

**ARTICLE 11**  
**Amended to Town Meeting 2005**  
**Amended to Town Meeting 2011**  
**ADMINISTRATION.**

11.1. **DUTY AND AUTHORITY** - It is the duty of the Board of Selectmen and the board is hereby given the power and authority to enforce the provisions of this ordinance.

11.2. **ADMINISTRATIVE RESPONSIBILITY** - Authority to administer these ordinances is hereby vested in the Board of Selectmen who shall also appoint a Code Enforcement Officer and a Building Official.

11.3. **COMMUNITY-PLANNING AND BUILDING DEVELOPMENT DEPARTMENT**

11.3.1. **Responsibilities** - The ~~Community~~-Planning and ~~Building Development~~ Department shall be responsible for the performance of duties listed hereafter and such other duties pertinent to the enforcement of the Zoning Ordinance, Building, Plumbing and Wiring Codes, Life safety Code, and Health Regulations as may be required by said Codes and Ordinances.

11.3.2 **Duties of the Building Official** – This Official shall receive applications and fees for permits for the erection, remodeling, and demolition of buildings, the installation of, or alteration to electrical wiring and plumbing. S/He shall keep a record of all applications and any actions taken. The Official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed. . All fees as prescribed by ordinance or regulation shall be deposited with the Town Treasurer. S/He may approve the issuance of a permit for the erection, alteration, remodeling of all buildings and the use of such building and land, if, in his/her opinion, the proposed complies with the Codes of the State, this ordinance, and other Town Ordinances and such by-laws, rules, and regulations as are applicable. The Official's approval of any permit shall not constitute an approval which by law, ordinance, rule or regulation may be obtained from any other proper authority. S/He shall perform such other duties as are set forth in the International Building Code and the International Residential Code as adopted by the Town of Epping. S/He shall perform such inspections of new construction, reconstruction, alteration, remodeling or demolition code. S/He shall advise the Planing Board and Zoning Board of Adjustment of the Town of Epping and consult with them when requested. As required, the Building Official shall be authorized to seek outside review for matters beyond the legal and technical expertise of the Official. Reasonable costs for such review shall be borne by the applicant.

11.3.3 **Duties of the Code Enforcement Officer** - S/he is responsible for enforcing the Town's Ordinances and Regulations as well as, answer any concerns or questions about Permitted Uses in the Town's various Zoning Districts. The Officer will also provide assistance to property owners as they try to remain compliant with the the Town's Ordinances and Regulations. S/He shall advise the Planing Board and Zoning Board of Adjustment of the Town of Epping and consult with them when requested. As required, the Officer shall be authorized to seek outside review for matters beyond the legal and technical expertise of the Official. Reasonable costs for such review shall be borne by the applicant.

11.4. **PERMITS NOT VALID** - No permit issued by the ~~Community~~-Planning and ~~Building Development~~ shall be valid if subdivision or site plan review approval is required from the Planning Board or a Special Exception or Variance is required from the Zoning Board of Adjustment and such approvals have not been received. The same is true of any other permits or approvals required by law, ordinance, rule or regulation.

11.5. **COOPERATION WITH OTHER OFFICIALS** - S/he shall inspect all new buildings being

erected and those being altered, remodeled or demolished for the purposes of enforcing this ordinance and shall perform such other duties as prescribed by law. S/He shall act in cooperation with any other duly authorized person or officer in any matter in which their duties as prescribed by law, ordinance, rule and regulation which may coincide with his. S/he shall take such action in the enforcement of this ordinance as the Board of Selectmen may direct.

11.6. **GENERAL PROVISIONS:**

11.6.1. Should the ~~Community~~-Planning and ~~Building Development~~ Department or Board of Selectmen fail to take action on an application for a building permit within thirty (30) days of the filing of the application, the applicant may apply to the Zoning Board of Appeals for a building permit in accordance with the provisions of the the International Building Code and the International Residential Code .

11.6.2. A building permit, once issued, shall not be assignable nor shall it be revocable except as provided hereafter.

11.6.3. No building permit shall be required for repairs of maintenance necessitated by ordinary wear and tear.

11.6.4. Plans for the provision of sewage disposal facilities for all buildings requiring such facilities shall be approved by the Town Health Officer or other Town Agent designated by the Board of Selectmen.

11.6.5. No person required to submit subdivision plans or site plans shall commence clearing of land thereof of natural vegetation, placing any artificial fill thereon, or otherwise altering the land, nor shall he do any other acts which will alter the natural state of the land or environment, unless the subdivision/site plan relating thereto has been submitted and approved in accordance with the requirements of the Town of Epping Planning Board.

Nothing in the above paragraph shall be construed to prevent the taking of test borings, the digging of test pits or any other preliminary testings and inspections necessary to comply with the requirements of the NH Water Supply & Pollution Control Division and the Town of Epping Planning Board relative to information necessary for review and approval of the subdivision/site plan.

11.7. **VIOLATIONS** - Upon on any well founded information that this ordinance is being violated, the Board of Selectmen shall take immediate steps to enforce the provisions of this ordinance by seeking an injunction in the Superior Court or by any other legal action.

11.8. **PENALTIES** - Any person violating the provisions of this ordinance shall be subject to a fine as provided in RSA 676:17 as amended. The Board of Selectmen or the Code Enforcement Officer are hereby designated as the proper local authority of the Town to institute appropriate action under the provisions of RSA 676:17, as amended.

11.9. **PERMITS REQUIRED** - The Town of Epping adopts the current International Building and International Residential Code recognized by the State of New Hampshire as the official building code of the town. (03/2005).

11.10. **APPLICATION FORM** - Applications shall be as prescribed in the International Building Code, the International Residential Code, and/or as revised by the ~~Community~~-Planning and ~~Building Development~~ Department. . (03/2005).

11.11. **REVOCAION OF LAPSE OF BUILDING PERMITS:**

11.11.1. Any violation of, or variation from the terms, conditions or authorization of a building permit by the holder thereof or his agent, architect or contractor shall be cause for the revocation of said permit. Such revocation shall be made at the discretion of the Board of Selectmen and an appeal from such action may be made as provided in the International Building Code and the International Residential Code .

11.11.2. At the expiration of twelve (12) months during which no earnest or substantial effort has been made to carry out the construction or alterations authorized in the building permit, that building permit shall lapse. A new application shall be required for all lapsed building permits. Such permits shall comply with all ordinances and regulations in place at the time of application.

11.12. **CERTIFICATE OF OCCUPANCY** - It shall be unlawful to use or occupy, or permit the use or occupancy of any land, structure, or part thereof created, erected, changed, converted or altered in its use of structure until a Certificate of Occupancy is issued therefore by the Building Official stating that the proposed use of the structure or land conforms to the requirements of all applicable Town regulations. A Certificate of Occupancy shall not be required for the normal repair or re-decorating of structures.