

ord 2023-13

July 2023 Ordinance Adopting the August 1, 2022, Amendments to WV State Building Code

## July 2023 Ordinance Adopting the August 1, 2022, Amendments to the West Virginia State Building Code

Whereas West Virginia Code §8-12-13(c) indicates that municipalities have the option to adopt the West Virginia State Building Code,

Whereas, on August 1, 2022, the State of West Virginia promulgated amendments to its State Building Code,

Whereas West Virginia Code §8-12-13(b) indicates that all existing building codes are null void one year after the State of West Virginia promulgates a State Building Code or amendments,

Whereas the City of Weston intends to continue its use of the West Virginia State Building Code,

Whereas, the City of Weston intends to adopt the most current version of the West Virginia State Building Code, in particular, its August 1, 2022, amendments,

Whereas the City of Weston intends to adopt and enact, by this ordinance, the West Virginia State Building Code and its amendments as promulgated on August 1, 2022,

Whereas the City of Weston's adoption of the August 1, 2022, West Virginia State Building Code and its amendments occurred within one year of promulgation of said amendments,

That the City of Weston now adopts, by this ordinance, the most current State Building Code as identified by:

Title 87  
Legislative Rules  
State Fire Commission  
Series 4  
State Building Code

The following amendments are made and incorporated into the codes adopted above:

### **2018 International Building Code**

**Section 101.1:** Insert "the City of Weston"

**Section 101.4.5: Fire Prevention:** DELETE ENTIRE SECTION

**Section 113.3: Qualifications:** DELETE AND REPLACE WITH: The Board of Appeals shall consist of five members, with up to three alternates, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. They may include, but are not limited to, a WV Registered Professional Architect or Engineer, or a WV Licensed General Building, Residential, Electrical, Piping, Plumbing, Mechanical or Fire

Protection Contractor, with at least 10 years experience, five of which shall be in responsible charge or work. No less than one of the members of such Board of Appeals shall be a WV Registered Professional Architect or Engineer, of a WV Licensed General Building, Residential, Electrical, Piping, Plumbing, Mechanical or Fire Protection Contractor

Section 1612.3: Insert "the City of Weston"  
Insert "April 19, 2010"

### **2018 International Property Maintenance Code**

Section 101.1: Insert City of Weston

Section 103.5: Incorporate and refer to "Addendum A"

Section 106.4: This section shall be amended by adding a new paragraph as follows:

"Any such person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be guilty of a misdemeanor, punishable by a fine of not less than \$50 nor more than \$500."

Section 112.4: Insert \$75 in "not less than" amount and \$750 in the "or more than" amount

Section 302.4: Insert six (6) inches

Section 304.14: Insert January 1 to December 31

Section 602.3: Insert January 1 to December 31

Section 602.4: Insert January 1 to December 31

### **2018 International Fuel Gas Code**

Section 106.6.2: Incorporate and refer to "Addendum A"

Section 106.6.3: Insert 5% in sub-section (2) and insert 100% in sub-section (3)

Section 108.4: Insert "misdemeanor" for the offense; insert \$500 in the "no more than" amount; imprisonment up to thirty (30) days

Section 108.5: Insert \$75 in the "not less than" amount and \$750 in the "or more than" amount

**2018 International Plumbing Code**

Section 101.1: Insert City of Weston

Section 106.6.2: Incorporate and refer to "Addendum A"

Section 106.6.3: Insert 5% in sub-section (2) and insert 100% in sub-section (3)

Section 108.4: Insert "misdemeanor" for the offense; insert \$500 in the "no more than" amount; imprisonment up to thirty (30) days

Section 108.5: Insert \$75 in the "not less than" amount and \$750 in the "or more than" amount

Section 305.4.1: This section shall read as follows:

"Building sewers that connect to private sewage disposal systems shall be installed not less than 36 inches (mm) (or current frost line depth if different) below finished grade at the point of septic tank connection. Building sewers shall be installed not less than 36 inches (mm) (or current frost line depth if different) below grade. If for any reason these measurements are not feasible then the person or entity seeking to install the pipes, connections, or the like shall apply for a variance with the Building Code Official."

Section 903.1: Insert twelve (12) inches

**2018 International Mechanical Code**

106.5.2: Incorporate and refer to "Addendum A"

106.5.3: Insert 5% in sub-section (2) and insert 100% in sub-section (3)

Section 108.4: Insert "misdemeanor" for the offense; insert \$500 in the "no more than" amount; imprisonment up to thirty (30) days

Section 108.5: Insert \$75 in the "not less than" amount and \$750 in the "or more than" amount

**2015 International Energy Conservation Code for Residential Buildings**

Section C101.1: Insert City of Weston

Section C104.2: Incorporate and refer to "Addendum A"

Section C108.4: The Fine Schedule shall be as follows:

- 1<sup>st</sup> Offense: \$150
- 2<sup>nd</sup> Offense: \$300
- 3<sup>rd</sup> offense or more: \$750

