

**Amendment to Chapter 40 of the General Ordinances of the City of Rochester Regarding
Building, Plumbing, Electrical, and Life Safety Codes**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 210 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows (changes in red):

§ 40-1 Statutory authority.

The provisions of New Hampshire Revised Statutes Annotated Chapter 673, as amended, pertaining to an inspector of buildings, building plans, regulations, and appeal are hereby adopted.

§ 40-2 Building Code Board of Appeals.

The power of a Building Code Board of Appeals in Chapter 673 of the New Hampshire Revised Statutes Annotated shall be vested in the Rochester Zoning Board of Adjustment.

§ 40-3 Recognition and adoption of State Building Code and State Fire Code.

The City of Rochester hereby recognizes that the State Building Code under RSA 155-A and the State Fire Code under RSA 153 are applicable within the City of Rochester and for enforcement purposes adopts the provisions of the same.

§ 40-4 Department of Building, Zoning, and Licensing Services.

For enforcement purposes by the City of Rochester, all references in the State Building Code under RSA 155-A, or in any applicable successor code, to the "department of building safety" shall be deemed to refer to the Department of Building, Zoning, and Licensing Services for the City of Rochester, and all duties as defined therein, including those imposed upon the "Building Official," shall be assumed by said Director of the Building, Zoning, and Licensing Services Department, along with the right to enforce the same.

§ 40-5 Adoption of other codes.

A. Pursuant to the provisions of RSA 47:22, 674:51 and 674:51-a, there are hereby adopted by the City of Rochester for the purpose of establishing rules and regulations, including the issuance of permits for the construction, alteration, removal, demolition, equipment, location, maintenance, use and occupancy of buildings and structures, installation of plumbing, use of concrete, masonry, metal, iron and wood, and other building material, the installation of electric wiring, and fire protection incident thereto and for the prevention of fires, the following codes:

(1) International Property Maintenance Code (2006 edition), published by the International Code Council, Inc., Copyright 2006.

(2) International Existing Building Code ~~(2009 edition), published by the International Code Council, Inc., Copyright 2009,~~ as codified at RSA 153.

B. Three copies of each of the aforesaid codes have been and are now on file in the office of the City Clerk of the City of Rochester and three copies of such codes are filed with the Department of Building, Zoning, and Licensing Services for the City of Rochester. Such codes are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this section shall take effect, the provisions thereof shall be controlling on the construction of all buildings and other structures within the corporate limits of the City of Rochester. There are annexed to such of the aforesaid codes, as filed in the office of the City Clerk and the Department of Building, Zoning, and Licensing Services, as set forth below, the following exhibits setting forth the insertions in, deletions from, exceptions to and/or changes in such codes, which insertions, deletions, exceptions and/or changes are adopted as part of the aforementioned codes:

- (1) Exhibit A, Statement dated September 4, 2007, of insertions in, deletions from, exceptions to and changes in the International Property Maintenance Code (2006 edition) by the City of Rochester, New Hampshire.
- (2) Exhibit A, Statement dated January 4, 2011, of insertions in, deletions from, exceptions to and changes in the International Existing Building Code (2009 edition) by the City of Rochester, New Hampshire.

§ 40-6 Life Safety Code.

The duties defined in and the enforcement of the Life Safety Code, ~~NFPA 101 (2003 edition)~~, as codified at RSA 153 or any applicable successor code, shall be assumed by the Fire Chief of the City of Rochester or his/her authorized representative.

§ 40-7 Electrical Code and Property Maintenance Code.

The duties defined in and the enforcement of the NEC 2005, National Electrical Code ~~(2005 edition)~~, as codified by RSA 155-A and the International Property Maintenance Code (2006 edition), or any applicable successor codes, shall be assumed by the Director of Building, Zoning, and Licensing Services or his/her authorized representative.

§ 40-8 Plumbing Code.

The duties defined in and the enforcement of the International Plumbing Code ~~(2006 edition)~~, as codified at RSA 155-A or any applicable successor code, shall be assumed by the Director of Building, Zoning, and Licensing Services, or his/her authorized representative, except as otherwise provided in Chapter 200, Sewers, of the Code of the City of Rochester where the same are defined as the duties of the Commissioner of Public Works, with inspections to be done by the Director of Building, Zoning, and Licensing Services or an authorized member of the Division of Water Supply Works or Division of Sewage and Waste Treatment Works.

The effective date of these amendments shall be upon passage.