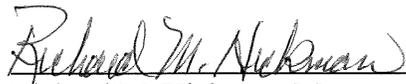


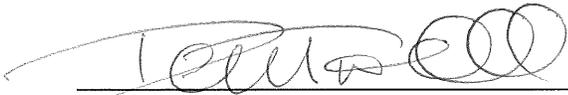
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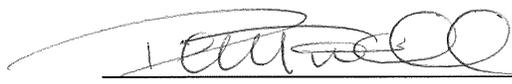
PASSED AND ADOPTED by the Common Council of the City of Angola, Steuben County, Indiana this 1<sup>st</sup> day of June 2015.

  
Richard M. Hickman, Mayor

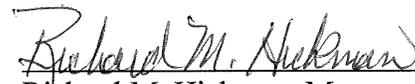
Attest:

  
Debra A. Twitchell, Clerk-Treasurer

This ordinance presented by me, the Clerk-Treasurer of the City of Angola, Indiana to the Mayor at the hour of 11:59 a.m./~~p.m.~~ this 2nd day of June 2015.

  
Debra A. Twitchell, Clerk-Treasurer

This ordinance signed and approved by me, the Mayor of the City of Angola, Indiana this 2nd day of June 2015.

  
Richard M. Hickman, Mayor

**ORDINANCE NO. 1488-2015**

**AN ORDINANCE REPEALING CERTAIN SECTIONS OF THE CITY OF ANGOLA, INDIANA CODE OF ORDINANCES, TITLE XV. LAND USAGE, CHAPTER 150: BUILDING REGULATIONS AND REPLACING SAID SECTIONS WITH THE FOLLOWING REGULATING THE CONSTRUCTION, ALTERATION, EQUIPMENT, USE, OCCUPANCY, AND LOCATION OF BUILDINGS AND STRUCTURES IN ANGOLA, INDIANA (“MUNICIPALITY”); INCORPORATING BY REFERENCE BUILDING RULES, CODES AND STANDARDS REQUIRED TO BE ENFORCED UNDER IC 36-7-2-9; AND PROVIDING FOR THE ISSUANCE OF PERMITS, INSPECTIONS, AND PENALTIES FOR VIOLATIONS**

**BE IT ORDAINED** by the Common Council of the City of Angola, Indiana that the following sections of Chapter 150: Building Regulations be replaced in their entirety with this ordinance. Those sections being:

- § 150.20 Title
- § 150.21 Purpose
- § 150.22 Definitions
- § 150.23 Scope
- § 150.24 Authority
- § 150.25 Construction within restricted fire limits
- § 150.26 Building permit required
- § 150.27 Application for building permit
- § 150.28 Issuance of building permit
- § 150.29 Certificate of occupancy
- § 150.30 General authority to make inspections and investigations
- § 150.31 Inspections by Fire Department
- § 150.32 Withholding issuance of building permits
- § 150.33 Permit revocation
- § 150.34 Stop work order
- § 150.35 Civil action
- § 150.36 Right of appeal
- § 150.37 Adoption of rules by reference

**ARTICLE I. GENERAL REQUIREMENTS**

**Section 1. TITLE.**

This ordinance and all material included herein by reference, shall be known as the “Building Code of the City of Angola, Indiana” and refers to the enforcement area within its corporate boundaries and the same area under the jurisdiction of the Plan Commission and may be cited as such, and will be referred to herein as this Ordinance.

**Section 2. PURPOSE.**

The purpose of this ordinance is to comply with IC 36-7-2-9, provide minimum

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construction requirements to safeguard the public safety, health and general welfare through structural strength, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property and from fire and other hazards attributed to the built environment of Class 1 structures, as defined in IC 22-12-1-4 and Class 2 structures, as defined in IC 22-12-1-5 and to provide for fire limits in accordance with IC 36-7-10-2.

