

## **AN ORDINANCE FOR ADOPTION OF THE FAMILY OF INTERNATIONAL BUILDING CODES FOR PEARL RIVER COUNTY**

WHEREAS, the statutes of the State of Mississippi, Section 19-5-9 of the Mississippi Code of 1972, as amended, empowered the County to enact construction codes published by a nationally recognized code group which sets minimum standards and has the proper provisions to maintain up-to-date amendments with minimum standard guides for building, plumbing, electrical, gas, sanitary, and other related codes in Mississippi; and

WHEREAS, an ordinance of Pearl River County adopting The Family of International Building Codes, 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 and the demolition of such structures in Pearl River County; providing for the issuance of permits and collection of fees therefore; and repealing all other ordinances and parts of the ordinances in conflict therewith.

NOW THEREFORE BE IT ORDAINED by the Board of Supervisors of Pearl River County, Mississippi, that the following The Family of International Building Codes as herein below as follows:

**Section 1.** That The Family of International Building Codes, one (1) copy on file in the office of the Chancery Clerk of Pearl River County, one (1) copy in the office of Planning and Development, Poplarville office and one (1) copy in the Department of Planning and Development, Picayune office, being marked and designated as follows:

**International Building Code, 2003 edition**, including Appendix Chapters A, B, E, F, G, H, I and J (see International Building Code Section 101.2.1, 2003 edition), as published by the International Code Council;

**International Residential Code, 2003 edition**, including Appendix Chapters A, B, C, D, E, G, H, J, K and L (see International Residential Code Section R102.5, 2003 edition), as published by the International Code Council;

The International Residential Code is amended to:

- Replace outdated SSTD 10 Standard for Hurricane Resistant Construction with the 2005 Guidelines for Hurricane Resistant Construction by the Institute for Business & Home Safety
- Add Florida Concrete & Products Association Guide to concrete masonry residential construction in high wind areas
- Add the optional code-plus Fortified for Safer Living by Institute for Business & Home Safety
- Add the optional code-plus Blueprint for Safety by the Federal Alliance for Safe Homes

**International Mechanical Code, 2003 edition**, including Appendix Chapter A (see International Mechanical Code, Section 101.2.1, 2003 edition), as published by the International Code Council;

**International Plumbing Code, 2003 edition**, including Appendix Chapters E and F, as published by the International Code Council;

**International Fuel Gas Code, 2003 edition**, including Appendix Chapter A, (see International Gas Fuel Code Section 101.3, 2003 edition), as published by the International Code Council;

**NFPA 70 National Electric Code, 2005 edition**, as published by the National Fire Protection Association, Inc.;

**International Fire Code, 2003 edition**, including Appendix Chapters B, C and E, (see International Fire Code Section 101.2.1, 2003 edition), as published by the International Code Council;  
**International Property Maintenance Code, 2003 edition**, as published by the International Code Council;

be and is hereby adopted as the Building Codes of Pearl River County, in the State of Mississippi for regulating and governing the conditions and maintenance of all property, building, 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 and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Codes on file in the Office of the Chancery Clerk of Pearl River County are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance.

**Section 2.** The following code sections are hereby revised:

**International Building Code**

**101.1 Title.** Pearl River County

**108.2.1 Fee Schedule.** (Building code fee ordinance Appendix A.1 and Appendix A.2 Square Foot Construction Costs).

**108.6 Refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid under which was erroneously paid or collected.
2. Not more than seventy-five (75%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than fifty (50%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

**113.4 Violation penalties.** Persons who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter, or repair work in violation of the approved construction documents or directive of the code official. Or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand (\$1,000.00) dollars or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**114.3 Unlawful continuance.** Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than two hundred (\$200.00) dollars or more than two thousand (\$2,000.00) dollars. Each day that work continues after due notice has been served shall be deemed a separate offense.

