

TOWN *of* HANOVER
NEW HAMPSHIRE

Building Code Adopting Ordinance

2023

as adopted January 22, 1973
and subsequently amended
through June 5, 2023

TOWN of HANOVER NEW HAMPSHIRE

Building Code Adopting Ordinance

Adopted by Selectboard: January 22, 1973

Amended: April 25, 1977

January 21, 1980

June 2, 1986

May 8, 1989

February 26, 1990

June 17, 1991

June 7, 1994

May 8, 2001

Town Meeting delegates to Selectboard ability to enact & amend: May 8, 2001

September 1, 2001

August 6, 2001

October 17, 2005

September 18, 2006

December 15, 2008

June 5, 2023

ORDINANCE #15

TOWN OF HANOVER

ORDINANCE OF THE SELECTBOARD

The Selectboard of Hanover, New Hampshire ordain as follows:

BUILDING CODE ADOPTING ORDINANCE

Declaration of Purpose: The purpose of this ordinance is to establish uniform rules and regulations for the construction of buildings within the corporate limits of the Town of Hanover. This ordinance is not intended, nor shall it be construed, to create a duty on the part of the Town of Hanover or its officials, employees, or agents to protect the health, safety or economic interests of any person or entity; and no person or entity shall have the right to rely on this ordinance, or any action taken or not taken hereunder, as a basis to assert any claim for any loss, damage, or expense against the Town, its officials, employees or agents.

Section 1. Adoption of Codes by Reference: Pursuant to RSA 674:51 the Selectboard of the Town of Hanover hereby references the following building codes and amendments thereto. These codes shall be known as the Hanover Building Code (or Building Code) and establish rules and regulations for the construction of buildings within the corporate limits of the Town of Hanover. Where any provision of this Building Code Adopting Ordinance conflicts with State law, State law will supersede unless provided for within this ordinance or the provisions of the adopted codes.

- a. NFPA 101 - Life Safety Code (as applicable to new construction, renovations and alterations)
- b. NFPA 70 - National Electric Code
- c. International Building Code (IBC)
- d. International Existing Building Code (IEBC)
- e. International Energy Conservation (IECC)
- f. International Mechanical Code (IMC)
- g. International Plumbing Code (IPC)
- h. International Residential Code for One- and Two-Family Dwellings (IRC)
- i. International Swimming Pool & Spa Code (ISPSC)

See Section 15 for the Town of Hanover's amendments to these codes. A copy of each of the codes, with the amendments, is on file in the Planning, Zoning & Codes Department.

06/05/2023

The NH State Building Code (including edition dates)
nh.gov/safety/boardsandcommissions/bldgcode/nhstatebldgcode.html

The NH State Building Code Amendments:
nh.gov/safety/boardsandcommissions/bldgcode/bldgexhibits.html

Section 2. Applicability of Building Code: "Name of jurisdiction" shall mean "Town of Hanover". The Building Code shall apply in its entirety to all buildings.

Section 3. Legal Status: The adoption of this ordinance shall not affect any suit or proceeding now pending in any court, nor shall it affect any legal decision reached prior to its adoption.

Section 4. Inconsistent Ordinances Repealed: Any ordinance or code in force at the time that this ordinance shall take effect, and inconsistent herewith, is hereby repealed.

Section 5. Separability: If any portion of this ordinance is legally judged to be invalid or unconstitutional, it will have no effect on the remainder of the ordinance.

Section 6. Applicable Local Ordinance and State Laws Supersede Code Provisions: Matters included in the Code but regulated by other applicable local ordinances or State laws will not be enforced by the Planning, Zoning & Codes Department unless such ordinance or State law requires such enforcement.

Section 7. Building Permits:

- a. Before beginning any work, except as exempted elsewhere in this ordinance, the owner or their authorized agent shall secure a building permit from the Planning, Zoning & Codes Department in accordance with the applicable building code.