**Section 3. DEFINITIONS.**

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

- (A) "Building Commissioner", as used in this ordinance, includes individuals employed by the Building Safety Department that are authorized to represent the Building Commissioner.
- (B) "Class 1 structure" has the meaning ascribed thereto in IC 22-12-1-4.
- (C) "Class 2 structure" has the meaning ascribed thereto in IC 22-12-1-5.
- (D) "Construction" has the meaning ascribed thereto in IC 22-12-1-7.
- (E) "Industrialized building system" has the meaning ascribed thereto in IC 22-12-1-14.
- (F) "Manufactured home" has the meaning ascribed thereto in IC 22-12-1-16.
- (G) "Mobile structure" has the meaning ascribed thereto in IC 22-12-1-17.
- (H) "Person" has the meaning ascribed thereto in IC 22-12-1-18.
- (I) "Structure" means both Class 1 and Class 2 structures, unless specifically stated otherwise.
- (J) "Vehicular bridge" has the meaning ascribed thereto in IC 22-12-1-26.
- (K) "Structural safety" means the continued capability of either of the following:
  - (1) Load-bearing members of a building or structure to transmit actual and design live and dead loads to a foundation.
  - (2) Other load-bearing members within the allowable working stresses of the materials or assembly of materials involved.

**Section 4. SCOPE.**

All construction shall be accomplished in compliance with the provisions of this ordinance. Pursuant to IC 22-13-2-6, this ordinance shall not apply to industrialized building systems or mobile structures certified under IC 22-15-4; however, the provisions of this ordinance and the rules promulgated by the Fire Prevention and Building Safety Commission do apply to any construction related to an industrialized building system or mobile structures not certified under IC 22-15-4. Pursuant to IC 22-13-2-9, this ordinance is not applicable to regulated amusement devices, regulated boilers, regulated pressure vessels, or regulated lifting devices.

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**Section 5. AUTHORITY.**

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

- (A) All the provisions of this ordinance.
- (B) Variances granted in accordance with IC 22-13-2-11.
- (C) Orders issued under IC 22-12-7.

**Section 6. 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.

**Section 7. 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.

**ARTICLE II: CONSTRUCTION WITHIN RESTRICTED FIRE LIMITS****Section 8. CONSTRUCTION WITHIN RESTRICTED FIRE LIMITS (IC 36-7-10-2)**

- (A) *Fire limits designated.* The area of the city situated within the following described boundaries is determined as the restricted fire limits: East and West Broad Streets, North and South Washington Streets, East and West South Streets, and North and South Superior Streets.
- (B) *Construction requirements.* No person shall erect or alter any Class 1 or Class 2 structure within the restricted fire limits unless the outer walls thereof are constructed of iron, stone, artificial stone, concrete, cement blocks, brick, mortar, or some other noncombustible material; and, the roof thereof is constructed of noncombustible material. No person shall alter any building frame, wooden or other, or roof of which are not constructed of some noncombustible material.

**ARTICLE III: BUILDING PERMITS****Section 9. BUILDING PERMIT REQUIRED.**

- (A) Any owner or authorized agent who intends to construct a Class 1 or Class 2 Structure, enlarge, alter, move, demolish, or change the occupancy or use of a Class 1 or Class 2 structure, or to erect, install,

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enlarge, alter, remove, convert or replace any electrical, gas, mechanical or plumbing system, or to cause any such construction to be done to a Class 1 or Class 2 structure shall first submit a complete application to the Building Commissioner. No building construction permit will be issued to a person that would cause a violation of IC 22-15-3-7 and no construction shall be done on a Class 1 or Class 2 structure until the building official issues a building construction permit unless the construction is of a type specifically exempt from building construction permit requirements.

(1) *Building Construction exempt from Class 2 structure building construction permits.*

- (a) One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses provided the floor area does not exceed 200 square feet.
- (b) Sidewalks and driveways. Sidewalks and driveways are regulated by the Economic Development and Planning Department and the Engineering Department.
- (c) Painting, papering, tiling, carpeting, cabinets, counter tops and similar interior construction, including replacement or re-glazing of glass. This exemption does not including repair, maintenance, and replacement of interior Load-bearing members, which affect the Structural safety of a Class 2 structure.
- (d) Temporary prefabricated swimming pools that are less than 24 inches deep.
- (e) Swings and other playground equipment.
- (f) Decks not exceeding 200 square feet in area, which are not more than 30 inches above grade at any point, and do not serve the required exit door.
- (g) Repair, maintenance, and replacement of roofing, siding, windows and similar exterior maintenance. This exemption does not including repair, maintenance, and replacement of Load-bearing members, which affect the Structural safety of a Class 2 structure.

(2) *Electrical.*

- (a) Maintenance, repair, or replacement of existing electrical systems with like equipment. This exemption does not include replacement or installation of Electrical Utility Metering equipment or Electrical Service Equipment.
- (b) Portable or temporary lighting equipment and devices.
- (c) Replacement of branch circuit overcurrent devices.
- (d) Installation of branch circuits not exceeding the capacity of the electrical distribution system.

