proper interest in the proposed plat. After the hearing and within a reasonable time after the application for approval of the plat, the Commission shall approve or disapprove it. If the Commission approves, it shall affix the Plan Commission's seal upon the plat. If it disapproves it shall set forth its reasons in its own records and provide the applicant with a copy. AMENDED 13-AO-54 AND 4-AO-55

(5) The Plan Commission may establish a uniform schedule of fees in proportion to the cost of checking and verifying the proposed plats or replats. An applicant may be required to pay the specified fee at the time of filing his application.

(6) The Commission may approve a plat for a subdivision in which the improvements and installations have not been completed as required by the ordinance for the approval of plats if the applicant provides a bond which shall:

(a) Run to the Board of County Commissioners.
(b) Be in an amount determined by the Commission to be sufficient to complete the improvements and installations in compliance with the ordinance.
(c) Be with surety satisfactory to the Commission.
(d) Specify the time for the completion of the improvements and installations.

(7) Any funds received from these bonds shall be used by the Board of County Commissioners for the completion of the improvements and installations for which they were provided, and without prior appropriation, as provided by statute.

Section 1.003 - Thoroughfare Plan:

(1) All plats or replats of subdivisions of land lying wholly or partly within the unincorporated area of Marion County, which cross, adjoin or touch upon any section or half-section line shall provide for a ninety (90) feet major roadway or street to be located and centered upon said section and/or half-section line, and shall be included regardless of natural or other hazards (waterways, railways, valleys or bluffs) unless otherwise specified. Provided further that said plat or replat shall include fifty (50) foot streets or roadways every quarter mile. The quarter mile streets may follow the topographic conditions of the land, but when terminated at the end of the plat they must coincide with the fractional section of streets or highways then in existence or otherwise planned. Such additional streets or roadways may be either straight or curved to fit the contour of the land, and if curved may terminate at the boundary of the plat or replat at their respective fractional section division. Streets existing shall be recognized and new streets must coordinate in their alignment. Street or roadway plans and profiles shall be submitted showing the existing grade of the land and the proposed grade of the finished street or roadway, walk, curbs and drainage. (Schedule: Hor. 1" - 50'; Vol. 1" - 5').

(2) Streets shall be surfaced according to specifications to be set up by said Plan Commission and shall be constructed in accordance with said specifications before the plat or replat is accepted for approval by the Plan Commission unless a performance bond equal to 50% of the estimated cost of such construction shall be filed with such plat or replat.

Section 1.004 - Appeals:

(1) Any person or persons, firm or corporation jointly or severally aggrieved by any decision of the Marion County Plan Commission shall be entitled to have the same reviewed by certiorari procedure the same as that provided by statute and ordinance, for the appeal of zoning cases from the decision of the Board of Zoning Appeals.

Section 1.005 - Change of Zoning Regulations on Approval of Plat:

(1) The Marion County Plan Commission is hereby authorized and empowered to, simultaneously with the approval of any plat, confirm

the then existing zoning regulations of the land so platted or to make any reasonable change in the height, building set-back line, rear yard, side yard, lot frontage, lot area and ground floor area regulations of the land so platted and such Plan Commission is hereby empowered to make such change in zoning regulations.

(2) The owner or owner of the land shown on the plat may submit with such application for plat approval, a proposed zoning regulation plan. Such proposed zoning regulation plan, if approved by the Marion County Plan Commission shall amend, supplement or change the zoning regulations of the land shown on the plat. Provided, that for such land so shown and said plat there shall not be permitted a greater average density of population or cover of the land with buildings than is permitted in the zoning district wherein such land lies as shown on the sectional zoning map or maps of the unincorporated area of Marion County. Provided further that such proposed zoning regulation plan shall not be approved by said Plan Commission unless in its judgment the appropriate use of all adjoining land is reasonably safeguarded and such plan is consistent with the public welfare.

Chapter XV - Improvement Location Permits

Section 1

Within the unincorporated areas of Marion County no structure shall be located and no Improvement Location Permit for a structure on platted or unplatted lands in said areas shall be issued unless the structure and its location shall conform to the Marion County Master Plan Permanent Zoning Ordinance.

Section 1.001

Any person, firm or corporation desiring to locate, erect or construct any building or structure and/or use or improve any land within the unincorporated areas of Marion County shall file an application for an Improvement Location Permit with the Secretary of the Marion County Plan Commission.

Section 1.002

All applications for Improvement Location Permits shall be accompanied by an accurate drawing or a plot plan, in duplicate, drawn to scale, showing the lot, existing structure, the proposed location of the building or buildings on the lot, accurate dimensions of building and lot, the location of the right-of-way line or lines of adjoining highways, streets or alleys and such other information as may be necessary to provide for the enforcement of this ordinance. Such drawing or plot plan, except when accompanying an application for interior remodeling or for an accessory building, shall be certified by a survey or professional engineer. Like information shall be presented on said drawing showing location of structures, if any, on adjoining lots, within ten (10) feet of the side lot line.

Section 1.003

The clerk of the Improvement Location Department is hereby authorized to issue an improvement location permit upon proper application showing compliance with the Marion County Master Plan Permanent Zoning Ordinance. Provided, however, that if it shall appear from such application that the proposed structure and/or location will not conform to the Marion County Master Plan Permanent Zoning Ordinance then such application shall be denied in writing by the clerk of the Improvement Location Department. Provided, further that any person, firm or corporation aggrieved by the decision of the clerk of the Improvement Location Department may appeal to the Marion County Board of Zoning Appeals.

Chapter XVI - Adoption of Building Code AMENDED 2-AO-57

Section 1 - Building Code for Non-Residential Buildings

Section 1.001

For the purpose of regulating the location, erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, maintenance, electrical wiring, plumbing, heating, ventilating, air conditioning, water supply, septic tank and sewage disposal system of all buildings or structures other than residential buildings in unincorporated areas of Marion County, Indiana, a building code, consisting in part of all the rules and regulations contained in Vols. I, II, III and IV of the Administrative Building Council of Indiana, is hereby adopted.

Provided further that certain documents now on file in the office of the Secretary of the Marion County Plan Commission being marked and designated as Vol. I, Building Rules and Regulations: Vol. II, Electrical Rules and Regulations: Vol. III, Plumbing Rules and Regulations: Vol. IV, Heating, Ventilating and Air Conditioning Rules and Regulations, respectively of the Administrative Building Council of Indiana, are hereby referred to, adopted, and by this reference made a part of this ordinance as though fully set out therein.

Section 2 - Building Code for Residential Buildings

For the purpose of regulating the location, erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, maintenance, electrical wiring, plumbing, heating ventilating, air conditioning, water supply, septic tank and sewage disposal system of all residential buildings or structures and all buildings or structures rated areas of Marion County, Indiana, a building or structures in the unincorporated areas of Marion County, Indiana building code as provided in sub-sections 2.001, 2.002, 2.003, 2.004, 2.005, 2.006, 2.007, 2.008, 2.009, 2.010, 2.011, 2.012, 2.013, 2.014, 2.015, 2.016, 2.017, 2.018, 2.019, 2.020, 2.021, 2.022, 2.023, 2.024, 2.025, 2.026 and 2.027 hereof is hereby adopted.

Section 2.001 - Electrical Requirement.

(a) Electrical Wiring Requirement.

(1) The electrical wiring and equipment of all residential structures shall be in conformity with and meet all the requirements of Volume II Electrical Rules and Regulations of the Administrative Building Council of Indiana.

(b) Minimum requirements for Television Aerials.

(1) Any antenna array weighing 1 to 10 lbs. inclusive and elevated 8 ft. or less must have a mast or supporting structure of 1 in. aluminum tubing with 1/16 inch wall (or of other material its equivalent in strength).

(2) Any antenna array weighing 10 lbs. but not more than 15 lbs. and elevated 16 feet or less must have a mast or supporting structure of 1-1/2 inch aluminum tubing with 1/16 inch wall (or of other material its equivalent in strength.

(3) Any antenna array weighing 15 lbs. or less and elevated more than 16 feet and less than 26 feet must have a mast or supporting structure of 1-1/2 inch aluminum tubing with 1/8 inch wall (or of other material its equivalent in strength).

(4) Any antenna array weighing 15 lbs. or less and elevated more than 25 feet and less than 40 feet must have a mast or supporting structure of 2 inch aluminum tubing with 3/16 inch wall (or of other material its equivalent in strength).

(5) Any antenna array elevated 40 feet or more must be supported by a tower which must be guyed as hereinafter set out.

(6) Chimney Masts

(a) No more than one antenna mast may be attached to any one chimney.

(b) No antenna mast may extend more than 8 feet above the chimney to which it is attached.

(7) Guying requirements.

(a) Any antenna mast or supporting structure more than

10 ft. and less than 21 feet in height must be guyed with at least 1 set of 3 guy wires.

(b) Any antenna mast or supporting structure more than 10 ft. and less than 31 feet in height must be guyed with 2 sets of 3 guy wires.

(c) Any antenna mast or supporting structure more than 30 feet and less than 40 feet in height must be guyed with 3 sets of 3 guy wires.

