

FIRST READING: 01/19/10
SECOND READING: 02/16/10
THIRD READING: 03/01/10
ORD. NO.: 002-10
SPONSOR: _____
REFERRED TO: _____

AN ORDINANCE TO AMEND CHAPTER 18, BUILDINGS AND BUILDING
REGULATIONS, ARTICLE II, BUILDING CODE

BE IT HEREBY RESOLVED by the Mayor and Council of the Town of Smyrna, a majority thereof concurring in Council duly met that Chapter 18, Buildings and Building Regulations, Article II. Building Code, be and hereby is amended as follows:

Section 1. Amend Section 18-45 ("Adoption") by deleting the existing section in its entirety and inserting in lieu thereof the following:

Sec. 18-45. Adoption.

That certain document, at least one copy of which is on file in the office of the Department of Planning and Inspections, being marked and designated the International Building Code, 2006 Edition, excluding all Appendix Chapters, as published by the International Code Council, be and hereby is adopted as the building code of the town for regulating and governing the conditions and maintenance 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 as herein provided. Each and all of the regulations, provisions, penalties, conditions and terms of said International Building Code are hereby referred to, adopted and made a part of hereof as if fully set out in this article with the additions, insertions, deletions and changes, if any, prescribed in this article.

Section 2. Amend Section 18-46 ("Additions, insertions, deletions and changes.") by deleting the existing section in its entirety and inserting in lieu thereof the following:

Sec. 18-46. Additions, insertions, deletions and changes.

The town hereby adopts specific amendments to the International Building Code, 2006 Edition, as follows:

Chapter 1, ADMINISTRATION, is amended by deleting the chapter in its entirety. Refer to Article I of this chapter.

Chapter 9, FIRE PROTECTION SYSTEMS, is amended as follows:

a. *Section 903.2.1.3, Group A-3*, from item number one (1), delete "12,000 square feet (1115 m²)" and insert in lieu thereof "5,000 square feet (464.5 m²)".

Chapter 13, ENERGY EFFICIENCY

a. *Section B1301.1.1 Criteria*, add at the end of this section: "that is the referenced energy code for the State of Delaware pursuant to the Delaware Code."

Chapter 16, STRUCTURAL DESIGN

a. *Section B1608.2, Ground Snow Loads*, delete the subsection in its entirety and insert in lieu thereof the following:

1608.2 Ground snow load. The ground snow load to be used in determining the design snow loads for roofs as determined by Figure 1608.2 is 25 pounds per square foot.

b. *Section 1609.3 Basic wind speed*, delete the subsection in its entirety and insert in lieu thereof the following:

1609.3 Basic wind speed. The basic wind speed, in mph, for the determination of the wind loads as determined by Figure 1609 and Table 1609.3.1 shall be 76 mile per hour basic wind speed, with 90 mile per hour 3-second gust.

Chapter 31, SPECIAL CONSTRUCTION, Subsection 3107 Signs

a. *Section B3107.1, General*, delete the subsection in its entirety and insert in lieu thereof the following:

Section B3107.1, General. Signs shall be designed, constructed and maintained in accordance with this code and with Appendix A "Zoning" of the Town of Smyrna Code.

Chapter 33 SAFEGUARDS DURING CONSTRUCTION

a. *Section B3301, General*, add the following new subsection:

Section B3301.3, Storage of construction and demolition waste. Construction and demolition waste may be stored upon the land where actual construction or demolition is in progress; provided,

however, that such waste shall not be stored for a period exceeding thirty (30) days.

b. *Section B3301, General*, add the following new subsection:

Section B3301.4, Handling and storage of construction and demolition waste, trash, and litter. During all construction activities, the lot(s) shall be kept neat of trash and building materials. All construction sites shall be required to obtain and maintain on the site a container of suitable size and design to hold and confine trash, scraps, and other construction and demolition waste created or accumulated on the site, which might be blown from the site. All such construction refuse shall be maintained in a closed container, or a container of sufficient depth to prevent construction and demolition waste from blowing out of the container, at all times, until transferred to a landfill. Containers may be placed in setback areas, provided that the placement of the container does not obstruct the view of motorists and thereby create traffic hazards. It shall be a violation to permit accumulated debris, litter, or trash attributable to the construction site and the construction activity to blow or scatter onto adjoining properties, including the public street or to accumulate on the site outside of the container, or in transit to a landfill or dump. The owner or contractor shall service the container as frequently as needed to prevent trash from over-flowing.

c. *Section B3303.6, Utility connections*, delete the subsection in its entirety and insert in lieu thereof the following:

Section B3303.6, Utility connections. Before a structure is demolished or removed, the owner or agent shall notify all utilities, in writing, having service connections within the structure, including, but not limited to, water, electric, gas, sewer and other connections. A permit to demolish or remove a structure shall not be issued until a release is obtained from the utilities, stating that their respective service connections and appurtenant equipment, such as meters and regulators, have been removed or sealed and plugged in a safe manner.

Section 3. Effective Date of this amendment shall be

SYNOPSIS

This amending ordinance adopts the 2006 edition of the *International Building Code*, which regulates and governs the conditions and maintenance 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.

This will certify that this is a true and correct copy of the Ordinance duly adopted by the Town Council of the Town of Smyrna at its regular Council meeting on

ATTEST:

Council Secretary

Mayor

This shall certify that the title and synopsis of this Ordinance were published in the Smyrna/Clayton Sun Times on January 27, 2010 and posted at the Town Hall on January 27, 2010.

So Certifies:

Town Clerk

This shall certify that the title, effective date and synopsis of this Ordinance were published in the Smyrna/Clayton Sun Times on March 10, 2010 and posted at the Town Hall on March 10, 2010.

So Certifies:

Town Clerk