

ORDINANCE NUMBER 2003-04

AN ORDINANCE ADOPTING BUILDING, PLUMBING, ELECTRICAL, GAS, FIRE PREVENTION, MECHANICAL, AND PROPERTY MAINTENANCE CODES FOR THE CITY OF STARKVILLE, MISSISSIPPI

WHEREAS, the City of Starkville, Mississippi, is authorized by Section 21-19-25 of the *Mississippi Code Annotated* (1972, as amended), to enact such Codes as may be necessary and proper to preserve the general public health, safety, and welfare of the people of the City of Starkville, Mississippi; and

WHEREAS, the City of Starkville, Mississippi, acting by and through its Mayor and Board of Aldermen, has found certain conditions to exist which make it necessary to adopt certain Codes in order to preserve the general health, safety, and welfare of its citizens.

WHEREAS, the Codes adopted by Ordinance Number 1995.05 have not been updated since the adoption of said Ordinance and the Mayor and Board of Aldermen desire to update the City Ordinance to adopt the current updated Codes with certain deletions, additions, and modifications as hereinafter stated; and

WHEREAS, the Mayor and Board of Aldermen have examined the following revised Codes and found them to be reasonable and necessary in providing the City of Starkville, Mississippi adequate protection in preserving the general public health, safety, and welfare;

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, AS FOLLOWS:

SECTION 1: For the purpose of establishing uniform rules and regulations this body hereby adopts those certain Codes for building, plumbing, gas, electrical, fire prevention, mechanical, and property maintenance, all being incorporated herein by reference and specifically identified as follows:

- 2002 edition of, **The National Electric Code**, as amended.
- 2003 edition of The International Building Code, including appendices A, F, G & J
- 2003 edition of **International Residential Code**, including appendices A, B, C, D, E, F, G, J & K
- 2003 edition of the International Fire Code, including appendices B, C, D, E, F & G
- 2003 edition of the International Mechanical Code, including appendix A
- 2003 edition of the International Plumbing Code, including appendices B, C, D, E, F & G
- 2003 edition of the International Fuel Gas Code, including appendices A, B, C & D
- 2003 edition of **International Property Maintenance**

Said Codes are adopted in their entirety, save and except such portions which are hereinafter deleted, replaced, or modified. Said Codes are hereby adopted by reference and are incorporated herein as fully as if set out at length herein. The provisions of said Codes shall be controlling in the construction, alteration, and repair, including any and all improvements which by their nature fall

under the provisions of the Codes herein enumerated, of any and all buildings and structures which are situated within the corporate limits of the City of Starkville, Mississippi, from and after the effective date of this Ordinance.

SECTION 2: There shall be not less than three (3) copies of said Codes placed on file in the City Hall for public inspection and use, said copies to be located in the offices of the Building/Codes Official and the City Engineer.

SECTION 3: DELETIONS, ADDITIONS, AND MODIFICATIONS:

- a. The provisions of this Ordinance shall be administered and enforced by a Building/Codes Official, or his designated representatives, and, as appropriate, the Fire Chief, the Fire Inspector, or their designated representatives.
- b. The provisions of this Ordinance dealing with appeals shall be administered and enforced by the Board of Adjustments and Appeals as set forth in Section 112 of the International Building Code.
- c. The method of appointment and the term of office of the Board of Adjustments and Appeals shall be established by the Mayor and Board of Aldermen of the City of Starkville, Mississippi.
- d. Any person violating any provision of this Ordinance shall be fined, upon conviction, not less than \$10.00 nor more than \$500.00 and the cost of Court for each offense. Each day such violation continues shall constitute a separate offense.
- e. In case any building or other structure is erected, constructed, reconstructed, repaired, altered, converted, or maintained, or any building, structure, or land is used in violation of this Ordinance, the Building/Codes Official of the municipality shall take appropriate action to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, to correct or abate such violations, or to prevent occupancy of such a building, structure, or land.
- f. Permit/Inspection fees are hereby levied as follows:

(1) Construction Permits:

Total Valuation:	Fee:
\$1,000.00 to \$2,000.00	\$10.00 per thousand or fraction thereof.
\$2,001.00 to \$15,000.00	\$20.00 for the first \$2,000.00 plus \$6.00 for each additional thousand or fraction thereof, to and including \$15,000.00.
\$15,001.00 to \$50,000.00	\$98.00 for the first \$15,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00.
\$50,001.00 to \$100,000.00	\$273.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.00.
\$100,001.00 to \$500,000.00	\$473.00 for the first \$100,000.00 plus \$2.50 for each additional thousand or fraction thereof, to and including \$500,000.00.
\$500,001.00 and up	\$1,473.00 for the first \$500,000.00 plus \$1.50 for each additional thousand or fraction thereof.

