

VOTERS' GUIDE FOR PUBLIC HEARING

2024 Warrant Articles Building Regulations Amendments

QUESTION: Are you in favor of amending Article 2 of the Ashland Building Regulations, “Duties of the Building Inspector” to include the addition duties of issuing certificates of occupancy and retaining and making available to the public all documents as required by state law?

QUESTION: Are you in favor of amending Article 3.1 of the Ashland Building Regulations to require a building permit for any new or structural alteration to buildings over 200 square feet, instead of requiring them for projects over \$800.

QUESTION: Are you in favor of amending Article 3.5 of the Ashland Building Regulations to require permits for all mechanical work, as required by the current State Building Code.

QUESTION: Are you in favor of amending Article 3 of the Ashland Building Regulations to specifically provide that contractors are responsible for ensuring that the state building and fire codes are met.

QUESTION: Are you in favor of amending Article 7.4 of the Ashland Building Regulations to add provide that all demolition done pursuant to a demolition permit must be completed within 6 months?

QUESTION: Are you in favor of amending Article 7.5 of the Ashland Building Regulations to require that all chimneys be constructed, altered, or repaired in accordance with the current State adopted building codes.

QUESTION: Are you in favor of deleting Article 7.6 of the Ashland Building Regulations which provides that no wallpaper or other combustible material shall be laid over any thimble or any thimble hole in the chimney? This provision is unnecessary as it is already contained in the State Building Codes.

QUESTION: Are you in favor of deleting Article 7.7 of the Ashland Building Regulations regarding the location of smoke pipes? This provision is unnecessary as it is already contained in the State Building Codes.

QUESTION: Are you in favor of amending Article 8 of the Ashland Building Regulations to exempt from the Ordinance the construction of accessory buildings of less than 200 square feet, rather than exempting non-residential necessary buildings costing less than \$800.

QUESTION: Are you in favor of amending Article 9 of the Ashland Building Regulations to clarify that all appeals must be based on a claim that the true intent of the code or the rules adopted thereunder have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed?

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QUESTION: Are you in favor of amending Article 2 of the Ashland Building Regulations, "Duties of the Building Inspector" to include the addition duties of issuing certificates of occupancy and retaining and making available to the public all documents as required by state law?

ARTICLE 2: DUTIES OF THE BUILDING INSPECTOR

2.1 The Building Inspector shall be the Administrative Officer of this Ordinance. He shall:

- Receive applications and fees for the erection and/or alteration of buildings
- Make available applications in duplicate
- Keep complete records of his action on all applications, along with the duplicates of said applications
- Issue or deny permits, based on the compliance of the proposed project with this Ordinance, the Zoning Ordinance of the Town of Ashland, and all other town and State Ordinances and regulations
- Regularly inspect buildings during the process of erection or alteration
- **Issue Certificates of Occupancy upon completion of building projects**
- **Retain all records related to his position in accordance with RSA §33-A and make those documents available upon public request in accordance with RSA §91-A**
- Bring to the attention of the Board of Selectmen any violations of this Ordinance and take such action in the enforcement of this Ordinance as maybe directed by the Selectmen
- Accept and deposit with the Town all fees collected by him under this Ordinance
- Act in cooperation with the fire authorities in any matter in which their duties as prescribed by law may coincide or conflict
- Examine and, if necessary, order the repair, vacancy, or demolition of unsafe buildings and structures.

QUESTION: Are you in favor of amending Article 3.1 of the Ashland Building Regulations to require a building permit for any new or structural alteration to buildings over 200 square feet, instead of requiring them for projects over \$800.

ARTICLE 3: DUTIES OF APPLICANT

3.1 Any person, persons, partnership, trust, or corporation intending to construct or erect a new building **over 200 square feet**, or to make structural alterations **of such buildings** ~~of an estimated material cost or market value, if new [amended March 13, 2018] of more than \$800~~ shall first make application for a permit on forms obtained from the Building Inspector.

QUESTION: Are you in favor of amending Article 3.5 of the Ashland Building Regulations to require permits for all mechanical work, as required by the current State Building Code.

