

ORDINANCE NO. 1373

AN ORDINANCE OF THE CITY OF DEL CITY, OKLAHOMA MAKING CERTAIN FINDINGS OF FACT; AMENDING CHAPTER 5 (BUILDINGS AND BUILDING REGULATIONS) OF THE DEL CITY CODE OF ORDINANCES; ADOPTING CODES AND STANDARDS FOR DEVELOPMENT CONSTRUCTION, USE, OPERATION AND MAINTENANCE OF PROPERTY WITHIN THE CITY AND SETTING FORTH SUPPLEMENTAL REGULATIONS THEREFOR; ADOPTING REGULATIONS FOR LICENSING OF CONTRACTORS AND OTHER CONSTRUCTION WORKERS; ESTABLISHING STANDARDS AND PROCEDURES FOR APPEALS AND VARIANCES; DEFINING VIOLATIONS, ESTABLISHING RESPONSIBILITY AND PENALTIES THEREFOR AND PROVIDING FOR ABATEMENT THEREOF; PROMULGATING A FEE SCHEDULE; AMENDING CHAPTER 7 (FIRE PROTECTION AND PREVENTION) OF THE DEL CITY CODE OF ORDINANCES; ADOPTING CODES AND STANDARDS FOR FIRE PROTECTION AND PREVENTION; AMENDING OTHER PORTIONS OF THE CODE OF ORDINANCES TO CONFORM TO THESE REGULATIONS, DECLARING REPLEALER, PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DEL CITY, OKLAHOMA:

Section 1: FINDINGS OF FACT.

The following findings of fact are hereby made:

1. The regulations contained within this ordinance, including the adopted codes, serve to promote the health, safety morals and general welfare of the community and serve to regulate and restrict the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence and other purposes.
2. The regulations contained within this ordinance, including the adopted codes, exceed the minimum standards currently adopted by the Oklahoma Uniform Building Code Commission for residential and commercial construction in the state.
3. The regulations contained within this ordinance represent higher standards and requirements than the codes adopted pursuant to the Oklahoma Uniform Building Code Commission Act.

4. The enactment of this ordinance is an exercise of the City's full authority to provide for the enactment of codes and rules in such form as the City may determine and prescribe.

Section 2: REVISION OF CHAPTER 5 (BUILDINGS AND BUILDING REGULATIONS). Chapter 5 (Buildings and Building Regulations) is amended to read as follows:

Chapter 5. Buildings and Building Regulations.

Article 1. Administration.

Section 5-1. Scope.

The provisions contained within this chapter, including those found within the adopted and referenced codes, shall apply to all structures and properties within the City of Del City, regardless of construction date, unless otherwise specified.

Section 5-2. Definitions.

When applicable, terms shall have definitions as set forth in the adopted codes.

Section 5-3. Building official.

The Building Official shall be designated by the City Manager. The Building Official shall be removed at any time, based on the needs of the city, by the City Manager. The Building Official shall have the responsibilities of a building official, code official, authority having jurisdiction, and/or inspector as designated by state or federal law or by adopted code. The City Manager may, at any time and for any reason, delegate some or all of the responsibilities of the Building Official to any individual deemed to be qualified. Any such individual shall enjoy the same rights and responsibilities as the Building Official, subject to limitation imposed by the scope of the delegation. The City Manager retains final authority over all matters relating to administrative procedures, policy interpretations, and regarding other questions or issues that may arise.

Section 5-4. Right of entry.

The Building Official, in the discharge of his duties, which include enforcement of the provisions found in the building code, in any referenced codes, or elsewhere in this chapter, may enter any building or premises at any time during business hours or at any reasonable hour, and upon the refusal of any owner, agent or occupant to allow such inspection, said owner, agent or occupant shall be deemed guilty of an offense. The Building Official may take any action authorized by statute, ordinance or code to enforce this right of entry.

Section 5-5. Administrative procedures and requirements.

The Building Official, when necessary to ensure the efficient operation of permitting, licensing and inspection processes, shall promulgate administrative procedures and requirements not in conflict with these regulations.

Section 5-6. Permit required.

A permit is required for all work done to a new or existing structure unless a specific exemption has been granted within this chapter or within an adopted code. No permit shall be issued unless the proposed project complies with all provisions contained within this building code and within this chapter, unless a variance has been granted as set forth herein. In order to determine said conformity, the Building Official may develop permit application forms and may require the submission of plans, specifications and supporting data as is needed.

