SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN
(PUBLIC HEARING RE: FY22 BUDGET)

April 19, 2021 **6:00 p.m.**

Mayor Craig called the meeting to order.

Mayor Craig stated due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically.

The Clerk called the roll.

Present: Aldermen Cavanaugh, Stewart, Roy, Sapienza, Levasseur, Shaw, Barry, Gamache, Hirschmann

Absent: Aldermen Long, O'Neil and Terrio

Mayor Craig advised that the purpose of the special meeting is a public hearing to receive comments on the proposed Fiscal Year 2022 municipal budget and the proposed Community Improvement Program for the Fiscal Year 2022 period in accordance with the procedures established in RSA 44:10 and in satisfaction of any other local, state or federal law that may apply.

Mayor Craig noted that the Clerk shall present the resolutions, the subject of which contain all of the appropriations as proposed, after which a brief presentation may be made and public comments will be heard.

The Clerk presented the proposed resolutions:

"Appropriating to the Parking Fund the sum of $5,573,711 from parking revenues for the Fiscal Year 2022."

"Appropriating the sum of $14,646,150 from Sewer User Rental Charges to the Environmental Protection Division for the Fiscal Year 2022."

"Appropriating to the Manchester Airport Authority the sum of $35,403,184 from Special Airport Revenue Funds for the Fiscal Year 2022."

"Appropriating to the Manchester Transit Authority the sum of $1,373,420 for the Fiscal Year 2022."

"Appropriating to the Manchester School District the sum of $173,111,686 for the Fiscal Year 2022."

"Appropriating all Incremental Meals and Rooms Tax Revenue Received by the City in the Fiscal Year 2022 and held in the Civic Center Fund, for the payment of the City's Obligations in Said Fiscal Year under the Financing Agreement."

"Appropriating to the Manchester School Food and Nutrition Services Program the sum of $5,819,971 from School Food and Nutrition Services Revenues for the Fiscal Year 2022."

"Raising Monies and Making Appropriations of $161,873,287 for the Fiscal Year 2022."

"Appropriating to the Central Business Service District the sum of $258,000 from Central Business Service District Funds for the Fiscal Year 2022."

"Continuation of the Central Business Service District."

> "Resolution 'Approving the Community Improvement Program for Fiscal Year 2022, Raising and Appropriating Monies Therefore, and Authorizing Implementation of Said Program."
>
> "Authorizing the Finance Officer to Make Certain Budgetary Closings for the Fiscal Year 2021."

Mayor Craig advised that the meeting shall be open to public comments.

Matthew Normand, City Clerk, stated I don't see anyone on the call but I do have a comment to read into the record that we received today from Lisa Howe. It states:

> Dear Honorable Mayor and Aldermen:
>
> Good afternoon. I am a resident of Manchester in Ward 1 residing at 24 Greenfield Street. I also have two daughters that attend Webster School. I am writing to ask you to please support and fully fund the Board of School Committee's request for the FY22 funding for the Manchester public schools. We have been pleased with the education our children have received at Webster, including over the last year, but I am also very aware of the fact that the district and Manchester schools do their best to address all the needs and opportunities on a very lean budget. This has more true than ever during this past year when the demands on the schools and the need for supplies has been unprecedented and realistically that is likely to continue for the foreseeable future. The district and schools function incredibly efficiently. Their request represents the funding that is needed to provide an adequate education to the children of Manchester. I believe this is a priority. I hope you do as well. Investing in the schools is an investment not only in children and families but also in our city's economy. My husband and I both work and my husband manages a small business in Manchester. Your decision around the funding of schools directly impacts our decisions regarding keeping our family in Manchester.
>
> Thank you for all you do for the City of Manchester and for your consideration of my comments.
>
> Sincerely,
>
> Lisa Howe

City Clerk Normand stated that is all we have.

Mayor Craig stated all wishing to speak having been heard, the comments presented shall be taken under consideration with actions by the Board.

This being a special meeting of the Board, no further business can be presented and ***Alderman Hirschmann*** *moved to adjourn.* ***Alderman Cavanaugh*** *duly seconded the motion. Mayor Craig called for a vote. The motion carried on a unanimous roll call vote.*

A True Record. Attest.

Matthew Normand

City Clerk

CITY OF MANCHESTER
PLANNING AND COMMUNITY DEVELOPMENT

Planning and Land Use Management
Building Regulations
Community Improvement Program
Zoning Board of Adjustment

Leon L. LaFreniere, AICP
Director

Pamela H. Goucher, AICP
Deputy Director - Planning & Zoning

Michael J. Landry, PE, Esq.
Deputy Director - Building Regulations

Date: April 6, 2021

To: Honorable Board of Mayor and Alderman

From: Leon L. LaFreniere, AICP
Director of Planning and Community Development

Subject: Proposed Adoption of State Building Code with Local Amendments
Chapter 151: Building Regulations – Manchester Code of Ordinances
Addition of Section Regarding the NH Shoreland Water Quality Protection Act

The attached proposed ordinance adopting the State Building Code with Local Amendments, is the same submitted under the September 28, 2020 with the addition of Section 151.21.6 which addresses the requirements the New Hampshire Water Quality Protection Act.

