

BUILDING ORDINANCE

HANCOCK, NEW HAMPSHIRE

ADOPTED

MARCH, 1969

WITH AMENDMENTS THROUGH

MARCH, 1994

BUILDING ORDINANCE
for the
Town of Hancock, New Hampshire

SECTION I. TITLE

These regulations shall be known and cited as the Building Ordinance of the Town of Hancock, N.H. and shall be construed to insure public safety and health insofar as they are dependent on building construction.

SECTION II. MINIMUM REQUIREMENTS

The provisions of this ordinance shall be held to be the minimum requirements for the prevention of fire and preservation of life and health of the inhabitants of the Town of Hancock and shall be controlling as to all buildings and structures subject to this Ordinance, except where more stringent requirements are provided under the statutes of the State of New Hampshire.

SECTION III. OTHER TOWN REQUIREMENTS

No provisions of the Town Zoning Ordinance or any other legal statute pertaining to the location, use, or construction of buildings shall be nullified by the provisions of this Ordinance.

SECTION IV. ADMINISTRATION

The provisions of this Ordinance and enforcement of its requirements will be administered by the Building Inspector. When, in the course of administering the terms of this Ordinance, a question is raised as to detail of construction specifications not completely covered herein, conformance with the BOCA Basic Building Code as published by the Building Officials and Code Administrators International, Inc., in effect at the date of application for a building permit, shall be considered prima facie evidence of conformance with the objectives of this Ordinance. In the absence of a Building Inspector, the Board of Selectmen shall perform these duties.

SECTION V. PERMITS

A permit issued by the Board of Selectmen shall be required before beginning operations of placement of foundations, alteration, major repair, removal, demolition, or placement on a lot of a building or structure, including a mobile home, covering more than one hundred square feet or more than eight feet high. Applications for permits shall be submitted in such form as the Selectmen prescribe and shall be made by the owner, agent or builder employed in connection with the proposed work. The applications shall carry the full names and addresses of the applicant and of the owner, and if the applicant is a corporate body, the names of its responsible officers.

SECTION VI. PLANS

Applications for permits shall be accompanied by copies of such specifications and plans as the Building Inspector shall require. Plans shall include dimensions, setbacks, and other details with sufficient clarity to show the work to be performed. The Building Inspector may waive the requirements for filing plans when the work involved is of minor nature.

SECTION VII. PERFORMANCE

All work performed under building permits shall conform to the plans and specifications filed with the application.

SECTION VIII. LIMITATION OF PERMIT

A permit under which no work is started within six months after issuance will expire by limitation. If an excavation has been wholly or partially completed or the foundation walls have been erected and the project is terminated, the parties granted the permit will be required to bring the excavation back to grade within six months after date of permit. Failure to carry construction beyond first floor flooring within six months or to complete exterior structural details as specified in filed plans and specifications within twelve months after start of work will be considered evidence of termination of the project for which the permit was issued.

SECTION IX. CERTIFICATE OF OCCUPANCY

No building or structure erected or altered as specified in a permit issued under the terms of this Ordinance shall be occupied or used, as a whole or in part, until a Certificate of Occupancy has been issued by the Building Inspector. The Building Inspector shall not issue a Certificate of Occupancy until:

1. The work has been completed in compliance with the Building Ordinance.
2. The septic system meets the requirements of the New Hampshire Water Supply and Pollution Control Commission and local regulations.
3. The driveway entrance has been approved and a permit has been signed by the Road Agent and such culverts (and aprons) as he may require have been installed in a manner which meets his approval.
4. The proper representative of the Fire Department has reviewed the work and finds no violations of any State or local laws within the jurisdiction of the Fire Department.
5. If the property is on Town Water, that the requirements of the Water Department have been met.
6. Has complied with all requirements and limitations of any decisions made under Article XIII of the Zoning Ordinance.