The Building Official has the authority to refuse a permit applied for under this article in the following instances:

- (a) When the work proposed to be done is unsafe or not in accordance with the provisions of this chapter, or when the applicant has failed to submit documentation necessary to demonstrate safety or compliance;
- (b) When the permit applicant has failed to promptly correct any defect in work previously done, provided that the applicant has been informed of that violation and has been given reasonable time to cure the violation, and provided that once the violation has been cured the application must be processed without prejudice; or
- (c) When the applicant does not hold the required city or state license.

Section 5-7. Permit and inspection fees.

The fees for plan reviews, permits and inspections are set forth on the fee schedule(s) contained in this chapter and elsewhere within the code of ordinances. The City Manager shall have the authority to waive permitting fees, regardless of fee amount, when such a waiver would be in the public interest.

Section 5-8. Suspension, revocation and expiration of permits.

The Building Official may suspend or revoke a permit based on the following grounds:

- (a) Failure to pay the required permit fee or required inspection fees.
- (b) Permit issued in error or on the basis of incorrect, inaccurate or incomplete information or in violation of any ordinance or regulation or any provision of an adopted code.
- (c) Significant or habitual noncompliance with any ordinance or regulation or any provision of an adopted code, including performing work in a nonworkmanlike manner or failing to obtain and maintain other required permits or regulatory approvals.

- (d) Suspension or revocation of the permit holder's license when such a license is required to obtain the permit.

Unless otherwise specified, permits are valid for one hundred eighty (180) days and may be extended only with the approval of the Building Official and only after payment of any required fee.

Section 5-9. Stop work orders.

Whenever, in the opinion of the Building Official, one of the following conditions exists, the Building Official is authorized to issue a stop work order. These conditions include:

- (a) Work being performed in a manner that is contrary to any provision found within the building code or this chapter;
- (b) Work being performed in a manner that is dangerous or unsafe;
- (c) Work being performed without required permits or licenses;
- (d) Work being performed in a manner that is actually or potentially injurious to the surrounding environment.

The order shall be in writing and shall state the reason for the order and the conditions under which the cited work will be permitted to resume. Once delivered to the owner of the property, the owner's agent, or the person doing the work, or once affixed to the job site in a prominent location, the cited work should immediately cease. Continuance of work after issuance of a stop work order, except for that work being performed to cure a violation or unsafe condition, shall be considered an offense and all parties involved shall be deemed guilty as provided for herein. Failure to comply with a stop work order is grounds for cancellation of all permits for the jobsite, removal of temporary utilities, and revocation of licenses for those individuals involved.

Section 5-10. Deferral of enforcement.

In the event that a state agency authorized to adopt codes alters, modifies or deletes a provision of a model code, the Building Official may, at the direction of the City Manager, defer enforcement of those provisions in a manner consistent with the intent of the rulemaking action taken by the state agency.

Section 5-11. Required state fees.

A fee, in the amount required by the regulations of the Uniform Building Code Commission ("regulations"), is to be collected on all permits issued by the City, provided that collection of the fee is required for that particular type of permit pursuant to the regulations. As provided for in the regulations, a certain portion of this fee is designated for retention by the City and shall be retained.

Any fees collected pursuant to prior ordinance, except for that portion of the fees designated to be retained by the City, are to be remitted to the Uniform Building

Code Commission, provided that any portion not accepted by the Uniform Building Code Commission shall be retained by the City for its general use.

Section 5-12. Conflicts and effect on existing regulations.

In general, any conflict between a provision contained within an adopted code or elsewhere within this chapter and a provision found elsewhere within the Code of Ordinances or within state or federal laws or regulations shall be resolved by enforcing the more restrictive provision. Where conflict exists between a general provision and a more specific provision, the more specific provision shall control.

The adoption of the regulations contained in this chapter shall in no way lessen the restrictive impact of provisions previously adopted contained in other sections within this Code of Ordinances or within the Del City Planning and Zoning Ordinance.

Section 5-13. Savings clause.

No provision contained within this chapter shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed or superseded, nor shall any legal right or remedy of any character be lost, impaired, or affected by these provisions.

Section 5-14 to 5-19. Reserved.

Article 2. Building and Residential Codes.

Section 5-20. Building Code.

