CHAPTER 301

BUILDING CODE
Town of Yarmouth, Maine
Repealed and Replaced: 8/19/04
Amended: 5/24/2005
ORDINANCE FOR ADOPTION OF THE INTERNATIONAL BUILDING CODE

An ordinance of the Town of Yarmouth adopting the 2003 edition of the International Building Code, regulating and governing the conditions of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures in the Town of Yarmouth; providing for the issuance of permits and collection of fees therefore; repealing CHAPTER 301 adopted 9-21-00 of the Town of Yarmouth and all other ordinances and parts of the ordinances in conflict therewith.

The Yarmouth Town Council of the Town of Yarmouth does ordain as follows:

Section 1A. That a certain document, three (3) copies of which are on file in the office of the TOWN CLERK of the Town of Yarmouth, being marked and designated as the International Building Code, 2003 edition, (see International Building Code Section 101.2.1, 2003 edition), as published by the International Code Council, be and is hereby adopted as the Building Code of the Town of Yarmouth, in the State of Maine for regulation and governing the conditions of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the Town of Yarmouth are hereby adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2A. The following sections are hereby revised:

    Section 101.1 Insert: Town of Yarmouth

    Section 1612.3 Insert: Town of Yarmouth

    Section 1612.3 Insert: November 15th, 1984

Section 3410.2 Insert:

Maintenance and repairs: The owner shall be responsible for the maintenance and repair of structures. All equipment, systems devices and safe guards required by this code or by a previous statute or code or premises when erected or altered, shall be maintained in good working order. The requirements of this chapter shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures.
Section 3A. That CHAPTER 301 entitled BUILDING CODE and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4A. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Yarmouth Town Council, hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsection, sentences, clauses and phrases be declared unconstitutional.

Section 5A. That nothing in this ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6A. The Town Clerk of Yarmouth is hereby ordered and directed to cause this ordinance to be published, if required.

Section 7A. That this ordinance and the rules, regulations, orders and matters established and adopted hereby shall take effect and be in full force and effect after the date of its final passage and adoption.

Section 8A. Notwithstanding any provisions to the contrary, this code shall not be construed to apply to the following activities and no building permit shall be required.

ORDINANCE FOR ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE

An ordinance of the Town of Yarmouth adopting the 2003 edition of the International Residential Code, regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more that three stories in height with separate means of egress in the Town of Yarmouth; providing for the issuance of permits and collection of fees therefore; repealing CHAPTER 301 adopted 9-21-00 of the Town of Yarmouth and all other ordinances and parts of the ordinances in conflict therewith.

The Town Council of the Town of Yarmouth does ordain as follows:

Section 1B. That a certain document, three (3) copies of which are on file in the office of the Town Clerk of the Town of Yarmouth, being marked and designated as the International Residential Code, 2003 edition, including (see International Residential Code Section R102.51, 2003 edition), as published by the International Code Council, be and is hereby adopted as the Residential Code of the Town of Yarmouth, in the State of Maine for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more that three stories in height with separate means of egress as
herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code on file in the office of the Town of Yarmouth are hereby adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2B of this ordinance.

Section 2B. The following sections are hereby revised:

Section R101.1 Insert: Town of Yarmouth
Table R301.2(1) (page 24): insert the following:
(a) Under “Ground Snow Load (pounds per square foot)” insert “60”
(b) Under “Wind Pressure (mph)” insert “100.”
(c) Under “Seismic Condition by Zone” insert “C.”
(d) Under “Weathering” insert “severe.”
(e) Under “Frost Line Depth” insert “48 inches.”
(f) Under “Termite” insert “none to slight.”
(g) Under “Decay” insert “none to slight.”
(h) Under “Winter Design Temperature for Heating Facilities” insert “to -5° F.”
(i) Under “Ice Shield Underlayment Required” insert “Yes.”
(j) Under “Flood Hazards” Insert “June 11, 1998 ” date of adoption of the Floodplain Management Ordinance of the Town of Yarmouth
(k) Under “Air Freezing Index” insert “1500.”
(l) Under “Mean Annual Temperature” insert “45° Fahrenheit.”.

Other State Laws in conflict with this Code are:

1. Fire safety codes and standards. See Title 25 sections 2452 and 2465
2. Electrical standards. See Title 32, section 1153A
3. Plumbing Code. See Title 32, section 3403-B
4. Oil and solid fuel burning equipment standards. See Title 32, section 2313
5. Propane and natural gas equipment standards. See Title 32, section 14805
6. Boiler and pressure vessel standards, See Title 32, section 15104-A
7. Elevator standards. See Title 32, section 15228
8. Energy efficiency standards. See Title 32 section 1415-D

Section 3B. That CHAPTER 301 entitled BUILDING CODE and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4B. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Town Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsection, sentences, clauses and phrases be declared unconstitutional.
Section 5B. That nothing in this ordinance or in the Residential Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6B. The Town Clerk of Yarmouth is hereby ordered and directed to cause this ordinance to be published, if required.

Section 7B. That this ordinance and the rules, regulations, orders and matters established and adopted hereby shall take effect and be in full force and effect after the date of its final passage and adoption.

Section 8B. Notwithstanding any provisions to the contrary, this code shall not be construed to apply to the following activities and no building permit shall be required.