3.5 Permits shall also be obtained from the Building Inspector for all electrical, **mechanical**, and plumbing work **as required by the current State adopted Building Codes**, and for the installation of mobile home, wood burning heating systems, and oil burners prior to the commencement of the work or installation. Inspection of all heating units (wood, oil, kerosene, and propane) must be completed by the fire chief or his representative after installation. (Amended March 10, 2020)

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QUESTION: Are you in favor of amending Article 3 of the Ashland Building Regulations to specifically provide that contractors are responsible for ensuring that the state building and fire codes are met.

3.6 The contractor of a building, building component, or structure shall be responsible for meeting the minimum requirements of the state building code and state fire code.

Proposed language of 3.6 is lifted directly from RSA §155-A:2 VII. The contractor of a building, building component, or structure shall be responsible for meeting the minimum requirements of the state building code and state fire code. No municipality shall be held liable for any failure on the part of a contractor to comply with the provisions of the state building code.

QUESTION: Are you in favor of amending Article 7.4 of the Ashland Building Regulations to add provide that all demolition done pursuant to a demolition permit must be completed within 6 months?

7.4 Completion of Buildings: All buildings, new or additions shall be completed as to outside appearance within eighteen months from the date of issuance of permit. In case of hardship, as determined by the Board of Selectmen, a six-month extension may be granted for completion of the building.

7.4.1 Permits for the demolition of a structure must be completed within 6 months from the date of issuance of permit, to include the removal of all debris and building materials associated with the demolition. In case of hardship or of larger structures, as determined by the Board of Selectmen, a six-month extension may be granted for completion of the project.

QUESTION: Are you in favor of amending Article 7.5 of the Ashland Building Regulations to require that all chimneys be constructed, altered, or repaired in accordance with the current State adopted building codes.

7.5 Chimneys shall be constructed, **altered, or repaired** of stone, brick, or concrete to the ground footing. ~~No chimney shall have its base resting upon any floor or beam of combustible material. No chimney shall be built, erected, or altered below the roof unless containing a tile, cinder block, or brick lining, equipped with an iron cleanout door at or near its base, and extending at least three feet above the roof. No chimney shall be built, erected, or altered below the roof having wood or other combustible materials within one inch of the chimney.~~ **in accordance with the current State adopted building codes.**

QUESTION: Are you in favor of deleting Article 7.6 of the Ashland Building Regulations which provides that no wallpaper or other combustible material shall be laid over any thimble or any thimble hole in the chimney? This provision is unnecessary as it is already contained in the State Building Codes.

7.6 ~~Thimbles: No wallpaper or other combustible material shall be laid over any thimble or any thimble hole in the chimney.~~

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QUESTION: Are you in favor of deleting Article 7.7 of the Ashland Building Regulations regarding the location of smoke pipes? This provision is unnecessary as it is already contained in the State Building Codes.

- 7.7 ~~No smoke pipe shall be installed or erected as to be within twelve inches of any combustible floor or ceiling unless amply protected with non-combustible materials. No smoke pipe shall be installed or erected which passes into or through partitions or walls of combustible material, except when guarded by a double collar of metal with air space of at least five inches of brick or other non-combustible material between the pipe and the combustible material.~~

QUESTION: Are you in favor of amending Article 8 of the Ashland Building Regulations to exempt from the Ordinance the construction of accessory buildings of less than 200 square feet, rather than exempting non-residential necessary buildings costing less than \$800.

ARTICLE 8: EXCEPTIONS

The construction of small necessary accessory buildings of an estimated material cost of not more than \$800 not used for living purposes **of less than 200 square feet**, together with minor alterations repairs, and general upkeep of existing buildings shall be exempt from the provisions of this Ordinance.

QUESTION: Are you in favor of amending Article 9 of the Ashland Building Regulations to clarify that all appeals must be based on a claim that the true intent of the code or the rules adopted thereunder have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed?

ARTICLE 9: APPEALS

Any person aggrieved by a decision of the Building Inspector, may appeal to the Zoning Board of Adjustment, which shall serve as the Building Code of Appeals. **An application for appeal shall be based on a claim that the true intent of the code or the rules adopted thereunder have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.** The Board of Appeals may vary the application of any provision of the Building Code in any case when the enforcement of the Building Code would do manifest injustice and would be contrary to the spirit and purpose of the Building Code and the public interest.