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- (e) Electrical wiring, apparatus, or equipment installed by a public or private utility.
  - (f) Electrical equipment used for radio and television transmissions.
- (3) *Gas.*
  - (a) Maintenance, repair, or replacement of existing gas appliances and equipment. This exemption does not include replacement or installation of Gas Utility Metering Equipment.
  - (b) Portable or temporary gas equipment.
- (4) *Mechanical.*
  - (a) Maintenance, repair, or replacement of existing heating, ventilating and air conditioning systems with like equipment.
  - (b) Portable or temporary heating appliances.
  - (c) Portable or temporary ventilation appliances.
  - (d) Portable or temporary cooling units.
  - (e) Steam, hot- or chilled-water piping within any heating or cooling equipment.
  - (f) Replacement of any minor parts that do not alter the approval of equipment or make such equipment unsafe.
  - (g) Portable or temporary evaporative coolers.
- (5) *Plumbing.*
  - (a) The stopping of leaks in drains, water, soil, waste or vent pipes.
  - (b) The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets.
  - (c) Replacement of piping, valves, or fixtures.
  - (d) Replacement of water heaters with a similar type and capacity.
  - (e) Installation of water heaters with a capacity of one hundred (100) gallons or less.
  - (f) Portable or temporary plumbing equipment.
- (B) The building construction permit application requirements, including filing of plans and specifications shall apply for any construction otherwise exempt when a part of, supplemental to, or an accessory of a Class 2 structure construction project that otherwise requires a building construction permit.
- (C) Class 2 structure construction exempt from building construction permit application requirements is not exempt from compliance with other Ordinances, Indiana Code, (IC), or Indiana Administrative Code, (IAC). Exemption from building construction permit requirements shall not be deemed to grant authorization for any construction to be done in any manner in violation of the provisions of this ordinance or any other ordinances, Indiana Code, (IC), or Indiana Administrative Code, (IAC).
- (D) *Building Construction exempt from Class 1 structure building*

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*construction permits.* No construction shall be done on a Class 1 structure other than maintenance in accordance with 675 IAC 12-4-9, until a building construction permit is issued by the Building Commissioner.

**Section 10. APPLICATION FOR A BUILDING PERMIT.**

- (A) Any person required to have a building construction permit shall submit a complete application to the Building Commissioner.
- (B) This application shall be submitted on a form prepared by the Building Commissioner, and shall contain the following:
  - (1) Information that the Building Commissioner determines to be necessary to locate and contact the applicant.
  - (2) Identify and describe the construction to be covered by the building construction permit for which application is made.
  - (3) Describe the land on which the proposed construction is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or construction.
  - (4) Indicate the use and occupancy for which the proposed construction is intended.
  - (5) State the square footage and valuation of the proposed construction.
  - (6) Provide a site plan drawn to scale; provided, however, such site plan shall not be required in the instance where all such construction is to occur entirely within an existing structure. The site plan shall show dimensioned location of building property lines, and to all adjacent buildings on the property, as well as width of any street or easements bordering the property.
  - (7) Provide 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.
  - (8) If required by Indiana law or any rule of the Fire Prevention and Building Safety Commission, a copy of the construction design release issued by the State Building Commissioner pursuant to IC 22-15-3-1 and a complete set of plans and specifications that conform exactly to the design that was reviewed and released by the office of the state Building Commissioner.
  - (9) If required, written approval from the Economic Development and Planning Department indicating compliance with the City of Angola Code of Ordinances of which the Economic Development and Planning Department is responsible to administer.
  - (10) If required, written approval from the Engineer showing the location of all water supply system improvements and service taps;

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the location and elevation of all sanitary sewer system improvements; the location and elevation of all storm water system improvements; the location of all streets, sidewalks, and curbs depicting the final locations in relation to the actual lot corners; and showing compliance with the City of Angola Code of Ordinances, Storm Water Management requirements.

