

**TOWN OF HOMER
BUILDING CODE ORDINANCE # 20-001**

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Sec. 1. DEFINITIONS.

TOWN OF HOMER Building Official shall mean that employee or individual appointed by the TOWN OF HOMER to serve as the building official for the TOWN OF HOMER, inside of any incorporated area of the City.

Sec. 2. CREATION OF ENFORCEMENT AGENCY.

The TOWN OF HOMER Building Department is hereby created and the official in charge thereof shall be known as the Building Official.

- (A) **Deputies.** In accordance with the prescribed procedures of the TOWN OF HOMER Building Department and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other City employees or contract agents. Such deputies shall have powers as delegated by the building official.
- (B) **Enforcement.** Enforcement procedures by the code enforcement officers such as the building official, deputies, or third-party providers acting in the capacity of a code enforcement officer shall include examination or review of plans, drawings, or specifications; the conducting of inspections; and the issuance, denial, or revocation of permits.

Sec. 3. ADOPTION OF STATE UNIFORM CONSTRUCTION CODES

Pursuant to La. R.S. 40:1730.21 et seq., the following construction codes (hereinafter sometimes referred to as "code") are hereby adopted as the regulations governing construction of buildings and other structures in the TOWN OF HOMER. Unless specified, all standards contained in a referenced code are adopted and included for purposes of this chapter. Unless referenced by name or letter designation, no appendix or appendices to the codes specified herein are adopted.

- (A) International Building Code, current edition as adopted by the State of Louisiana
- (B) International Existing Building Code, current edition as adopted by the State of Louisiana
- (C) International Residential Code (IRC), current edition as adopted by the State of Louisiana
- (D) The International Mechanical Code (IMC), current edition as adopted by the State of Louisiana
- (E) The Louisiana State Plumbing Code (LSPC) / The International Plumbing Code (IPC), current edition as adopted by the State of Louisiana
- (F) The International Fuel Gas Code (IFGC), current edition as adopted by the State of Louisiana
- (G) The National Electrical Code (NEC), current edition as adopted by the State of Louisiana

(H) Nothing in this Ordinance shall conflict with the Federal Department of Housing and Urban Development's regulations regarding manufactured housing construction or the provisions of R.S. 51:912.21 et seq., as it relates to manufactured housing installation. Further, it is the intent of the City that any service, renovation, repair, or warranty work performed on a manufactured home shall be handled under the appropriate federal standards governing manufactured housing construction or state standards governing installation and all such work shall be under the jurisdiction of the Louisiana Manufactured Housing Commission. Additionally, the exemption for manufactured housing provided for in this Ordinance shall extend to and include driveways, steps, decks, or other similar accessory structures or work, but shall not include any additional living area or other type of heated and cooled space outside of the original footprint of the manufactured home.

Sec. 4. DUTIES AND POWERS OF THE BUILDING OFFICIAL

The building official is hereby authorized and directed to enforce the provisions of the code. The building official shall have the authority to render interpretations of the code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in conformance with the intent and purpose of the code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in the code.

Applications and permits. The building official shall receive applications, review construction documents and issue permits for the erection and alteration of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of the code.

Inspections. The building official shall make all of the required inspections, or the building official shall have the authority to accept reports of inspection by a contracted agent (with sufficient certifications) or by certified third-party providers. Reports of such inspections shall be in writing and be completed by an individual listed on the State's list of certified third party providers. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

Right of entry. Where it is necessary to make an inspection to enforce the provisions of the code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of the code which makes the structure or premises unsafe, dangerous or hazardous, the building official or designee is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by the code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

Department records. The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for the retention of public records.

Liability. The building official, member of the board of appeals or employee charged with the enforcement of the code, while acting for the TOWN OF HOMER Building Department in good faith and without malice in the discharge of the duties required by the code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of the code shall be defended by legal representative of the TOWN OF HOMER Building Department until the final termination of the proceedings. The building

official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of the code.

Approved materials and equipment. Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

Used materials and equipment. Used materials, equipment and devices shall not be reused unless approved by the building official.