When the valuation of the proposed construction exceeds \$50,000.00 and a plan is required to be submitted by any Code, a plan-checking fee shall be paid to the City at the time of submitting plans and specifications for checking. Said plan-checking fee shall be \$25.00 for single family residential structures and \$50.00 for multi-family residential structures, commercial structures, and industrial structures.

- (2) **Moving of Building or Structure:** Total width of structure and equipment less than 14' -- \$100.00 per structure; total width of structure and equipment greater than 14' -- \$200.00 per structure.
- (3) **Demolition of Building or Structure:** \$25.00 per demolition.
- (4) **Gas Inspection:** \$10.00 per gas meter.
- (5) **Plumbing Inspection:** \$10.00 per bath; \$6.00 per half bath.

(6) Electrical Inspections:

Mobile Homes: \$10.00

Fee for Addition to Residence: \$20.00

Fee for New Residence, 225 amps or less: \$40.00

Fee for New Residence, over 225 amps: \$60.00

Fee for Apartments, 4 plex or less: \$75.00

Fee for Apartments, 5 plex to 8 plex: \$125.00

Fee for Apartments larger than an 8 plex: Apportioned according to above fees

All Industrial or Commercial: Based on total valuation of electrical work as levied above

(7) Swimming Pool Inspection: Based on total valuation of construction as levied above.

Where work for which a permit is required by any Code is started or proceeded with prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of any Code in the execution of the work nor from any other penalties prescribed in any Code.

SECTION 4: Nothing in this Ordinance or in the Codes hereby adopted shall be constructed to affect any suit or proceeding now pending in Court, or any rights acquired, or liability incurred, nor any cause or causes of action existing under any act or Ordinance repealed hereby. No right or remedy of any character shall be lost, impaired, or affected by this Ordinance.

SECTION 5: The invalidation of any Section or provision of this Ordinance or of the Codes adopted shall not invalidate other Sections or provisions thereof.

SECTION 6: Ordinances or parts of Ordinances in force at the time this Ordinance shall take effect, and inconsistent herewith, are hereby repealed, and specifically Ordinance Number 1995.05.

SECTION 7: The adoption of changes in any of the rate schedules contained herein shall be by Order or Resolution of the Board of Aldermen, without the necessity of adoption by Ordinance.

SECTION 8: This amended Ordinance shall take effect and be in full effect and force in thirty (30) days after its adoption. The Mayor of the City of Starkville is hereby authorized and directed to give notice of the adoption of this Ordinance as required by the provisions of Section 21-19-25 of the *Mississippi Code Annotated*, (1972, as amended).

NOW THEREFORE, be it ordained by the Mayor and Board of Aldermen of the City of Starkville, Mississippi, that this ordinance be adopted to preserve the general public health, safety, and welfare of the people of the City of Starkville, Mississippi as stated above.

THE ABOVE AND FOREGOING ORDINANCE having been first reduced to writing, and upon the motion of **Alderman P.C. McLaurin, Jr.** to adopt the aforesaid Ordinance, duly seconded by **Alderman Frank M. Davis**, was proposed and introduced for the consideration of the Mayor and the Board of Aldermen of the City of Starkville, Mississippi, and read section by section, and the roll call vote was recorded as follows:

Alderman Sumner D. Davis, III	Voted: Yea
Alderman Frank M. Davis, Sr.	Voted: Yea
Alderman P.C. McLaurin Jr.	Voted: Yea
Alderman Lee Beck	Voted: Yea
Alderman Virgil Bolin	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Vic Zitta	Voted: Yea

THE MOTION to adopt said Ordinance having received, the affirmative vote of all members of the Board of Aldermen of the City of Starkville, Mississippi, the Mayor declared this Ordinance passed, approved, and adopted.

THIS THE 7th day of Oct., A.D., 2003.

Mack Rutledge
Mack Rutledge, Mayor
City of Starkville, Mississippi

CERTIFIED AND ATTESTED: (S E A L)

Vivian E. Collier
VIVIAN E. COLLIER, City Clerk
City of Starkville, Mississippi