- (11) If required, written approval or release from the Steuben County Surveyor or written approval from the Steuben County Drainage Board for any drainage variance required;
  - (12) If required, written approval or a non-objection letter from the Steuben County Health Department;
  - (13) If required, written approval from the Steuben County Highway Department for any driveway cuts, culverts;
  - (14) If required, written approval from the Water Superintendent for all new water supply system improvements;
  - (15) If required, written approval from the Wastewater Superintendent for all new sanitary sewer collection systems;
  - (16) If required, written approval from the Street Commissioner for all new curb and gutter, streets, and storm water system improvements (inlets, catch basins, manholes, culverts, and the like);
  - (17) If required, written approval from the Park Superintendent indicating compliance with the City of Angola Code of Ordinances of which the Park Superintendent is responsible to administer;
  - (18) If required, written approval from the Fire Chief;
  - (19) 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.
  - (20) The fee established by Ordinance.
- (C) *Action on application.* The Building Commissioner shall examine or cause to be examined applications for building construction permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the application requirements or the requirements of pertinent laws, the Building Commissioner shall reject such application in writing, stating the reasons therefor.
- (D) *Time limitation of application.* An application for a building construction permit for any proposed construction is deemed to have been abandoned 60 days after the date of filing, unless such application has been pursued in good faith or a building construction permit has been issued.

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**Section 11. ISSUANCE OF BUILDING PERMIT.**

Upon satisfaction of the Building Commissioner that all of the proper authorities have approved the location and use proposed, and that the applicant has furnished sufficient evidence that the building or structure will be constructed in conformance with all applicable building and fire safety laws and will not violate any other applicable ordinances or laws the Building Commissioner shall issue a building construction permit.

**Section 12. BUILDING PERMIT PHASED APPROVAL.**

The Building Commissioner is authorized to issue building construction permits for construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted. The holder of such building construction permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a building construction permit for the entire structure will be granted.

**Section 13. COMMENCEMENT.**

After a building construction permit is issued, the project shall commence within twelve (12) months of the date of issuance or the building construction permit shall become null and void.

**Section 14. EXPIRATION.**

After a Building Construction Permit is issued, the project shall be completed within twenty-four (24) months of the issuance date or shall become null and void.

**Section 15. EXTENSIONS.**

Upon request by the applicant, a Building Construction Permit may be extended one (1) time for up to twelve (12) months. The Building Commissioner may grant the requested extension. Both the request for the extension and the Building Commissioner's decision concerning the extension shall be made part of the Building Construction Permit file.

**Section 16. VALIDITY OF PERMIT.**

The issuance or granting of a building construction permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this ordinance or of any other ordinance of the City of Angola. Permits presuming to give authority to violate or cancel the provisions of this ordinance or other ordinances of the City of Angola shall not be valid. The issuance of a building construction permit based on construction documents and other data shall not prevent the Building Commissioner from requiring the correction of errors in construction documents and other data. The Building Commissioner is also authorized to prevent occupancy or use of a structure where in violation of this ordinance or of any other ordinance of the City of Angola.

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**Section 17. CERTIFICATE OF OCCUPANCY.**

- (A) No certificate of occupancy for any building or structure shall be issued unless such building or structure was constructed in compliance with the provisions of this ordinance.
- (B) It shall be unlawful to occupy or use any such building or structure unless a full or temporary certificate of occupancy has been issued by the Building Commissioner.
- (C) The Building Commissioner may issue a temporary certificate of occupancy for a period not exceeding 90 days if the following standards have been satisfied:
  - (1) Such portion or portions of the building or structure subject to the temporary certificate of occupancy may be occupied safely and present no threat of fire or threat to the life, health, or welfare of the occupants or the public;
  - (2) Construction of the building or structure subject to the building construction permit is substantially complete and only minor items of the permit remain for full completion and issuance of a full certificate of occupancy.
- (D) All certificates of occupancy issued by the Building Commissioner with the exception of one-and two-family dwellings must contain the signature of the Angola Fire Marshal.

**ARTICLE IV: INVESTIGATIONS AND INSPECTIONS OF CONSTRUCTION ACTIVITIES****Section 18. GENERAL AUTHORITY TO MAKE INSPECTIONS AND INVESTIGATIONS.**

- (A) All construction shall be subject to periodic inspections by the Building Commissioner irrespective of whether a building construction permit has been or is required to be obtained.
- (B) The Building Commissioner may at any reasonable time go in, upon, around, or about the premises where any structure subject to the provisions of this ordinance or to the rules of the Fire Prevention and Building Safety Commission for the purposes of inspection and investigation of such structure. That 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 this ordinance and the rules of the Fire Prevention and Building Safety Commission.

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**Section 19. 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 actions under IC 36-8-17.

