

ORDINANCE ENACTING THE MUNICIPAL BUILDING CODE OF THE TOWN OF  
ANMOORE, AN ORDINANCE  
AMENDING PRIOR ORDINANCES OF THE TOWN OF ANMOORE  
BY PROVIDING FOR THE ADOPTION OF THE WEST VIRGINIA STATE BUILDING  
CODE SET FORTH AND DEFINED BY TITLE 87, SERIES 4 OF  
THE CODE OF STATE RULES, AS AMENDED

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WHEREAS, West Virginia Code §8-12-13 empowers municipalities to adopt building codes, but requires that any code adopted be the state building code as promulgated by the state fire commission; and,

WHEREAS, the Town of Anmoore has one year from the promulgation of said state building code in which to adopt the same; and,

WHEREAS, the Council of the Town of Anmoore passed and adopted an Ordinance ENACTING THE MUNICIPAL BUILDING CODE OF THE TOWN OF ANMOORE, effective on December 1, 2014; and,

WHEREAS, the said Ordinance PROVIDING FOR AND ESTABLISHING PERMIT FEES, PENALTIES, AND LOCAL CONSTRUCTION STANDARDS was amended in certain respects by the provisions of Ordinance ENACTING THE MUNICIPAL BUILDING CODE OF THE TOWN OF ANMOORE, including the imposition of a fee structure, effective August 4, 2003; and,

WHEREAS, the Ordinance ENACTING THE MUNICIPAL BUILDING CODE OF THE TOWN OF ANMOORE effective December 1, 2014 placed into effect the 2012 edition of the International Property Maintenance Code, making certain amendments thereto and establishing further fee structures; and

WHEREAS, the most recent state building code was adopted by the State Fire Commission, pursuant to Legislative Rules promulgated by the Fire Marshal under West Virginia Code §29-3-5b, effective August 1, 2016; and,

WHEREAS, the Council of the Town of Anmoore desires in all respects to comply with the statutes of the State of West Virginia insofar as matters concerning building codes.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE TOWN OF ANMOORE, AS FOLLOWS:

ARTICLE I - ADOPTION: The Council of the Town of Anmoore hereby amends the Ordinance ENACTING THE MUNICIPAL BUILDING CODE OF THE TOWN OF ANMOORE and the Ordinance PROVIDING FOR AND ESTABLISHING PERMIT FEES, PENALTIES, AND LOCAL CONSTRUCTION STANDARDS, or any other ordinances previously adopted concerning building codes, by adopting and incorporating by reference, as if set out at length herein, for the purposes of safeguarding life and property and to ensure the quality of construction of all structures erected, renovated, or removed throughout the Town, that certain code known as the State Building Code, set forth and defined by Legislative Rule Title 87, Series 4 of the West Virginia Code of State Rules, as amended, as promulgated by the West Virginia State Fire Marshal pursuant to authority granted in West Virginia Code § 29-3-5b.

The standards and requirements as set out and published by the International Code Council, and American National Standards Institute, and the National Fire Protection

Association, as listed below, and as adopted by the State Fire Commission with an effective date of August 1, 2016, shall have the same force and effect as if set out verbatim herein:

- (1) International Building Code 2015 (with amendments)
- (2) International Residential Code for One and Two Family Dwellings 2015 (with amendments)
- (3) International Existing Building Code 2015 (with amendments)
- (4) International Plumbing Code 2015
- (5) International Mechanical Code 2015
- (6) International Fuel Gas Code 2015 (with amendments)
- (7) International Property Maintenance Code 2015
- (8) NFPA 70 / National Electric Code 2014
- (9) ICC / ANSI A 117.1 Standards for Accessibility & Usable Buildings and Facilities - 2009
- (10) ANSI / ASHRAE / IESNA Standard 90.1 2007 (for commercial buildings)
- (11) International Energy Conservation Code 2009 (for residential buildings)
- (12) International Swimming Pool and Spa Code 2015

ARTICLE II – SEVERABILITY: In the event that any provision of this Ordinance is determined to be unconstitutional or otherwise invalid by a court exercising competent jurisdiction, such determination shall not affect the validity of this Ordinance as a whole or the provisions thereof which are not specifically determined to be unconstitutional or invalid.

ARTICLE III – EFFECT UPON TOWN ORDINANCE ENACTING THE MUNICIPAL BUILDING CODE OF THE TOWN OF ANMOORE and ORDINANCE PROVIDING FOR AND ESTABLISHING PERMIT FEES, PENALTIES, AND LOCAL CONSTRUCTION STANDARDS AND ANY AND ALL OTHER ORDINANCES OF THE TOWN OF ANMOORE PREVIOUSLY ENACTED RESPECTING INSPECTIONS, PERMITS OR FEES:

The provisions of Ordinance ENACTING THE MUNICIPAL BUILDING CODE OF THE TOWN OF ANMOORE and Ordinance PROVIDING FOR AND ESTABLISHING PERMIT FEES, PENALTIES, AND LOCAL CONSTRUCTION STANDARDS and any and all other Ordinances of the Town of Anmoore previously adopted are hereby amended only to the extent of the provisions of this Ordinance; however, all provisions of previously adopted Town ordinances, particularly Ordinance ENACTING THE MUNICIPAL BUILDING CODE OF THE TOWN OF ANMOORE and Ordinance PROVIDING FOR AND ESTABLISHING PERMIT FEES, PENALTIES, AND LOCAL CONSTRUCTION STANDARDS of the Town of Anmoore, that are not expressly amended by this Ordinance, including their imposition of requirements for inspections, permits, and fees payable to the Town, shall remain in full force and legal effect.

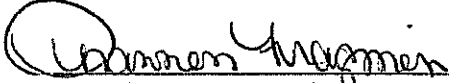
ARTICLE IV - EFFECTIVE DATE: This amendatory provisions of this Ordinance shall be deemed effective thirty (30) days following the second (2nd) reading, passage and adoption by the Council of the Town of Anmoore, i.e., June 2, 2017.

FIRST READING:

May 1, 2017


SECOND READING, PASSAGE AND ADOPTION:

May 15, 2017

  
Shannon Fragmin, Mayor

CERTIFICATE OF ENACTMENT

I, Anna Harvey, acting Recorder, do hereby certify that the foregoing ORDINANCE ENACTING THE MUNICIPAL BUILDING CODE OF THE TOWN OF ANMOORE, AN ORDINANCE AMENDING PRIOR ORDINANCES OF THE TOWN OF ANMOORE BY PROVIDING FOR THE ADOPTION OF THE WEST VIRGINIA STATE BUILDING CODE SET FORTH AND DEFINED BY TITLE 87, SERIES 4 OF THE CODE OF STATE RULES, AS AMENDED was lawfully ordained and enacted by the Council of the Town of Anmoore at a regular session of the said Council assembled on May 15, 2017.

  
Anna Harvey, City Recorder