Applications: hanovernh.org/261/APPLICATIONS

- b. Upon approval by the Planning, Zoning & Codes Department a permit will be issued to the owner (or owner's authorized agent). This permit shall be posted in a conspicuous location, visible from the street, for the duration of construction.
- c. A building permit shall be valid for two (2) years. If the project is not completed within two (2) years, a written request for a 6-month extension of the time of completion shall be submitted to the Building Official for approval. If the project is not completed by the approved extension date, a new permit must be obtained for the outstanding work.

Section 8. Annual Permits: In accord with IBC Section 105.5, to expedite the processing of numerous small building permit projects, those who employ on a regular basis licensed architectural and/or engineering personnel, and maintenance staff responsible for the performance of work, may obtain a single blanket permit, filed monthly, for the following types of work:

- a. **Electrical**: Any work not involving more than ten (10) device or outlet changes in concealed wiring.
- b. **Plumbing**: Any work not involving more than six (6) new drainage fixture units, including the necessary concealed piping.
- c. **Mechanical**: Any work not involving more than the required equipment, duct work, piping, etc. for improving conditions in 300 square feet of gross floor area.
- d. **General Construction**: Any work up to 500 square feet of gross floor area, which does not include items involving structural work or life safety concerns.

Section 9. Amendments to Building Permits: An application for Amendment of Approved Permits (hanover.portal.iworq.net/HANOVER/new-permit/600/661) is required for any changes in building location, footprint, structure, exiting, exit ways, life safety provisions, or significant changes in plumbing, electrical, mechanical, etc. Approval shall be granted before work commences on the proposed changes. It shall be the determination of the Planning, Zoning & Codes staff whether the proposed changes merit an amendment to the existing approved permit or require a new application submission.

Section 10. Work That May be Done Without a Building Permit on Existing Buildings or Structures: Work consistent with Section 105.2 (work exempt from permit) of the International Building Code or Section R105.2 (work exempt from permit) of the International Residential Code for One- and Two-Family Dwellings. Replacement of roof covering with same materials only is exempt from a permit.

Section 11. Certificate of Occupancy/Completion: When a building permit is required on any building project under this ordinance, such building project shall not be used or occupied, in whole or in part, as provided for in Section 1, until the Certificate of Occupancy/Completion shall have been issued by the Planning, Zoning & Codes Department, unless approved in writing. No Certificate of Occupancy/Completion shall be issued by the Planning, Zoning & Codes Department unless approved in writing. No Certificate of Occupancy/Completion shall be issued unless there is compliance with the Building Code Ordinance, Zoning Ordinance, Subdivision Regulations, and Site Plan Regulations, as required by RSA 676:13, I. All provisions contained in any of the national codes adopted under Section 1 relating to Certificates of Occupancy/Completion shall be enforced by the Planning, Zoning & Codes Department. A Partial/Temporary Certificate of Occupancy/Completion, as provided for in the International Building Code, may be issued for a period not to exceed thirty (30) days which may be extended at the

discretion of the Planning, Zoning & Codes Department pursuant to RSA 676:12, III. The additional inspections required in order to issue a Temporary Certificate of Occupancy/Completion shall be paid for as established in the Rate & Fee Schedule adopted by the Selectboard.

Section 12. Enforcement and Penalties: This ordinance shall be enforced by the Planning, Zoning & Codes Department. In addition to any other remedies available to the Town, specifically including those under RSA 676:15, any person who violates this Ordinance:

- a. Shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person.
- b. Shall be subject to a civil penalty not to exceed \$275 (\$550 for subsequent violations) for each day that such violation is found to continue after the date on which the violator receives written notice from the municipality that he/she is in violation.
- c. No action may be brought under this provision unless the alleged offender has been served with written notice which clearly sets forth the nature of the violation with reference to specific provisions of the Building Code. (A posted Stop Work Order constitutes such notice.)

Section 13. Board of Appeals: The Board of Appeals shall be the Hanover Zoning Board of Adjustment (per RSA 673:1, 673:3). Any person aggrieved by a decision of the Planning, Zoning & Codes Department may appeal such decision to the Board of Appeals. The Board of Appeals shall have the power, upon an appeal filed with it by any person aggrieved by a decision of the Building Official dealing with the Building Code, to vary the application of any provision of the building code to any particular case when, in its opinion, 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 (RSA 674:34).