Modifications. Wherever there are practical difficulties involved in carrying out the provisions of the code, the building official shall have the authority to grant modifications for individual cases, provided the building official shall first find that special individual reason makes the strict letter of the code impractical and the modification is in compliance with the intent and purpose of the code and that such modification does not lessen health, life and fire safety requirements or structural soundness. The details of action granting modifications shall be recorded and entered in the files of the TOWN OF HOMER Building Department.

Alternative materials, design and methods of construction and equipment. The provisions of the code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by the code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of the code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in the code. Compliance with the specific performance-based provisions of the Codes in lieu of specific requirements of the code shall also be permitted as an alternate.

Tests. Whenever there is insufficient evidence of compliance with the provisions of the code, or evidence that a material or method does not conform to the requirements of the code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the TOWN OF HOMER Building Department. Test methods shall be as specified in the code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

Cooperation of Other Officials and Officers. The Building official may request and shall receive the assistance and cooperation of other Cities and Parish officials so far as is required in the discharge of the duties required by the code or other pertinent law or ordinance.

Sec. 5. PERMITS

Required. It shall be unlawful to construct, enlarge, alter, extensively alter, repair, move, demolish, or change the occupancy of any building or structure, or to erect, install, enlarge, alter, extensively alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the technical codes adopted in section 3, or to cause any such work to be done, without obtaining a properly issued permit from the TOWN OF HOMER Building Official for that work

Work exempt from permit. Permits shall not be required for the following. Exemption from permit requirements of the code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of the code or any other laws or ordinances of the TOWN OF HOMER.

Building:

1. One-story detached accessory structures without utilities used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 500 square feet (22.30 m²).
2. Fences not over 6 feet (1829 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
10. Recreational structures, as defined by the Louisiana State Uniform Construction Code Council, once the affidavit is completed and filed with clerk of court.
11. Farm structures, as defined by the Louisiana State Uniform Construction Code Council, once the affidavit is completed and filed with clerk of court.

Electrical:

Repairs and maintenance: A permit shall not be required for minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Gas:

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by the code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in the code. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.

Repairs. Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

Public Service Agencies. A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution, metering or other related equipment that is under the ownership and control of public service agencies by established right.

Application for permit. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the TOWN OF HOMER Building Department for that purpose.

Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required by the building official.
5. State the valuation of the proposed work.
6. Be signed by the applicant or the applicant's authorized agent.
7. Give such other data and information as required by the building official.

The specific information shall, at a minimum, include the following information:

- (a) Name, address, and daytime telephone number of owner;
- (b) Name, address, and daytime telephone number of any and all contractors;
- (c) Location of the construction;
- (d) Description of the construction, including but not limited to square footage, type of construction, intended occupancy, and whether any work will involve following types;
 - (1) Electrical;
 - (2) Concrete or masonry;
 - (3) Plumbing;
 - (4) Structural;
 - (5) Natural gas, liquefied gas, or other gas fuel;
- (e) Anticipated completion of construction;

Action on application. The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefore. If the building official is satisfied that the proposed work conforms to the requirements of the code and laws and ordinances applicable thereto, the building official shall issue a permit therefore as soon as practicable.

Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Validity of permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the code or of any other ordinance of the TOWN OF HOMER Building Department. Permits presuming to give authority to violate or cancel the provisions of the

code or other ordinances of the TOWN OF HOMER Building Department shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of the code or of any other ordinances of TOWN OF HOMER.

Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Suspension or revocation. The building official is authorized to suspend or revoke a permit issued under the provisions of the code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of the code.

Placement of permit. The building permit or copy thereof shall be kept on the site of the work, located or visible at the front exterior of the structure, until the completion of the project.

Responsibility. It shall be the duty of every person who performs work for the installation or repair of building, structure, electrical, gas, mechanical or plumbing systems, for which the code is applicable, to comply with the code.

Sec. 6. CONSTRUCTION DOCUMENTS

Submittal documents. Construction documents, special inspection and structural observation programs and other data shall be submitted in two or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional when the design can't be shown to meet the minimum prescriptive Uniform Construction Codes as adopted by the LSUCCC. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with the code.

Information on construction documents. Construction documents shall be drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of the code and relevant laws, ordinances, rules and regulations, as determined by the building official.

Manufacturer's installation instructions. Manufacturer's installation instructions, as required by this code, shall be available on the job site at the time of inspection.

Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing the size and location of new construction and existing structures on the site and distances from lot lines. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot.

