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## **ARTICLE 1711 OFFICIAL BUILDING CODE<sup>1</sup>**

### **1711.01 ADOPTION.**

The Town of Ceredo hereby adopts the State Building Code, reflecting a filing date of May 5, 2022, as authorized by W.Va. Code § 8-12-13 and promulgated pursuant to W. Va. Code § 15A-11-5, and by the State of West Virginia in Title 87, Legislative Rule Series 4 (§ 87-4-1 et seq.), State Building Code, which are collectively adopted by reference as if fully restated herein, as the official building code for the town.

The standards and requirements as set out and as published by the International Code Council, and American National Standards Institute, and the National Fire Protection Association as listed in this subsection, have the same force and effect as if set out verbatim in this ordinance. The specific editions include:

- (1) The 2018 edition, International Building Code with modifications set forth in W. Va. CSR § 87-4-4(4.1).
- (2) The 2018 edition of the International Plumbing Code.
- (3) The 2018 edition of the International Mechanical Code with modifications set forth in W. Va. CSR § 87-4-4(4.1).
- (4) The 2018 edition of the International Fuel Gas Code with modifications set forth in W. Va. CSR § 87-4-4(4.1).
- (5) The 2018 edition of the International Property Maintenance Code.
- (6) The 2015 edition of the International Energy Conservation Code for residential buildings with modifications set forth in W. Va. CSR § 87-4-4(4.1).
- (7) The ANSI/ASHRAE/IESNA Standard 90.1 2013 edition for commercial buildings.
- (8) The 2018 edition of the International Residential Code for One- and Two-Family Dwellings with modifications set forth in W. Va. CSR § 87-4-4(4.1).
- (9) The 2017 ICC/ANSI A117.1 American National Standards for Accessibility & Usable Buildings & Facilities.
- (10) The 2018 International Existing Building Code, with modifications set forth in W. Va. CSR § 87-4-4(4.1).
- (11) The 2020 edition of the National Electrical Code, NFPA 70, with modifications set forth in W. Va. CSR § 87-4-4(4.1).
- (12) The 2018 edition of the International Swimming Pool and Spa Code.
- (13) Wherever referenced in the several ICC codes adopted in this section, any reference to the International Fire Code should be substituted with the NFPA Life Safety Code 2021 edition.
- (14) Whenever a certificate of occupancy is required of a commercial structure greater in size than 7,600 feet, the project documents shall be designed by an Architect licensed by the WV Board of Architects, or a Professional Engineer licensed by the WV State Board of Registration for Professional Engineers.

(b) The Town of Ceredo does not adopt any of the additional appendices authorized pursuant to the W. Va. Legislative Rule identified as § 87-4-1, et seq. and specifically authorized in § 87-4-7(7.3).

(c) The Town of Ceredo does adopt the provisions of the national codes with respect to the penalty for imprisonment, but the penalty for any violation shall be limited to a maximum of \$500 and/or 30 days imprisonment for any single violation.

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<sup>1</sup>State law reference(s)—Adoption by reference, W. Va. Code, § 8-11-4; building regulations, see W. Va. Code, § 8-12-13; municipal inspection, W. Va. Code, § 8-12-15.

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## **1711.02 COMPLIANCE.**

No person, firm, corporation or other entity shall fail, refuse or neglect to comply with the provisions of the Official Building Code of the town adopted by this article. The supervisor of building inspection shall have all those powers necessary to enforce the provisions of the Official Building Code of the town.

## **1711.03 COPIES.**

One copy of the Official Building Code adopted by this article shall be kept on file in the office of the city clerk and the office of the division of building inspection and made available to the public for inspection and copying for a reasonable fee or charge.

## **1711.05 PERMIT REQUIRED.**

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

## **1711.06 NON-CONTRACTOR WORK EXEMPT FROM PERMIT.**

Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required of non-contractors for the following:

- (a) *Building.*
  - (1) One story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.
  - (2) Fences not over six feet high.
  - (3) Oil derricks.
  - (4) Retaining walls which are not over four feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or II-A liquids.
  - (5) Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
  - (6) Sidewalks and driveways not more than 30 inches above grade and not over any basement or story below which is not part of an accessible route.
  - (7) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
  - (8) Temporary motion picture, television and theater stage sets and scenery.
  - (9) Prefabricated swimming pools accessory to a group R-3 occupancy, as applicable in section 101.2, which are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.
  - (10) Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
  - (11) Swings and other playground equipment accessory to detached one- and two-family dwellings.

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- (12) Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support of group R-3, as applicable in section 101.2 and group U occupancies.
  - (13) Movable cases, counters, and partitions not over five feet nine inches in height.
  - (b) *Electrical.*
    - (1) Minor repair work, including the replacement of lamps or connection of approved portable electrical equipment to approved permanently installed receptacles.
    - (2) The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do not apply to equipment and wiring for power supply, the installation of towers and antennas.
    - (3) A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.
  - (c) *Gas.*
    - (1) Portable heating appliance.
    - (2) Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
  - (d) *Mechanical.*
    - (1) Portable heating appliance.
    - (2) Portable ventilating equipment.
    - (3) Portable cooling unit.
    - (4) Steam, hot or chilled water piping within any heating or cooling equipment regulated by code.
    - (5) Replacement of any part which does not alter its approval or make it unsafe.
    - (6) Portable evaporative cooler.
    - (7) Self-contained refrigeration system containing ten pounds or less of refrigerant and actuated by motors of one horsepower or less.
  - (e) *Plumbing.*
    - (1) The stopping of leaks in drains, water, soil, waste or vent pipe provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
    - (2) The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and installation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

### **1711.07 REPAIRS.**

Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition

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to, alteration of, replacement of or relocation of any standpipe, water supply, sewer drainage, drain leader, gas, soil, waste, vent or similar piping, electrical wiring or mechanical or other work affecting public health or general safety.

### **1711.08 EFFECTIVE DATE**

This ordinance in its entirety shall become effective on February 5, 2024, hereby repealing and replacing the prior Article 1711 et seq of the Codified Ordinances of the Town of Ceredo.