(d) If jointed pipe or tubing is used in the construction of an antenna mast the same shall be guyed with one set of 3 guy wires at each and every joint.

(8) Size and Angle of Guy Wires.

(a) All guys shall be constructed of either No. 10 gauge solid steel wire, No. 18 gauge 7 strand steel wire or No. 20 gauge 7 strand steel wire.

(b) All antenna mast or supporting structure guy wires must be attached to such mast or supporting structure so as to form an angle of at least 21 degrees.

(9) Grounding Devices and Lightning Protection.

(a) The lead-in wire on all antennas shall be equipped with a lightning arrester of a type approved by the National Board of Fire Underwriters.

(b) All television antenna shall be grounded with No. 8 gauge copper wire or other wire its equivalent in capacity attached to either the water system or a ground rod driven into the earth at least six feet.

Section 2.002 - Sanitary Code for Residential Building and Premises.

All plumbing fixtures, water supply facilities and all sewage system other than municipal sewer system hereafter installed in residential structures or on residential premises shall conform to and meet all of the requirements of the following sanitary code; the requirements for all residential plumbing fixtures, water supply facilities and sewage systems hereafter installed in the unincorporated area of Marion County, Indiana.

(1) Plumbing and plumbing fixtures

All plumbing work and fixtures hereafter installed in residential structures shall be in conformity with and meet all the requirements of Volume III Plumbing Rules and Regulations of the Administrative Building Council of Indiana.

(2) Water Supply.

All residential buildings shall be directly connected to a municipal water supply system or to a water well on the same premises which water well shall meet the following requirements.

(a) Type well permitted.

No water well except a drilled or driven well shall be permitted and such drilled or driven well shall be of sufficient diameter to accommodate a 2-inch pipe and such well shall be drilled or driven at least to the second water bearing level of formation.

(b) Location of well.

Minimum distances of wells and underground pump suction lines from sources of contamination shall be maintained as follows:

	Minimum Distances
Sewers and Drains	50 Feet
Septic Tanks and Disposal Field	50 Feet
Privies	50 Feet
Seepage Pits	100 Feet
Stables, Livestock Runs, Manure Piles	50 Feet
Streams, Lakes, Ponds, Ditches	30 Feet
Property Lines	15 Feet
Dwelling Wells Only)	Must be located Outside foundation walls.

(c) Well platform casings

All well casings shall be constructed of new wrought iron or steel casing with welded or threaded joints and must extend from a distance of 18 inches above the ground surface to the water bearing formation and in unconsolidated water bearing formation, such as sand or gravel, a well screen must be attached to the bottom of the casing.

All well platforms shall be of reinforced concrete, be at least four (4) feet square and slope from the well.

All pumps shall include a stuffing box sufficient to seal the opening through which the pump rod moves and shall be attached to the well with a sanitary well seal and well base.

(3) Septic Tank and Disposal Field:

All buildings designed or used for residential purpose, except as hereinafter provided in sub-paragraph (g) hereof, shall be connected to a municipal sewer system or be supplied with and connected to a sewage disposal system consisting of (a) house sewer, (b) septic tank, (c) effluent sewer, (d) distribution box, (e) disposal field. Which sewage disposal system shall meet the following minimum specifications.

(a) Residential Buildings R-5 District.

	Size	Type	Minimum Length
House Sewer	4" cast iron or cement asbestos reinforced sewer pipes - all joints tight	soil pipe	20 Feet
Septic Tank	500 gallon capacity located at least 20' from house.		
Effluent Sewer	4" cast iron or cement asbestos reinforced sewer pipes laid at slope of 1/8 inch to 1 foot -- all joints tight.	soil pipe	
Distribution Box	At least one with inlet for effluent sewer and separate outlet for each individual disposal field line - all joints tight.		
Disposal Field Tile	4" tile laid with joints open (aggregate length) 200'.		
Disposal Field Trench	2' (at bottom)(aggregate length) 200'.		
Gravel Content	Depth below tile 18" above tile 6" (remainder of disposal field trench above gravel to be filled with soft, breathing earth, but not clay or mixed earth).		

Minimum length individual disposal field tile line and trench 50'.

Maximum length individual disposal field tile line and trench 100'.

Spacing of trenches - 6 feet on center.

(a) All sanitary privies hereafter installed in the unincorporated area of Marion County, Indiana shall meet the requirements of and be installed and maintained according to the requirements and regulations set out in Bulletin Number S. E. 11-1950 of the Indiana State Board of Health, provided further that a certain document now on file in the office of the Secretary of the Marion County Plan Commission being marked and designated S. E. 11-1950 of the Indiana State Board of Health and hereby referred to, adopted, and by this reference made a part of this Ordinance as though fully set out therein.

Section 2.003 - Heating Ventilating and Air Conditioning:

All heating, ventilating and air conditioning systems installed in residential structures shall be in conformity with and meet all the requirements of Volume IV Heating, Ventilating and Air Conditioning Rules and Regulations of the Administrative Building Council of Indiana.

Section 2.004 - Excavation:

(a) Excavation of all foundations shall extend to solid ground. If, upon excavation, other than solid ground is encountered, the footing shall be redesigned and details of same shall be submitted to the Building Commissioner for approval.

(b) Depth of excavation for trench walls and piers shall be carried to a depth of 36 inches.

(c) All debris, such as stumps, roots, vegetation, and wood scraps occurring within the building area shall be removed. The ground level in excavated portions shall be at least 12 inches from the bottom of floor joists and girders.

(d) Rough and finished grading shall be brought to levels shown on drawings. Finish grade shall slope to drain the water away from the buildings.

Section 2.005 - Masonry:

(a) Poured concrete: Mixture shall not be leaner than as follows:

(1) For plain concrete: 1 part portland cement, 3 parts sand, 5 parts gravel, crushed stone, or blast furnace slag.

(2) For reinforced concrete: 1 part portland cement, 2 parts sand, 4 parts gravel, crushed stone, or blast furnace slag.

(3) Water content shall be not more than 7 gallons of water per bag.

(4) All materials shall be clean and free from loam and other foreign matter.

(b) When concrete is not poured in one operation, the top surface of the previous pour shall be cleaned, scored and wetted before continuing the pour. Vertical joints shall be keyed.

(c) In extremely hot and dry weather, the concrete shall be kept wet for at least 3 days.

(d) In freezing weather the concrete mix at the time of pouring shall have a temperature of at least 40 degrees Fahrenheit, but not more than 120 degrees Fahrenheit, and shall be maintained at a temperature above freezing until concrete has thoroughly set. Integral compounds shall not be used in lieu of maintaining the above required temperature.

(e) Floor finish: Topping, except for integral finish, shall be 1 part portland cement and 3 parts sand.

(f) Mortar: Mortar mixture shall be as follows:

(1) For all masonry below grade: 1 part portland cement, 3 parts sand by volume, lime equal to not more than 15 per cent of the cement by volume may be added, or a prepared mortar mixed and used according to manufacturer's directions.

(2) For all other masonry work: 1 part portland cement, 1 part lime putty, 6 parts sand by volume, or a prepared mortar mixed and used according to manufacturer's directions.

(g) Retempering of mortar will not be permitted.

(h) Joints: Joints between masonry units shall be not over 3/4 inch thick. In walls built of solid masonry units, all joints shall be filled solid. When hollow units are used, the units shall be laid with no through mortar joints. All joints shall be pointed solid with mortar on both sides of the walls. All outside and exposed inside joints shall be weathered or tooled unless approved otherwise by the Building Commissioner.

(i) Materials: Masonry walls shall be hard-burned brick, stone, poured concrete, thoroughly cured concrete units, or hard-burned load-bearing structural clay tile. The use of other masonry materials, including masonry veneer materials less than 4 inches thick, less hard-burned load bearing structural clay tile may be used when approved by the Building Commissioner.

(j) Forms: All forms for concrete shall be tight, straight, and plumb and shall be rigidly braced to properly support the concrete until set. Forms shall not be removed until concrete has thoroughly set. Loads shall not be placed on concrete until sufficient strength has developed to support such loads.

(k) Reinforced concrete: The design, materials, metal reinforcement limitations, and other requirements for reinforced concrete construction shall conform to generally accepted good practice. For the purpose of this Code, compliance with the "Building Regulations for Reinforced Concrete" (A.C.I. 501-36-T) of the American Concrete Institute shall be considered as prima facie evidence of good practice.

Section 2.006 - Footings:

(a) All footings shall bear on undistrubed soils or rock and be designed to distribute sufficiently the superimposed load to the particular type of soil upon which they bear.

(b) Where soil conditions prevent sharp-out trenches for footings, side forms shall be used.

(c) Footings will not be required under foundation walls 18 inches or more in thickness where the soil is hardpan or well drained, firm and undisturbed soil.. In all other cases, footings of poured concrete will be required.

(d) The minimum dimensions of footings shall be as follows:

(1) Under foundation walls of 1-story frame residential buildings containing no basement; thickness 6 inches projection, 3 inches on each side of wall.

(a) Under foundation walls of any other frame residential buildings and 1-story residential buildings; thickness 8 inches; projection 4 inches on each side of wall.

