

Introduced: 02/23/04
Second Read/Public Hearing: 03/08/04
Adopted: 03/05/04

ORDINANCE 2004 – 04
AN AMENDMENT TO THE ZONING ORDINANCE
RELATIVE TO CHAPTER II – BUILDING CODE

WHEREAS the General Court of the State of New Hampshire has repealed RSA 674-52 which allowed for the adoption of a code by reference; and,

WHEREAS THE Londonderry Planning Board has voted to amend the Zoning Ordinance, particularly, that section relative to the Building Code of the Town of Londonderry; and,

WHEREAS the Londonderry Town Council is vested with the power to effect such changes to the Zoning Ordinance; and,

WHEREAS the Town Council recognizes that such code changes would be in keeping with maintaining an updated code for enforcement purposes in the Town of Londonderry be the Town's inspectors;

NOT THEEFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the Zoning Ordinance is hereby amended by adopting the Amendments to the Londonderry Building Code as presented herein.

Tom Dolan – Chairman
Londonderry Town Council

A TRUE COPY ATTEST:

03/08/04 ***Marguerite Seymour***
Town Clerk

TOWN OF LONDONDERRY, N.H.
ZONING REGULATIONS
REVISED 2004

Chapter 2 – BUILDING CODE AMENDMENTS

~~The Boca National Building Code Fourteenth Edition as recommended and maintained by the voting membership by Building Officials & Code Administrators International, Inc., with the following deletions and insertions:~~

1. ~~**Section 100.1**—Delete Section 100.1 and insert in place thereof the following:
“100.1 Title. These regulations shall be known as the Building Code of the Town of Londonderry, New Hampshire hereinafter referred to as “this code.”~~
2. ~~**Section 103.4**—Delete Section 103.4 and insert in place thereof the following:
“103.4 Rehabilitation: Buildings existing prior to March 10, 1992, in which there is work involving repairs, alterations, additions, or changes of use, shall be made to conform to the code by applying the requirements of Article 32 of the provisions of Articles 2 through 31.”~~
3. ~~Section 104.1—Delete Section 104.1 and insert in place thereof the following: “104.1 Code Official: The department of Inspector of Buildings is hereby created and the executive official in charge should be known as the Code Official or Building Inspector where the context so admits or requires.~~
4. ~~Section 104.2—Delete Section 104.2 and insert in place thereof the following: “104.2 Appointment: The Building Inspector shall be appointed in accordance with the Charter of the Town of Londonderry; the Building Inspector shall be removed as provided by the Londonderry Town Charter and/or the personnel policies and procedures of the Town.”~~
5. ~~**Section 104.3**—Delete Section 104.3 and insert in place thereof the following: “104.3 Organization: The appointing authority as prescribed by the Charter of the Town of Londonderry shall appoint such number of officers, technical assistants, inspectors, and other employees as shall be necessary for the administration of this code.~~
6. ~~**Section 105.6**—Add the following language before the text of said section as follows: “105.6—Rule Making Authority: Subject to the provisions of the New Hampshire Laws and statutes and the Londonderry Town Charter which shall be controlling.”~~
7. ~~**Section 107.6.1**—Delete the last sentence thereof, and insert in place thereof the following: “All technical data and soil data required by the current State of NH Environmental—WS Subdivision and Individual Sewage Disposal System Design rules and the Town of Londonderry Health Ordinance, Chapter XX shall be submitted with the site plan.”~~
8. ~~**Section 107.6.2**—Add the following section: “107.6.2—Driveway Plan: The driveway plan shall indicate the location and profile of the driveway(s) in order to preclude unnecessary roadway and/or traffic hazards or future road maintenance problems.”~~
9. ~~**Section 109.1**—Delete Section 109.1 and insert in place thereof the following: “109.1 Code Official: The department of inspector of buildings is hereby created and the executive official in charge should be known as the code official or building inspector where the context so admits or requires.~~

