

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 985

AN ORDINANCE REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, LOCATION AND USE OF BUILDINGS IN THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, ESTABLISHING THE BUILDING RULES, CODES AND STANDARDS REQUIRED TO BE ENFORCED UNDER THE PROVISIONS OF INDIANA CODE 36-7-2-9, AS AMENDED FROM TIME TO TIME PROVIDING FOR THE ISSUANCE OF PERMITS, PROVIDING PENALTIES FOR VIOLATIONS, AND REPEALING ALL ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH.

**PASSED AND ADOPTED BY THE ST. JOHN
TOWN COUNCIL March 23, 1995.**

**APPROVED BY THE FIRE PREVENTION AND
BUILDING SAFETY COMMISSION OF THE
STATE OF INDIANA ON May 3, 1995.**

**ST. JOHN BUILDING AND
PLANNING DEPARTMENT
10955 W. 93rd Avenue
St. John, IN 46373
(219) 365-5301**

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WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has reviewed the existing and current regulations for the construction; alteration, repair, location, use of buildings in the Town of St. John, as well as the Building Rules, Codes and Standards required to be enforced, in addition to matters pertaining to Permit issuance, penalties for violations, and all related matters; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has reviewed the recommendations of the State of Indiana Department of Fire and Building Services pertaining to the regulation of construction, alteration, repair, location and use of buildings, as well as the Building Rules; Codes and Standards required to be enforced, as well as provisions for the issuance of Permits and penalties for violation; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has determined, upon completion of its review, that amendment and modification of the existing Rules and Regulations of the Town regarding the construction, alteration, location, use of buildings in the Town, as well as the Building Rules, Codes and Standards required to be enforced, as well as its current and existing provisions for the issuance of Permits as well as penalties for violations, is necessary and advisable, and in the best interests of the residents of the Town of St. John in order to promote the public health, safety, general welfare and well-being of the residents.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: TITLE. This Ordinance, and all Ordinances supplemental or amendatory hereto, shall be known as the "Building Code of the Town of St. John, Indiana", may be cited as such, and will be referred to herein as "this Code".

SECTION TWO: PURPOSE. The purpose of this Code is to provide minimum standards for the protection of life, health, environment, public safety and general welfare, and for the conservation of energy in the design and construction of buildings and structures.

SECTION THREE: AUTHORITY. The Building Commissioner is hereby authorized and directed to administer and enforce all of the provisions of this Code. Whenever in this Code, it is provided that anything must be done to the approval of or subject to the direction of the Building Commissioner, or any other designated Representative of the Town of St. John, this shall be construed to give such duly designated Representative of the Town only the discretion of determining whether this Code has been complied with. No such provision shall be construed as giving any duly designated Representative of the Town discretionary powers as to what this Code shall be, or power to require conditions not prescribed by Ordinances or to enforce this Code in an arbitrary or discriminatory manner. Any variance from adopted Building Rules are subject to approval under Indiana Code 22-13-2-7(b), as amended from time to time.

SECTION FOUR: SCOPE. The provisions of this Code apply to the construction, alteration, repair, use, occupancy, and addition to all buildings and structures, other than industrialized building systems or mobile structures certified under Indiana Code 22-15-4, as amended from time to time, in the Town of St. John, Lake County, Indiana.

SECTION FIVE: ADOPTION OF RULES BY REFERENCE.

A. Building 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 later amendments to those Articles as the same are published in the Indiana Register or the Indiana Administrative Code, with effective dates as fixed therein:

(1) Article 13 - Building Code

- (a) Fire and Building Safety Standards
- (b) Indiana Building Code
- (c) Indiana Building Code Standards
- (d) Indiana Handicapped Accessibility Code

(2) Article 14 - One and Two Family Dwelling Code

Indiana One and Two Family Dwelling Code

(3) Article 16 - Plumbing Code

Indiana Plumbing Code

(4) Article 17 - Electrical Codes

- (a) Indiana Electrical Code
- (b) Safety Code for Health Care Facilities

(5) Article 18 - Mechanical Code

Indiana Mechanical Code

(6) Article 19 - Energy Conservation Code

- (a) Indiana Energy Conservation Code
- (b) Modifications to the Model Energy Code

(7) Article 20 - Swimming Pool Code

Indiana Swimming Pool Code

B. Copies of the adopted Building Rules, Codes and Standards are on file in the Office of the Town of St. John Building and Planning Department.

