CHAPTER 152

RESIDENTIAL CODE

152.01 Adoption of Residential Code
152.02 Sections Revised
152.03 Conflicts
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152.01 ADOPTION OF RESIDENTIAL CODE. That certain document, one copy of which is on file in the office of the Clerk, being marked and designated as the *International Residential Code*, 2006 edition, as published by the International Code Council, is hereby adopted as the residential code of the City, 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; and for providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code on file in the office of the City are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions, and changes, if any, prescribed in Section 152.02.

152.02 SECTIONS REVISED. The following sections are hereby revised:

1. Section R101.1. Insert: "the City of Kelley."

2. Section R103.1. Replace the section as it appears in the Residential Code with the following:

> **R103.1 Enforcement.** All references to the "building official" in this code shall mean either the Clerk of the City of Kelley or the building inspector(s) appointed by the Kelley City Council, as appropriate.

3. Section R103.2. Replace the section as it appears in the Residential Code with the following:

> **R103.2 Appointment.** The building official or building officials shall be appointed as provided by the Code of Ordinances of the City of Kelley.

4. Section R103.3. Delete this entire section as it appears in the Residential Code.

5. Section R104.2. Replace the section as it appears in the Residential Code with the following:

> After receiving approval from the building inspectors and payment, the Clerk of the City of Kelley shall issue permits for the erection and alteration of buildings and structures. The building inspectors shall inspect the premises for which such permits have been issued and shall enforce compliance with the provisions of this code.

6. Section R105.1. Replace the section as it appears in the Residential Code with the following:

> Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is

regulated by this code, or to cause any such work to be done, shall first make application to the Clerk of the City of Kelley, receive approval from the building inspectors, make payment to the Clerk of the City of Kelley, and obtain the required permit.

7. Section R105.2. Strike Subparagraph 2. Permits are required for all fences.

8. Section R105.3. Replace the first sentence of this section as it appears in the Residential Code with the following:

To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the Clerk of the City of Kelley for that purpose.

9. Table R301.2 (1). Insert:

Ground Snow Load: 30

Wind Speed (mph): 90

Seismic Design Category: A

Subject to Damage From:
Weathering: Severe
Frost line depth: 42 inches
Termite: Moderately heavy

Winter Design Temp: -10 degrees Fahrenheit

Ice Barrier Underlayment: yes/required.

Flood Hazards: no

Air Freezing Index: 2000

Mean Annual Temp: 48 degrees Fahrenheit

10. Section R404.1.2. This section is specifically not adopted; Section R403.1.6 of the *International Residential Code*, 2003 edition, as published by the International Code Council, is hereby adopted.

11. Section P2603.6.1. Insert "60 inches" in two locations.

152.03 CONFLICTS. All other current and future City ordinances or parts of ordinances in conflict herewith are hereby specifically retained and declared to be controlling in case of conflict with the Code adopted under this chapter.

152.04 PRESERVATION OF RIGHTS. Nothing in this chapter or in the Residential Code hereby adopted 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 under Section 152.03; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this chapter.

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