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-Mail: pcd@manchesternh.gov
www.manchesternh.gov

CITY OF MANCHESTER
PLANNING AND COMMUNITY DEVELOPMENT

Planning and Land Use Management
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Leon L. LaFreniere, AICP
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Deputy Director - Planning & Zoning

Michael J. Landry, PE, Esq.
Deputy Director - Building Regulations

Date: September 28, 2020

To: Honorable Board of Mayor and Alderman

From: Leon L. LaFreniere, AICP
Director of Planning and Community Development

Subject: Proposed Adoption of State Building Code with Local Amendments
Chapter 151: Building Regulations – Manchester Code of Ordinances

Attached for your consideration is a proposed ordinance change that repeals the current Manchester Building Code as adopted in Section 151.01 of the City of Manchester Code of Ordinances in its entirety and replaces it with a new Manchester Building Code that recognizes the Building Code of the State of New Hampshire (the "State Building Code") as adopted in accordance with RSA 155-A. The proposed ordinance also includes local amendments to the State Building Code, many of which were previously adopted. Some of the local amendments include the following.

- The establishment of fees for the issuance of permits and certificates for the construction and occupancy of buildings and structures. Note that there were no changes to fees from the prior ordinance.
- The addition of provisions required by State law establishing the position of the building inspector and the Building Code Board of Appeals.
- The addition of new provisions to inform applicants of the need to coordinate with other City departments including Public Works, Health and Fire for certain projects.
- The addition of new provisions to inform applicants of the requirement to follow State and Federal regulations regarding lead paint, asbestos, septic systems, and storm water discharge.
- The addition of a new provision that allows for the deferral of building permit fees associated with development of new affordable housing as part of an initiative to provide incentive to build additional units of affordable housing.
- The addition of new provisions requiring that finish grading be performed in a way that it does not adversely impact abutting properties.

The State Building Code along with local amendments will become the Building Code of the City of Manchester. Adoption of this proposed ordinance change will allow the City to remain current with various State of New Hampshire code updates, and will provide uniformity and predictability for contractors working in multiple jurisdictions. On the whole this proposed ordinance contains less local amendments to the State Building Code as a result of code evolution that has eliminated the need for many prior local amendments.

We would request that the proposed ordinance change be referred to the appropriate committee. A public hearing for this proposed ordinance change will be required.

Thank you for your consideration of this request.

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City of Manchester
New Hampshire

In the year Two Thousand and Twenty

AN ORDINANCE

"An Ordinance repealing the Manchester Building Code as adopted in Section 151.01 of the City of Manchester Code of Ordinances, last amended on September 2, 2014, in its entirety and recognizing the Building Code of the State of New Hampshire (the "State Building Code") adopted under RSA 155-A and amended under New Hampshire Administrative Rules BCR-300, as updated and amended from time to time, with City amendments adopted in accordance with RSA 674:51."

BE IT ORDAINED By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amending the Manchester Building Code, Chapter 151 of the City of Manchester Code of Ordinances as follows:

Note: New text shown ***bold and italicized***. Text to be deleted is shown ~~struck through~~.

Delete existing §150.01 in its entirety.

~~§ 151.01 ADOPTION OF INTERNATIONAL BUILDING CODE.~~

~~Certain documents, three copies of each which are on file in the office of the City Clerk of the City of Manchester being marked and designated as the International Building Code, 2000 Edition, including Appendix Chapters B, G, H and J, as published by the International Code Council, Inc., be and is hereby adopted as the Building Code of the City of Manchester in the State of New Hampshire, for the control of buildings and structures as herein provided, and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes prescribed in § 2 of the ordinance adopted September 4, 2001.~~

Add new § 150.01 as follows.

§ 151.01 ADOPTION OF LOCAL AMENDMENTS TO STATE BUILDING CODE

It is the purpose of this chapter to recognize the authority of the Building Code of the State of New Hampshire ("State Building Code") as set forth by RSA 155-A and adopt local amendments thereto pursuant to RSA 674:51, which collectively shall be referred to as the "Building Code of the City of Manchester" or the "Building Code". Updates by the State of New Hampshire to the State Building Code shall automatically become effective for the Building Code of the City of Manchester. Amendments adopted by the City of Manchester are hereby referred to, adopted, and made part hereof, as if fully set out in this section, with the additions, insertions and deletions and changes set forth in Sections 150.10 through 150.39 of the ordinance adopted November XX, 2020. Local amendments to the State Building Code, now or in the future, shall survive all amendments and updates to State Building Code and will remain in full force and effect unless repealed or amended by the City of Manchester. All further references to the "Building Code" shall refer the Building Code of the City of Manchester.

II. Resolve this ordinance shall take effect upon passage.

ORDINANCE

"An Ordinance repealing the Manchester Building Code as adopted in Section 151.01 of the City of Manchester Code of Ordinances, last amended on September 2, 2014, in its entirety and recognizing the Building Code of the State of New Hampshire (the "State Building Code") adopted under RSA 155-A and amended under New Hampshire Administrative Rules BCR-300, as updated and amended from time to time, with City amendments adopted in accordance with RSA 674:51."

In Board of Mayor and Aldermen

Read a first time

_____

City Clerk

An Ordinance repealing the Manchester Building Code as adopted in Section 151.01 of the City of Manchester Code of Ordinances, last amended on September 2, 2014, in its entirety and recognizing the Building Code of the State of New Hampshire (the "State Building Code") adopted under RSA 155-A and amended under New Hampshire Administrative Rules BCR-300, as updated and amended from time to time, with City amendments.

