

ORDINANCE NO. 2005-__
Town of Whitestown Ordinance
Building Code Establishment and Content Enhancement

Title:

This Ordinance shall be formally known as the "Building Code".

Foundation:

Whereas, it is the desire of the Town to formally establish a building code applicable to all new construction within its jurisdiction.

Whereas, it is the desire of the Council to adopt by reference the State of Indiana's acknowledged building codes; *Indiana Building Code*, 2003 Edition, 675 IAC 13-2.4 and *Indiana Residential Code*, 2001 Edition, 675 IAC 14-4.2.

Whereas, it is the desire of the Council to add regulations to the *Indiana Residential Code* to meet local needs and expectations, and to protect home buyers and property values in the community.

Therefore, be it ordained by the Town Council of the Town of Whitestown, State of Indiana that the following ordinance language be adopted.

Application:

This Ordinance shall apply to all construction within the corporate limits of Whitestown.

Conflicting Ordinances:

In the case of conflicting regulations, the most restrictive shall apply.

Severability:

If any section of the Building Code is adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Building Code as a whole or any section thereof not adjudged invalid or unconstitutional.

Transitional Rule:

Subdivisions: Any subdivision which has had 60% or more of the building permits issued for any given phase shall not have to comply with the additional standards listed below in Section 3, *Whitestown-Specific Residential Building Code Standards* for the applicable phase. All phases that have not had 60% or more of the building permits issued shall comply with Section 3, *Whitestown-Specific Residential Building Code Standards*

Section I - Definitions

For the purposes of this ordinance, the following words or terms shall be defined as follows:

1.1 Town: The Town of Whitestown and is inclusive of the town officials and offices.

Section II - Establishing Building Codes

2.1 Building Code: The Town of Whitestown adopts by reference the *Indiana Building Code*, 2003 Edition, 675 IAC 13-2.4, as amended.

2.2 Residential Code: The Town of Whitestown adopts by reference the *Indiana Residential Code*, 2001 Edition, 675 IAC 14-4.2 as amended.

Section III - Whitestown-Specific Residential Building Code Standards

Applicability: Section 3 applies to all detached one and two family dwellings and all townhouses not more than three stories high and their accessory structures.

3.1 Roof Pitch: All new construction shall have a minimum 6/12 roof pitch for all roofs on a primary structure.

3.2 Roof Eaves: A minimum of eighty-percent (80%) of all roofs on a primary structure shall have a minimum eight-inch (8") eave. The projection of guttering shall not constitute an eave. Additionally, any accessory structure over 400 square feet shall comply with this regulation.

3.3 Roof Shingles: All roofing shall be rated for a minimum of (30) year life-span.

3.4 Siding Materials: Brick, stone or fiber-cement siding shall be required to be used on all primary structure's exterior elevations (facades, if any applicable setback is six (6) feet or less. Applicable setbacks include setbacks established by zoning ordinance, variance, commitment, planned unit development, or related process or regulation.

3.5 Vinyl Siding: All vinyl siding shall be at least seventy-five percent (75%) virgin resin and a minimum 0.046-inch gauge. All vinyl siding shall be installed strictly as per the manufacturer's specification.

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Section IV – Adoption/Effective Date:

The Building Code Ordinance shall be in full force and effect from and after its passage by the Town Council. Adopted by the Town Council of the Town of Whitestown, Indiana on this ____ day of _____, 2005.

Signatures:

THE TOWN COUNCIL OF WHITESTOWN, BOONE COUNTY, INDIANA

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NAY

Sam M. Sorter, President

Carla A Jackson

Celia Follmar

Attest:

Date: _____

Deb Zachelmeyer, Clerk-Treasurer, Town of Whitestown, Indiana

Drafted by: Bradley Johnson, AICP, Ground Rules, Inc.

Reviewed and supported by Chris Atkinson, Town Attorney.