

ORDINANCE 2013 - 06

**AN ORDINANCE OF THE COMMON COUNCIL
OF THE CITY OF LEBANON, INDIANA,
ADOPTING BUILDING CODES AND UNSAFE BUILDING CODE**

WHEREAS, the Indiana law provides that powers not specifically reserved for the State are delegated to the local government and may be regulated by a municipality [Home Rule], as delineated in I.C. 36-1-3; and

WHEREAS, I.C. 36-1-5 empowers and authorizes the City of Lebanon ("City") to revise, amend, restate, codify and compile existing ordinances and new ordinances not heretofore adopted or published and to incorporate such ordinances into code form; and

WHEREAS, The City is responsible for the inspection and permitting for the construction, alteration, remodeling or improvement of buildings and structures and other improvements to property located within the jurisdiction of the City; and

WHEREAS, The City recognizes that certain structures and buildings may have been, or may become, unsafe due to deterioration and inadequate maintenance, and the City desires to mitigate such unsafe buildings as provided for in Indiana law; and

WHEREAS, the City desires to adopt the Unsafe Buildings provisions of Indiana law, as codified in I.C. 36-7-9 and authorized the City executive through its Planning and Zoning Administration Department for the enforcement of those provisions; and

WHEREAS, the Common Council ("Council") of the City of Lebanon, Indiana, desires to adopt building codes used for the construction, inspection and permitting of various improvements to property, as such Building Codes ("Codes") may have been adopted by the Indiana Fire Prevention and Building Safety Commission, as delineated in IAC 675; and

WHEREAS, the Council deems it necessary, and to provide for the public health, safety and welfare to adopt uniform Codes to promote the safety of buildings and to protect the health and safety of the Citizens of Lebanon.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Lebanon, Indiana, as follows:

1. The City of Lebanon, Indiana ("City") hereby adopts the "Unsafe Building" law as promulgated in Indiana Code 36-7-9 and designates the City executive, by and through its Planning and Zoning Administration Department ("PZA Department), to enforce the terms thereof.
2. The following building codes ("Codes") and the Rules and Regulations of the Indiana Fire Prevention and Building Safety Commission (as contained in 675 IAC), as they may be updated and amended from time to time

are hereby adopted and shall be utilized by the PZA Department to inspect buildings and structures within the City:

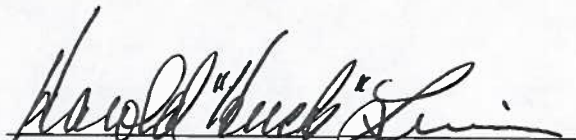
| | |
|----------------------------------|---|
| Commercial Building Code: | International Building Code 2006 Edition 1 st Printing |
| Residential Building Code: | International Residential Code, 2003 Edition |
| Plumbing Code: | Indiana Plumbing Code 2012 Edition |
| Electric Code: | National Electric Code 2008 |
| Mechanical Code: | International Mechanical Code 2006 Edition, 1 st Printing |
| Residential Energy Code: | International Energy Conservation Code |
| Commercial energy Code: | Indiana Energy Conservation Code 2010 – ASHRE 90.1, 2007 Edition |
| Fire Code: | International Fire Code 2006, 1 st Printing |
| Fuel Gas Code: | International Fuel Gas Code 2006 Edition, 1 st Printing |
| Swimming Pool Code: | Indiana Swimming Pool Code, 675 IAC 20 |
| Industrialized Building Systems: | 675 IAC 15 |

3. All prior Ordinances pertaining to the subjects enumerated above shall be deemed repealed from and after the effective date of this ordinance except as they are included and reordained in whole or in part in this Ordinance; provided, such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this ordinance.
4. This Ordinance shall be deemed published as provided for in Indiana law and the Clerk-Treasurer of the City shall keep and maintain two (2) copies of the Ordinance for public use and inspection.
5. This Ordinance shall be in full force and effect as provided in Section 4, and the Code shall be presumptive evidence in all courts, forums and places of the ordinances, provisions, penalties and regulations contained therein, as provided in I.C. 36-1-5-5.

The effective date of this Ordinance shall be as mandated by Indiana law.


Adopted by the Common Council of the City of Lebanon, Indiana, on this 24th day of June, 2013.

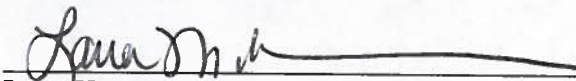
THE COMMON COUNCIL OF THE CITY OF
LEBANON, INDIANA


Harold "Huck" Lewis, Mayor



Keith Campbell



John Copeland


Mike Kincaid

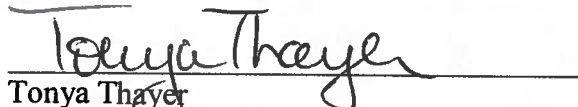

Lana Kruse


Jeremy Lamar


Steve Large


Preston Myers

ATTEST:


Tonya Thayer
Clerk-Treasurer