SECTION SIX: APPLICATION FOR PERMITS.

A. No Building Permits shall be issued for the foregoing purposes, unless the application for such Permit is accompanied by a plat or sketch of the proposed location showing lot boundaries, legal description of the real property, plans and specifications showing the work to be done, and all of the information that may be required by the Building and Planning Department pertaining to such project.

B. In the event additional work is required, or changes made that are not covered in full in the original application, the applicant shall submit additional applications to conform to this Code and to the requirements of the Building and Planning Department before any actual work is begun or continued.

C. Any errors or omissions in the plans or specifications that do not comply with the intent of this Code shall be corrected on site.

SECTION SEVEN: PERMIT REQUIRED.

A. A Permit shall be obtained before beginning construction, alteration, repair or maintenance of any building or structure in the Town of St. John, for which the total value of work is in excess of Five Hundred Dollars (\$500.00), or cause the same to be done without first obtaining a separate Permit for each such building or structure from the Town pursuant to the provisions of this Ordinance, as amended from time to time.

B. All plans for building construction under the authority of the State of Indiana Department of Fire and Building Services shall be filed with that State Department. A copy of a Design Release for construction, issued by the State Building Commissioner and the State Fire Marshall, pursuant to Indiana Code 22-15-3-1, et. seq., as amended from time to time, shall be provided to the Building Commissioner before issuance of a Permit for construction covered by such Design Release.

C. All applications for Building Permits in the Town of St. John shall be on forms approved and prescribed by the Building and Planning Department, and shall include a sworn affidavit.

D. All applications for Building Permits in the Town of St. John shall be accompanied by the applicable fees as required by this Code, which fees shall be payable to the Town of St. John. No application for Building Permit shall be received by the Town Building and Planning Department unless accompanied by the applicable fees.

SECTION EIGHT: OTHER ORDINANCES.

A. All work done under any Permit issued hereunder shall be in full compliance with all other Ordinances, or parts of Ordinances, pertaining thereto. In addition to the fees for Permits required to be paid under this Code, any and all fees prescribed and required to be paid under all other Ordinances, or parts of Ordinances, pertaining thereto, shall be paid.

B. Where any work, clause, phrase, sentence, section, or part of this Code conflicts with any other Ordinance of the Town of St. John, the most applicable shall apply, as determined by the Zoning Administrator, as Department Head of the St. John Building and Planning Department.

SECTION NINE: BASIS FOR ESTIMATED CONSTRUCTION VALUATION. The estimated construction value is determined by utilizing the Building Valuation Data provided by ICBO's Building Standard Magazine. Copies of this information and material are available upon request in the Office of the Town of St. John Building and Planning Department.

SECTION TEN: FEES. (See Attached Appendix).

SECTION ELEVEN: PERMIT VALIDITY.

A. Work must be started and have received an approved foundation inspection within Three (3) months of Permit issuance.

B. An issued Permit is valid for a period of One (1) year from date of issuance. All work must be completed within the One (1) year period, or the Permit shall be required to be reviewed.

C. Exception: Pool Permits are valid for sixty (60) days. All required fencing shall be required to be fully executed, installed and approved within Ten (10) days after the completed pool is filled with water. In the event of non-compliance, the penalty and remedial provisions of this Code, as amended from time to time, shall apply.

SECTION TWELVE: PERMIT EXTENSIONS AND/OR RENEWALS.

A. The Permit expiration date may be extended for up to Thirty (30) days for good cause, without additional fee, if the extension is requested prior to the normal expiration date.

B. The Permit may be renewed once if the renewal is requested and the fee is paid prior to the initial expiration date of the permit.