**1612.3 Establishment of flood hazard areas.** To establish flood hazard areas, the governing body has adopted a flood hazard map and supporting data. The flood hazard map includes, at a minimum, areas of a special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "Pearl River County, Mississippi and Incorporated Areas," dated May 17, 1990, as amended or revised with the accompanying Flood Boundary and Floodway Map (FBFM) and related supporting data

along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be a part of this section.

**3410.2 Applicability.** Structures existing after sixty (60) days from the adoption of this ordinance, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or the provisions of Sections 3403 through 3407. The provisions in Sections 3410.2.1 through 3410.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.

### **International Residential Code**

**R101.1 Title.** Pearl River County

**R108.2 Schedule of permit fees.** (Building code fee ordinance Appendix A.1 and Appendix A.2 Square Foot Construction Costs).

**R108.5 Fee refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid under which was erroneously paid or collected.
2. Not more than seventy-five (75%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than fifty (50%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

**R113.4 Violation Penalties.** Persons who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter, or repair work in violation of the approved construction documents or directive of the code official. Or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one-thousand dollars (\$1,000.00) or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**R114.2 Unlawful continuance.** Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than two hundred (\$200.00) dollars or more than two thousand (\$2,000.00) dollars. Each day that work continues after due notice has been served shall be deemed a separate offense.

**TABLE R301.2(1)**  
**CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA (B115P11 9/5/06)**

GROUND SNOW LOAD	WIND SPEED <sup>e</sup> (mph)	SEISMIC DESIGN CATEGORY <sup>g</sup>	SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMP <sup>f</sup>	ICE SHIELD UNDER-LAYMENT REQUIRED <sup>i</sup>	FLOOD HAZARD <sup>h</sup>	AIR FREEZING INDEX <sup>j</sup>	MEAN ANNUAL TEMP <sup>k</sup>
			Weathering <sup>a</sup>	Frost line depth <sup>b</sup>	Termite <sup>c</sup>	Decay <sup>d</sup>					
5	120	D1	Negligible	8 inch	Very Heavy	Moderate to Severe	25° F	No	(a) County November 21, 1977, Picayune June 28, 1974; (b) FIRM effective May 17, 1990, revised March 3, 1992	30° F	67.3° F

**502.1 Identification.** Load-bearing dimension lumber for joists, beams and girders shall be identified by a grade mark of a lumber grading or inspection agency that has been approved by an accreditation body that complies with DOCPS 20. In lieu of a grade mark, a certificate of inspection issued by a lumber grading or inspection agency meeting the requirements of this section shall be accepted. *Rough cut ungraded lumber may be used for residential accessory structures such as storage sheds and barns.* (B116P\_\_12/\_\_/06)

**R602.1 Identification.** Load-bearing dimension lumber for studs, plates and headers shall be identified by a grade mark of a lumber grading or inspection agency that has been approved by an accreditation body that complies with DOCPS 20. In lieu of a grade mark, a certification of inspection issued by a lumber grading or inspection agency meeting the requirements of this section shall be accepted. *Rough cut ungraded lumber may be used for residential accessory structures such as storage sheds and barns.* (B116P\_\_12/\_\_/06)

**802.1 Identification.** Load-bearing dimension lumber for rafters, trusses and ceiling joists shall be identified by a grade mark of a lumber grading or inspection agency that has been approved by an accreditation body that complies with DOCPS 20. In lieu of a grade mark, a certificate of inspection issued by a lumber grading or inspection agency meeting the requirements of this section shall be accepted. *Rough cut ungraded lumber may be used for residential accessory structures such as storage sheds and barns.* (B116P\_\_12/\_\_/06)

**P2603.6.1 Sewer depth.** Building sewers that connect to private sewage disposal systems shall be a minimum of 8 inches (203 mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 8 inches (203 mm) below grade.