§ 151.01 ADOPTION OF LOCAL AMENDMENTS TO THE STATE BUILDING CODE

It is the purpose of this chapter to recognize the authority of the Building Code of the State of New Hampshire ("State Building Code") as set forth by RSA 155-A and adopt local amendments thereto pursuant to RSA 674:51, which collectively shall be referred to as the "Building Code of the City of Manchester" or the "Building Code". Updates by the State of New Hampshire to the State Building Code shall automatically become effective for the Building Code of the City of Manchester. Amendments adopted by the City of Manchester are hereby referred to, adopted, and made part hereof, as if fully set out in this section, with the additions, insertions and deletions and changes set forth in Sections 150.10 through 150.39 of the ordinance adopted November XX, 2020. Local amendments to the State Building Code, now or in the future, shall survive all amendments and updates to State Building Code and will remain in full force and effect unless repealed or amended by the City of Manchester. All further references to the "Building Code" shall refer the Building Code of the City of Manchester.

§ 151.10 GENERAL PROVISIONS. The following General Provisions are applicable to all permits issued under the Building Code of the City of Manchester, hereinafter the "Building Code".

§ 151.10.1 CODES ADOPTED BY STATE OF NEW HAMPSHIRE. The State Building Code includes the following individual codes identified in RSA 155-A:1, IV, as amended by New Hampshire Administrative Rules BCR-300.

1. International Building Code
2. International Plumbing Code
3. International Mechanical Code (Note: Gas piping to conform to NFPA 54.)
4. International Energy Conservation Code
5. National Electric Code
6. International Residential Code
7. International Existing Building Code
8. International Swimming Pool and Spa Code

References to any of these individual codes shall refer to the latest version of that code adopted by the State of New Hampshire including any and all City amendments contained herein. All code references to the *"name of jurisdiction"* shall refer to the City of Manchester, New Hampshire, whether or not specifically amended by this Chapter.

§ 151.10.2 ESTABLISHMENT BUILDING OF POSITION OF BUILDING INSPECTOR. In accordance with RSA 673:1,V, the City vests the authority to enforce and administer the Building Code with the Director of Planning and Community Development Department, who will act as the Building Official and shall employ and supervise building inspectors to faithfully execute their duties to inspect work performed to ensure compliance with the Building Code. All code references to the *"Department of Building Safety,"* shall be understood to refer to the Planning and Community Development Department.

§151.10.3 ACTION ON APPLICATION. When an application is submitted for a property where there are outstanding, non-inspected and/or expired permit(s) already issued against the property, any new permit shall include the outstanding scope of work of prior permits and a certificate of occupancy or occupancy letter shall not be issued until all of the permitted work is satisfactorily inspected. When an application is submitted for a property with known zoning non-conformities, a permit may be issued for new work if the new work does not increase the non-conformity. The applicant will be informed that the non-conformity and informed that further permits may not be issued until the non-conformity is resolved.

§151.10.4 FEES. Fees for any and all permits issued under the Building Code are defined in the Fee Table inserted as an amendment to the International Building Code at Section 109.8.

§151.10.5 REINSPECTIONS. The Building Official may charge a re-inspection fee when, in his/her opinion, more inspections than normal were required due to a clear lack of diligence. The fee shall be a minimum of $30.00.

§151.10.6 VIOLATION PENALTIES. Any person who violates a provision of the Building 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 this code shall be guilty of a violation and shall be subject to a fine not exceeding five hundred dollars ($550.00) for each offense. Each day that such violation continues after a notice of violation has been issued shall constitute a separate and distinct offense. Further, such violations are subjected to Chapter 38 of The Code of Ordinances of the City of Manchester (issuance of Citations and their penalties).

§151.10.7 PENALTY FOR WORK PERFORMED WITHOUT PERMIT. Any person who commences work or establishes a use without a permit required by the Building Code shall be subject to a surcharge added to each permit in the amount of 100 percent of the permit fee.

§151.10.8 APPEALS. All appeals to the interpretation or enforcement of any of the Building Code shall comply with the process provided in Appendix B of the International Building Code and the by-laws of the Manchester Building Code Appeals Board.

A. The fee for filing an appeal of a decision of the code official, pursuant to Appendix B, shall be $300.00.

§151.10.9 DATE OF ADOPTION. In accordance RSA 674:51, III(a), the date of first enactment of any building code regulation in the City of Manchester was 1911. Amendments dating back to 1965 are listed in Section §151.39.

§151.20 PERMITS FROM OTHER CITY DEPARTMENTS
The following sections are not intended to be all-inclusive.

§151.20.1 DEPARTMENT OF PUBLIC WORKS.

A. An Excavation Permit from the Department of Public Works, Highway Division, shall be required for all excavation within or intersecting with a public right-of-way in accordance with §97.30 of the Manchester Code of Ordinances. No building permit that includes the construction, alteration or repair of a driveway that intersects with a public right-of-way shall be issued without an excavation permit from the Department of Public Works.

B. An Encumbrance Permit from the Department of Public Works, Highway Division, must be obtained for all for all proposed work that requires any temporary closure or narrowing of a pedestrian walkway or the temporary closure of a City street.

§151.20.2 FIRE DEPARTMENT. Any person installing or altering a fire alarm system or fire sprinkler system shall be required to obtain a permit from the Manchester Fire Department. In addition to compliance with the Manchester Building Code, work on fire alarm and fire sprinkler systems must also conform to the International Fire Code as adopted by the Manchester Fire Department pursuant to Chapter 92 of the Manchester Code of Ordinances and the New Hampshire State Fire Code.

§151.20.3 HEALTH DEPARTMENT.