Examination of documents. The building official shall examine or cause to be examined construction documents for code compliance.

Approval of construction documents. When the building official issues a permit, the construction documents shall be approved, in writing or by a stamp which states "APPROVED PLANS." One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or his or her authorized representative.

Previous approvals. The code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of the code and has not been abandoned.

Phased approval. The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of the code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

Amended construction documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

Retention of construction documents. One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

Sec. 7. TEMPORARY STRUCTURES AND USES

General. The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, light, ventilation and sanitary requirements of the code as necessary to ensure the public health, safety and general welfare.

Temporary power. The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the applicable electric code.

Termination of approval. The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

Sec. 8. FEES

Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

Building permit valuations. Generally, building permit fees shall be calculated based on the square footage under beam as prescribed in the agreements.

Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection with or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

Refunds. Before the start of construction and upon surrender of the permit, permit holders can receive a refund of 100% of original cost of inspections not completed. This refund does not apply to Permit or Plan review fees.

Sec. 9. INSPECTIONS.

A. RESIDENTIAL

General. Construction or work for which a permit is required and shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of the code or of other ordinances of the TOWN OF HOMER Building Department. Inspections presuming to give authority to violate or cancel the provisions of the code or of other ordinances of the TOWN OF HOMER Building Department shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the TOWN OF HOMER Building Department shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

Preliminary inspection. Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

Types of inspections. For onsite construction, from time to time the building official, upon notification from the permit holder or his agent, shall make or cause to be made any necessary inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his or her agent wherein the same fails to comply with the code.

(i) Foundation inspection. Inspection of the foundation shall be made after poles or piers are set or trenches or basement areas are excavated and any required forms erected and any required reinforcing steel is in place and supported prior to the placing of concrete. The foundation inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment and special requirements for wood foundations.

(ii) Plumbing, mechanical, gas and electrical systems inspection. Rough inspection of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed, and prior to framing inspection.

Exception: Back-filling of ground-source heat pump loop systems tested prior to inspection shall be permitted.

(iii) Frame and masonry inspection. Inspection of framing and masonry construction shall be made after the roof, masonry, all framing, firestopping, draftstopping and bracing are in place and after the plumbing, mechanical and electrical rough inspections are approved.

(iv) Other inspections. In addition to the called inspections above, the building official may make or require any other inspections to ascertain compliance with the code and other laws enforced by the building official.

(v) Fire-resistance-rated construction inspection. Where fire-resistance-rated construction is required between dwelling units or due to location on property, the building official shall require an inspection of such construction after all lathing and/or wallboard is in place, but before any plaster is applied, or before wallboard joints and fasteners are taped and finished.

(vi) Reinforced masonry, insulating concrete form (ICF) and conventionally formed concrete wall inspection. Reinforced masonry walls, insulating concrete form (ICF) walls and conventionally formed concrete walls located in Seismic Design Categories D0, D1, D2, and E shall be inspected after plumbing, mechanical, and electrical systems embedded within the walls, and reinforcing steel are in place and prior to placement of grout or concrete. Inspection shall verify the correct size, location, spacing, and lapping of reinforcing. For masonry walls, inspection shall also verify that the location of grout cleanouts and size of grout spaces comply with the requirements of the code.

(vii) Final inspection. Final inspection shall be made after the permitted work is complete and prior to occupancy.

Inspection requests. It shall be the duty of the permit holder or their agent to notify the building official that such work is ready for inspection. It shall be the duty of the person requesting any inspections required by the code to provide access to and means for inspection of such work.

Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with the code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

B. NON-RESIDENTIAL

General. Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of the code or of other ordinances of the TOWN OF HOMER Building Department. Inspections presuming to give authority to violate or cancel the provisions of the code or of other ordinances of the TOWN OF HOMER Building Department shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the TOWN OF HOMER Building Department shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

Preliminary inspection. Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

Types of inspections. For onsite construction, from time to time the building official, upon notification from the permit holder or his agent, shall make or cause to be made any necessary inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his or her agent wherein the same fails to comply with the code.

(i) Footing and foundation inspection. Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

(ii) Concrete slab and under-floor inspection. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and

other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

(iii) Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, fireblocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

(iv) Lath and gypsum board inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

Exception: Gypsum board that is not part of a fire-resistance- rated assembly or a shear assembly.