The document known as the 2012 International Building Code, a copy of which is on file in the office of the Building Official, shall serve as the Building Code of the City of Del City.

The following appendices are adopted:

- a. Appendix C is adopted to govern the installation and modification of agricultural buildings.
- b. Appendix E is adopted to provide supplemental accessibility requirements. Together with the requirements contained in the adopted codes and referenced standards, including ICC A117.1, Appendix E forms the basis for regulation of accessibility. Owners and occupants of all properties are responsible for compliance with all laws and regulations regarding accessibility, including the Americans with Disabilities Act, the provisions of which may be stricter than those contained in these regulations.

- c. Appendix F is adopted to provide standards for rodentproofing. Unless more specific standards exist, these standards shall apply to all structures within the City, regardless of whether that structure is governed by Building Code.
- d. Appendix I is adopted to govern installation and modification of patio covers in addition to the supplemental regulations for accessory structures contained in this Chapter.
- e. Appendix J is adopted to provide standards for grading and earth disturbance but in no way shall lessen the application of applicable regulations regarding grading, drainage, floodplain management and stormwater quality contained elsewhere in this code.

That code is amended as follows:

1. Section 101.1 is amended by inserting "*The City of Del City*" where indicated.
2. Section 105.2 is amended by deleting the following exceptions:
Building 1, 2, 3, 5, 6
3. Section 113 is deleted.
4. Section 114 is amended by adding Section 114.5 to read:
Section 114.5. Prosecution without prior notice. The Building Official may initiate prosecution of violations before service notice and affording an opportunity for correction if the violation is willful or egregious or if it is impractical to serve such notice prior to initiating prosecution.
5. Section 308.6.1 is deleted.
6. Section 1612.3 is amended to insert "*The City of Del City*" and "*December 18, 2009*" where appropriate.
7. Section 3412.2 is amended to insert "*October 9, 1948*" where appropriate.
8. All sections pertaining to construction in areas of special flood hazard are deemed to be supplemental in nature and shall not serve to lessen the requirements contained within the City's Flood Damage Prevention Ordinance.

Section 5-21. Residential Code.

The document known as the 2012 International Residential Code, a copy of which is on file in the office of the Building Official, shall serve as the Residential Code of the City of Del City.

The following appendices are adopted:

- a. Appendix E is adopted to govern the installation and modification of manufactured homes used as dwellings, provided that these regulations are supplemental in nature and do not authorize placement of a manufactured home on a city lot in violation of other regulations

- b. Appendix F is adopted to govern radon control methods.
- c. Appendix H is adopted to govern the installation and modification of patio covers, provided that these regulations are supplemental in nature.
- d. Appendix I is adopted to govern the installation, modification and maintenance of private sewage disposal systems.
- e. Appendix K is adopted to govern sound transmission.

That code is amended as follows:

- 1. Section R101.1 is amended by inserting "*The City of Del City*" where indicated.
- 2. Section R105.2 is amended by deleting the following exceptions:
Building 1, 2, 4, 5
- 3. Section R112 is deleted.
- 4. Section R113 is amended by adding Section 114.5 to read:
Section R113.5. Prosecution without prior notice. The Building Official may initiate prosecution of violations before service notice and affording an opportunity for correction if the violation is willful or egregious or if it is impractical to serve such notice prior to initiating prosecution.
- 5. All sections pertaining to construction in areas of special flood hazard are deemed to be supplemental in nature and shall not serve to lessen the requirements contained within the City's Flood Damage Prevention Ordinance.
- 6. Table R301.2(1) is to be completed as needed on a project-specific basis by a registered design professional and submitted with construction documents.
- 7. Section P2603.5.1 is amended by inserting "36" in two places as indicated.

Section 5-22. Existing Building Code.

The document known as the 2012 International Existing Building Code, a copy of which is on file in the office of the Building Official, shall serve as the Existing Building Code of the City of Del City.

All appendices are adopted.

That code is amended as follows:

- 1. Section 101.1 is amended by inserting "*The City of Del City*" where indicated.
- 2. Section 1401.2 is amended to insert "*October 9, 1948*" where appropriate.
- 3. Section 105.2 is amended by deleting the following exceptions:
Building 1
- 4. Section 112 is deleted.

5. Section 117 is deleted:

Sections 5-23 to 5-29. Reserved.