C. Exception: Pool Permits are not renewable.

THE FEE FOR PERMIT RENEWAL IS AS FOLLOWS:

FULL ONE (1) YEAR RENEWAL - 80% OF ORIGINAL BUILDING FEE
SIX (6) MONTHS RENEWAL - 40% OF ORIGINAL BUILDING FEE

MINIMUM RENEWAL FEE SHALL BE TEN DOLLARS (\$10.00)

C. Permits that have expired may be renewed once if the renewal is requested within Thirty (30) days after its initial expiration and if the fee is paid as follows:

FULL ONE (1) YEAR RENEWAL - SAME AS ORIGINAL BUILDING FEE
SIX (6) MONTHS RENEWAL - 75% OF ORIGINAL BUILDING FEE

D. Any Permit which has been expired for over Thirty (30) days shall be considered null and void and a new Permit is required and cannot be issued until approved by the Building Commissioner, or his duly designated Representative.

E. Permits obtained under this Code cannot be assigned, transferred, or sublet without the explicit approval of the Building Commissioner. Any Permit assigned, transferred, or sublet without this approval shall be considered null and void.

F. Any Person, Firm, Corporation or Entity starting construction prior to applying for and receiving a Permit shall be charged a fee equal to Three (3) times the original Building Permit Fee which is provided for in this Code.

SECTION THIRTEEN: REVIEW OF APPLICATIONS. Prior to the issuance of any Building Permit, the Building Commissioner shall:

A. Review all Building Permit Applications to determine full compliance with the provisions of this Code.

B. Review all Building Permit Applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding.

C. Review Building Permit Applications for major repairs within the flood plain area having special flood hazards to determine that the proposed repair (1) uses construction materials and utility equipment that are resistant to flood damage, and (2) uses construction methods and practices that will minimize flood damage.

D. Review Building Permit Applications for new construction or substantial improvements within the flood plain area having special flood hazards to assure that the proposed construction (including prefabricated and mobile homes) (1) is protected against flood damage, (2) is designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure, flood damage, and (3) uses construction methods and practices that will minimize flood damage.

E. Make necessary changes in plans and specifications to ensure full compliance with this Code.

F. Assume that the proposed construction utilizes construction methods, standards and practices that will minimize the threat to life, limb, health, environment, public safety and welfare.

SECTION FOURTEEN: INSPECTIONS.

A. After the issuance of any Building Permit hereunder, the Owner or Contractor shall cause to be made such inspections of work being done under such Permit as are necessary to ensure full compliance with the intent of this Code and the terms of the Permit.

B. There shall not be less than Ten (10) inspections for every Building Permit, unless deemed not necessary by the Building Administrator, which inspections shall be made in the following scheduled order, namely:

INSPECTIONS (NEW CONSTRUCTION)

- (1) SEWER TEST - Inspection to assure proper installation of water, sanitary and storm sewer taps.
- (2) FOOTING PRE-POUR - Dig hole and place footing forms, call for an inspection.
- (3) FOUNDATION PRE-POUR - Place wall forms and rebar, call for inspection.
- (4) BACKFILL - Drain tile and sump pits must be installed at this point along with dampproofing.
- (5) ROUGH ELECTRIC - Must pass this inspection "before" the framing inspection (rough building) requested.
- (6) FRAMING (Rough Building) - Inspection due before insulation is allowed. Rough plumbing should also be ready at this inspection.
- (7) INSULATION - Inspection of installed insulation, upon approval structure can be dry-walled.
- (8) DRY WALL - Inspection of proper installation of dry wall.
- (9) FINAL ELECTRIC - Inspection when all electrical work complete must be inspected "before" final building and plumbing requested.
- (10) EARLY SERVICE - Inspection of Electrical Service Equipment, may be requested at any stage of construction. Upon approval, Electrical Service from NIPSCO can be released.
- (11) FINAL BUILDING - Final inspection of building and plumbing before occupancy granted.