A. The installation or construction of an on-site sewage disposal system requires a permit from the Health Department in accordance with Chapter 53 of the Manchester Code of Ordinances and shall conform with the provisions of Chapter 53.

B. The creation of a new food service establishment, or change of ownership a food service establishment requires a food service establishment permit from the Health Department in accordance with Chapter 117 of the Manchester Code of Ordinances.

C. Public swimming pools, spas, and hot tubs require an annual permit from the Health Department in accordance with Chapter 91 of the Manchester Code of Ordinances.

D. All owners of properties that will receive abrasive paint removal shall comply with the requirements of §91.21 of the Manchester Code of Ordinances.

§151.21 COMPLIANCE WITH STATE AND FEDERAL REGULATIONS.
The following sections are not intended to be all-inclusive.

§151.21.1 All work performed under Building Permits from the City of Manchester shall comply with all applicable State and Federal laws and regulations. Where there is a conflict between two different codes or regulations, the more stringent requirement shall be followed.

§151.21.2 ASBESTOS. All demolition of structures as defined by New Hampshire Department of Environmental Services (DES) Rules ENV-A 1800 shall comply with all State requirements regarding asbestos remediation. Every structure, as defined by ENV-A 1800, shall be inspected by an Asbestos Inspector for the presence of asbestos prior to demolition. It shall be the sole responsibility of the person performing the demolition to comply with DES Rules ENV-A 1800.

§151.21.3 LEAD PAINT. Persons disturbing more than 6 square feet of painted surface in housing or child-occupied facilities built before 1978 must be certified in accordance with the Federal Lead Renovation, Repair and Painting Rule (RRP) and work performed shall conform with RRP.

§151.21.4 ON-SITE SEWAGE DISPOSAL SYSTEMS. Installation or construction of an on-site sewage disposal system requires design review and a permit from the New Hampshire Department of Environmental Services, Subsurface Systems Bureau and shall conform to New Hampshire Administrative Rules Env-Wq 1000.

§151.21.5 STORMWATER PERMITTING.

A. Development or construction activities that will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land require a Construction General Permit from the EPA. Prior to any construction, a Notice of Intent shall be submitted to the EPA and a Stormwater Pollution Prevention Plan (SWPPP) shall be submitted both the EPA as well as the Department of Public Works - Environmental Protection Division.

B. Development or construction activities that propose to disturb more than 100,000 square feet of contiguous terrain (50,000 square feet, if any portion of the project is within the protected shoreland), or disturb an area having a grade of 25 percent or greater within 50 feet of any surface water, shall require an Alteration of Terrain permit from the New Hampshire Alteration of Terrain (AoT) Bureau.

§151.21.6 NH SHORELAND WATER QUALITY PROTECTION ACT. Any development or construction within 250 feet of a protected water body, including but not limited to all lakes, ponds, and impoundments greater than 10 acres in size, all 4th order and greater streams and rivers, shall conform to RSA 483-B and New Hampshire Administrative Rules Env-Wq 1400.

§151.30 LOCAL AMENDMENTS TO THE INTERNATIONAL BUILDING CODE. In accordance with RSA 155-A:3, the City makes the following amendments to the International Building Code, as now or hereafter amended. These amendments shall survive subsequent State adoption of updated versions of the International Building Code. The following numbering is keyed to the International Building Code. See NH Administrative Rules BCR Chapter 300 for State amendments.

101.2.1 City Adoption of Appendices to the International Building Code

Add new section 1.01.2.2 as follows: The following appendices to the International Building Code, as adopted by the State of New Hampshire, are specifically adopted for the Building Code of the City of Manchester, as now or hereafter amended.
1.) Appendix B – Board of Appeals
2.) Appendix C – Group C – Agricultural Buildings (Adopted by State. Included for clarity.)
3.) Appendix G – Flood-Resistant Construction
4.) Appendix H – Signs
5.) Appendix J – Grading

101.4.1 Gas
Replace *International Fuel Gas Code* with NH State Fire Code.

101.4.4 Property maintenance.
Delete Section 101.4.4

102.6 Existing structures.
Amend Section 102.6 by deleting the words "*International Property Maintenance Code".*

103.1 Creation of enforcement agency.
Delete Section 103.1 and replace with the following:

The Department of Planning and Community Development is the enforcement agency for this code, and the official in charge thereof shall be known as the Building Official, also known as the Director of the Department of Planning and Community Development.

103.3 Deputies.
Delete the last sentence.

105.1.1 Annual permit.
Delete Section 105.1.1 in its entirety.

105.1.2 Annual permit records.
Delete Section 105.1.2 in its entirety.

105.2 Work exempt from permit.

Building: Delete #'s 1, 2, 3, 4, 5, 6, 9 & 10.

Electrical: Delete: **Radio and television transmitting stations**.

107.1.1 Format Files.
Insert new section 107.1.1 as follows.

Plan sets comprising more than two sheets shall be submitted in archival portable document format (.pdf/A), whether electronically transferred or on a fixed media, such as compact disc,

along with one printed set. No archive fee shall apply to permit applications accompanied with a .pdf/A submission.

107.2.5 Site plan.
Add the following at the end of section 107.2.5.

The site plan shall indicate the location of a private sewage disposal system where a public sewer is not available. Private sewage disposal systems shall conform to the rules of the State of New Hampshire, Department of Environmental Services Subsurface System Bureau and the rules of the Manchester Board of Health Regulations as they pertain to the design of sewage disposal systems.

