

**ORDINANCE NO. 398 OF THE CITY OF BUCKHANNON, AN ORDINANCE
ADOPTING, PROMULGATING AND ENACTING THE 2012 INTERNATIONAL
PROPERTY MAINTENANCE CODE TO BE KNOWN AS THE PROPERTY
MAINTENANCE CODE OF THE CITY OF BUCKHANNON**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BUCKHANNON,
UPSHUR COUNTY, WEST VIRGINIA, that the Codified Ordinances of the City of
Buckhannon, as revised, are hereby **AMENDED, MODIFIED AND RE-ENACTED** to read
as follows:

PROPERTY MAINTENANCE CODE

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398.01. ADOPTION.

(a) This Ordinance is enacted pursuant to the authority contained in West Virginia Code Section 13, Article 12, Chapter 8 and the promulgation contained in West Virginia Code Section 5b, Article 3, Chapter 29, and by the State of West Virginia in Title 87 of the Legislative Rules Series, (§87-4-1 et seq.) state building code, which provisions of such code sections and regulations shall be controlling within the City of Buckhannon. There is hereby adopted and incorporated by reference as if set out at length herein that part, and only that part, of the State Building Code entitled the 2012 edition, International Property Maintenance Code, Fourth Printing, as published by the International Code Council, to be known as the Property Maintenance Code of the City of Buckhannon, West Virginia, for the purpose of establishing minimum maintenance standards for all property, building and structures, and by providing the standards for supplied utilities and facilities and other physical things and conditions essential to assure that structures are safe, sanitary and fit for occupation and use, subject to the amendments hereinafter.

(b) All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

398.02. AMENDMENTS.

The Property Maintenance Code as adopted herein is hereby modified by the following additions and amendments as respectively indicated:

101.1 Title. Insert "City of Buckhannon"

103.5 Fees. Insert the Following Table

BUILDING PERMIT FEES

<u>Amount of Work Performed</u>	<u>Fee</u>
\$0.00 - \$99.99	\$12.00
\$100.00 - \$499.00	\$18.00
\$500.00 - \$1,000.00	\$25.00
\$1,001.00 - \$2,000.00	\$37.00
\$2,001.00 - \$3,000.00	\$49.00

\$3,001.00	-	\$4,000.00	\$61.00
\$4,001.00	-	\$5,000.00	\$73.00
\$5,001.00	-	\$6,000.00	\$85.00
\$6,001.00	-	\$7,000.00	\$97.00
\$7,001.00	-	\$8,000.00	\$109.00
\$8,001.00	-	\$9,000.00	\$121.00
\$9,001.00	-	\$10,000.00	\$133.00
\$10,001.00	-	\$11,000.00	\$145.00
\$11,001.00	-	\$12,000.00	\$157.00
\$12,001.00	-	\$13,000.00	\$169.00
\$13,001.00	-	\$14,000.00	\$181.00
\$14,001.00	-	\$15,000.00	\$193.00
\$15,001.00	-	\$16,000.00	\$205.00
\$16,001.00	-	\$17,000.00	\$217.00
\$17,001.00	-	\$18,000.00	\$229.00
\$18,001.00	-	\$19,000.00	\$241.00
\$19,001.00	-	\$20,000.00	\$253.00
\$20,001.00	-	\$21,000.00	\$265.00
\$21,001.00	-	\$22,000.00	\$277.00
\$22,001.00	-	\$23,000.00	\$289.00
\$23,001.00	-	\$24,000.00	\$301.00
\$24,001.00	-	\$25,000.00	\$313.00
\$25,001.00	-	\$26,000.00	\$325.00
\$26,001.00	-	\$27,000.00	\$337.00
\$27,001.00	-	\$28,000.00	\$349.00
\$28,001.00	-	\$29,000.00	\$361.00
\$29,001.00	-	\$30,000.00	\$373.00
\$30,001.00	-	\$31,000.00	\$385.00
\$31,001.00	-	\$32,000.00	\$397.00
\$32,001.00	-	\$33,000.00	\$409.00
\$33,001.00	-	\$34,000.00	\$421.00
\$34,001.00	-	\$35,000.00	\$433.00
\$35,001.00	-	\$36,000.00	\$445.00
\$36,001.00	-	\$37,000.00	\$457.00
\$37,001.00	-	\$38000.00	\$469.00

\$38,001.00	-	\$39,000.00	\$481.00
\$39,001.00	-	\$40,000.00	\$493.00
\$40,001.00	-	\$41,000.00	\$505.00
\$41,001.00	-	\$42,000.00	\$517.00
\$42,001.00	-	\$43,000.00	\$529.00
\$43,001.00	-	\$44,000.00	\$541.00
\$44,001.00	-	\$45,000.00	\$553.00
\$45,001.00	-	\$46,000.00	\$565.00
\$46,001.00	-	\$47,000.00	\$577.00
\$47,001.00	-	\$48,000.00	\$589.00
\$48,001.00	-	\$49,000.00	\$601.00
\$49,001.00	-	\$50,000.00	\$613.00
\$50,001.00	-	\$51,000.00	\$625.00

\$51,000.00 & OVER ADD \$12.00 FOR EVERY ADDITIONAL \$1,000.00

BUILDING PERMIT FEES CAPPED AT \$30,000.00 FOR JOBS IN EXCESS OF 2.5 MILLION

- 112.4 Failure to comply. Insert "\$100" and "\$500" respectively.
- 302.4 Weeds. Insert "12 inches"
- 304.14 Insect screens. Insert "April 1" and "October 31"
- 602.3 Heat Supply. Insert "September 15" and "May 15"
- 602.4 Occupiable work spaces. Insert "September 1" and "May 1"

398.03. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Buckhannon City Council hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

398.04. NO EFFECT ON EXISTING RIGHTS.

Nothing in this legislation or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited above, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

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BE IT FURTHER ORDAINED that all other sections of the Codified Ordinances of the City of Buckhannon, as revised, shall remain in full force and effect until further Ordinance of this Council.

BE IT FURTHER ORDAINED that Ordinance No. 398 of the Codified Ordinances of the City of Buckhannon, as revised, shall become effective thirty days after passage, January 16, 2016.

APPROVED AS TO FORM BY: CITY ATTORNEY/SEM

FIRST READING: December 3, 2015

SECOND READING, PASSAGE & ADOPTION: December 17, 2015

Richard W. Edwards, Mayor

CERTIFICATE OF ENACTMENT

I, Amberle Jenkins, Assistant City Recorder, do hereby certify that the foregoing Ordinance No. 398 was lawfully ordained and enacted by the Council of the City of Buckhannon during a regular session of said Council assembled on the Seventeenth day of December, 2015.

Amberle Jenkins, Assistant City Recorder