C. REINSPECTION. There shall be an additional fee of Twenty-Five Dollars (\$25.00) in the event an inspection is made and the work is not in conformance with the intent of this Code.

D. Reinspection Fees are due at the time of issuance of the Certificate of Occupancy or Final Approval.

SECTION FIFTEEN: INSPECTION ASSISTANCE. The Chief of the Fire Department, or his duly designated Representative, shall assist the Building Commissioner in the inspection of fire suppression, detection and alarm systems, and shall provide reports of such inspection to the Building Commissioner.

SECTION SIXTEEN: ENTRY. Upon presentation of proper credentials, the Building Commissioner, or his duly authorized Representatives, may enter at reasonable times any building; structure or premises in the Town of St. John to perform any duty imposed upon them by this Code.

SECTION SEVENTEEN: STOP ORDER. Whenever any work is being done contrary to the provisions of this Code, as amended from time to time, the Building Commissioner, or his duly authorized Representatives, may order the work stopped by notice in writing served on any persons engaged in the doing, or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Commissioner, or his duly authorized Representatives, to proceed with the work.

SECTION EIGHTEEN: CERTIFICATE OF OCCUPANCY. No Certificate of Occupancy for any building or structure erected, altered or repaired constructed after the adoption of this Code shall be issued unless such building or structure was erected, altered or repaired in compliance with the provisions of this Code. It shall be unlawful to occupy any such building or structure unless a full, partial, or temporary Certificate of Occupancy has been issued by the Building Commissioner.

SECTION NINETEEN: STANDARDS/WORKMANSHIP. All work on the construction, alteration and repair of buildings and other structures in the Town of St. John, shall be performed in a good and workmanlike manner according to accepted standards and practices in the trade.

SECTION TWENTY: VIOLATIONS. It shall be unlawful for any Person, Firm, Corporation, or Entity, whether as Owner, Lessee, Sub-Lessee, or Occupant, to erect, construct, enlarge, alter, repair, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure, other than fences, in the Town of St. John, or cause or permit the same to be done, contrary to or in violation of the provisions of this Code, as amended from time to time.

SECTION TWENTY-ONE: RIGHT OF APPEAL. All Persons, Firms, Corporations or Entities shall have the right to appeal any Order of the Building Commissioner, first through the Town Board of Zoning Appeals, and then, to the Fire Prevention and Building Safety Commission of Indiana, in accordance with the applicable provisions of Indiana Code 22-13-2-7 and Indiana Code 4-21.5-3-7, each as amended from time to time.

SECTION TWENTY-TWO: REMEDIES. The Building Commissioner shall, in the name of the Town of St. John, Lake County, Indiana, bring actions in the Circuit or Superior Courts of Lake County, Indiana, for mandatory and injunctive relief in the enforcement of and to secure compliance with any Order or Orders made by the Building Commissioner, and any such action for mandatory or injunctive relief may be joined with an action to recover the penalties provided for in this Code.

SECTION TWENTY-THREE: PENALTIES. In the event any Person, Firm, Corporation or Entity shall violate any of the provisions of this Code, or shall do any act prohibited herein, or shall fail to perform any duty lawfully enjoined, within the time prescribed by the Building Commissioner, or shall fail, neglect or refuse to obey any lawful Order given by the Building Commissioner in connection with the provisions of this Code for each such violation, failure or refusal, such Person, Firm, Corporation, or Entity shall be fined in any sum not less than Fifty (\$50.00) Dollars, nor more than Two Thousand Five Hundred (\$2,500.00) Dollars. Such Person, Firm, Corporation or Entity shall further be required to pay any and all costs incurred by the Town of St. John as a result of violation by said Person, Firm, Corporation or Entity of the provisions of this Code and Ordinance, as amended from time to time, including Attorney fees, and the like.

SECTION TWENTY-FOUR: All work within the scope of this Ordinance shall be performed by a contractor registered with the Town of St. John in accordance with Ordinance No. 962, as amended from time to time.