Article 3. Mechanical, Plumbing and Fuel Gas Codes.

Section 5-30. Mechanical Code.

The document known as the 2012 International Mechanical Code, a copy of which is on file in the office of the Building Official, shall serve as the Mechanical Code of the City of Del City.

That code is amended as follows:

1. Section 101.1 is amended by inserting "*The City of Del City*" where indicated.
2. Section 106.5, 106.5.1, 106.5.2 and 106.5.3 are deleted.
3. Section 108.4 is deleted.
4. Section 108.5 is deleted.
5. Section 109 is deleted.

Section 5-31. Fuel Gas Code.

The document known as the 2012 International Fuel Gas Code, a copy of which is on file in the office of the Building Official, shall serve as the Fuel Gas Code of the City of Del City.

That code is amended as follows:

1. Section 101.1 is amended by inserting "*The City of Del City*" where indicated.
2. Section 106.6, 106.6.1, 106.6.2 and 106.6.3 are deleted.
3. Section 108.4 is deleted.
4. Section 108.5 is deleted.
5. Section 109 is deleted.

Section 5-32. Plumbing Code.

The document known as the 2012 International Plumbing Code, a copy of which is on file in the office of the Building Official, shall serve as the Plumbing Code of the City of Del City.

That code is amended as follows:

1. Section 101.1 is amended by inserting "*The City of Del City*" where indicated.
2. Section 106.6, 106.6.1, 106.6.2 and 106.6.3 are deleted.
3. Section 108.4 is deleted.
4. Section 108.5 is deleted.

5. Section 109 is deleted.

Section 5-33. Private Sewage Disposal Code.

The document known as the 2012 International Private Sewage Disposal Code, a copy of which is on file in the office of the Building Official, shall serve as the Private Sewage Disposal Code of the City of Del City.

All appendices are adopted.

That code is amended as follows:

1. Section 101.1 is amended by inserting "*The City of Del City*" where indicated.
2. Section 106.4, 106.4.1, 106.4.2 and 106.4.3 are deleted.
3. Section 108.4 is deleted.
4. Section 108.5 is deleted.
5. Section 109 is deleted.
6. Section 405.2.5 is amended by inserting "*March 1*", "*November 1*" and "*November 1*" where appropriate.
7. Section 405.2.6 is amended by inserting "*for at least one year prior*" in two locations.

Section 5-34. Pool and Spa Code.

The document known as the 2012 International Pool and Spa Code, a copy of which is on file in the office of the Building Official, shall serve as the Pool and Spa Code of the City of Del City.

That code is amended as follows:

1. Section 101.1 is amended by inserting "*The City of Del City*" where indicated.
2. Section 105.6, 105.6.1, 105.6.2 and 105.6.3 are deleted.
3. Section 107.4 is deleted.
4. Section 107.5 is deleted.
5. Section 108 is deleted.

Section 5-35 to 5-39. Reserved.

Article 4. Electrical Code.

Section 5-40. Electrical Code.

The document known as NFPA 70: The National Electrical Code, 2014 Edition, a copy of which is on file in the office of the Building Official, shall serve as the Electrical Code of the City of Del City.

All appendices are adopted.

The provisions in this chapter related to administration, enforcement appeals and variances shall govern the application of the Electrical Code.

Appendix K of the 2012 International Building Code is adopted to serve as additional administrative provisions to allow proper coordination between the Electrical Code and other adopted codes.

Section 5-41. Electrical installations not subject to NEC.

Electrical installations outside the scope of the adopted electrical code shall be subject to approval by the Building Official and shall bear the seal of a registered professional engineer.

Section 5-42 to 5-49. Reserved.

Article 5. Property Maintenance Code.

Section 5-50. Property Maintenance Code.

The document known as the 2012 International Property Maintenance Code, a copy of which is on file in the office of the Building Official, shall serve as the Property Maintenance Code of the City of Del City.

That code is amended as follows:

1. Section 101.1 is amended by inserting "The City of Del City" where indicated.
2. Section 106 is amended by adding Section 106.6 to read:
Section 106.6. Prosecution without prior notice. The code official may initiate prosecution of violations before service notice and affording an opportunity for correction if the violation is willful or egregious or if it is impractical to serve such notice prior to initiating prosecution.
3. Section 110.2 through Section 110.4 are deleted.
4. Section 111 is deleted.