**Article V: SERVICE UTILITIES****Section 20. SERVICE UTILITIES.**

No person shall make connections from a utility, source of energy, fuel, water, sewer or power to any building or system until released by the Building Commissioner.

**Section 21. TEMPORARY CONNECTION.**

The Building Commissioner shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, water, sewer or power.

**Section 22. AUTHORITY TO DISCONNECT SERVICE UTILITIES.**

The Building Commissioner shall have the authority to authorize disconnection of utility service to the building, structure or system in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval of the Building Commissioner. The Building Commissioner shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

**ARTICLE VI: ENFORCEMENT AND PENALTIES****Section 23. WITHHOLDING ISSUANCE OF BUILDING PERMITS.**

- (A) Whenever a person which is either an applicant for a building construction permit or an obtainer of a building construction permit owes fees including, but not limited to checks returned for insufficient funds, the Building Commissioner may withhold the issuance of subsequently requested building construction permits until such time that the debt is satisfied.
- (B) Whenever a person applies for a building construction 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 building construction permits until such time that the property is brought into conformance with applicable ordinances.

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**Section 24. BUILDING CONSTRUCTION PERMIT REVOCATION.**

- (A) The Building Commissioner is authorized to suspend or revoke a building construction permit issued under the provisions of this ordinance wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information or in violation of any ordinance or regulation or any of the provisions of this ordinance. The Building Commissioner may also revoke a building construction permit when any of the following are applicable:
- (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 standards and procedures.
  - (3) There is failure to comply with this ordinance.
  - (4) The structure for which the building construction permit has been issued is not being used or constructed in conformance with an applicable zoning ordinance or other ordinance relating to land use.

**ARTICLE VII: VIOLATIONS****Section 25. VIOLATIONS.**

It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this ordinance, or cause same to be done, in conflict with or in violation of any of the provisions of this ordinance.

**Section 26. NOTICE OF VIOLATION.**

The Building Commissioner is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this ordinance, or in violation of a permit or certificate issued under the provisions of this ordinance. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

**Section 27. PROCEDURE FOR VIOLATION.**

- (A) *Corrected.* If the noncompliance is corrected, please contact this office and no further action shall be taken.
- (B) *Arrangements.* Arrangements to have the noncompliance corrected within a reasonable time period, but not more than 10 days, and is agreed to by the person responsible for the noncompliance and the City of Angola Building Commissioner, no further action shall be taken. Please contact the Building and Safety Department to make arrangements.

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**Section 28. PROSECUTION OF VIOLATION.**

If the notice of violation is not complied with promptly, the Building Commissioner is authorized to request the legal counsel of the City of Angola, to institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful occupancy or use of the building or structure in violation of the provisions of this ordinance or of the order or direction made pursuant thereto.

**Section 29. VIOLATION PENALTIES.**

Any person who violates a provision of this ordinance or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Commissioner, or of a permit or certificate issued under the provisions of this ordinance, shall be subject to penalties as prescribed by law.

**Section 30. STOP WORK ORDER.**

- (A) The Building Commissioner may issue an order requiring suspension of the pertinent construction (stop work order) in accordance with this section.
- (B) The stop work order shall:
  - (1) Be in writing.
  - (2) State with specificity the construction to which it is applicable and the reason for its issuance.
  - (3) Be posted on the property in a conspicuous place.
  - (4) If practicable, be given to the person doing the construction and to the owner of the property or the owner's agent.
  - (5) The stop-work order shall state the conditions under which construction may be resumed.
- (C) The Building Commissioner may issue a stop work order, if:
  - (1) Construction is proceeding in an unsafe manner, including, but not limited to, in violation of any standard set forth in this ordinance or any state law pertaining to safety during construction.
  - (2) Construction is occurring in violation of this 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.
  - (3) Construction for which a building construction permit is required is proceeding without a building construction permit being in force.
- (D) The issuance of a stop-work order shall in no way limit the operation of penalties provided elsewhere in this ordinance.

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**Section 31. CIVIL ACTION.**

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

**Section 32. MONETARY PENALTY.**

Any person violating any provision of this 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 Ordinance.

**Section 33. RIGHT OF APPEAL.**

(A) Any person aggrieved by an order issued under this 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) *Appeal to the Fire Prevention and Building Safety Commission.*

(a) A person aggrieved by an order issued under this Ordinance may appeal to the Fire Prevention and Building Safety Commission, in accordance with IC 22-13-2-7.