Any appeal to the Board of Appeals shall be taken within fifteen (15) days of the date of the decision, except for decisions that a violation exists. With regard to decisions by the Planning, Zoning & Codes Department that there has been a violation of the Building Code, the applicant and/or contractor shall have seven (7) days from the receipt of the Notice of Violation to appeal the decision. The time, notice and manner of the hearing before the Board of Appeals shall conform to the same requirements as a hearing before the Zoning Board of Adjustment. Any person aggrieved by a decision of the Board of Appeals may appeal such decision to the Superior Court for Grafton County.

Section 14. Appendices: The following appendices are attached hereto:

Appendix A. Application for Building Permit: Application for a permit shall be made to the Building Official and shall be accompanied by one complete set of plans

and specifications showing the work to be done. Additional sets of plans shall be provided by the applicant, if required by the Planning, Zoning & Codes Department. All plans shall bear the seal of an architect or engineer licensed by the State of New Hampshire, except for one- or two-family dwellings; or any structure which does not have as its principal structural members reinforced concrete or structural steel, is two and one-half stories or less, is 4,000 square feet or less in area, and is not a building of assembly, church, hospital, or school.

Appendix B. Schedule for Processing Permit Application: Upon submission of a complete application, the Building Official shall act to approve or deny a building permit within thirty (30) days, provided however, that non-residential applications encompassing more than two (2) dwelling units shall be approved or denied within sixty (60) days.

An application which is incomplete shall be deemed abandoned if no further action is taken by the applicant within 180 days after the original filing. If construction is not started within 180 days after the date of approval of the permit, the job will be considered abandoned and fifty (50%) percent of the building permit fee will be returned to the applicant upon written request. If an application is withdrawn after Code Review is conducted, but prior to permit issuance, fifty (50%) percent of the Code Review fee will be returned to the applicant upon written request.

Appendix C. Procedure for Handling Non-Compliance: The owner/owner's representative shall obtain an appointment for an inspection before any work is covered to determine Building Code compliance. If the Building Official finds work covered, the owner/owner's agent shall, upon request, uncover the work for inspection. If the owner/owner's agent is not available at a scheduled inspection, the owner/owner's agent may be charged a fee as established in the current Rate & Fee Schedule as adopted by the Selectboard to cover the Planning, Zoning & Codes Department costs and the required inspection will be required to be rescheduled immediately.

If the Building Official determines that work is proceeding without the required inspections, the building permit will be suspended, the Building Official shall remove the permit from the project, and no further work shall be done under the building permit until the suspension has been lifted. Reinstatement of the building permit will require the owner/owner's agent to pay to the Planning, Zoning & Codes Department the fees as established in the current Rate & Fee Schedule as adopted by the Selectboard.

The provision of this Appendix shall equally apply to the owner if the owner is performing the work on the building or structure.

Section 15. Amendments:

Amendment A. NFPA 70 – National Electric Code (NEC): Aluminum conductors are not permitted within buildings except as follows: Sub panel feeders, range or dryer circuits, or other single outlet circuits rated 50 amps or more.

Amendment B. International Building Code (IBC): The latest adopted Town of Hanover Zoning Ordinance will be used with the International Building Code. If conflicts occur, the Town of Hanover Zoning Ordinance will govern.

Section 113	Replace with Section 13 of this ordinance – <u>Board of Appeals</u>
Section 1809.5	For the purpose of this section, the frost line is five (5) feet below finished grade to the bottom of the footing or pier.
Section 2901.1	Replace the last sentence with: All private sewage disposal systems shall be approved by the State of New Hampshire Water Supply and Pollution Control Division.

Amendment C. The International Mechanical Code (IMC):

Section 106.5.2	Insert “Rate & Fee Schedule” as adopted by the Selectboard.
Section 106.5.3	Also see the “Rate & Fee Schedule” as adopted by the Selectboard.
Section 108.4	Replace with Section 12 of this ordinance - <u>Enforcement and Penalties</u> .
Section 108.5	Insert at end of paragraph "...shall be liable to penalties in accordance with Section 12 of the Hanover Building Code Adopting Ordinance - <u>Enforcement and Penalties</u> ."
Section 109	Replace with Section 13 of this ordinance - <u>Board of Appeals</u> .