**P3103.1 Roof extension.** All open vent pipes which extend through a roof shall be terminated at least 6 inches (152 mm) above the roof except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

**International Mechanical Code**

**101.1 Title.** Pearl River County

**106.5.2 Fee Schedule.** (Building code fee ordinance Appendix B).

**106.5.3 Fee refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid under which was erroneously paid or collected.
2. Not more than seventy-five (75%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than fifty (50%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

**108.4 Violation Penalties.** Persons who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter, or repair work in violation of the approved construction documents or directive of the code official. Or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one-thousand dollars (\$1,000.00) or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**108.5 Stop Work Orders.** Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than two hundred (\$200.00) dollars or more than two thousand (\$2,000.00) dollars. Each day that work continues after due notice has been served shall be deemed a separate offense.

### **International Plumbing Code**

**101.1 Title.** Pearl River County

**106.6.2 Fee schedule.** (Building code fee ordinance Appendix C).

**106.6.3 Fee refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid under which was erroneously paid or collected.
2. Not more than seventy-five (75%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than fifty (50%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

**108.4 Violation Penalties.** Persons who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter, or repair work in violation of the approved construction documents or directive of the code official. Or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand (\$1,000.00) dollars or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**108.5 Stop Work Orders.** Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice

shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than two hundred (\$200.00) dollars or more than two thousand (\$2,000.00) dollars. Each day that work continues after due notice has been served shall be deemed a separate offense.

**305.6.1 Sewer depth.** Building sewers that connect to private sewage disposal systems shall be a minimum of 8 inches (203 mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 8 inches (203 mm) below grade.

**904.1 Roof extension.** All open vent pipes which extend through a roof shall be terminated at least 6 inches (152 mm) above the roof except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

### **International Fuel Gas Code**

**101.1 Title.** Pearl River County

**106.5.2 Fee schedule.** (Building code fee ordinance Appendix D).

**106.5.3 Fee refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid under which was erroneously paid or collected.
2. Not more than 75 (75%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 50 (50%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

**108.4 Violation Penalties.** Persons who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter, or repair work in violation if the approved construction documents or directive of the code official. Or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand (\$1,000.00) dollars or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**108.5 Stop Work Orders.** Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than two hundred (\$200.00) dollars or more than two thousand (\$2,000.00) dollars. Each day that work continues after due notice has been served shall be deemed a separate offense.

### **NFPA 70 National Electric Code**

**90.10 Fee schedule.** (Building code fee ordinance Appendix E).

## **International Fire Code**

### **101.1 Title.** Pearl River County

**109.3 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand (\$1,000.00) dollars or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**111.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition shall be liable to a fine of not less than two hundred (\$200.00) dollars or more than two thousand (\$2,000.00) dollars.

## **International Property Maintenance Code**

### **101.1 Title.** Pearl River County

**103.5 Fees.** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the building code fee ordinance Appendix G.

**106.4 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand (\$1,000.00) dollars or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**304.14 Insect screens.** During the period from March 1 to September 30, every door, window, and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

**Exception:** Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

**602.3 Heat supply.** Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from September 1 to April 30 to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms, and toilet rooms.

**602.4 Occupiable work spaces.** Indoor occupiable work spaces shall be supplied with heat during the period from September 1 to April 30 to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

**Section 3.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this ordinance. The Pearl

River County Board of Supervisors hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 4.** That nothing in this ordinance or in these Building Codes hereby adopted shall be construed to affect any suit or proceeding impending 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 as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 5.** That the Chancery Clerk of Pearl River County is hereby ordered and directed to cause the full text of this ordinance adopting and approving the codes to be published as per Mississippi Code of 1972, as amended, Section 19-5-9. The full text of this ordinance shall initially be published within five (5) days after passage in a legal newspaper published in Pearl River County, and the publication shall be inserted at least three (3) times, and shall be completed within thirty (30) days after the passage of this ordinance.

**Section 6.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect sixty (60) days from and after the date of its final passage and adoption.



NOW, THEREFORE, BE IT FURTHER ORDAINED by the Board of Supervisors of Pearl River County, Mississippi, that the Family of International Building Codes for Pearl River County, Mississippi, be and hereby adopted on this, the Third (3) day of April, 2006, filed and recorded on the Board of Supervisors' Minute Book Number 113, Pages 471 - 476, in the office of the Chancery Clerk, Poplarville, Mississippi.