SECTION 109 FEES.
Delete sections 109.3 through 109.6 and insert new sections 109.3 through 109.9 as follows:

109.3 Establishing Cost Upon Which Permit Fee is Based

A) Where the permit fee is based upon the cost of the work done under the permit, such costs shall be the estimated cost as certified by the owner or by the authorized representative of the owner, and as approved by the building official.

B) The estimated cost applies to the gross square footage of a building and shall include all permanent structural, electrical, plumbing and mechanical systems, interior and exterior finish, site work, overhead and profit. If, in the opinion of the building official, the cost is underestimated on the application, the building official may use a Type of Construction Method based on aggregate floor area or any other reasonable method based on industry standards to calculate estimated costs.

109.4 Establishing Aggregate Floor Area Upon Which Calculated Cost is Based

A) The aggregate floor area shall be the sum of the gross horizontal areas of the several floors of the building, including interior mezzanines or balconies, cellars, basements and usable parts of attics.

B) All horizontal dimensions shall be taken from the exterior faces of walls and shall include all enclosures, porches, breezeways, attached garages, dormers, penthouses and carports. The measurements shall not include the areas of outside uncovered terraces, steps, platforms or of similar open structures outside of the enclosing exterior walls. The permit fee for structures outside the enclosing exterior walls of a building shall be based on the estimated costs thereof, established as heretofore specified in Section 108.3

109.5 Reinspections, Penalties and Appeals

A) The building official may charge a re-inspection fee when, in his/her opinion, more inspections than normal were required. The fee shall be a minimum of $30.00.

B) For work which was started or a use established without a permit, there shall be a surcharge added to each permit in the amount of 100 percent of the permit fee.

C) The fee for filing an appeal of a decision of the code official, pursuant to Section B 101.2.8, shall be $300.00.

109.6 Refund of Permit Fees. Whenever the work for which a permit has been issued has not commenced within six months from the date of issue, such permit may be returned to the building official for cancellation. After a deduction of $35.00 has been made, the balance of the permit fee in excess of $35.00 shall be refunded by the City Finance Officer on certification from the building official. If work has commenced but has been abandoned for a period of six months or more, the refund shall be in proportion to the value of the work done, as determined by the building official. In either case, no refund will be given after the seventh month.

109.7 New Construction and Alterations. The fees for plan examination, building permit and inspections shall be as prescribed in Section 109.8 and the code official is authorized to establish by approved rules a schedule of unit rates for buildings and structures of all use groups and types of construction as classified and defined in Chapters 1, 3 and 6.

109.8 Fee Schedule. A fee for each plan examination, building permit and inspection shall be paid in accordance with the following schedule.

There shall be a $25.00 non-refundable application fee for all permits except yard sale permits and a minimum permit fee of $30.00 for all permits requiring inspections.

For all other administrative permits except Yard Sale permits, the minimum fee shall be $10.00.

1) Building Permits

A) For new 1&2 family dwellings, the permit fee shall be the estimated cost of the work multiplied by .006.

B) For all other new buildings and structures, and additions to existing buildings and structures, the permit fee shall be the estimated cost of the work multiplied by .010.

C) For alterations, renovations or repairs to existing buildings and structures, the permit fee shall be the estimated cost of the work multiplied by .010.

2) Plan Review Fee

For all buildings and structures covered under item 1 above, other than 1 & 2 family dwellings and accessory structures, there shall be a plan review fee of $.02 per square foot.

3) Foundation Permit Issued in Advance

A) Permit for a new or the moving of a 1 & 2 family dwelling $75.00

B) Permit for a new or the moving of a building not covered under B $300.00

4) Interior or Exterior Demolition or Removal of Buildings or Structures

A) Up to 1,000 square feet $20.00

B) Over 1,000 square feet up to 5,000 square feet $75.00

C) Over 5,000 square feet $150.00

5) Signs

A) Outdoor signs and display structures projecting over public property

1) Up to 50 sq. ft. in area measured on each face on which the sign is readable or has value as an advertisement, announcement, direction, or declaration: $50.00

2) For each square foot over 50 sq. ft. in area measured as specified in (1) above: $1.50

B) Outdoor Signs and Display Structures over private property

1) Up to 50 sq. ft. in area measured on each face on which the sign is readable or has value as an advertisement, announcement, direction, or declaration: $50.00

2) For each square foot over 50 sq. ft. in area measured as specified in (1) above: $1.50

C) Temporary outdoor signs $35.00

6) Yard Sales

Permit good for three consecutive days duration $5.00
(Limit of two permits per year per location.)

7) Installation of Storage Tanks

A) 0 to 275 gallon capacity $15.00

B) Over 275 to 3,000 gallon capacity $40.00

C) Over 3,000 to 20,000 gallon capacity $75.00

D) Over 20,000 to 50,000 gallon capacity $100.00
E) Over 50,000 gallon capacity $150.00

8) Heating Equipment

A) Residential heating/cooling system installation or replacement

(1) Serving one dwelling unit $40.00

(2) Serving two dwelling units $50.00

(3) Serving three to six dwelling units $75.00

(4) Serving seven to twelve dwelling units $125.00

(5) For each additional unit over twelve $15.00

B) Commercial heating/cooling installation or replacement
(Including hotels, motels, lodging and boarding houses)

(1) Any heating and/or cooling installation up to 100,000 BTU $75.00

(2) For each additional 1,000 BTUs over 100,000 $.20

C) New or replacement gas or oil burner only $30.00

D) Any other minor alteration to a heating system $15.00

NOTES:
Warm air capacity will be determined at 85% of rated bonnet capacity. For steam, if rated in Horsepower, 1 HP = 33,524 BTUs. For hot water, one lineal foot of radiation = 600 BTUs/ft. @ 180 degrees.