Amendment D. The International Plumbing Code (IPC):

Section 106.6.2	Insert "Rate & Fee Schedule" as adopted by the Selectboard.
Section 106.6.3	Also see the “Rate & Fee Schedule” as adopted by the Selectboard.
Section 108.4	Replace with Section 12 of this ordinance - <u>Enforcement and Penalties</u> .
Section 108.5	Insert at end of paragraph "...shall be liable to penalties in accordance with Section 12 of this ordinance - <u>Enforcement and Penalties</u> ."
Section 109	Replace with Section 13 of this ordinance - <u>Board of Appeals</u> .
Section 305.4.1	Substitute the following: "Building sewers that connect to private sewage disposal systems shall conform to regulations adopted pursuant to RSA 485-A relative to minimum depth below finished grade. Building sewers that connect to public sewers shall be a minimum depth of 4 feet below grade or adequately insulated to afford the same protection whenever a condition arises that the 4 feet cannot be attained."
Section 603.2	Add the following: Water service pipes, connected to a public water supply, shall be a minimum of Type K copper. Sewer and water trenches shall have a minimum of 10' of undisturbed soil between them. If a building sewer or water service line must cross or pass closer than 10' to one another the sewer pipe shall be extra heavy cast iron pipe and the water service shall be Type K copper with no joints. (Reference Ordinance #14)
Section 802.1.4	Replace this paragraph with: Discharge of pool wastewater shall not be into the Town sewer, but shall be to an approved location (approved location shall be determined by the

Planning, Zoning & Codes or Public Works Departments.

Amendment E. International Residential Code (for One- and Two-Family Dwellings) (IRC):

1. In one- and two-family dwellings, the Town of Hanover also requires hard-wired heat detectors (spaced per manufacturer's instructions) interconnected to a smoke detector system for garages attached to or within five (5) feet of habitable space.
2. Aluminum conductors are not permitted within buildings except as follows: Sub-panel feeders, range or dryer circuits, or other single outlet circuits rated 50 amps or more.

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM		WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	Speed (mph)	Topographic Effects	Special wind region	Windborne debris zone		Weathering	Frost line depth					
a. 115	b. 115	No	YES. See note b.	No	B / C See note c.	Severe See note d.	4'. See note e.	None to slight	-3	YES	See note f.	1628 See note g.

MANUAL J DESIGN CRITERIA

Elevation	Latitude	Winter heating	Summer cooling	Altitude correction factor	Indoor design temperature	Design temperature cooling	Heating temperature difference
597	44	-3	86	1.0 Table 10A	70	75	73
Cooling temperature difference	Wind velocity heating	Wind velocity cooling	Coincident wet bulb	Daily range	Winter humidity	Summer humidity	
5	15	7.5	69	M	30%	50%	

- a. Ground snow load shall be as determined by the International Building Code (recommend use of ERDC/CRREL TR-02-06 Ground Snow Loads for New Hampshire)
- b. Number is the design wind speed from Figure R301.2(5)A of the International Residential Code. Special wind regions should be examined for unusual wind conditions.
- c. Determined from Section R301.2.2.1 of the International Residential Code. Seismic B applicable to one- and two-family projects only. Townhouses shall have soils evaluation.
- d. Determined from Weathering Probability Map For Concrete Figure R301.2(4) of the International Residential Code.
- e. Soils conditions vary, so site specific investigation may be required.
- f. The date of the jurisdiction's entry into the National Flood Insurance Program is 07/03/1978. The date of the FIRM and FBFM maps adopted by the jurisdiction is 02/20/2008.
- g. Data from the National Climatic Data Center www.ncdc.noaa.gov/fpsc.html.

Section 16. Effective Date: This Ordinance shall take effect as of June 5, 2023.

