Jermaine Hatton, Mayor
John Ness, Councilman
Joel Esler, Councilman
Lorraine Gorman, Councilwoman
Rudy Sutton, Councilman

Townsend
Delaware
A Municipal Corporation
April 3, 1885

Dawson Green, Town Manager
Azure DeShields, Finance Officer
Cathy Beaver, Town Clerk
Owen Hyne, Town Engineer
Fred Townsend, III, Town Attorney

Introduced by: Councilman Rudolph Sutton, Jr.
Introduced on: October 23, 2013

ORDINANCE NO. 13-04

AN ACT TO AMEND THE CODE OF ORDINANCES OF THE TOWN OF TOWNSEND CONCERNING THE INTERNATIONAL BUILDING CODE.

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF TOWNSEND (a majority of the members elected thereto concurring therein):

Section 1. Amend Section 14-75 of the Code of Ordinances, Town of Townsend, Delaware by striking it in its entirety, and by substituting in lieu thereof the following:

"14 – 75. International Building Code (IBC) and International Residential Code (IRC)

(a) International Building Code (IBC)

That certain document, a copy of which is on file in the office of the Town Clerk of the Town of Townsend, being marked and designated as the International Building Code, 2012 edition, including APPENDIX E, "Supplementary Accessibility Requirements", APPENDIX G, "Flood-Resistant Construction", APPENDIX I, "Patio Covers" and APPENDIX J, "Grading", as published by the International Code Council (ICC), be and is hereby adopted as the Building Code of the Town of Townsend, in the State of Delaware 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; and the condemnation of buildings and structures unfit for human occupancy and use the demolition of such structures as herein provided; providing for the issuance of permits and collections of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the Town of Townsend are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 14-76(a).

(b) International Residential Code (IRC)

That certain document, a copy of which is on file in the office of the Town Clerk of the Town of Townsend, being marked and designated as the International Residential Code, 2012 edition, including APPENDIX F, "Radon Control Methods" and APPENDIX G, "Swimming Pools, Spas and Hot Tubs", as published by the International Code Council (ICC), be and is hereby adopted as the Residential Code of the town for regulating and

governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of the Residential Code on file in the office of the Town of Townsend are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any prescribed in Section 14-76(b)."

Section 2. Amend Section 14-76 of the Code of Ordinances, Town of Townsend, Delaware by striking it in its entirety, and by substituting in lieu thereof the following:

"14-76. Revision of sections.

(a) International Building Code – the following sections are hereby revised:
  (1) Section 101.1. Insert: Town of Townsend
  (2) Section 1612.3. Insert: Town of Townsend
  (3) Section 1612.3. Insert: DNREC 03/17/05
  (4) Section 3412.2. Insert: March 22, 2006

(b) International Residential Code – the following sections are hereby revised:
  (1) Section 101.1. Insert: Town of Townsend
  (2) Table R301.2 (1) Insert:

GROUND SNOW LOAD	WIND DESIGN Speed (mph)	WIND DESIGN Topographic effects	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM Weathering	SUBJECT TO DAMAGE FROM Frost line depth	SUBJECT TO DAMAGE FROM Termite	WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP
25 lbs/sq. ft.	90 3-sec gusts 75 fastest mile	YES	B	Severe	32"	Yes	15 °F	No	3/17/2005	596	54 °F

  (3) Section P2603.5.1 Insert: 32 inches.
  (4) Section R309.5; Fire Sprinklers, removal in its entirety.
  (5) Section R311.7.5.1; Riser Height, is amended in the second line by deleting "7 ¾ inches (196 mm)" and substituting "8 inches".
  (6) Section R313; Automatic Fire Sprinkler Systems, removal in its entirety."

Section 3. Amend Section 14-80(2) of the Code of Ordinances, Town of Townsend, Delaware by striking "2003 edition, to allow grandfather clause on certain structures" as it appears therein and by substituting in lieu thereof the words "2012 edition".

Section 4. If any provision of this Act, or its application to any person or circumstance is held invalid, the remainder of this Act, or the application of the provision to other persons or circumstances shall remain unaffected.

Section 5. This Act shall become effective January 1, 2014.

SYNOPSIS

This Act adopts the 2012 International Building Code (IBC); inclusive of Appendices E, G, I, and J, the 2012 International Residential Code (IRC); inclusive of Appendices F and G, and the adoption of the 2012 International Property Maintenance Code (IPMC) as a stand alone ordinance.

Introduction:	October 23, 2013
Publication of Fair Summary:	October 31, 2013
Public Hearing:	November 6, 2013
Final Reading:	November 6, 2013
Adoption:	November 6, 2013

Jermaine Hatton
Mayor of Townsend
Town of Townsend, New Castle County, DE