NOTE: In (1) and (2) above, the requirements for frame residential buildings shall also apply to masonry veneered frame residential buildings.

(3) Under foundation walls of masonry residential buildings more than 1-story height; thickness 12 inches; projection 6 inches

on each side of wall. Footings may be same as in (b) if reinforced with not less than two 5/8-inch bars continuous in footing and spaced not to exceed 8 inches.

(4) Under piers posts, and columns of 1-story residential buildings; area, 3 square feet, thickness twice the projection, minimum 8 inches.

(5) Under piers, posts, and columns of residential buildings over 1-story; minimum area, 4 square feet; thickness, twice the projection, minimum, 12 inches.

(6) Under chimneys for 1-story residential buildings; thickness 8 inches; projection on all sides 4 inches.

(7) Under chimneys for residential buildings more than 1-story thickness 12 inches, projection on all sides 6 inches.

NOTE: All footings shall be adequately reinforced where they cross and bear on filled trenches or other similar disturbed soil and conditions.

(e) Modifications of the above requirements may be made if such modifications are fully detailed and noted on drawings and are approved by the Building Commissioner.

(f) Footing drain tile may be required by the Building Commissioner where water conditions exist and soil is not porous. Tile shall be covered with 12 inches of porous material such as gravel, etc., with provision for draining water away from the building by connecting with tight-joint glazed tile or dry well sewer, or by other means.

Section 2.007 - Foundations:

(a) In no case shall the foundation wall thickness be less than that of the wall supported.

(b) The following minimum requirements for foundation wall thickness shall apply:

(1) 6-inch thickness; for poured concrete, supporting 1-story wood frame structures without basement.

(2) 8-inch thickness; for all other poured concrete walls.

(3) 8-inch thickness; for masonry unit wall which extends not more than 7 feet below outside finished grade. Maximum total height of the foundation wall and wall supported, 35 feet. Any wall in excess of pilasters not less than 4 x 12 inches bonded into the wall.

(4) 12-inch thickness; for masonry unit walls which extend more than 7 feet below outside finished grade.

(5) 16-inch thickness; for all rubble stone foundations walls.

(c) When foundation walls are built of hollow masonry units, the top course shall be a slab of solid masonry units or poured concrete not less than 4 inches in thickness.

NOTE: Foundation walls and basement bearing partitions, when constructed of structural clay tile, shall have all corners and intersections of partitions with foundation walls constructed on vertical cell corner blocks, or of solid brick.

(d) Pilasters not less than 4 by 12 inches shall be constructed to form piers under the ends of all girders framing into 8-inch thick foundation walls built of masonry units and poured concrete wall less than 8 inches in thickness and shall be bonded into the wall. Pier construction shall be as follows:

(1) When the foundation walls are of hollow concrete block construction the top 8 inches of the pier shall be of solid masonry material.

(2) When the foundation walls are of load-bearing structural clay tile, the pier shall be constructed of brick extending from footing to girder.

(e) Foundation walls supporting masonry veneered stud frame walls may be 8 inches thick when the top of the walls are corbelled 1-1/4 inches on the outside to support the veneer.

(f) Foundation walls supporting frame construction shall extend not less than 6 inches above the adjoining outside finish grade.

(g) All masonry chimneys shall have foundations of masonry or concrete which shall extend down to the level of the foundation wall footing surrounding the area where the chimney is located and where chimneys occur in outside walls or inside bearing walls, the footing shall be bonded with the wall footing. Where chimneys occur in outside walls, the outside wall shall not be less than 8 inches thick.

(h) Residential buildings constructed on concrete slabs on the ground will be acceptable when approved by the Building Commissioner. The preparation of the slab bed and the construction of the slab shall be in accordance with the requirements established by the Building Commissioner.

(i) An opening of not less than 2 by 2 feet shall be installed to provide access for inspection and repairs in each unexcavated space under wood or metal floor construction, and under concrete slabs where piping, duct work, etc., requiring periodic inspection or repair is located.

(j) Foundation wall vents proportioned on a basis of 2 square feet for each 25 lineal feet of exterior wall shall be installed for ventilating all unexcavated spaces and each such space shall have at least two vents. Noncorrodible screening of not over 1/4 inch mesh shall be installed in each opening, or in lieu of this wood lattice may be used if the vents be proportioned on the basis of 3.5 square feet for each 25 lineal feet of exterior wall.

(k) Area walls and foundation walls for porches, steps, and terraces shall be adequately bonded or anchored to main walls. All walls shall bear on undisturbed soil.

Section 2.008 - Exterior Masonry Walls.

(a) Masonry walls shall have a thickness of not less than 8 inches for a height not to exceed 30 feet to eaves and 35 feet to ridge of gable ends. When two or more units are used to make up the thickness of the wall, the inner and outer courses shall be bonded by at least one header course, in every six courses, or by one full length header in every 72 square inches of wall surface.

(b) Masonry veneer applied to masonry walls shall be tied to the wall by full-length headers or noncorrodible metal wall ties spaced every fifth course vertically and not more than 23 inches o. c. horizontally.

NOTE: Veneer shall not be considered a part of the required wall thickness unless bonded as required in Paragraph (a) of this section.

(c) Proper provision shall be made for adequate bonding and anchoring together of all intersecting concrete and masonry walls.

(d) The ends of girders framing into walls constructed of hollow masonry units shall bear upon solid masonry construction at least 8 inches in depth or upon other suitable bearing securly anchored to masonry walls. In such walls, all floor joists shall bear upon solid masonry not less than 4 inches in depth, and lintels over openings shall be supported upon solid masonry material equivalent in depth to at least two courses of brick.

(e) Masonry veneer applied to wood frame wall shall have a thickness of not less than 3-3/4 inches; and veneer shall be anchored to the wood frame with noncorrodible metal ties spaced every fifth course vertically and not more than 32 inches o. c. horizontally. A 1-inch space shall be provided between the veneer and the wood construction. In all cases the veneer shall be backed up with waterproof building paper or saturated asphalt felt which shall extend down and under the bottom course of veneer.

(f) Party walls shall be not less than 8 inches thick when of masonry construction: When flat roofs occur, the wall shall extend from footing to 8 inches above the roof and be capped with stone, corrosion-resisting sheet metal, portland cement, or terra cotta coping; when pitched roofs occur the wall shall extend from footing to under side of roof boards at all points to form fire stops.

(g) Adequate lintels or properly designed masonry arches will be required in the heads of all openings in masonry and masonry veneered walls.

(h) All bearing plates for roof rafters framing into masonry wall shall be bolted to the masonry walls with 1/2-inch bolts bedded firmly in the masonry and spaced not less than 8 feet apart. Bolts shall

not be less than 15 inches long and shall be provided with washer.

(i) All exterior masonry walls less than 12 inches thick above the basement, which are to be plastered, shall be furred with 2-inch thick furring tile or with 1-inch wood furring strips spaced 16 inches o. c.

(j) Any masonry wall constructed other than the foregoing shall be subject to the approval of the Building Commissioner.

Section 2.009 - Chimney:

(a) All masonry chimneys, except those with solid brick walls 8 inches or more thick shall be lined throughout with fire clay flue lining. Minimum flue sizes; for heating plants, 8-1/2 by 8-1/2 inches; for fire places, 8-1/2 by 13 inches; or circular flues of equivalent effective area.
NOTE: The interior of chimneys shall be smooth when flue lining is not installed.

(b) All heating equipment shall connect into individual flues except as provided in Paragraph (d) of this section.

(c) All chimneys shall be capped to form a wash from the flue to the outside edge of the chimney.

(d) All gas fired house heaters and built in unit heaters, shall be connected to flues constructed of masonry as described in Paragraph (e) of this Section, or constructed on not less than 20 gauge corrosion-resisting sheet metal properly insulated with asbestos or other acceptable fireproofing material, which is approved by the Underwriter's Laboratories, Incorporated. Such flues shall extend through the roof. Gas-burning hot water heater shall have vents which may connect into the building heating flue, provided the connection is below the breeching.

(e) In masonry chimneys containing two or more flues, each group of two flues shall be separated from each other, single or groups of two flues by brick with not less than 3-3/4 inches wide.

(f) All fire places shall have hearths supported on fireproof construction. The hearths shall project at least 16 inches measured from the chimney breast, and the width shall be not less than the width of the fire-place opening plus 16 inches.

(g) Open fire places shall be constructed with smoke chambers and dampers and shall be lined with fire brick or other materials approved by the Building Commissioner. The effective area of the flue shall be not less then 1/12 of the area of the fireplace opening. When an ash dump is provided, ashes shall empty into an enclosed chamber or fireproof material provided with a metal cleanout door.

(h) All chimneys shall extend not less than 2 feet above the highest ridge.

Section 2.010 - Concrete Floors, Driveways and Walks.

(a) Terrace and porch floors, if of concrete construction, shall have a minimum thickness of 4 inches and shall be properly surfaced. The slabs shall be laid on a bed (4-inch minimum thickness) of gravel, cinders, or other approved material.

(b) All outside brick steps shall be of hard-burned brick or other approved paving brick. "Salmon" or soft brick will not be accepted for treads, platforms terraces.

