

CHAPTER 155

INTERNATIONAL BUILDING CODES

155.01 Adoption of Codes

155.02 Amendments

155.01 ADOPTION OF CODES.

1. Pursuant to published notice and public hearing as required by law, the *International Building Code*, 2003 Edition, and the *International Residential Code*, 2003 Edition, both of which have been published by the International Code Council, are hereby adopted in full except for such portions as may be hereinafter deleted, modified or amended.
2. An official copy of the *International Building Code*, 2003 Edition, and an official copy of the *International Residential Code*, 2003 Edition, both as adopted by the International Code Council, are on file in the office of the Clerk.

155.02 AMENDMENTS. The following amendments, modifications, additions, and deletions to the *International Building Code*, 2003 Edition, are hereby made:

1. Fees. Any and all fees associated with this chapter shall be set by resolution of the City Council, the fee schedule contained in the adopted version of the *International Building Code* notwithstanding.
2. Section 204. Board of Appeals. Any person feeling aggrieved by an order or ruling of the Building Inspector shall have the right to appeal from such order or ruling in the following manner:
 - A. By appealing such rule or order of the Building Inspector by causing to be served on the Mayor or Clerk a notice in writing of the intention to appeal within 30 days after the person feeling so aggrieved has been served with notice of the rule or order in question.
 - B. Such appeal shall contain the following:
 - (1) The nature of the dispute or disagreement that the aggrieved party has with the Building Inspector.
 - (2) The location of the property in question.
 - (3) The date, as nearly as can be determined, that the rule or order was made.
 - C. Upon receipt of an appeal, the Mayor shall appoint an ad hoc appeal board which shall consist of three members who have a background and knowledge of the building trade. No member may have an interest, direct or indirect, in the outcome of the matter to be considered.
 - D. An aggrieved party who has filed an appeal shall have the right to object to individual members of the appeal board. Such objection must be made within five days after the appeal board has been named and the aggrieved party has been so informed. The aggrieved party shall state to the Mayor the member or members of the appeal board that said party objects to and the reasons therefor. Valid objections shall consist of the following grounds:

- (1) That the appeal board member has an interest in the outcome of the litigation;
- (2) That the appeal board member cannot serve as a fair and impartial hearing officer;
- (3) That the appeal board member in question does not have the necessary background, experience, and training to be qualified to serve.

If the Mayor determines that such an objection is valid, then the Mayor shall appoint another person who is qualified to serve on the appeal board. The party feeling aggrieved shall have the same right to object to new appointees as to original appointees and as set forth herein. In the event that the Mayor does not accept the objection to appointment of an appeal board member, that member shall serve. Both the Building Inspector and the party feeling aggrieved by the Building Inspector's rule or order shall have the right to suggest names of potential members to the Mayor for consideration as appeal board members. The Mayor shall not be bound or obligated to accept these nominations.

E. The appeal board shall set a time and place for a hearing on an appeal filed and at such hearing shall hear arguments and evidence that either the aggrieved party or the Building Inspector desires to present. Within 30 days after their appointment, the appeal board shall hold the hearing as prescribed by this section and within 20 days after the date of the hearing, the person appealing shall be notified in writing of the decision of the appeal board.

F. The appeal board shall have the right to reverse, suspend, modify, or uphold the rules and orders of the Building Inspector. They may grant in their discretion the aggrieved party an opportunity to comply with the rules and orders as upheld, suspended, modified, or reversed.

G. The Building Inspector shall, upon being informed of the appeal board's decision, take such action as is required by this Code of Ordinances and the laws of the State.

3. Section 2907(b). Exceptions. Any accessory building as defined in the Zoning Ordinance of the City not over 900 square feet in floor area may be constructed without frost footings in any R-1, R-2, R-3, R-MH District as defined in the Zoning Ordinance.

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