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NH DEPARTMENT OF SAFETY
NH FIRE SAFETY

Code of the Town of Durham, NH

CHAPTER 38
BUILDING CONSTRUCTION

[HISTORY: Adopted by the Town Council of the Town of Durham 4-15-1991 as Ord. No. 91-02. All amendments included at time of adoption of Code]

Article I
GENERAL PROVISIONS

38-1. Purpose.

The purpose of these regulations is to provide for the public safety, health and welfare through the establishment and enforcement of standards of construction for structural strength, adequate means of egress, sanitary equipment, light and ventilation, energy efficiency and fire safety and in general to secure safety to life and property from all hazards incidental to the design, erection, repair, removal, demolition or use and occupancy of buildings, structures or premises. *(Section 38-1 amended by Ord. #2011-01 dated 1/24/11).*

38-2. Title.

These regulations shall be known and may be cited as the "Building Code and Regulations of the Town of Durham, New Hampshire."

38-3. Authority, enforcement and administration.

- A. Pursuant to RSA 674:51, the Town of Durham, New Hampshire, hereby adopts the following regulations for the control of all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location and occupancy of all buildings and structures, and they shall apply to existing and/or proposed buildings and structures.
- B. The Town Administrator is hereby given the authority to enforce the provisions of this chapter.
- C. Administrative responsibility. The authority to administer this chapter is hereby vested in the Town Administrator, who is also empowered to appoint a Code Enforcement Officer and to fix the salary or compensation of the same.

38-4. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

CODE ENFORCEMENT OFFICER -- The town employee who assists the Zoning Administrator in the administration and enforcement of the Zoning Ordinance. The Code Enforcement Officer also administers and enforces the building codes.

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OWNER -- The person or persons listed as the owner(s) of record of a property.

TOWN ADMINISTRATOR -- The town employee who is duly appointed by the Town Council to manage the town affairs.

ZONING ADMINISTRATOR -- The town employee appointed by the Town Administrator to administer, to interpret and to enforce the Zoning Ordinance.

38-5. Conformity to building codes required.

All construction in the Town of Durham shall conform to the current Life Safety Codes, National Electrical Codes and applicable state laws and NFPA & ICC adopted codes and to current applicable town ordinances and construction requirements. The current printed edition of the International Energy Conservation Code (IECC) shall be used for all energy code construction in the Town of Durham based on all Climate Zone 6 design criteria.

(Section 38-5 was amended by Ord. #2011-01 dated 1/24/11)

**Article II
PERMITS AND STANDARDS**

38-6. Permit required.

It shall be unlawful to construct, alter, remove or demolish or commence any construction, alteration, remodeling, removal or demolition of a building or structure or install equipment for the operation of a building or change the use of the building without first filing a written application with the Code Enforcement Officer. Occupancy permits shall be approved by the Code Enforcement Officer. If a changed use requires site plan approval, site plan approval shall be required from the appropriate town board prior to the issuance of a building permit.

38-7. Permit requirements.

A. Application form. Applications shall be filed with the Code Enforcement Officer on a form approved by the Town Administrator. The application shall contain the full name of the owner and/or his agent. It shall contain a certification that the property is not located in an unapproved subdivision. The application shall describe briefly the proposed work and give such other information as may be required to enable the Code Enforcement Officer to determine whether the proposed work complies with the provisions of this chapter.

B. Plot plan.

1. The plot plan shall accompany the application and shall show the following:

- a. The lot dimensions and area.
- b. The names of abutting streets.

State of New Hampshire
County of Strafford
I certify that this is a true and correct copy
of a document.
Notary Public, New Hampshire
Dated 8/19/22 Comm Ex 5/19/26

Rachel M. Deane

RACHEL M. DEANE
NOTARY PUBLIC
State of New Hampshire
My Commission Expires
May 19, 2026