**ANSI/ASHRAE/IESNA Standard 90.1 2013 Edition for Commercial Buildings**

**2018 International Residential Code for One-and Two-Family Dwellings**

Table R101.1: Insert City of Weston

Table R301.2(1): insert the following:

Ground Snow Load: moderate to heavy; 30 psi if a number is required

Speed<sup>d</sup> (mph): 115(51)

Topographic Effects<sup>k</sup>: No

Special Wind Region<sup>l</sup>: No

Wind-borne Debris Zone<sup>m</sup>: 1

Seismic Design Category<sup>f</sup>: A

Weathering<sup>a</sup>: Severe

Frost Line Depth<sup>b</sup>: 32 inches

Termite<sup>c</sup>: Yes

Winter Design Temp<sup>e</sup>: 10

Ice Barrier Underlayment Required<sup>h</sup>: Yes

Flood Hazards<sup>g</sup>:

- Flood Insurance Study: August 18, 1992
- Date of First Adoption of Flood Plain Management Ordinance: February 8, 2010
- Panel Numbers: 136, 137, 138, 150
- Current Effective Flood Insurance Rate Map (FIRM): April 19, 2010

Air Freezing Index<sup>i</sup>: 1500 or less

Mean Annual Temp<sup>j</sup>: 52.2

Concerning Table R301.2(1) and the requirement for the City of Weston to fill in the sections identified, the City of Weston provides the following:

"The City of Weston adopts and incorporates into this Section the criteria found in ACCA Manual J Table 1a or 1b as identified in Section R301.2(1) pertaining to the following:

Elevation, Latitude, Winter Heating, Summer Cooling, Altitude Correction Factor, Indoor Design Temperature, Design Temperature Cooling, Heating Temperature Difference, Cooling Temperature Difference, Wind Velocity Heating, Wind Velocity Cooling, Coincident Wet Bulb, Daily Range, Winter Humidity, and Summer Humidity."

The City of Weston will be free to fill in these sections once the information from Manual J becomes available to the City of Weston.

Concerning Table R301.2(1), if the relevant State Building Code charts, graphs, tables, or numbers contradict these numbers then the State Building Code chart, graphs, tables, or numbers shall be used.

Section P2603.5.1: This section shall read as follows:

“Building sewers that connect to private sewage disposal systems shall be installed not less than 36 inches (mm) (or current frost line depth if different) below finished grade at the point of septic tank connection. Building sewers shall be installed not less than 36 inches (mm) (or current frost line depth if different) below grade. If for any reason these measurements are not feasible then the person or entity seeking to install the pipes, connections, or the like shall apply for a variance with the Building Code Official.”

**2017 ICC/ANSI A117.1 American National Standards for Accessibility & Usable Buildings and Facilities**

**2018 International Existing Building Code**

Section 101.1 Insert City of Weston

**2017 Edition of the National Electric Code**

**2015 International Swimming Pool and Spa Code**

Section 105.6.2: Incorporate and refer to “Addendum A”

Section 105.6.3: Insert 5% in sub-section (2) and insert 100% in sub-section (3)

Section 107.4: insert “misdemeanor” for offense; insert \$500 in the fine amount; there will be no imprisonment penalty

Section 107.5: Insert \$75 in the “not less than” amount and \$750 in the “or more than” amount

## Addendum A

### Fees and Schedules

- Building Permits \$25
- \$10 charge for every \$1000 of total cost of job/project

#### Example Chart

\$10 for first \$1,000

\$20 for \$1000.01 to \$2000

\$30 for \$2000.01 to \$3000

\$40 for \$3000.01 to \$4000

For job/project costing over \$4000, the fee schedule will proceed in a manner consistent with the above-cited Example Charter.

The City of Weston will utilize a "State Building Code" appeals board instead of a separate appeals board for each national code adopted in this ordinance. This Board may also be referred to as Code Appeals Board. Code Appeals Board shall mean the board which hears appeals stemming from the State Building Code.

If any portion of this ordinance shall be deemed unconstitutional or otherwise defective, the remaining portions shall remain in force.

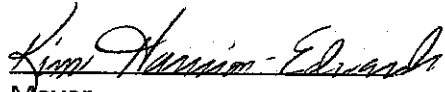
The City of Weston may adopt one or more appendices of these national codes that are not included in the West Virginia State Building Code. The City of Weston will make that determination to adopt appendices at a later date.

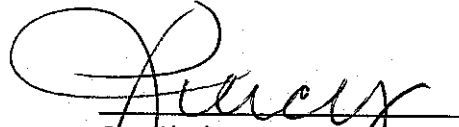
This ordinance is adopted for the benefit, health, and welfare of the people of the City of Weston, West Virginia. This ordinance shall be effective on the day after this ordinance is passed.

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First Reading 7/24/2023

Second Reading 7/31/2023

  
Mayor

  
City Clerk