Section 5-51. Repair of structures ordered demolished.

Should the owner of a structure ordered demolished pursuant to Section 110 of this code wish to repair the structure, an application for building permit must be submitted and approved before the permit deadline set forth in the demolition order. This permit application must contain detailed repair estimates showing all work that is required in order to bring the structure into compliance with all adopted codes. The application must be accompanied by a bond in favor of the City to cover the costs of demolishing the structure and a written authorization allowing the City to demolish the structure if approved repairs are not made

prior to the expiration or revocation of the remodel permit. Engineering reports or other testing reports may be required before such a submission will be accepted for review. Structures that have been ordered demolished that are subsequently repaired are required to comply with all codes and regulations as if they were new construction, subject to reasonable deviations for site limitations that are approved by the Building Official. Issuance of a permit to remodel a structure previously ordered demolished stays the enforcement of the demolition order until such a time as the permit is terminated or the work is completed and a Certificate of Occupancy is issued. Any property owner attempting to repair a structure previously ordered demolished proceeds on an own risk basis, as failure to complete all work necessary to obtain a Certificate of Occupancy before the expiration or termination of the permit is grounds for the demolition of the structure.

Section 5-53. Relationship to the city's ability to raze and remove.

The provisions in this code related to demolition serve to require a property owner to take action to bring a structure into compliance with this code, whether through repair or demolition. These provisions are separate and distinct from the City's ability to take action to order demolished and then raze and remove a dilapidated structure pursuant to state statute.

Section 5-54. Boarding and securing of structures ordered demolished and other vacant structures.

Structures ordered demolished may be boarded and secured and reserved for later repair pursuant to Section 110 of this code. Vacant structures not under demolition orders may be boarded and secured at the option of the property owner at any time. In no case shall a property remain boarded and secured for a period longer than one (1) year.

The property owner shall apply for a permit to board the structure. When boarding is being used as an option following issuance of a demolition order, the permit application must be submitted and approved before the permit deadline set forth in the demolition order. Boarding shall be accomplished using approved materials, which will be at minimum clear polycarbonate materials. Plywood, fiberboard, strandboard, and other opaque materials are not generally permissible for long-term boarding of structures. Property owners are required to monitor the property weekly for unsecured entryways, signs of vandalism, or other code violations. Failure to maintain a property that has been boarded and secured is grounds for revocation of the boarding permit, which may lead to immediate enforcement of the demolition order.

Section 5-55. Boarding and securing of structures following damage.

A damaged structure may be temporarily secured by boarding for up to sixty (60) days without a permit or use of required polycarbonate materials.

Section 5-55. Completion bond.

When a property owner elects to repair or board a structure that has been ordered demolished pursuant to Section 110 of this code, the Building Official may require the owner to submit a performance bond in favor of the City. This bond must make monies adequate to fund the demolition of the structure available to the City in the event that repairs to the structure are not completed and approved by the expiration of the building permit (or in the case of boarding, that a permit has not been approved within one (1) year of the demolition order and all work approved before the subsequent expiration of that permit). The Building Official shall determine the amount of the bond that will be required based on the prevailing cost of demolition work at the time.

Section 5-56 to 5-59. Reserved.

Article 6. Fire Codes.

Section 5-60. The City's adopted Fire Codes are found in Chapter 7. These codes share certain administrative provisions, found in this Chapter, with all adopted codes, including provisions related to administration, enforcement and appeals and variances.

Article 7. Energy Conservation Code.

Section 5-70. Energy Conservation Code.

The document known as the 2012 International Energy Conservation Code, a copy of which is on file in the office of the Building Official, shall serve as the Energy Conservation Code of the City of Del City.

That code is amended as follows:

1. Sections C101.1 and R101.1 are amended by inserting "*The City of Del City*" where indicated.
2. Sections C107 and R107 are deleted.
3. Sections C108 and R108 are deleted.
4. Sections C109 and R109 are deleted.

Article 8. Fences.

Section 5-80. In general.

Erection and maintenance of fences shall comply with all applicable zoning, design, drainage and floodplain management regulations, which may be more specific or restrictive than these regulations.

Section 5-81. Construction.

Every fence must be constructed in a workmanlike manner of material commonly recognized in the industry as standard fence material and must be sound in structure and appearance.

Section 5-82. Location.