(b) The Commission may modify or reverse any order issued by the Municipality that covers a subject governed by IC 22-12, IC 22-13, IC 22-14, IC 22-15, or a fire safety or a building rule.

(c) The Fire Prevention and Building Safety 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 Fire Prevention and Building Safety Commission may review all other orders issued under this Ordinance.

(e) The review of an order by the Fire Prevention and Building Safety 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.

(2) *Appeal to an Established Local Administrative Body or Court.* A person aggrieved by a decision or order of the Building Safety Department may appeal the decision or order. The aggrieved person must, by registered mail, or in person, give the Angola Board of Public Works and Safety, at 210 North Public Square, Angola, IN 46703, a written notice within fifteen (15) days of the decision or order of his or her appeal. This notice must concisely state the aggrieved person's grievance. The Angola Board of Public Works and Safety will set the appeal for a hearing where the appellant will be allowed to appear in person and or by an attorney or any other

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responsible person to present her case. The appellant may present witnesses, documentary evidence, testimony, and argument. The Building Commissioner will be represented by the Angola City Attorney and will be allowed to present witnesses, documentary evidence, testimony and argument. The Angola Board of Public Works and Safety will issue its decision in due course either upholding, modifying, or overturning the Building Commissioner's order or decision. Instead of appealing to the Angola Board of Public Works and Safety, the aggrieved person may seek remedy from the Steuben Circuit or Superior Court.

**ARTICLE VIII: MINIMUM CONSTRUCTION STANDARDS****Section 34. ADOPTION OF RULES BY REFERENCE**

- (A) Pursuant to IC 22-13-2-3(b), the rules of the Indiana Fire Prevention and Building Safety 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.
- (1) Article 13 -Building Codes
  - (2) Article 14 -Indiana Residential Code
  - (3) Article 16 -Indiana Plumbing Code
  - (4) Article 17 -Indiana Electrical Code
  - (5) Article 18 -Indiana Mechanical Code
  - (6) Article 19 -Indiana Energy Conservation Code
  - (7) Article 20 -Indiana Swimming Pool Code
  - (8) Article 22 -Indiana Fire Code
  - (9) Article 25 -Indiana Fuel Gas Code
  - (10) Article 28 – NFPA Standards
- (B) Two copies of the above building rules incorporated by reference are on file in the office of the clerk for the legislative body for public inspection as required by IC 36-1-5-4.
- (C) The Building Commissioner and the Fire Prevention and Building Safety Commission may grant a variance to the fire safety laws and building laws adopted in this 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 Fire Prevention and Building Safety Commission.

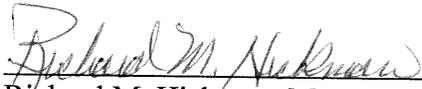
**ARTICLE IX: EFFECTIVE DATE****Section 35. EFFECTIVE DATE**

**ORDINANCE NO. 1488-2015**

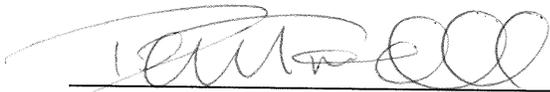
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This ordinance shall be in full force and effect from and after its passage and adoption by the Common Council, approval by the Mayor, approval by the Fire Prevention and Building Safety Commission of Indiana as required by IC 36-7-8-3 and IC 22-13-2-5, and publication according to law.

**PASSED AND ADOPTED** by the Common Council of the City of Angola, Steuben County, Indiana this 1<sup>st</sup> day of June 2015.

  
Richard M. Hickman, Mayor  
Presiding Officer

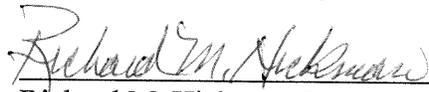
Attest:

  
Debra A. Twitchell, Clerk-Treasurer

This ordinance presented by me, the Clerk-Treasurer of the City of Angola, Indiana to the Mayor at the hour of 12:00 a.m./p.m. this 2nd day of June 2015.

  
Debra A. Twitchell, Clerk-Treasurer

This ordinance signed and approved by me, the Mayor of the City of Angola, Indiana this 2nd day of June 2015.

  
Richard M. Hickman, Mayor

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2015 by the Fire Prevention and Building Safety Commission of the State of Indiana.

\_\_\_\_\_  
Chairperson  
Fire Prevention and Building Safety Commission