(c) Basement or cellar floor slabs shall be not less than 3-inch concrete if finished monolithic, otherwise 3-inch concrete and 1-inch topping.

(d) All openings in basement floors shall have covers which shall be flush with the finish floor.

(e) When the heating plant is located above the basement, the floor area where the heating plant is located shall be finished with concrete 3 inches thick, or with other noncombustible material. Chamfer tops of floor joists when concrete is let down below the top of the wood construction.

(f) Tile floors supported on wood construction shall have concrete underfloor not less than 3 inches thick. Boarding supporting the underflooor may be let down between the joists but not to exceed 1-1/2 inches. Chamfer tops of joists. Ginder concrete shall not be used for underfloor where water piping occurs in the underfloor construction.

(g) All down spouts or leaders emptying on grade shall have splash blocks constructed of concrete or other approved material so located as to carry the rain water at least 3 feet from the building.

Section 2.011 - Damp-proofing.

(a) Where water conditions necessitate damp-proofing basements or cellars, the enclosing foundation walls, unless damp-proofed in some other manner approved by the Building Commissioner, shall be plastered on the exterior with at least 1/2-inch of cement plaster. The cement plaster shall be carried down to a cove at the bottom, extending to the outside of footing.

(b) If water conditions exist and additional precautions are necessary, the exterior walls below finished grade shall be waterproofed. In cases where water exists under pressure, basement floors shall be waterproofed and reinforced.

Section 2.012 - Minimum Design Loads:

(a) All floors for one or two-family residential buildings shall be designed for the dead load plus a live load of not less than 40 lbs. per square foot of floor area.

(b) All roofs for one or two-family residential buildings shall be designed for the dead load plus a live load of not less than 30 pounds per square foot of horizontal projection.

Section 2.013 - Structural Steel and Iron:

(a) Connections shall be riveted, bolted, or welded, and shall be so designed as to fully develop the strength of the structural members. Bearings of steel beams and girders on masonry walls shall extend at least 4 inches into the wall, and shall be solidly bedded in portland cement mortar. Bearing plates shall be designed to carry the load and shall have a minimum thickness of 5/16 inch.

(b) All steel or cast iron columns shall have flanged bases and caps. Column caps shall be anchored to beams or girders. Loose shims will not be acceptable. Bases of columns shall be securely embedded in concrete.

Section 2.014 - Lumber Structural Design:

(a) All members shall be so framed, anchored, tied and braced together as to develop the strength and rigidity necessary for the purpose for which they are used.

(b) Workmanship in fabrication, preparation, installation, joining of wood members and the connection and mechanical devices for the fastening thereof, shall conform throughout to good engineering practices.

(c) Minimum sizes of lumber members required by this Code refer to nominal sizes. American Lumber Standards dressed sizes shall be accepted as the minimum net sizes conforming to nominal sizes. Computations to determine the required sizes of members shall be based on the net dimensions (actual size) and not the nominal sizes. If rough sizes or finish sizes exceeding American Lumber Standards dressed sizes are to be used, computations may be predicted upon such actual sizes, provided they are specified on the plans or in statement appended thereto. For convenience, nominal sizes may be shown on the plans.

(d) Splicing of structural wood joists between bearing points shall not be permitted. In all cases, regardless of Location, where the structural strength of framing members is definitely impaired by cutting or drilling, such members shall be reinforced or replaced as required by the Building Commissioner.

Section 2.015 - Floors and Roofs:

(a) All wood framing for floors and roofs shall be kept away from flues and chimneys. Headers, beams and joists running parallel to the wall shall be not less than 2 inches from the outside face of a chimney or from masonry enclosing a flue. Headers supporting trimmer arches at fireplaces shall not be less than 20 inches from the face of a chimney breast. Trimmers shall be not less

than 6 inches from the inside face of the nearest flue. No woodwork shall be placed within 4 inches of the back face of a fireplace; nor shall combustible lathing, furring or studding be placed against a chimney; but this shall not prevent plastering directly on the masonry. All spaces between the masonry of chimneys or flues and joists, beams or headers shall be filled with noncombustible material.

(b) Girders may be structural steel, solid wood, built-up wood, or reinforced concrete.

(c) All joints of solid and built-up wood girders shall be made over pier of column supports.

(d) Wood posts, when used as columns in basements, shall bear on a cement base 8 by 8 inches which shall extend 3 inches above the finish floors. The base shall bear directly on the post footing.

(e) Where floor joists frame into the side of wood girders, the joists shall be supported on metal joist hangers or on a bearing strip or ledger board on the side of the girders. Size of ledger shall be at least 2 x 3 inches. The notch in the end of the joist shall be more than 1/4 of the joist depth.

(f) Ends of the floor joists framing into masonry walls shall have not less than 4-inch bearing and shall have at least a 3-inch level or fire cut. The ends of the floor joists and girders which frame into the masonry walls below outside finish grade shall receive a good brush coat of creosote.

(g) Each fourth joist in wood floor construction framing into masonry walls shall have either a metal strap anchor applied on the side and near the bottom of the joist and shall extend into the masonry wall, or other anchorage approved by the Building Commissioner. Masonry walls running parallel to the floor joist shall be tied to the floor construction with metal strap anchors spaced not over 6 ft. apart and extending over and secured to at least 3 joists.

(h) Floor joists shall have a clearance of not less than 12 inches between the bottom of the joists and the surface of the ground underneath.

(i) Floor joists shall be doubled under all partitions which run parallel to the floor joists. Doubled joists shall be separated and blocked at 4-foot intervals where piping or duct work occurs.

(j) Headers and trimmers shall be doubled except that headers 4 feet or less in length may be of single thickness provided the header is supported in metal joist hangers, or on columns or posts, or on not less than 2 x 3 inch ledger boards and header is secured by spikes driven through one thickness of the trimmers into the ends of the header. Headers receiving more than 4 tail beams shall have ends supported in metal joist hangers.

(k) Ends of lapped joists shall rest on girders or on bearing partitions and shall be securely nailed to plate and to each other.

(l) Bay windows, overhanging second floors, and all projections carrying floor and roof loads which are not supported directly by a foundation shall be fully detailed on the drawings submitted with the application for permit.

(m) Floor (including attic floor) and flat roof joists shall be cross-bridged with 1 x 3-inch bridging at intervals not to exceed 8 feet and doubled nailed at each end, except when flooring of plank not less than 2 inches in thickness is nailed to the top edge of the joists or beams. Metal bridging may be used when approved by the Building Commissioner.

(n) The cutting of floor joists to facilitate the installation of piping and duct work will be permitted with the following limitations:

(1) The top or bottom edges of joists may be notched not to exceed 1/6 of the joist depth. Notching the top or bottom edge of joists will not be permitted in the middle third of any joist span.

(2) If cutting of a floor joist more than 1/6 of its depth is found necessary, a header the full depth of the joist shall be cut in to support the end of the joist.

(3) Where location of pipes necessitates passing through the joists, holes shall be drilled to receive the pipes. The diameter of the holes shall be not more than 1/2 inch greater than the outside diameter of the pipe and in no case greater than 2-1/2 inches. The edge of the holes shall not be located nearer than 2 inches from the top or bottom edge of the joist.

(o) Ceiling joists shall, whenever possible, serve as ties for the rafters and shall be securely nailed to the rafters.

(p) An opening of not less than 24 x 30 inches for access into each attic space shall be provided to allow for inspection and repair to two-story residential buildings. In one story residential buildings, the access opening shall not be more than 20 x 20 inches, except when ceiling joists comply with maximum spans for floor joists.

(q) All attics and spaces between flat roofs and ceilings shall be ventilated by screened louvers or other means approved by the Building Commissioner.

(r) Collar beams of 1 x 6's or 2 x 4's shall be installed on at least each third pair of roof rafters and shall be securely nailed to the rafters. Maximum spacing of collar beams, 5 feet o. c.

(s) Where ceiling joists serve as collar beams and occur above the midpoint of the rafters, adequate provision shall be made for tying the lower end of the rafter to the floor construction. When the installation for this tie is not possible because of structural conditions, the rafter size shall be increased sufficiently to support the roof load without thrust or undue bending in the lower end and the size of the collar beams shall be not less than that of the rafters.

(t) Rafters shall be securely spiked to the wall plate. Opposing rafters shall be framed directly opposite each other at the ridge. There shall be a ridge board at all ridges and a valley rafter at all valleys. The depth of the ridge board and valley rafter shall be not less than the end of the abutting rafters. Valley rafters shall be not less than 2 inches thick for spans under 12 feet, and shall be built up of not less than 2 pieces of 2-inch framing, and shall be not less than 4 inches thick for spans over 12 feet.

(u) All openings in roof construction for dormer windows which are not supported on partitions, shall be framed with doubled rafters and headers.

(v) Requirements for headers and trimmers for roof framing around chimneys shall be same as required for floors except that for a sloping roof where headers are less than 4 feet in length and the chimney is either at the ridge or the eaves, the trimmers may be single.

