy of such code shall be certified by the mayor and the town clerk and filed as a permanent record in the office of the town clerk.

Any person, firm partnership, corporation or association violating any of the provisions of such code shall be fined not more than \$500.00 or imprisoned not more than 30 days, or both.

**Section 2.** The building code adopted by the provisions of this ordinance is hereby revised as follows:

Section 108.3 (Building permit valuations) is hereby deleted. Building permit fees will be determined on the bases of square footage;

Section 108.5 (Refunds) is hereby deleted;

Section 112 (Board of Appeals):

112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be created the board of appeals as established by ordinance 2016-3 of the Town of Taylor and consist of the town planning commission assisted by any professional or journeyman who is qualified by experience and training to pass on matters pertaining to building construction. The town building official will be a non-voting member of the board of appeals;

Section 302 Fire Resistant Construction:

Table 302.1(2) Exterior Walls—Dwellings with fire sprinklers. Minimum wall fire separation distance shall be equal to or greater than setbacks, but no less than 3 feet, No exceptions;

302.2 Townhouses, Each townhouse shall be considered a separate building and shall be separated by fire-resistance rated wall assemblies meeting the requirements of section 302.1 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. This rating may be reduced to 1-hour when the townhouses

on both sides of such wall are equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13D. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against the exterior walls and tight against the underside of the roof sheathing. Electrical installations shall be installed in accordance with Chapter 34 and 43. Penetrations of electrical outlet boxes shall be in accordance with section 302.;

302.2.4 Each individual townhouse shall be structurally independent. Exceptions: Townhouses separated by a common 2 hour fire rated wall as provided in section 302.2;

302.5.1 Opening protection. Openings between a garage and a residence shall be equipped solid doors not less than 1 3/8 inches thick or a 20 minute fire rated door. Openings from a garage directly into a room used for sleeping purposes shall not be permitted;

#### Section 313 Automatic Fire Sprinkler Systems:

313.1 Townhouse automatic fire sprinkler systems. An automatic fire sprinkler system shall be optional and not mandatory in townhouses unless the townhouses are separated by less than 10 feet;

313.2 One- and two- family dwellings automatic residential fire sprinkler systems. An automatic residential fire sprinkler system shall be optional and not mandatory in one- and two-family dwellings;

312.2.1 Design and installation. When installed automatic residential fire sprinkler systems for one- and two-family dwellings and townhouses shall be designed and installed in accordance with NFPA 13D;

Chapter 11 Energy Efficiency: Chapter 11 of the International Residential Code for One- and Two- Family Dwellings, 2012 edition (Second Printing) is deleted and replaced with Chapter 11 of the International Residential Code for One- and Two- Family Dwellings, 2006 edition;

Appendix L Fees: Appendix L is replaced with the following:

Building plan review fee; if the scope of a construction project requires submitting construction documents to be reviewed for compliance with applicable regulations, building plan review shall be assessed at the time of submitting the plans and specifications for review. Said fee shall be equal to one-half of the building permit fee not to exceed \$250.00. The building plan review is in addition to the building permit fee. Structures that fall within the scope of the International Residential Code shall not be subject to the plan review fee;

#### Building Permits:

Commercial Buildings	\$150.00 + \$0.40 per square foot;
Apartment/Condominium	\$150.00 + \$0.40 per square foot;
Single Family Residence	\$150.00 + \$0.30 per square foot;
Two Family Residence	\$150.00 + \$0.30 per square ft.

Penalties; When work for which a permit is required by this code is started or proceeded prior to obtaining said permit, the fees herein specified shall be doubled, this penalty shall not relieve any person nor entity from fully complying with the

requirements of this code in the execution of the work nor from any other penalty prescribed herein;

Re-inspection fee, \$50.00 for re-inspection after each failed inspection;  
Permit replacement fee \$25.00 to replace a lost or destroyed permit card.

**Section 3.** That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Town of Taylor hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 4.** That nothing in this ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed by this law: nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 5.** That the Town Clerk is hereby ordered and directed to cause this ordinance to be posted as required by Mississippi statute.

**Section 6.** That this ordinance and the rules, regulations, provision, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 30 days from and after the date of its final passage and adoption and shall take effect and be in force on and after the 7<sup>th</sup> day of July, 2016.

UPON THE MOTION of Alderman Covington, duly seconded by Alderman Meacham, the aforementioned ordinance was put to a vote with the voting as follows:

Alderman Tim Bridges:	Voted Yes;
Alderman Betty Kisner	Voted Yes;
Alderman Courtney Covington	Voted Yes;
Alderman Ellen Meacham	Voted Yes;
Alderman Jimmie Willingham	Voted Yes.

ORDAINED AND ADOPTED, this the 7<sup>th</sup> day of June, 2016.

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James E. Hamilton, Mayor  
Taylor, Mississippi  
(SEAL)

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Attest: Richard Williams, Town Clerk  
Taylor, Mississippi