SECTION X. BOARD OF ADJUSTMENT

An applicant for a building permit whose application has been refused by the Selectmen, or parties who have been ordered by the Selectmen to incur expense in connection with construction, or parties aggrieved by a decision of the Selectmen on a matter left by this Ordinance to their approval or discretion, may appeal from such action by filing within fourteen days from date of refusal, order or decision a written appeal claim, signed by the party aggrieved or his agent, with the Zoning Board of Adjustment established under the Hancock Zoning Ordinance, as adopted March 1962. If the refusal order or decision of the Selectmen is affirmed by the Board of Adjustment, the ruling of the Selectmen shall be final. If the action of the Selectmen is modified or annulled, the Selectmen shall issue a permit or order in accordance with the decision

of the Board. The Board of Adjustment shall hold public hearings on all appeal claims under the foregoing and shall give notice thereof in the manner required for appeals.

SECTION XI. SAVING CLAUSE

Nothing ^{is} this Ordinance as adopted shall be construed to affect any suit or proceeding now in progress, or any rights acquired, or liability incurred, or any cause or causes of actions accrued or existing under any Town Ordinance.

SECTION XII. VALIDITY

The invalidity of any section or provision of this Ordinance, hereby adopted, shall not invalidate other sections or provisions thereof.

SECTION XIII. FEES FOR PERMITS

A fee shall be charged for all permits issued under the terms of this Ordinance. The basis for the fee shall be established by the Board of Selectmen by April 1, 1979, and annually thereafter by January 1.

SECTION XIV. ENFORCEMENT

Upon any well founded information that this Ordinance is being violated, the Board of Selectmen shall, on their own initiative, take steps to enforce the provisions of this Ordinance by such means as they deem appropriate, including levying fines not to exceed the limits set forth in RSA 676:17, and/or seeking an injunction in Superior court, or by any other appropriate action.

SECTION XV. EFFECTIVE DATE

This Ordinance as amended shall become effective upon its passage and adoption by action of a regular Town Meeting.

SECTION XVI. BUILDING CODE

It is required by this Ordinance that all buildings and structures, including mobile homes, erected, altered, repaired substantially or rebuilt shall comply with the following minimum requirements:

a. Residential Occupancy

Every dwelling unit to be used by a single family shall have a minimum of 700 square feet living area.

b. Commercial Occupancy

Buildings intended, designed, or used for industrial or commercial operations involving fire risks related to highly combustible materials shall be provided with non-combustible walls or partitions between component sections.

c. Garages

Public garages for the storage of five or more automobiles, or having any service or repair operations connected therewith, shall be erected, altered or enlarged with slow burning (2 hour fire resistant)

or non-combustible materials. Provision of protective automatic sprinkler systems may be considered acceptable in lieu of the requirement for fire resistant and non-combustible structural materials.

d. Fire Stops

Buildings of wood or other combustible materials shall, when erected, altered, remodeled, or enlarged be constructed with western platform framing, or if balloon framing is used, shall be provided with fire stops in every combustible wall or partition installed or altered, at every floor level.

e. Chimneys and Fireplaces

Chimneys shall extend at least three feet above the highest point of passage through the roof and at least two feet above any portion of the building within a range of ten feet from the chimney. Chimneys and fireplaces erected or rebuilt below the building roof must be constructed in an acceptable manner for fire safety. Conformance with Article 10 entitled "Chimneys, Flues and Vent Pipes" of the BOCA Basic Building Code/1975 as amended shall be prima facie evidence of compliance with this section. It is required that all masonry chimneys have steel cylinders or tile linings and be based on masonry footings at building foundation level. Prefabricated chimneys approved by nationally recognized testing authorities may be used under conditions recognized by the testing authorities, when installed in accordance with their specifications and when specifically approved by the Building Inspector.

f. Smoke Pipes

Smoke pipes shall be installed with a minimum separation from any combustible surface of twelve inches, unless such surfaces are amply protected with non-combustible material. Smoke pipes passing through walls or partitions of combustible material must be guarded by double metal collars providing a separating air space of at least five inches or by an enclosure of at least five inches of brick or similar non-combustible material.