(w) Roof rafters shall be covered with 1-inch roof sheeting, laid close for tile, slate asbestos-cement, or asphalt shingles; or 1 x 3 inch or wider shingle lath for wooden shingle roof, spaced according to shingle exposure. All roof sheathing and shingle lath shall be securely nailed to rafters at each bearing. Boards over 8 inches wide shall be triple-nailed. End-matched (T. & G.) break joints over the same rafters space, and each board shall bear on at least two rafters.

(x) Crickets or chimney saddles shall be installed on the upper side of all chimneys that are not in contact with the ridge.

Section 2.016 - Exterior Walls:

(a) Wood stud walls supported on masonry shall rest on wood sills not less than 2 inches thick and not less in width than that of the width of the studs. Sills shall be bolted to the masonry at corners and between corners with 1/2 inch bolts not less than 7 inches in length and spaced not more than 6 feet apart.

(b) All sills and girders on top of foundation walls and piers shall be levelled, and shimmed up with slate cips or brick, and thoroughly bedded in cement mortar.

(c) All exterior wood and stud walls shall have strength and rigidity equivalent to 2 x 4 inch stud spaced 16 inches on centers securely fastened to plated top and bottom and diagonally braced at corners with 1 x 4 inch braces let into the outside faces of the studs at approximately 45 degrees and extending from the wall to the plate. Braces shall extend in opposite directions on each side of the corner and shall be securely nailed to each stud and to sill and plate. When openings occur near the corner, 1 x 4 inch knee braces let into the outside face of the studs shall be installed above and below the openings at approximately 45 degrees and extending across not less than three studs. Corner bracing may be omitted when wood sheathing is used laid diagonally at an approximate angle of 45 degrees and extending opposite directions on each side of the corners.

(d) Exterior wood stud walls shall have corner posts either built up or solid not less than two 2 x 4's in section.

(e) Studs in exterior frame walls may run from sill to roof line pro-

vided they do not exceed 20 feet in length, but such studs shall be in continuous lengths without splicing. Floor joists supported on exterior frame walls shall bear on 1 x 6 inch ribbons let into the inside face of the studs. Joists bearing on ribbons shall be securely nailed to the studs. Where the walls height exceeds 20 feet, a doubled 2 x 4 inch bearing plate shall be installed continuous at the second floor level.

(f) Top plates shall be not less than doubled 2 x 4's which shall lap at all corners and at all intersecting partitions. All such laps shall be securely spiked.

(g) An exposed wall which is less than three feet distant from a lot line other than the street line shall have a fire-resistance rating of not less than one hour. Provided that the material of the weather surface may be similar to that of the other exterior walls of the building.

(h) An exposed wall which is less than ten feet distant from a wall of another building of frame construction on the same lot shall have a fire-resistance rating of not less than one hour. Provided that the material of the weather surface may be similar to that of the other exterior walls of the building; and provided that when the aggregate area of the two buildings does not exceed one and one-half times the limiting area fixed by this Code for either building, such fire-resistance rating shall not be required.

(i) All window and door openings shall have studs doubled on jambs. The inner stud shall be cut to receive the lintel or header over the opening and shall extend in one piece from lintel or header to bearing.

(j) Lintels or headers over all openings shall be doubled and shall be set on edge. Spans for lintels or headers shall not exceed the following for the size given:
   (1) Spans up to 4 feet: Two 2 x 4's.
   (2) Spans 5-1/2 feet to 7 feet: Two 2 x 8's.
   (3) Spans over 7 feet: Two 2 x 10's.
   (4) Spans 4 feet to 5-1/2 feet: Two 2 x 6's.

(k) In lieu of lintels, trussed construction may be used.

(l) Sheathing when used may be of wood structural insulation board, gypsum board, plywood, or other material approved by the Building Commissioner.

(m) All sheathing shall be covered with water-resisting building paper or saturated asphalt felt and shall be applied over all types of sheathing except sheathing board providing this protection. Each lap shall be not less than 4 inches with at least a 4-inch lap on the water-resisting material around openings. All exterior openings in frame walls shall have strips of water-resisting building paper or saturated asphalt felt installed behind the exterior trim.

(n) When shingles are applied to side walls over other than wood sheathing boards, 1 x 2 inch nailing strips shall be used, nailed to the studs over the building paper and spaced according to the shingle exposure.

(o) Side wall shingles shall be applied with a weather exposure in accordance with the following table:

Length of Shingles in Inches	Exposure of Shingles in Inches	
	Single Course	Double Course*
16	6 to 7-1/2	8 to 12
18	6 to 8-1/2	9 to 14
24	8 to 11	12 to 16

* Exposed course shall be face-nailed or butt-nailed.

(p) Side wall panels made of shingles applied to structural insulation board, gypsum board, plywood or other material, may be used when nails are securely clinched.

(q) Wood sheathing boards shall be installed and laid close under rigid shingle siding where the shingle butt thickness is less than 3/8 inch.

Section 2.017 - Interior Partitions:

(a) All bearing partition studs shall be not less than 2 x 4's spaced not more than 16 inches o.c. set the 4-inch way.

(b) Non-bearing partition studs may be 2 x 4's spaced 16 inches o.c. set the 2-inch way for walls around closets and chimneys, for walls not exceeding 6 feet of unsupported length which contain openings, and for walls exceeding 6 feet provided they are devoid of openings.

(c) All openings in interior bearing partitions shall have jambs and heads double-framed same as required for exterior openings. Jambs and heads of openings in non-bearing partitions shall be 2 x 4's doubled.

(d) The top plates of all bearing partitions shall be doubled. All partitions plates shall lap at all intersecting partitions and at outside walls, and shall be securely spiked.

(e) When partitions frame on top of the joists of subfloor, the studs shall bear on a sole plate at least 2 inches thick.

(f) Where non-bearing partitions run parallel to the second floor joists, a lathing member shall be placed above the partition plate and shall be wide enough to provide nailing surface for ceiling lath.

(g) Wood bearing partitions in cellars or basements will not be acceptable.

(h) No stud shall be cut more than half its depth to receive piping and duct work. If more depth is required, the partition studs shall be increased accordingly. Where the running of piping and duct work necessitates the cutting of plates, proper provisions, acceptable to the Building Commissioner shall be made for tying together and supporting all structural members affected by such cutting.

(i) Corners of all rooms shall be framed solid for lath or other interior finish.

(j) All interior partitions connecting to masonry walls shall have the end stud anchored to the masonry with not less than three 1/2-inch belts in each story height. Belts shall not be less than 6 inches long and provided with washers.

(k) Walls or partitions separating two residences of frame construction shall be of construction having a fire-resistance rating of not less than one hour.

Section 2.018 - Stairs:

(a) Main stairways shall have not less than 6 feet 8 inches continuous clear headroom measured vertically from the front edge of the tread to a line parallel to the stair run. Head room for all other stairs shall not be less than 6 feet 4 inches.

(b) The cutting and framing of all structural members such as stringers and landings shall be such that the development of their full strength will not be impaired. Stringers shall have solid bearing at top and bottom. The minimum effective depth of wooden stair stringers shall be 3-1/2 inches.

(c) If winders are used, the width of treads at 18 inches from the converging end shall be not less than the tread width on the straight stair run. All risers shall be the same height for each story.

(d) Open basement stairs shall have stringers not less than 2 inches thick. If treads are less than 1-1/8 inches thick, a third stringer shall be installed. Treads shall be housed into stringers or supported by cleats nailed to stringers.

Section 2.019 - Fire Stopping:

All residential buildings shall have fire stops so arranged to cut off all concealed draft openings and to form a horizontal fire barrier between each floor and between the top story and the roof or attic space. Approved masonry or wood blocks cut in solidly or other approved methods will be acceptable.

Section 2.020 - Roof Covering:

(a) Tile, slate, asbestos-cement and asphalt shingle roofs shall be installed according to the manufacturer's directions.

(b) Roof sheathing shall be covered with saturated asphalt roofing felt of the following weights:
   (1) Not less than 30 pounds per square under tile, asbestos cement shingle or slate roofs.
   (2) Not less than 30 pounds per square under asphalt shingles where less than double thickness occurs at any points.

(3) Not less than 15 pounds per square under asphalt shingles where double thickness is obtained at all points.
NOTE: No felt will be required where triple thickness asphalt shingles is obtained at all points, nor under wooden shingles where the pitch is greater than 7 in. rise for 12 in. run.

(c) Asphalt shingles which are classified as "Class C" under the test specifications of Underwriters' Laboratories, Incorporated, shall be used on shingle installations.

(d) When slate is installed, exposure shall not exceed the following:
(1) 14-inch slate -- not over 5-1/2 inches to the weather.
(2) 16-inch slate -- not over 6-1/2 inches to the weather.
(3) 18-inch slate -- not over 7-1/2 inches to the weather.

(e) Asbestos-cement shingles and tiles shall be applied with exposures as recommended by the manufacturers.

(f) Built up asphalt and tar and gravel coverings for flat roofs shall be applied according to manufacturer's directions and shall carry the regular manufacturer's guarantee for the type of roof used.

(g) The placing of new roofing conforming to this Code over existing roofing shall not be prohibited, provided existing roofing is removed for a distance of at least 2 inches along all edges of the roof and replaced by strips of weatherproof material over which the new roofing shall extend.