In addition to applicable zoning regulations, the following regulations govern the location of fences:

- (a) No person shall erect any fence of any size, kind or type on or across any property or easement belonging to the city, provided that fences are permitted to be placed across or on standard platted utility easements located on residential lots. The property owner is responsible for all costs related to removal of or damage to such a fence that occur in the course of maintaining utilities within that easement and for any damage occurring to utility lines caused by the installation or maintenance of the fence.
- (b) No person shall erect any fence of any size, kind or type on any residential property in the city between the front building line thereof and the street right-of-way, except on residential tracts located within the following described area: In the area bounded on the east by Sunnyslane Road, on the west by Scott Street, on the north by E. Reno Boulevard, and on the south by Interstate 40.
- (c) A fence erected or constructed within the city on commercial or industrial property may extend beyond the front building line thereof to the street right-of-way, provided, that said fence shall not exceed eight (8) feet in height, shall be of steel or wrought iron construction, shall not be sight-proof in design and shall not impede safe access to any street or driveway. Such a fence shall be decorative in nature and is subject to design approval by the building official.

Section 5-83. Inspection.

The Building Official shall inspect, at such times deemed necessary, each fence regulated by this chapter for the purpose of ascertaining whether the same is secure or insecure, and whether it is in need of removal or repair.

Section 5-84. Repair and removal.

If the Building Official shall find that a fence is unsafe or insecure, is fallen down or otherwise dilapidated, or is a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of this chapter, he shall give written notice to the owner thereof or to the person to whom the permit for such fence was issued declaring the fence to be a public nuisance subject to abatement and detailing the corrections required to bring the fence into compliance with this code. Such notice should be sent by certified mail and posted somewhere on the property on which the fence is located. If the permittee or owner fails to remove or repair the fence so as to comply with the required standards within ten (10) days of the mailing and posting of such notice, the building official may cause the fence or portion thereof to be removed or altered to achieve compliance. Such action will be at the expense of the permittee or owner of the property upon which it is located and shall be assessed against the property as an abatement. The Building Official may cause any fence which is an immediate peril to persons or property to be removed summarily and without notice, with the cost being assessed against the property as an abatement.

Section 5-84. Permit.

No person shall install or modify a fence without first obtaining a fence permit, the fee for which is set forth in this chapter.

Section 5-85 to 5-89. Reserved.

Article 9. Safe Rooms.

Section 5-90. In general.

Above and below ground safe rooms shall comply with standards promulgated by the Federal Emergency Management Agency (FEMA) for residential or commercial safe rooms. All plans and specifications submitted for approval must bear the signature and seal of a registered professional engineer along with a statement that the structure meets the design requirements currently promulgated by FEMA.

Section 5-91. Permit.

No person shall install or modify a safe room without first obtaining a safe room permit, the fee for which is set forth in this chapter.

Section 5-92. Supplemental design standards.

All safe rooms located entirely or partially below grade shall be designed with sufficient mass to resist flotation after being properly backfilled.

All safe rooms shall be adequately waterproofed to prevent infiltration of groundwater or intrusion of rainwater. Any shelter found to be holding water shall be pumped immediately and suitably waterproofed.

Entranceways shall be constructed with suitable hinges and hardware capable of supporting installation of a locking device.

Section 5-93. Location.

Front yard locations are not permitted except when location in the rear or side yard is not practical. Safe rooms installed in front of the front building line shall comply with the following restrictions:

- a) The top of the structure shall not extend more than three (3) inches above finished grade.
- b) Vent pipes and entrance ways shall not extend more than twelve (12) inches above finished grade.
- c) Entrance ways must be provided with an external locking device, such as a hasp and padlock.
- d) Additional mitigation, including landscaping, may be required.

Section 5-94 to 5-99. Reserved.

Article 10. Driveways and Paving.

Section 5-100. Driveways and paving.

The construction of paving for the purpose of accessing a public way or private street, parking, loading and pedestrian conveyance shall be regulated by these adopted codes and by the specific regulations set forth in Chapter 19 of the Code of Ordinances.

Section 5-101 to 5-109. Reserved.

Article 11. Accessory Structures.

Section 5-110. Permit. A permit is required to construct, install or modify any sort of accessory structure. The fees for these permits are set forth in this chapter.

Section 5-111. Residential storage buildings.