g. Foundations

Masonry foundations shall be required under all structures, including mobile homes, except minor outbuildings involving no problem of structural stability. All foundation walls shall be carried to a depth of not less than four feet below any adjoining surface subject to freezing, unless such walls rest on solid ledge. No wall or footing shall be laid on frozen soil. Foundation walls may be of solid plain or reinforced concrete or of hollow masonry. Minimum thickness for solid concrete shall be eight inches and for hollow masonry shall be ten inches, except that hollow masonry may be a minimum of eight inches thickness for walls that extend no higher than four feet above their footings. Footings shall be provided under all hollow masonry walls and where required under solid concrete walls to adequately distribute loading to the soil conditions encountered. Where load bearing girders or beams are supported by hollow masonry walls, adequate bearing for distribution of the loads involved shall be provided by a steel plate (at least 1/4" thick and four inches

wide) extending at least eighteen inches on each side of the girder or beam or by equivalent structure. Where required by the character of the soil or other local conditions, all foundation walls below grade shall be strengthened with buttresses or additional wall thickness or reinforcement sufficient to resist lateral soil or hydrostatic pressures. Backfill of bank-run gravel shall be installed for a minimum thickness of two feet, from the rough grade level to the bottom of the footings. For detached non-residential structures such as barns, sheds, or garages requiring no cellar or basement, the structure may be supported by poles or by concrete or metal pilings or piers extending to a depth of at least four feet below any adjacent surface subject to freezing. The size and number of such poles, pilings or piers shall be sufficient to support all expected structural loadings.

h. Sewage Disposal

All dwellings and commercial, public or industrial buildings shall be connected to public sewer systems where available. With no public sewer systems available, a private sewage disposal system must be provided. Such disposal systems must conform with the requirements of the laws and regulations of the State of New Hampshire and the Zoning Ordinance of Hancock relating to sewage disposal. In this matter reference should be made to the bulletin "Septic Tank Systems of Sewage Disposal", issued by the New Hampshire Water Supply and Pollution Control Commission.

i. Electric Wiring

All electric wiring installations shall conform with approved methods and practices for safety of life and property. Compliance with the standards specified by the current issue of the National Electrical Code, as published by the national Fire Protection Association shall be prima facie evidence of such conformance. A licensed electrician is required to perform all electric work on all new residences.

j. Plumbing Installation

All plumbing installations shall conform with approved methods and practices for safety to life and property. Compliance with the standards specified by the current issue of the National Plumbing Code, as published by the American Society of Mechanical Engineers, shall be prima facie evidence of such conformance. A licensed plumber is required to perform all plumbing work on all new residences.

k. For new construction, smoke detector alarms must be connected (hard wired) to a 110 VAC power source, and are required to have an internal battery backup power source. (3/94)

l. Flood Hazards

Buildings such as sheds and storage buildings associated with the permitted land uses in the Flood Plain and Wetlands district shall meet the following standards:

1. New construction or substantial improvements of such buildings must be elevated or floodproofed to or above the base flood elevation. (See Sections 60.3 (c)-(3) and (4) of the National Flood Insurance Program Regulations.)

2. These buildings should (i) be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure, (ii) be constructed with materials and utility equipment resistant to flood damage and, (iii) be constructed by methods and practices that minimize flood damage. (See Sections 60.3 (a) (2) and (3) of the National Flood Insurance Program Regulations.)

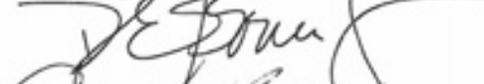
In the Flood Plain and Wetlands District, new or replacement water supply systems and/or sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters. On-site waste disposal systems shall be located so as to avoid impairment of them or contamination from them during flooding.

The Flood Plain and Wetlands District shall be as defined in the Hancock Zoning Ordinance.

The within is hereby **certified** by the undersigned, being a majority of members of the Hancock Planning Board, as a true and correct copy of the **Building Ordinance**, Hancock, New Hampshire adopted March 1969 with amendments through March, 1994 heretofore adopted by the Hancock Planning Board in accordance with RSA 675 and related statutes.

Dated: June 16, 2004

Doug Bowen, Chairman



Carolyn Boland
Jack Carlson
Stephen Froling
John Hayes
John Jordan

Roberta Nylander



Filed with the Town Clerk, Town of Hancock – June 17, 2004


Elizabeth A. New Year, Town Clerk