Section 2.021 - Sheet Metal:

(a) All built in flashing and counterflashing over heads of openings, around chimneys, at intersections of roofs and walls, valleys, hips, ridges, and at horizontal and vertical intersections of stucco with other materials shall be of corrosion-resisting metal.

(b) All metals other than copper, lead and zinc shall be painted on both sides before installation.
NOTE: For valleys in connection with asphalt shingle roofs, two thicknesses of mineral-surfaced roll-roofing material cut from rolls weighing not less than 85 pounds per square, may be used. Strips shall be not less than 18 inches wide.

(c) All sheet metal shall be of the following minimum weight or gauge:
(1) Copper: Flashing, gutters and leaders, 16 ounce.
(2) Tin: 40 pound tin coating.
(3) Galvanized Sheet Metal: 26 gauge sheets with 1.25 ounce zinc coating per square foot.
(4) Zinc: As recommended by manufacturers.
(5) Lead: Sheet lead, 2-1/2 pounds per square foot.

(d) Flashing and counter flashing at parapet walls in connection with flat roofs may be of same material as roof coverings. All flat roofs, except where metal base flashing is used, shall have a 45-degree cant strip at all roof intersections with parapet and vertical walls.

(e) All chimneys shall have corrosion-resisting metal counter-flashing built in on all sides at intersections with roof.

Section 2.022 - Lathing:

(a) Wood lath shall be 5/16-inch thick No. 1 lath, spaced not less than 1/4-inch nor more than 3/8 inch apart, nailed at each bearing and joints shall be broken every 7th lath. Lath extending continuous behind intersection partitions and walls will not be approved.

(b) Metal lath shall be not less than the following:
(1) Expanded metal lath:
(a) For stud walls studs 16 inches o. c. or less: 2.5 pounds per square yard.
(b) For ceilings, joists spacing up to 20 inches: 3.44 pounds per square yard, or flat ribbed metal lath 2.75 pounds per square yard.
(c) For exterior stucco: 3.4 pounds per square yard.
NOTE: Expanded metal lath used as Base for interior plaster shall be either painted or galvanized.
(2) Woven galvanized wire lath: No. 18-gauge wire, weight 3.2 pounds per square yard.
(3) Paper backed galvanized wire lath: Maximum wire spacing 2 inch o. c.
(a) For interior plaster: Weight 2.3 pounds per square yard.
(b) For exterior stucco: Weight 3.1 pounds per square yard.
NOTE: All metal lath used as base for exterior stucco

shall be cut from zinc-coated sheet metal or fabricated from zinc-coated wire.

(c) All external angle corners for interior plaster work shall have galvanized iron corner beads and all intersections of walls at corners and at ceilings shall be lathed with metal lath corner strips not less than 6 inches wide, 3 inches on each surface.

(d) When metal lath is used as a base for stucco the lath shall be held at least 3/8-inch away from sheathing by use of furring nails, wood furring strips, or self-furring lath.

(e) When metal lath, except paper backed metal lath, is applied to solid wood surfaces such as wood beams, lintels, girders, etc., the surface shall be covered with waterproofed paper before the metal lath is applied. Furring nails or strips shall be provided for fastening of metal lath.

(f) Insulating fiber board lath and gypsum board lath shall not exceed 18 x 48 inches and shall be applied according to manufacturer's directions.

Section 2.023 - Plaster:

(a) All interior plaster when applied to lath base shall be 3-coat work and shall have a minimum thickness of 1/2-inch over the lath base. Provided, that work which provides for the scratch coat and brown coat to be applied as separate coats, but in one operation, will be acceptable.

(b) The scratch or first coat may be omitted when plaster is applied directly to masonry.

(c) All plaster shall be mixed and applied exactly according to manufacturer's directions.

(d) All lime used for plastering shall be thoroughly slaked.

(e) If hydrated lime or patent plasters are used, they shall be mixed and applied according to manufacturer's directions.

(f) All plaster ceilings shall be level. All walls and corners shall be plumb and straight.

Section 2.024 - Stucco:

(a) Metal lath shall be wholly embedded in the stucco.

(b) Stucco shall have a base of cement-mortar or other approved mortar, on wooden lath, metal lath, or on woven or wire-lath.

(c) If sheathing for frame construction is omitted, the stucco shall be backed plastered.

Section 2.025 - Attached Garages:

(a) The walls, floors and ceilings, between the portion of a dwelling used as a private garage and the balance of the dwelling, shall have a fire resistance rating of not less than 1 hour. Walls and partitions which effect such separation and all floors and ceilings shall be continuous and unpierced by openings, except a door opening equipped with an approved self-closing fire door and having its sill raised not less than 1 foot above the garage floor shall not be prohibited. Provided, however, that this regulation shall not apply where a breeze-way or porch, 8 ft. or more in width, separates garage from dwelling.

Section 2.026 - Windows and Skylights:

(a) Bathroom and water closet compartments shall be provided with ventilation by one of the following means:

(1) A window which has a glass area of not less than ten per cent (10%) of the floor area (minimum glass area, three (3) square feet), and is located in an exterior wall facing a street, alley, yard or outer court, or faces an air shaft having a minimum dimension of three (3) feet. Such window shall have a ventilating area equal to fifty per cent (50%) of the glass area.

(2) A Skylight or skylights, the construction of which shall provide ventilation to the outside air, equal to that required in (a) above.

(b) Water closet compartments containing a lavatory or water closet or both (which is supplementary to a bathroom or bathrooms containing a lavatory, a water closet and a tub or shower) may be ventilated by means of a duct or ducts provided such duct or ducts have two (2) square inches of area for each square foot of floor area, with a minimum total area of forty-eight (48) square inches

if during the course of construction, work has been suspended for a like period, the permit shall be immediately revocable, and notice to that effect shall be served on the owner. This notice shall set forth that within five days the owner shall furnish satisfactory proof that building operations are to be started or recommended and carried out to completion. If the owner shall fail to furnish proof, or, having furnished same, failed to begin to resume work, then it shall be the further duty of the Building Commissioner to revoke said permit. Written notice of such revocation, signed by the Building Commissioner, shall be immediately served on the owner, or shall be posted on the premises, and it shall be unlawful for any person to perform any work in or about said structure, building, or premises, after the revocation of the permit and the posting of notice thereof.

(b) The owner shall be required to effectively protect any dangerous or unsanitary conditions that may exist on the premises.

(c) If the work is begun or resumed in accordance with the agreement, then the original permit shall continue in effect, subject to the conditions set forth above.

(d) When the work for which a permit was issued is not being performed in conformity with the detailed statement or plans upon which such permit was issued, or is in violation of any provision of this Code, it shall be the duty of the Building Commissioner to notify the owner or owners, or his or their agent, in writing, by posting a notice on the building for which the permit is issued, that the work is being constructed in violation of the permit and that such work must be suspended until a permit for such deviation from the detailed statement or plans be obtained, or that such work shall be made to conform to the detailed statement, or plans upon which a permit therefor was issued. If the owner or owners, or his or their agent fail to comply with the said notice on the posting thereof it shall be the further duty of the Building Commissioner to revoke said permit in the manner set forth above.

Section 6 - Plans and Specifications.

(1) All applications for building permits shall be accompanied by an Improvement Location Permit showing compliance with the Zoning Ornance. This permit shall be issued by the clerk of the Improvement Location Permit Department. Upon the filing of any such application accompanied by such Improvement Location Permit, it shall be stamped with the date of such filing.

(2) All plot plans shall be dimensioned, and show the exact placement of all buildings, existing or to be erected, with distance from lot lines, and set-backs, according to scale.

(3) All plans, specifications, and drawings, required by this ordinance to be filed with the Building Commissioner, shall be drawn to scale. All distances, heights, dimensions, thicknesses and sizes shall be accurately figured and drawings made accurate and complete and shall give the following information:

(a) The size, weight per foot, span and type of all iron and steel beams and columns or other structural iron and steel members.

(b) The size, span and direction of joists under each room.

(c) A cross-sectional plan of a typical wall, showing specifications of footings, walls, joists and rafters.

(d) Full specifications of fireproofing in attached garage, including type of door, fire wall, ceiling and side walls.

(e) Plans and specifications showing the exact type, size and location of the water supply, the septic tank and the entire sewage disposal system.

(4) If the matter mentioned in any application for a permit or in the plans and specifications accompanying and illustrating the same indicate to the Building Commissioner that the work to be done is not clearly or specifically defined, or is imperfect, or is not in all respects in accordance with the provisions of this Code, he shall set forth such matters in writing to the applicant and shall refuse to issue a permit until such application and plans and specifications shall have been made to conform in every respect with the requirements thereof. All plans not properly dimensioned shall be deemed incomplete.

(5) It shall be unlawful to erase, alter, or modify any lines, figures or coloring contained upon such drawings or specifications filed with the Building Commissioner. If during the progress of the execution of such work it is desired to deviate in any manner affecting the construction or other essentials of a building from the terms of the applica-

tion, plans, or specifications, notice of such intention to alter, or deviate, shall be given in writing to the Building Commissioner and his written assent be obtained before such alteration or deviation may be made. If such change or deviation affects the bearing or structural parts of such building, or its classification or grade of occupancy, new plans thereof shall be submitted to the Building Commissioner for approval.