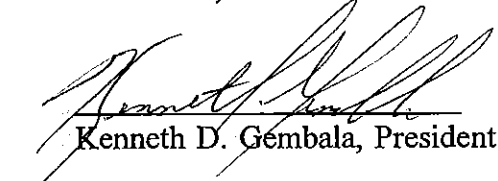
SECTION TWENTY-FIVE: That all existing Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, and particularly, ARTICLE II, entitled "Building Code", of the St. John Town Code, to the extent in conflict, are hereby deemed null and void, and are specifically repealed.

SECTION TWENTY-SIX: If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not effect any other section, clause, provision or portion of this Ordinance.

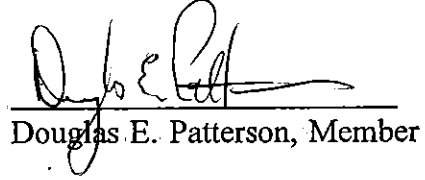
SECTION TWENTY-SEVEN: EFFECTIVE DATE. This Code shall be in full force and effect from and after its adoption, approval by the Fire Prevention and Building Safety Commission of Indiana, and publication as required by applicable law.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN,
LAKE COUNTY, INDIANA, THIS 23rd DAY OF March, 1995.

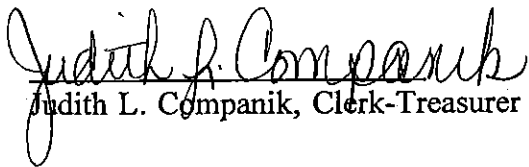
TOWN OF ST. JOHN, LAKE COUNTY,
INDIANA, TOWN COUNCIL


Kenneth D. Gembala, President


Carl Brown, Member

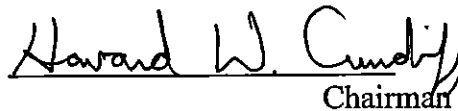

Douglas E. Patterson, Member

ATTEST:


Judith L. Companik, Clerk-Treasurer

ENDORSEMENT:

APPROVED this 3rd day of May, 1995, by the Fire Prevention and Building
Safety Commission of the State of Indiana.


Howard W. Cundiff
Chairman

Secretary

FEE SCHEDULE

RESIDENTIAL:

\$50.00	Zoning Permit
\$10.00	Administrative Fee
\$ 7.00 per	1,000 of estimated cost of construction plus administration fee
\$ 3.00 per	plumbing fixture plus \$10.00 administration fee (with \$25.00 minimum fee)
(ELECTRICAL)	\$.30/amp plus administrative fee
	Early Service \$30.00
	Temporary Pole \$20.00

ESCROW:	Residential \$1,000.00
	Commercial/Industrial \$2,000.00

SEWER TAP-IN: \$1,429.00 total (if tap made with development)
\$50.00 permit and \$1,379.00 expansion

WATER: 1" Service is \$500.00. Tap made by Town of St. John.

COMMERCIAL/INDUSTRIAL:

\$7.50 per 1,000 estimated cost of construction.

(ELECTRICAL)	Service	240 Volts - \$.30 cents per ampere
		480 Volts - \$.50 cents per ampere

**\$10.00 per required inspection (to be determined by electrical inspector - plus \$10.00 administration fee)

REINSPECTIONS: \$25.00 Building/Plumbing/Electrical reinspections made.

THE FOLLOWING FEES FOR PERMITS INCLUDE A TEN DOLLAR (\$10.00) ADMINISTRATIVE FEE AND A FIFTY DOLLAR (\$50.00) ZONING PERMIT FEE:

- DECKS \$60.00
(no zoning permit required)
- FENCES \$25.00
(no zoning permit required)
- GARAGES \$75.00
(does not include any electrical)
- POOLS \$85.00
(does not include any electrical)
- SHEDS \$35.00
(no zoning permit required)
- SIGNS \$ 2.00 per s.f.
(per side plus administration/zoning fees, does not include any electrical)

ELECTRICAL: All Electrical permits for the above (on existing service) are \$45.00.