(E) Ventilation ductwork:

1) up to 400 CFM - $15.00
2) each additional 400 CFMs - $10.00

9) Plumbing

A) For new residential dwellings of one unit: $150.00
1) For each additional unit over one: $100.00

B) For all other new buildings or additions, renovations, alterations, repairs or replacements, the permit fee shall be the calculated cost of the work multiplied by 0.015.

10) Gas Piping

A) For installation of gas piping:

(1) Up to 50 lineal feet:	$20.00
(2) Each additional foot over 50:	$ .05
B) For each outlet:	$4.00

11) Electrical Wiring

A) For new residential dwellings of one unit:	$100.00
(1) For each additional unit over one:	$75.00

(2) For residential additions, renovations, alterations, repairs or replacements, the permit fee shall be the calculated cost of the work multiplied by 0.01

B) For all other new commercial buildings or additions, renovations, alterations, repairs or replacements except low voltage and control wiring, the permit fee shall be the calculated cost of the work multiplied by 0.015

C) For low voltage and control wiring (ie phone, TV, data, alarm)

(1) Up to $2,000 of calculated cost:	$10.00
(2) Over $2,000 to $25,000 of calculated cost:	$75.00
(3) Calculated cost above $25,000 shall be multiplied by:	.005

12) Elevators, Escalators, Amusement Devices & Special Equipment

A) Elevators

(1) For each elevator installed:	$75.00
(2) For each floor served in excess of 2 floors:	$25.00

(3) Initial compliance inspection for devices not subject to State of New Hampshire permitting $150.00

B) Escalators

(1) For one run: $75.00

(2) For each additional run: $50.00

C) Special elevators, including man hoists, stage or orchestra lift, or other Special Equipment*: $75.00

***Note:** Special equipment is any permanently or semi-permanently located device, manually or power operated, used for moving or lifting materials or persons, and not considered an elevator, escalator, dumbwaiter or amusement device. Special equipment shall include belt, bucket, scoop, roller or similarly inclined or vertical freight conveyors, telescopic ash hoists, tiering or piling machines and similar apparatus.

D) Dumbwaiter or conveyer $50.00

E) Amusement devices

(1) Roller coasters, ferris wheels, and other passenger rides: $50.00

(2) Other amusement devices: $20.00

109.9 Fee Deferral for Affordable Housing. For construction creating new affordable housing for low to moderate income families/households as defined by the Federal Department of Housing and Urban Development (HUD), associated building permit fees, including permits for subtrades, may be deferred until project completion. Any and all accumulated building permit fees shall be paid prior to the issuance of a certificate of occupancy.

Insert following new section 110.7.

110.7 Compliance with Approved Site Plans and Construction Documents. All new work shall be located strictly in accordance with the approved site plan or construction documents. The as-built location of foundations and footings of all new buildings, and additions at the discretion of the Building Commissioner, shall be certified by a New Hampshire Registered Land Surveyor that such foundations and footings are placed so as to locate the building as per approved site or plot plan and that it meets the requirements of the Zoning Ordinance as to its location on the site. All details including, but not limited to, landscaping, paving, lighting, accessory structures and screening shall be constructed in accordance with an approved site plan or construction documents prior to issuance of a certificate of occupancy or letter of completion.

114.4 Violation penalties.
Delete section 114.4 and substitute the following:

114.4 Violation penalties. Any person who violates a provision of this 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 this code, shall be guilty of a violation and shall be subject to a fine not exceeding five hundred dollars ($500.00) for each offense. Each day that such violation continues, after a notice of violation (Sec. 114.2) has been issued, shall constitute a separate and distinct offense. Further such violations are subjected to Chapter 38 of The Code of Ordinances of the City of Manchester (issuance of Citations and their penalties).

Insert new section 114.5 as follows:

114.5 Unlawful continuance. Any person who shall continue any work after having been served with a stop-work order, except such work as he is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as prescribed in section 114.4 of this code.

Insert new Section 117 as follows:

SECTION 117 EMERGENCY MEASURES

117.1 Imminent danger. When in the opinion of the Code Official there is imminent danger of collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gasses or materials, or operation of defective or dangerous equipment, the Code Official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The Code Official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure is Unsafe and its Occupancy Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter such structure, except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

117.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the Code Official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the Code Official deems necessary to meet such emergency.

117.3 Closing streets. When necessary for public safety, the Code Official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

117.4 Emergency repairs. For the purposes of this section, the Code Official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

117.5 Costs of emergency repair. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

117.6 Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the Appeals Board, be afforded a hearing as described in this Code.

Add new Section 118 as follows:

SECTION 118 DEMOLITION

118.1 General. The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgement is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

118.2 Notices and orders. All notices and orders shall comply with Section 115

118.3 Failure to comply. If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

118.4 Salvage materials. When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto,

subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

CHAPTER 6 TYPES OF CONSTRUCTION

602.4 Type IV.

Amend Section 602.4 Type IV by adding the following sentence to the end of the section:

Structural steel or reinforced concrete members shall not be substituted for timber in any part of the structural frame unless protected to develop the required fire resistance rating specified in Chapter 7 of this code, but not less than a one hour fire resistance rating. Structural members that support walls shall be protected to afford the same fire resistance rating as the wall supported.

CHAPTER 9 FIRE PROTECTION SYSTEMS
Add the following new section 901.2.