(v) Fire-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

(vi) Energy efficiency inspections. Inspections shall be made to determine compliance with Chapter 13 and shall include, but not be limited to, inspections for: envelope insulation R and U values, fenestration U value, duct system R value, and HVAC and water-heating equipment efficiency.

(vii) Other inspections. In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of the code and other laws that are enforced by the department of building safety.

(viii) Final inspection. The final inspection shall be made after all work required by the building permit is completed.

Inspection requests. It shall be the duty of the permit holder or their agent to notify the building official that such work is ready for inspection. It shall be the duty of the person requesting any inspections required by the code to provide access to and means for inspection of such work.

Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with the code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

Sec. 10. CERTIFICATE OF OCCUPANCY

Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of the code or of other ordinances of the TOWN OF HOMER Building Department.

Exceptions:

1. Certificates of occupancy are not required for work exempt from permits under Section 5.
2. Accessory buildings or structures.

Change in use. Changes in the character or use of an existing structure shall not be made except as specified in the *International Building Code*.

Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of the code or other laws that are enforced by the department of building safety, the building official shall issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name, phone number and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. The name of the building official.
6. The edition of the code under which the permit was issued.
7. The use and occupancy of the structure.
8. The type of construction.
9. The design occupant load.
10. If an automatic sprinkler system is provided, whether the sprinkler system is required.
11. Any special stipulations and conditions of the building permit.

Temporary occupancy. The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The temporary Certificate of Occupancy will be valid for 28 days.

Revocation. The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of the code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of the code.

Sec. 11. SERVICE UTILITIES

Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by the code for which a permit is required, until approved by the building official.

Temporary connection. The building official shall have the authority to authorize and approve the temporary connection of the building or system to the utility, source of energy, fuel or power.

Authority to disconnect service utilities. The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by the code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The building official shall notify the serving utility and whenever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action if not notified prior to disconnection. The owner or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

Sec. 12. VIOLATIONS

Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by the code, or cause same to be done, in conflict with or in violation of any of the provisions of the code.

Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of the code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions

of the code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

Prosecution of violation. If the notice of violation is not complied with in the time prescribed by such notice, The Building Official of the TOWN OF HOMER may, through the City attorney, seek to enjoin further construction or work which is required to be permitted under this chapter and which construction or work does not have a validly issued permit. Further, the building official may seek to enjoin the occupancy or use of any building or structure which has, without compliance with this chapter, been, in whole or in part, constructed, enlarged, altered, repaired, moved, demolished, or the occupancy changed or for which the electrical, gas, mechanical or plumbing system has been erected, installed, enlarged, altered, repaired, removed, converted or replaced in any fashion.

Violation penalties. Any person who violates a provision of the code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of the code, shall be subject to penalties.

Penalties. In addition to any legal costs incurred, violators will be required to pay any fees that would have been generated by legal permitting including plan review fees, permitting fees and inspection fees. Payment of these fees is required regardless of the stage of construction. In addition to the aforementioned fees, a 50% penalty will apply to each fee. Each day of violation continuance may be considered a separate offence.

Other Remedies. The imposition of penalties prescribed in this Section shall not preclude the City counselor from instituting appropriate action, including equitable and extraordinary remedies, to prevent any unlawful erection, construction, reconstruction, alteration, repair conversion, maintenance or use or to restrain, correct or abate a violation, or to prevent the occupancy of a building or structure or portion thereof, or of the premises, or to prevent an illegal act, conduct of business or use in or about the premises.

Sec. 13. STOP WORK ORDER

Notice to owner. Upon notice from the building official that work on any building or structure is being prosecuted contrary to the provisions of the code or in an unsafe and dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent or to the person doing the work and shall state the conditions under which work will be permitted to resume.

Unlawful continuance. Any person who shall continue any work in or about the structure 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 subject to penalties as prescribed by law.

Penalties. In addition to any legal costs incurred, any person, partnership, or corporation who violates any of the provisions of this chapter or aids or abets in the violation of any of the provisions of this chapter shall be guilty of a misdemeanor and shall be punishable by a fine of not exceeding \$500.00, nor less than \$100.00 for each offense. Each day of violation continuance may be considered a separate offence.