

TOWN OF WARNER, NEW HAMPSHIRE

BUILDING CODE ORDINANCE



**As revised following first public hearing
January 6, 1969, and as amended:**

March 13, 1979

March 8, 1983

March 11, 1986

March 12, 2002

March 9, 2004

March 13, 2007

March 10, 2010

TOWN OF WARNER, NEW HAMPSHIRE

BUILDING CODE ORDINANCE

For the protection and direction of the location and construction of buildings and structures in the Town of Warner, New Hampshire.

ARTICLE I

This ordinance is established and governed by the laws of the State of New Hampshire, specifically, the applicable sections of Chapter 673 through 677, Chapter 155-A, New Hampshire Revised Statutes Annotated and as amended by future laws of New Hampshire.

ARTICLE II

A. The Town of Warner adopts and enforces the State Building Code RSA 155-A as it may be amended in accordance with RSA 674:51 which: authorizes and gives authority to the Local Enforcement Agency to issue building permits and certificates of occupancy; authorizes the Board of Selectmen to establish fees for building permits, certificates of occupancy and building inspection; and authorizes the Zoning Board of Adjustment to act as the Building Code Board of Appeals.

1. A Certificate of Zoning Compliance must be issued prior to the application for a permit for the erection, exterior alteration, moving or repair of any building or structure.
2. After issuance of the building permit, construction must be commenced within six months and the exterior completed within two years, except that the Board of Selectmen may extend the time upon application.
3. Certificate of Occupancy shall be issued by the Building Inspector prior to occupancy.
4. The following items are listed in the New Hampshire State Building Code as work exempt from requiring a permit, but are not exempt in Warner:
 - a. Water tanks supported directly above grade are not exempt
 - b. Sidewalks and driveways are exempt as stated; however, a driveway permit is required from the Town or State.

B. No permit shall be granted unless the following requirements are met:

1. Every dwelling shall have a minimum of two (2) easily accessible exits, windows excluded; exits shall provide alternate means of escape. Any building to be erected or altered for use as rented apartments shall have a

minimum of two (2) readily accessible points of egress, remote from each other, from each apartment.

2. Manufactured housing must meet the federal minimum property standards for single-family dwellings and the most recent revision of the mobile home construction safety standards as published by the Department of Housing and Urban Development.
3. Septic tanks, cesspools, privies or sewage disposal area shall conform to state regulations and regulations adopted by ordinance by the Town of Warner and in the instance the two may conflict, the more restrictive shall apply.
 - a. Change of use of a building from seasonal to year-round residency shall require that the waste disposal system meets state and local regulations.
4. Every freestanding dwelling unit to be used by a single family shall have at least five hundred (500) square feet of living area on one floor.
5. Foundations: All buildings or structures shall be set on solid foundations of concrete, concrete blocks or other acceptable materials.
6. Building permits shall be issued by the town only to the owner of record of the land to which the permit applies, and shall not be transferable. Where construction is to be carried out by someone other than the permit applicant the name, address and signature of such person shall be required on the permit application. Permits shall be posted conspicuously at the premises where the construction is being carried on. A building permit applicant shall make the premises which are the subject matter of the permit accessible at reasonable times to the Board of Selectmen, or its designated representative, for the purposes of assuring compliance with this code.
7. Application for a building permit must be accompanied by a plan(s) of the proposed construction, movement, or alteration together with a statement from the applicant describing the intended use of any new, moved or altered building. All documents shall be retained by the Board of Selectmen.

ARTICLE III

The Board of Selectmen shall appoint a Building Inspector who shall have the authority, in consultation with the Board of Selectmen, to issue building permits and certificates of occupancy.

ARTICLE IV

The Board of Selectmen shall establish an appropriate fee schedule for building permits, building inspection and certificates of occupancy.

ARTICLE V

The Board of Selectmen shall appoint a Board of Adjustment of five members, of whom one may be a member of the Planning Board. The Board of Adjustment shall have authority to allow slight variance from the specific terms of this ordinance where it can be shown that unnecessary hardship would otherwise result.

ARTICLE VI

Any person aggrieved by a decision of the Board of Selectmen or building inspector made under this ordinance may appeal to the Board of Adjustment, in accordance with applicable sections of Chapter 677 of the New Hampshire Revised Statutes as amended.

ARTICLE VII

Any person who violates any provision of this ordinance shall be subject to penalties in accordance with RSA 676:17.

ARTICLE VIII

The invalidity of any provision of this ordinance shall not affect the validity of any other provision.

ARTICLE IX

This ordinance may be amended in accordance with applicable sections of Chapter 675 of the New Hampshire Revised Statutes Annotated as amended.

ARTICLE X

This ordinance shall take effect immediately upon its passage.