901.2 Conformance with Manchester and State Fire Codes. All work covered by Chapter 9 of the International Building Code, including but not limited to fire alarm systems and sprinkler systems, shall also conform the New Hampshire Fire Code and the International Fire Code, as adopted by the Manchester Fire Department pursuant to §92.05 of the Manchester Code of Ordinances, both of which may be updated and amended from time to time. Separate permits from the Manchester Fire Department and the Department of Planning and Community Development shall be required for the installation of fire alarms systems and sprinkler systems. When work is also under permit from the Manchester Fire Department, Certificates of Occupancy from the Planning and Community Development Department shall not issue until the Manchester Fire Department has inspected and approved the scope of work permitted by the Manchester Fire Department.

CHAPTER 16 STRUCTURAL DESIGN

1612.3 Establishment of flood hazard areas.

Insert: *City of Manchester, New Hampshire* at [Insert Name of Jurisdiction].

Insert: *February 18, 1981* at [Insert Date of Issuance].

CHAPTER 18 SOILS AND FOUNDATIONS

Amend Section 1809.5 as follows.

1809.5. Frost protection.

Replace "~~1. Extending below the frost line of the locality~~;" with "1. Extending below the frost line, 4 feet below grade."

CHAPTER 28 MECHANICAL SYSTEMS

Amend section 2801.1 as follows.

Replace *"International Fuel Gas Code"* with *"NFPA 54: National Fuel Gas Code"*.

CHAPTER 29 PLUMBING SYSTEMS

Amend section 2901.1 as follows.

Replace the last sentence of 2901.1 with "Private sewage disposal systems shall conform to New Hampshire RSA 485-A, New Hampshire Administrative Rules Env-Wq 1000, Manchester Code of Ordinances Chapter 53: On-Site Sewage Disposal Systems and the regulations of the Manchester Health Department. Permits shall be required from New Hampshire Department of Environmental Services and Manchester Health Department for all installations of on-site sewage disposal systems."

CHAPTER 30 ELEVATORS AND CONVEYING SYSTEMS
Add new section 3001.5 as follows:

3001.5 Periodic Inspections: Periodic inspections shall be conducted in accordance with RSA. Chapter 157-B, Elevator and Accessory Lift Law.

CHAPTER 32 ENCROACHMENTS INTO THE PUBLIC RIGHT OF WAY

Section 3202.2 Encroachments above grade and below 8 feet in height:
Delete the words "Sections 3202.2.1 through 3202.2.3" and replace with "Section 97-35 and 97-39 of the Manchester Code of Ordinances".

Delete Sections 3202.2.1, 3202.2.2 and 3202.2.3, no substitution.

Section 3202.3 Encroachments 8 feet or more above grade:
Delete the words "Sections 3202.3.1 through 3202.3.4" and replace with "Section 97-35 and 97-39 of the Manchester Code of Ordinances.

Delete Sections 3202.3.1, 3202.3.2, 3202.3.3 and 3202.4, no substitution.

CHAPTER 33 SAFEGUARDS DURING CONSTRUCTION

Add new Section 3304.1.5 as follows:

3304.1.5 Grading of lots for new construction or addition. When a new structure or addition is erected on a lot, such lot shall be graded so as not to adversely impact adjoining premises by means of trespass of soil or unreasonable trespass of water or other harm caused by the new construction or addition.

APPENDIX B BOARD OF APPEALS

Add new Section 101.2.8 as follows:

B101.2.8 Filing of Appeals: Applications for appeals shall be filed in duplicate with the Building Official who shall promptly forward one copy to the chairman of the Board. The appeal will clearly state the grounds for such appeal and shall be accompanied by fees in accordance with **§151.10.8**.

B101.3 Notice of Meeting:

Delete Section 101.3 and substitute the following:

B101.3 Notice of Meeting: The Board shall meet upon notice from the chairperson and hold a hearing within thirty (30) days of the filing of an appeal, or at stated periodic meetings.

APPENDIX H SIGNS
H101.2 Signs exempt from permits.

Delete items 1, 4 and 5, no substitution.

Add section H101.3 as follows:

H101.3 Relationship with the Manchester Zoning Ordinance

Any sign to be installed, reinstalled, or maintained shall comply with the provisions of Article 9 of the Manchester Zoning Ordinance.

Add section H103.2 as follows:

H103.2 Restrictions. No wall sign, roof sign, marquee, awning, or canopy shall be installed, reinstalled, or maintained over public property or within 12 feet of any public place or thoroughfare until an approved insurance policy is on file with the Manchester Building Department.

H108.1 Fail-safe device.

Add at the end of the section the following:

Devices of this nature shall not be located in such a way as to endanger or mislead vehicle movement. Whenever there is a concern that this may happen, the building official shall enlist the aid of the Traffic Department to determine whether or not the placement of these devices are a danger to vehicle movement. Further, no such device shall be placed so as to cast any light, reflection or any other nuisance on nearby residences.

§151.31 LOCAL AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE

In accordance with RSA 155-A:3, the City makes the following amendments to the International Residential Code, as now or hereafter amended. These amendments shall survive subsequent State adoption of updated versions of the International Residential Code. The following numbering is keyed to the International Residential Code. See NH Administrative Rules BCR Chapter 300 for State amendments.

Delete the following exemptions from Section R105.2.

Building – 1, 2, 3, 5, 10

Delete all of Section R108. And replace with the following:

R108 Fees and Refunds. Fees and refunds for all permits shall be in accordance with Sections 109.3 through 109.8 of the local amendment to the International Building Code.