Section 7 - Performance Bond Required:

(1) No person, firm or corporation shall install or repair electrical wiring; install or repair plumbing; install or repair septic tanks or sewage system; install or repair heating equipment or install or repair air-conditioning equipment, within the unincorporated areas of Marion County without executing a surety bond in the penal sum of one thousand dollars ($1,000.00) payable to the Board of County Commissioners of the County of Marion, Indiana and conditioned that the principal will perform all services or contracts for services according to the regulations, ordinances and statutes governing the same. All funds received from the foregoing bonds shall be used by the Board of County Commissioners to reimburse the persons, firms or corporations upon whose premises the violation occurred which gave rise to the action upon the aforesaid bond.

(2) The surety bonds referred to in the foregoing section shall run for a term of one (1) year beginning on the first day of January of each year and shall be approved by and deposited with the Marion County Building Commissioner. Failure to file such bond when due shall be grounds for revocation by the Building Commissioner, of all permits issued by said Commissioner to the person, firm or corporation of whom said bond is required. Provided, however, that the foregoing section shall not apply to any person who performs such services upon his own premises. AMENDED 6-AO-54 AND 11-AO-54

Chapter XVII - Board of Zoning Appeals

Section 1

A Board of Zoning Appeals consisting of five (5) members is hereby, created. Said Board shall be known as the Marion County Board of Zoning Appeals and shall be appointed, possess the qualifications, serve the term of office and have the powers and duties as provided in Section 65 through Section 99 of Chapter 174 of the Acts of the 1947 Indiana General Assembly.

(1) The Marion County Board of Zoning Appeals shall:
   (a) Hear and determine appeals from and review any order, requirements, decision or determination of the Clerk of the Improvement Location Department or of the Marion County Building Commissioner.
   (b) Authorize upon appeal in specific cases, variances from the height, yard building set-back line, lot area, dwelling dimension, private garage and parking facility requirements of the zoning district heretofore or hereafter established.
   (c) Permit for a period not to exceed one (1) year, in existing permanent buildings or in temporary structures, such nonconforming uses as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance will be observed and substantial justice done. AMENDED 1-AO-57
   (d) In exercising its powers the Board of Zoning Appeals may reverse or affirm, in whole or in part, or may modify the order, requirement, decision or determination appealed from as in its opinion ought to be done in the premises and to that end shall have all the powers of the Clerk of the Improvement Location Department and of the Marion County Building Commissioner.

(2) All appeals taken from the requirement, decision or determination of the Clerk of the Improvement Location Department or of the Marion County Building Commissioner shall be filed with the Board of Zoning Appeals.

(3) The appeal shall specify the grounds thereof and shall be filed within such time and in such form as may be prescribed by the Board by general rule.

(4) The Clerk of the Improvement Location Department and the Building Commissioner shall transmit to the Board of Zoning Appeals all docu-

ments, plans and papers constituting the record of the action from which an appeal is taken.

(5) The Board of Zoning Appeals shall fix a reasonable time for the hearing of an appeal. Public notice shall be given of the hearing and due notice shall be given additionally to the interested parties.

(6) The Board of Zoning Appeals may require the party taking the appeal to assume the cost of public notice and due notice to interested parties.

(7) Upon the hearing, any party may appear in person, by agent or by attorney.

(8) When an appeal from the decision of the Building Commissioner has been taken and filed with the Board of Zoning Appeals, all proceedings and work on the premises concerning which the decision was made shall be stayed unless the Building Commissioner shall certify to the Board of Zoning Appeals that, by reason of facts stated in the certificate, a stay would cause imminent peril to life and property. In such cases, proceedings or work shall not be stayed except by a restraining order which may be granted by the Board of Zoning Appeals or by a circuit or superior court of the county in which the premises affected are situated, on notice to the Building Commissioner and the owner of the premises affected and on due cause shown.

(9) After the owner or his agents or persons or a corporation in charge of the work on the premises affected have received notice that an appeal has been filed with the Board of Zoning Appeals, the Building Commissioner shall have full power to order such work discontinued or stayed and to call upon the Sheriff of Marion County to give full force and affect to the order.

(10) Every decision of the Board of Zoning Appeals shall be subject to review by certiorari.

(11) Any person or persons, firm or corporation jointly or severally aggrieved by any decision of the Board of Zoning Appeals, may present to the circuit or superior court of the county in which the premises affected are located a petition, duly verified, setting forth that such decision is illegal, in whole or in part, and specifying the grounds of the illegality. The petition shall be presented to the court within thirty days after the entry of the decision or order of the Board of Zoning Appeals complained of.

(12) No change of venue from the county in which the premises affected is located shall be had in any cause arising under the provisions of this section.

(13) On filing a petition for a writ of certiorari with the Clerk of the circuit or superior court of the county in which the premises affected are situated, the petitioner shall cause a notice to be issued and served by the sheriff of the county upon the adverse party or parties, if any, as shown by the record of the appeal in the office of the Board of Zoning Appeals.

(14) The adverse party or parties shall be any property owner whom the record of the Board of Zoning Appeals shows to have appeared at the hearing before the Board in opposition to the petitioner. If the record shows a written remonstrance or other document opposing the request of the petitioner containing more than three names, the petitioner shall be required to cause notice to be issued and served upon the three property owners whose names first appear upon the remonstrance or document. Notice to the other parties named shall not be required.

(15) The notice shall state that a petition for a writ of certiorari has been filed in the circuit or superior court of the county, as the case may be, asking for a review of the decision of the Board of Zoning Appeals, designation the premises affected and the date of the decision and the time fixed for the return of the writ of certiorari by the Board of Zoning appeals.

(16) The service of the writ of certiorari by the sheriff to the chairman or secretary of the Board of Zoning Appeals shall constitute notice to the Board and to the County Building Commissioners, and no further summons or notice with reference to the filing of such petition shall be necessary.

(17) Upon Presentation of a petition for a writ of certiorari, the circuit or superior court of the county in which the premises affected are situated, or a judge thereof in vacation shall direct the Board of Zoning Appeals within twenty (20) days from the date of such citation, to show cause why a writ of certiorari should not issue. If such Board fails to show to the satisfaction of the court that a

writ should not issue then the court may allow a writ of certiorari directed to the Board of Zoning Appeals. The writ shall prescribe the time in which a return shall be made to it. This time shall not be less than ten days from the date of issuance of the writ and may be extended by the court or judge thereof.

(18) The allowance of the writ of certiorari shall not stay proceedings or work on the premises affected under the decision to be brought up for review. The court may, however, on application and on notice to all parties to the decision and on due cause shown grant such relief as the circumstances of the case may require, including an order staying the work until final determination of the case by the court.

(19) Such staying order may be issued by the court without requiring the petitioner to enter into a written undertaking to the adverse party affected thereby for the payment of damages by reason of such staying order. The return to the writ of certiorari by the Board of Zoning Appeals must concisely set forth such facts and data as may be pertinent and present material to show the grounds of the decision appealed from.

(20) The return must be verified by the secretary of the Board.

(21) The Board shall not be required to return the original paper acted upon by it. It shall be sufficient to return certified copies of all or such portion of the papers as may be called for by the writ.

(22) The court may decide and determine the sufficiency of the statement of illegality contained in the petition without further pleading and may make its determination and render its judgment with reference to the legality of the decision of the Board of Zoning Appeals on the facts set out in the return to the writ of certiorari.

(23) If it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence to supplement the evidence and facts disclosed by the return to the writ of certiorari, but no such review shall be by trial de novo.

(24) In passing upon the legality of the decision of the Board of Zoning Appeals, the court may reverse or affirm, wholly or in part, or may modify the decision of the Board of Zoning Appeals brought up for review.

(25) Issues in any proceeding under Section 82 through 87 of this act shall have preference over all other civil actions and proceeding Costs shall not be allowed against the Board of Zoning Appeals unless it shall appear to the court that it acted with gross negligence or in bad faith in making the decision brought up for review.

(26) An appeal may be taken to the appellate court of the State of Indiana from the final judgment of the court reversing, affirming or modifying the decision of the Board of Zoning Appeals in the same manner, and upon the same terms, conditions and limitations as appeals in other civil actions.

Chapter XVIII - Inspection of Buildings Required

Section 1

All buildings or structures hereafter erected, constructed, altered, repaired, moved, demolished or converted within the unincorporated area of Marion County shall be inspected by the County Building Commissioner.

Section 2

All electrical wiring, equipment, devices; all plumbing; heating equipment, apparatus or devices; all ventilating or air-conditioning equipment, apparatus or devices and all septic tanks, filter beds or disposal fields hereafter installed, altered or repaired within the unincorporated area of Marion County shall be inspected by the County Building Commissioner.

Section 3

A written application for such inspection must be on file before any inspection is made. A separate permit shall be required for each building and each permit shall be subject to the official fee.