Additional resources

Appendix A

State of New Hampshire List of Adopted Building and Fire Codes with edition in effect:

- All Occupancies:
 - 2018 NFPA 1, Fire Code as amended by Saf-FMO 300
 - 2018 NFPA 101, Life Safety Code as amended by Saf-FMO 300
 - 2016 NFPA 13, Standard for the Installation of Sprinkler Systems
 - 2016 NFPA 13R, Standard for the Installation of Sprinkler Systems for Low-Rise Residential Occupancies
 - 2017 NFPA 25, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems
 - 2018 NFPA 30, Flammable and Combustible Liquids Code
 - 2018 NFPA 30A, Code for Motor Fuel Dispensing Facilities and Repair Garages as amended by Saf-FMO 300
 - 2016 NFPA 31, Standard for Installation of Oil-Burning Equipment as amended by Saf-FMO 300
 - 2018 NFPA 54, National Fuel Gas Code as amended by Saf-FMO 300
 - 2017 NFPA 58, Liquefied Petroleum Gas Code as amended by Saf-FMO 300
 - 2020 NFPA 70, National Electrical Code (NEC) with NH Amendments
 - 2016 NFPA 72, National Fire Alarm and Signaling Code
 - 2017 NFPA 96, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations
 - 2016 NFPA 211, Standard for Chimneys, Fireplaces, Vents, and Solid Fuel-Burning Appliances
 - 2015 NFPA 720, Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment
 - 2015 NFPA 914, Code for Fire Protection of Historic Structures
 - 2018 International Building Code (IBC) with NH Amendments
 - 2018 International Residential Building Code (IRC) with NH Amendments
 - 2018 International Energy Conservation Code (IEC) with NH Amendments
 - 2018 International Existing Building Codes (IEBC) with NH Amendments
 - 2018 International Mechanical Code (IMC) with NH Amendments
 - 2018 International Plumbing Code (IPC) with NH Amendments
 - 2018 International Swimming Pool & Spa Code (ISPSC) with NH Amendments
 - 2009 ICCA117.1 and FHA/UFAS as applicable

NOTE: This is a partial list of the adopted codes. The list is provided as a resource for some of the most frequently used codes. Refer to Chapter 2 of NFPA 1 for complete list.

Effective date: July 1, 2022

Additional resources

Appendix B: Links to Town website to other significant permits/forms that may be applicable to a one- or two-family dwelling building project

Town website hanovernh.org/

Hanover Town Hall
PO Box 483
Hanover, NH 03755
(603) 643-0742 info@hanovernh.org
Hours: Mon - Fri, 8:30AM - 4:30PM

Administrative Services-Finance

hanovernh.org/161/Finance-Department

- Current Rates and Fees Schedule

Building Code

hanovernh.org/260/Planning-Zoning-Codes

- Online permit database
- Applications
- Hanover Building Code Adopting Ordinance

Communications Division

hanovernh.org/268/Communications-Division

- Alarm Monitoring Permit Application
- Regulating Private Alarm Systems

Fire Department

hanovernh.org/192/Fire-Department

- Gas Permit Application
- Oil Permit Application
- Sprinkler Regulations

Noise Regulations:

- Zoning regulates certain noise generating activities. hanovernh.org/637/Zoning
- Hanover has an adopted Noise Ordinance that may impact activities/days/times hanovernh.org/DocumentCenter/View/479/Ordinance-Number-33---Noise-Ordinance-PDF?bidId=

Public Works

hanovernh.org/278/Public-Works

- Excavation Permit Guidelines
- Construction on Class VI Road Permit Application
- Trench Excavation Specifications
- Curb cut permit for driveway/access

Water Department

hanovernh.org/365/Water-Department

- Application for New or Modified Service
- Service Entrance Detail
- Meter Installation

Water Reclamation

hanovernh.org/376/Water-Reclamation

Sewer Use Ordinance (addresses ban on garbage disposals on Town wastewater and disposal of not treatable (condensate and similar) wastewater.

Zoning Board of Adjustment

hanovernh.org/444/Zoning-Board-of-Adjustment

- Zoning Ordinance
- APPLICATIONS
- Zoning Map – Town-Wide
- Zoning Map – Urban Area
- Downtown Area Setback Line Map

