

SCOPE

The provisions of this Code apply to the construction, alterations, repair, use, occupancy, maintenance and addition to all buildings and structures, in the County of Allen.

In the event of a conflict between the provisions of this chapter and the rules of the Indiana Fire Prevention and Building Safety Commission or its predecessor agencies (“Commission”), or in the event that the provisions of this chapter are more stringent than the rules of the Commission, the rules of the Commission shall govern.

6-2-4 Definitions

6-2-4-1 Service Work Short term work to maintain a building or its systems for continued use as originally designed (typically routine or preventative in nature), the full scope of which may not be known when contracted.

6-2-4-2 Repair To restore a structure or its systems, damage by fire, storm, accident or other outside force, to original condition or intended use.

6-2-4-3 Maintenance The act of keeping a structure or its systems operating properly and as originally designed, generally routine or preventative in nature.

6-2-4-4 Addition A part added to a structure or system within a structure that increases its size.

6-2-4-5 Alteration The act, process or result of changing or modifying a structure or its systems from a previous condition.

ADOPTION OF REGULATIONS BY REFERENCE6-2-5-1 Where Published

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 ordinance 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 Codes
 - (a) Fire and Building Safety Standards (675 IAC 13-1)
 - (b) Indiana Building Code (675 IAC 13)
- (2) Article 14 - One and Two Family Residential Codes
 - (a) Indiana Residential One and Two Family Building Code (675 IAC 14)
- (3) Article 16 - Plumbing Codes
 - (a) Indiana Plumbing Code (675 IAC 16)
- (4) Article 17 - Electrical Codes
 - (a) Indiana Electrical Code (675 IAC 17)
- (5) Article 18 - Mechanical Codes
 - (a) Indiana Mechanical Code (675 IAC 18)
- (6) Article 19 - Energy Conservation Codes
 - (a) Indiana Energy Conservation Code (675 IAC 19)
- (7) Article 20 - Swimming Pools
 - (a) Indiana Swimming Pool Code (675 IAC 20)

6-2-5-2 Copies on File

Copies of adopted building rules, codes and standards are on file in the office of the Building Commissioner.

6-2-6

CHAPTER 6.

APPLICATIONS FOR PERMITS

No 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, and by plans and specifications showing the work to be done. All plans for building construction under the authority of the Fire Prevention and Building Safety Commission of the State of Indiana must also be filed with the State Building Commissioner. No local permits shall be issued hereunder until a copy of a Design Release from the State Building Commissioner is received by the Building Commissioner.

6-2-7

Chapter 7.

PERMIT REQUIRED

A permit shall be obtained before beginning construction, addition, alteration or repair of any building or structure, the cost of such construction, addition, alteration or repair of which exceeds One Dollar (\$1.00), using forms furnished by the Building Commissioner. All permits shall be issued by the Building Commissioner, and all fees provided for herein shall be paid to the Allen County Building Department.

Maintenance and service work, as defined herein, shall not require permits.

6-2-8

Chapter 8.

OTHER ORDINANCES

All work done under any permit issued hereunder shall be in full compliance with all other ordinances pertaining thereto, and in addition to the fees for permits hereinafter provided for, there shall be paid the fees prescribed in such ordinances.

6-2-9

Chapter 9.

FEES

See Allen County Rules and Regulations Chapter 2 - Fees page 19, which is incorporated and adopted herein by reference.

6-2-10

Chapter 10.

REVIEW OF APPLICATION

Prior to the issuance of any building permit hereunder, the Building Commissioner shall:

- (a) Review all building permit applications to determine full compliance with the provisions of this ordinance.

6-2-11

Chapter 11.

INSPECTIONS

After the issuance of any building permit hereunder, the Building Commissioner shall make, or shall cause to be made, such inspections of the work being done under such permit as are necessary to insure full compliance with the provisions of this ordinance and the terms of the permit. Reinspections of work found to be incomplete or not ready for inspection are subject to assessment of reinspection fees as prescribed in this Code.

6-2-12

Chapter 12.

INSPECTION ASSISTANCE

The Chief of the City of Fort Wayne Fire Department, the Chiefs of any Volunteer Fire Departments or the Chiefs of any Fire District Fire Departments or their designated representatives, may, upon request of the Building Commissioner, assist the Building Commissioner in the inspection of fire suppression detection and alarm systems, and shall provide reports of such inspection or inspections to the Building Commissioner.

6-2-13

Chapter 13.

ENTRY

Upon presentation of proper credentials, the Building Commissioner or his duly authorized representative(s) may enter at reasonable times any building, structure or premises in the County of Allen to perform any duty imposed upon him by this Code.

6-2-14

Chapter 14.

STOP ORDER

Whenever any work is being done contrary to the provisions of this Code, the Building Commissioner 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 to proceed with the work.

6-2-15

Chapter 15.

CERTIFICATE OF OCCUPANCY

No certificate of occupancy for any building or structure erected, altered or repaired after the adoption of this ordinance shall be issued unless such building or structure was erected, altered or repaired in compliance with the provisions of this ordinance.

6-2-16

Chapter 16.

WORKMANSHIP

All work on the construction, alteration and repair of buildings and other structures shall be performed in a good and workmanlike manner according to accepted standards and practices in the trade.

6-2-17

Chapter 17.

VIOLATIONS

It shall be unlawful for any person, firm or corporation, 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 County of Allen or cause or permit the same to be done, contrary to or in violation of the provision of this code.

6-2-18

Chapter 18.

RIGHT OF APPEAL

All persons shall have the right to appeal the Building Commissioner's decision to the Building Department Board under A.C.C. 6-1-6 et seq.

6-2-19

Chapter 19.

REMEDIES

The Building Commissioner shall in the name of the Allen County Building Department bring actions in the Circuit or Superior Courts of Allen 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 ordinance.

6-2-20

Chapter 20.

PENALTIES

6-2-20

If any person, firm or corporation shall violate any of the provisions of this ordinance, 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 ordinance, for each such violation, failure or refusal, such person, firm or corporation shall be fined in a sum not less than one dollar (\$1.00) nor more than Five Hundred Dollars (\$500.00). Each day of such unlawful activity as is prohibited by the first sentence of this section shall constitute a separate offense.

6-2-21

Chapter 21.

EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its adoption, approval by the Fire Prevention and Building Safety Commission of Indiana, and publications as required by law.

6-2-21-a Approval Approved the 7th day of July, 1987, by the Indiana Department of Fire Prevention & Building Safety of the State of Indiana.

6-2-21-b Adoption Adopted the 13th day of July, 1987 by Board of Commissioners of Allen County, Indiana.

6-2-21-c Effective Effective on the 13th day of July, 1987.

Amended the 24th day of March, 2017