Section 4

It shall be the duty of all building, electrical, plumbing, heating, air-conditioning, septic tank and sign contractors to notify the Building Commissioner and also the owner or his agent either verbally or in writing between the hours of 8:00 A.M. and 4:00 P.M. not less than sixteen (16)

hours prior to the date requested for inspection stating the exact time all work is to be ready for inspection.

Section 5

The building Commissioner shall issue all building permits and shall collect the inspection fees thereon, which fees shall be paid into the general fund of Marion County, Indiana.

(1) The fees for inspection shall be charged as follows:

Minimum fee for all inspections	$ 2.00
Agricultural or Residential buildings and accessory Buildings: Per 1,000 cubic feet or fraction thereof	.20
Commercial and Industrial buildings: Per 1,000 cubic feet or fraction thereof	.30
Alterations, repairs or additions to buildings or structures: Involving up to $1,000	2.00
Each additional $500 or fraction thereof of the cost in excess of $1,000	1.00
Provided, however, that no fee shall be charged for the inspection or repairs, alterations or additions costing less than $50.	
Radio Broadcasting towers for standard broadcast, short wave, frequency modulation and/or television, also steel towers for the support of high tension electrical lines:	
Each $1,000 or fraction thereof of the actual cost of said tower	2.00
Two-wire meter service	2.00
Three-wire meter service	2.50
Electrical wiring, installation, alteration or repairing: Wiring for circuits and branch circuits (roughing in only) First two-wire circuit or branch circuit	2.00
Each additional two-wire circuit up to and including ten two-wire circuits	.50
Each additional two-wire circuit in excess of 10 two-wire circuits	.25
First three-wire circuit	2.00
Each additional three-wire circuit up to and including 10 three-wire circuits	1.00
Each three-wire circuit in excess of 10 three-wire circuits	.50
Provided, that no charge shall be made for meter service inspection includes circuits or connected load.	
Lighting fixtures, lamp receptacles and fluorescent tube sections:	
First 20 lighting fixtures, lamp receptacles or fluorescent tube sections	2.00
Each additional lighting fixture, lamp receptacle or fluorescent tube section	.05
First 30 drop cords	2.00
Each additional drop cord in excess of 30	.03
Electrical motors, generators, welders, rectifiers, transformers, switch boards and miscellaneous electrical devices, except those on non-stationary household appliances:	

Fractional horsepower up to one horsepower	$ 1.50
One to ten horsepower	2.00
Ten to twenty horsepower	3.00
Twenty to fifty horsepower	4.00
Fifty or more horsepower	5.00
For each additional motor, generator, welder, rectifier, transformer, switch board or miscellaneous electrical devices, fractional up to one horsepower	1.00
One to ten horsepower	1.50
Ten to twenty horsepower	2.00
Twenty to fifty horsepower	2.50
Fifty or more horsepower	3.00
Inspection of motors and wiring for household appliances shall be limited to the following:	
Electrical water heaters, kitchen ranges, electrical water pumps, heating control circuits and air-conditioning control circuits, each installation	2.00
Any group of two (2) of the above when included in one inspection	3.50
Plumbing and heating devices:	
Inspection of all inside plumbing in single family dwellings per single family dwelling	3.00
Building other than single family dwellings - Each plumbing stack, building sewer or building drain included with ten fixtures or other openings	3.00
Each additional fixtures or opening for a fixture ...	.25
Septic tanks, filter beds and disposal fields:	
Required minimum 500 gallon capacity septic tank ..	2.00
Five hundred gallon up to 1,000 gallon capacity	3.00
Provided that all septic tanks shall be inspected.	
Combustion equipment, boilers, all high pressure boilers:	
Capacity up to one hundred horsepower	4.00
One hundred to three hundred horsepower	5.00
Three hundred to five hundred horsepower	6.00
Boilers exceeding five hundred horsepower	7.00
Heating boilers of the low pressure type capable of handling up to and including 3,000 square feet of radiation surface	3.00
Boilers capable of handling more than 3,000 square feet of radiation surface	6.00
Furnaces:	
Each hand fired coal furnace, stoker fired coal furnace, gas or oil fired furnace, oil burning equipment for any purpose whatsoever and inflammable liquid combustion apparatus.....	2.00
For inspection of a conversion in whole or in part of any of the foregoing types of furnaces	2.00
Where liquid tanks are installed at the same time the above inspection fee shall include the tanks when incorporated in the same permit.	
Provided that there shall be an additional fee for the inspection of all electrical equipment on all furnaces	1.50
Chimney stacks and flues, steel or brick stacks of flues:	
Up to and including 256 square inches of cross-sectional area	2.00
Stacks or flues exceeding 256 square inches of cross-sectional area	3.00
Storage tanks for inflammable liquids or gasoline pumps:	
Up to 1100 gallons capacity, each	2.00
1100 to 25,000 gallons capacity, each	3.00
Exceeding 25,000 gallons, each	4.00

Inspection of any street banner, or billboard except as hereinafter provided	
First 200 square feet or fraction thereof of the total surface of said billboard or street banner exposed on the display side	$ 2.00
Each additional 200 square feet of the total display surface or fraction thereof	1.00
Inspection of any sign board, except as hereinafter provided:	
First 200 square feet or fraction thereof of the total surface of said sign board	2.00
Each additional 200 square feet of total display surface or fraction thereof	1.00
Street sign or electrical wall or roof sign:	
First 50 square feet of the total single or double-faced display surface thereof.....	3.00
Each additional fifty square feet of the total display surface or fraction thereof	2.00
Inspection of any non-electrical roof sign:	
First 250 square feet or fraction thereof of the total display surface of said roof sign	3.00
Each additional 250 square feet of display surface ...	2.00
Provided that there shall be a minimum fee for re-inspection of any sign or for the inspection of repairs or alterations to any sign, of	2.50
Inspection of a tent erected for a period of 1 day to 6 months in any one year shall be as follows:	
Tents occupying up to 1,000 square feet in ground area	2.00
One to four thousand square feet of ground area.	3.50
In excess of four thousand square feet of ground area no permit shall be granted without a written agreement by the permittee that he will remove such tent on expiration of the permit.	5.00
In addition to the fee for the inspection of a tent a fee for the inspection of circuses, carnivals and other tent shows shall be charged as follows:	
Per unit per day	.50
Minimum fee per day	5.00
Said permit shall be issued to said circus, carnival or tent show and not otherwise.	
Open-air enterprises such as automobile sales lots, truck sales lots, trailer sales lots, monument sales lots, driving ranges, miniature golf courses, private golf courses:	
For the first acre or fraction thereof	10.00
For each additional acre or fraction thereof	5.00
Annual fee for the inspection of open air theatres:	
Per acre or fraction thereof	10.00
Annual fee for the inspection of automobile wrecking yards:	
Per acre or fraction thereof	250.00
Annual fee for the inspection of all junk yards:	
For the first acre	250.00
Each additional acre or fraction thereof	100.00
Annual fee for the inspection of all rubbish dumps:	
For the first acre	100.00
Each additional acre or fraction thereof	50.00

~~Chapter XIX - Enforcement~~

DELETED

~~Section 1~~

~~Any structure located, erected, raised or converted on any land or premises used in violation of any of the provisions of the foregoing ordinance is hereby declared to be a common nuisance and the owner of such structure, land or premises shall be liable for maintaining a common nuisance.~~

~~Section 2~~

~~The Marion County Plan Commission may institute a suit for injunction in the Circuit Court of the county to restrain any person, firm or corporation from violating the provisions of this ordinance. The Marion County Plan Commission may also institute a suit for a mandatory injunction directing any person, firm or corporation to remove any structure erected or located in violation of the provisions of this ordinance. If the said Plan Commission is successful in its suit the respondent shall bear the cost of the action.~~

DELETED

~~Section 3 - Violations and Penalties~~

~~(1) Any person who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction, shall be fined not less than ten dollars ($10.00) and not more than three hundred dollars ($300.00).~~

Chapter XX - Severability

Section 1 - General Repeal

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of their inconsistency, repealed.

Section 2 - Invalidity of a Part:

The chapters, sections, subsections, zoning districts, district boundaries and maps forming a part of or established by this ordinance and the several parts, provisions and regulations thereof are hereby declared to be independent chapters, sections, subsections, zoning districts, district boundaries, maps, parts, provisions and regulations, and the holding of any such chapter, section, subsection, zoning district, district boundary, map, part, provision or regulation thereof to be unconstitutional, void or ineffective for any cause or causes shall neither affect nor render invalid any other such chapter, section, subsection, zoning district, district boundary, map, part, provision or regulation thereof.

The undersigned members of the Board of County Commissioners for the County of Marion hereby affix their signatures to the foregoing ordinance this 12th day of November, 1948.

Wm. T. Ayres

Wm. Bosson, Jr.

Ray Mendenhall

ATTEST RALPH F. MOORE
Auditor, Marion County

Original text recorded Miscellaneous Record Instrument # 10033
Volume 430 pages 384 to 416 (inclusive)
Original maps recorded Plat book 27 pages 361 to 395 (inclusive) February 24, 1949

As Amended to March 1, 1953

AMENDED 2-AO-55

CHAPTER XXI