In addition to other applicable regulations, the following basic standards apply for residential accessory buildings:

- (a) Residential accessory buildings, such as detached garages, workshops and storage buildings, that are to have three hundred fifty (350) square feet or

- ...larger shall have a floor of concrete with a foundation which complies with the building code.
- (b) Accessory structures shall not exceed eight (8) feet above the ground in height at the wall, and the roof of said structure shall have a minimum of 5/12 and a maximum of 12/12 roof pitch. These pitch requirements may be waived for very small buildings that are prefabricated and intended as temporary improvements.
 - (c) Accessory, temporary, and portable buildings, not including detached garages, that do not exceed two hundred fifty (250) square feet in area, shall be exempt from requirements regarding footings and floors, but shall be anchored in a manner approved by the building official that is at least equivalent to using thirty-inch-long, double-helix anchors with steel bands spaced sixteen (16) inches on center or at each end of the building.

Section 5-112. Portable storage containers.

Portable storage containers are not to be used as permanent accessory structures. Placement of portable storage containers is permissible for up to thirty (30) days, provided that an appropriate permit has been obtained. Extension of this time is permissible only in case of significant remodeling to the primary structure, in which case the Building Official may extend the time to match the expiration of the permit. Container placement shall not cause damage to landscaping. No container shall be placed within the street right-of-way.

Section 5-113. Awnings, carports and patio covers.

The following shall apply to the construction of awnings, carports, and patio covers:

- (a) For the purposes of this article, "awnings," "carports" and "patio covers," individually or in combination, are defined as all structures, whether attached to an existing structure or freestanding, which are constructed for the purpose of providing a roof-type cover only for shelter from the sun, rain, snow, sleet or hail.
- (b) In the event of any conflict between the provisions of this article and the provisions of chapter 18 of this Code, the provisions of this article shall govern.
- (c) This article shall not repeal or otherwise affect the zoning ordinance, except only as it allows the construction of an awning, carport or patio cover beyond the building lines.
- (d) It shall be unlawful for any person to construct or install any awning, carport or patio cover within the City, without first obtaining a permit so to do from the Building Official. An application for a permit under this section shall be in writing, on forms provided for that purpose. Such application shall contain the address of the applicant, along with a detailed drawing showing the desired specifications for the proposed

awning, carport or patio cover and showing on such drawing compliance with this article and other applicable ordinances in all particulars. The application shall contain such other information as is deemed necessary by the building official.

- (e) Awnings, carports and patio covers which extend beyond the front building line toward the street, or beyond the side building line on side streets, may be constructed, if they:
 1. Do not extend more than twenty (20) feet beyond the front building line, and in no instance beyond the front property line of interior lots;
 2. Do not extend more than twenty (20) feet beyond the side building line, and in no case beyond the side property line of corner lots; and
 3. Are not, at any point on the structure, closer than five (5) feet to an adjacent property line.
- (f) All awnings, carports and patio covers must be designed to support a load of twenty (20) pounds per square foot in addition to the weight of the structure.
- (g) All bolts and screws used in the structure shall be cadmium-plated or equal.
- (h) Awnings, carports and patio covers which are attached to an existing structure shall be attached with one-quarter-inch or larger lag screws in a substantial manner and shall be anchored to each wall stud or to a masonry wall. One (1) side of attached awnings, carports or patio cover structures shall be supported by one-and-one-half-inch diameter by fourteen-gauge steel columns, or columns of equivalent strength, set in concrete footings not less than twelve (12) inches deep nor less than twelve (12) inches in diameter.
- (i) Freestanding carports or patio covers shall be supported by two-and-one-half-inch diameter by fourteen-gauge steel columns or columns of equivalent strength, set in concrete footings not less than twenty-four (24) inches deep nor less than twelve (12) inches in diameter.
- (j) All concrete in footings for awnings, carports and patio covers shall be two thousand (2,000) pounds per square inch quality.
- (k) The roof slope for awnings, carports and patio covers shall be at least three-sixteenths (3/16) inch per foot.
- (l) Carports and patio covers that are to be visible from the street are to be of traditional roof on fixed support construction or are to be designed in such a way to be complimentary to the architecture of the house. Such a design is subject to approval by the Building Official. No carport or patio cover that is visible from the street shall be of a type commonly understood to be portable, temporary or prefabricated in nature. No carport or patio cover that is visible from the street shall be of a type having features such as curved ribs, sheathing material that wraps from