Amend the *International Residential Code,* **Table R301.2(1)** by inserting design criteria as follows:
Ground Snow Load – 70 psf
Wind Design
- Speed[d] (mph) – 115
- Topographic Effects[k] – No
- Special wind region[l] – No
- Wind-born debris zone[m] – No

Seismic Design Category[f] – B
Subject to Damage From
- Weathering[a] – Severe
- Frost line depth[b] – 4’ 0”
- Termite[c] – Slight to Moderate

Winter Design Temp[e] - 0°F
Ice Barrier Underlayment Required [h] – Yes
Flood Hazards[g] – See FIRM Maps and Zoning Ordinance Section 7.03
Air Freezing Index[i] – 1262
Mean Annual Temp[j] – 46.4°F

Add the following new section R401.3.1

R401.3.1 Grading of lots for new construction or addition. When a new structure or addition is erected on a lot, such lot shall be graded so as not to adversely impact adjoining premises by means of trespass of soil or unreasonable trespass of water or other harm caused by the new construction or addition.

Add the following to Section **P2602.1 General**.
“Private sewage disposal systems shall conform to New Hampshire RSA 485-A, New Hampshire Administrative Rules Env-Wq 1000, Manchester Code of Ordinances Chapter 53: On-Site

Sewage Disposal Systems and the regulations of the Manchester Health Department. Permits shall be required from New Hampshire Department of Environmental Services and Manchester Health Department for all installations of on-site sewage disposal systems."

§151.32 LOCAL AMENDMENTS TO INTERNATIONAL PLUMBING CODE
See NH Administrative Rules BCR Chapter 300 for State amendments.

Amend Section 419 by adding section 419.4.

419.4 Public and Employee Facilities. Urinals without visible water trap seals shall not be permitted in public or employee restrooms.

§151.33 LOCAL AMENDMENTS TO INTERNATIONAL MECHANICAL CODE
No local amendments. See NH Administrative Rules BCR Chapter 300 for State amendments.

§151.34 LOCAL AMENDMENTS TO NATIONAL ELECTRIC CODE
No local amendments. See NH Administrative Rules BCR Chapter 300 for State amendments.

§151.35 LOCAL AMENDMENTS TO INTERNATIONAL EXISTING BUILDING CODE
No local amendments. See NH Administrative Rules BCR Chapter 300 for State amendments.

§151.36 LOCAL AMENDMENTS TO INTERNATIONAL ENERGY CONSERVATION CODE
No local amendments. See NH Administrative Rules BCR Chapter 300 for State amendments.

§151.37 LOCAL AMENDMENTS TO INTERNATIONAL SWIMMING POOL AND SPA CODE
No local amendments. See NH Administrative Rules BCR Chapter 300 for State amendments.

§151.38 LOCAL AMENDMENTS TO INTERNATIONAL EXISTING BUILDING CODE
No local amendments. See NH Administrative Rules BCR Chapter 300 for State amendments.

§151.39 Dates of Adoption of Local Amendments, RSA 674:51, III(a)

1965	1957 Edition Building Code in use
October 26, 1965	1957 Edition amended, adopting the 1960 Edition of BOCA Basic Building Code, with supplements through 1964 for buildings exceeding 8 stories
May 31, 1966	Amended Section 463 and 543 of 1957 Edition
November 1, 1966	Amended Building Code for demolition of buildings
February 18, 1969	Ordinance passed (effective 30 days hence) adopting 1965 Edition of BOCA Basic Building Code with 1967 supplement (1957 Building Code repealed)

July 11, 1972	Ordinance passed (effective 20 days hence) adopting 1970 Edition of BOCA Building Code
July 14, 1972	Amended Building Code pertaining to fees
August 20, 1974	Ordinance passed amending the Building Code to revise Fire District
January 7, 1975	Amended Building Code Article 12, pertaining to Fire Protection Systems
1979	Adopted 1975 Edition of BOCA Building Code
March 1, 1989	Adopted 1987 BOCA Building Code with Amendments
September 4, 2001	Repealed the 1987 BOCA Building Code with amendments, and adopted the 2000 International Building Code with amendments, including Appendix Chapters B, G, H, & J, as published, 2000 International Residential Code Chapters 2 through 10, 2000 International Mechanical Code, 2000 International Fuel Gas Code, as well as the 1999 edition of the National Electrical Code, and 1993 BOCA National Plumbing Code.
September 4, 2001	Repealed the BOCA/ National Fire Prevention Code, 1990, and adopting the 2000 edition of the International Fire Code, including Appendix Chapters B, C, D, E, F, &G (see Section 92.05 of the Code of Ordinances)
September 5, 2006	Amended the Building Code by repealing the 1999 edition of the National Electrical Code and adopting the 2005 edition of the National Electrical Code.
November 14, 2006	Amended the Building Code by repealing the 1993 BOCA National Plumbing Code and adopting the 2000 International Plumbing Code, with amendments.
May 4, 2010	Amended by adding the 2009 edition of the International Existing Building Code.
September 2, 2014	Amended by adding new permit fees and by modifying the method by which plumbing permit fees and estimated costs are calculated."
November XX, 2020	Repealed Manchester Building Code §151.01 of Manchester Code of Ordinances adopting the 2000 International Building Code, last amended September 2, 2014, and replaced with new §151.01 recognizing State Building Code adoption of 2015 family of ICC codes with local Manchester amendments.