TOWN OF LONDONDERRY, N.H.
ZONING REGULATIONS
REVISED 2004
Chapter 2 – BUILDING CODE AMENDMENTS

10. ~~Section 109.2~~ — Delete Section 109.2 and insert in place thereof the following: “109.2 Appointment: The building inspector shall be appointed in accordance with the Charter of the Town of Londonderry; the building inspector shall be removed as provided by the Londonderry Town Charter and/or the personnel policies and procedures of the Town.”
11. ~~Section 109.3~~ — Delete Section 109.3 and insert in place thereof the following: “109.3 Organization: The appointing authority as prescribed by the Charter of the Town of Londonderry shall appoint such number of officers, technical assistants, inspectors and other employees as shall be necessary for the administration of this code.”
12. ~~Section 110.6~~ — Add the following language before the text of said section as follows: “110.6 Rule making Authority: Subject to the provisions of the New Hampshire laws and statutes and the Londonderry Town Charter which shall be controlling.
13. ~~Section 111.6.1~~ — Delete the last sentence thereof, and insert in place thereof the following: “All technical data and soil data required by the current State of N.H. Env. WS Subdivision and Individual Sewage Disposal System Design rules and the Town of Londonderry Health ordinance, Chapter XX shall be submitted with the site plan.
14. ~~Section 111.6.2~~ — Add the following new section: “111.6.2 Driveway Plan: The driveway plan shall indicate the location and profile of the driveway(s) in order to preclude unnecessary roadway and/or traffic hazards or future road maintenance problems.
15. ~~Section 112.3.1~~ — Delete Section 112.3.1 and insert in place thereof the following: “112.3.1 Fee Schedule: A fee for each plan examination, building permit, inspection and certificate of occupancy shall be required as determined by the Town Council.”
16. ~~Section 113.2.3~~ — Add the following paragraph: “113.3.1 Certified Foundation Footing Plan — Upon completion of foundation footings, a certified plot plan prepared and signed by a surveyor licensed by the State of NH indicating that the improvements shown on said plan are in compliance with the building setback requirements of the Town of Londonderry, and a notation of the elevation of the top of the foundation footing shall be submitted to the Building Inspector prior to erecting the foundation walls. This requirement may be waived by the Building Inspector in case of accessory structures and additions to existing structures.”
17. ~~Section 114.3.1~~ — Delete Section 114.3.1 and insert in place thereof the following: “114.3.1 Fee Schedule: A fee for each plan examinations, building permit, inspection and certificate of occupancy shall be required as determined by the Board of Selectmen.”
18. ~~Section 116.4~~ — Delete Section 116.4 and insert in place thereof the following: “116.4 Violation Penalties: Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof, or who shall erect, construct and repair a building or structure in violation of approved plan, or directive of the code official, or a permit or certificate issued under the provisions of this code, shall be subject to enforcement all as set forth in RSA 676:15-17.”

TOWN OF LONDONDERRY, N.H.
ZONING REGULATIONS
REVISED 2004
Chapter 2 – BUILDING CODE AMENDMENTS

19. ~~Section 117.2—Delete Section 117.2 and insert in place therefore the following: “117.2 Unlawful Continuance—Any person who shall continue any work in or about the structure after having been with a stop work order, and except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be subject by enforcement all as set forth in RSA 676; 15—17.”~~
20. ~~Section 118.1.1—“All commercial, industrial, residential and other structures and occupancies requiring a certificate of occupancy as mandated in Section 118.0 of the BOCA National Building Code, 199 Edition, will require the following signature. An authorized Building Department representative, an authorized Fire Department representative, an authorized Engineering Department representative. EXCEPTION; Structures such as swimming pools, retaining walls, fences, small sheds and the like; requiring no action by the Fire or Engineering Departments will require only an authorized Building Department representative signature.”~~
21. ~~Section 121.2—Delete Section 121.2 in its entirety, (i.e.; 121, 2, 121.1 through 121.2.6) and insert in place thereof the following: “121.2 Membership Board: The Board of Appeals shall be the Londonderry Zoning Board of Adjustment.”~~
22. ~~Section 121.7—Delete Section 121.7 and insert in place thereof the following: “121.7 Court review: Any person aggrieved by the Board of Appeals decision may appeal the decision to the Superior Court in accordance with RSA 677.16.”~~
23. ~~Chapter 13—Delete Article 13 and insert in place thereof the following: “Chapter 13—Energy Conservation: The design and construction of all structures and buildings shall conform to the provisions of the New Hampshire code for energy conservation in new building construction dated August 1979, Revised May, 1980, (second edition), revised June 1986 (third edition) revised February 1999, MEC 1995.”~~
24. ~~Section 123.3—Compensation of Board of Survey: this section has been eliminated, because the Board of Survey has been eliminated.~~
25. ~~Section 1404.3—Delete words following “energy code” of the last sentence of the first paragraph and insert in place thereof the following: The New Hampshire code for energy conservation in new building construction dated August 1979, Revised May, 1980, (second edition), revised June 1986 (third edition) revised February 1999, MEC 1995.~~
26. ~~Section 1806.1—Add the following language after text of section 1806.1: “The frost line has been determined to be 42” below finished grade.”~~
27. ~~Section 2905.3—Delete Section 1905.3 and insert in place thereof the following: “2905.3 Private Water Supply: where public mains are not available and a private source of water supply is used, a report of water test shall be submitted to the Health Officer for every new private water supply.”~~
28. ~~Section 2906.1—Delete this sentence thereof and insert in place thereof the following: “Private sewage disposal systems shall conform to the current State of NH Env. WS Subdivision and individual Sewage Disposal System Design rules and Town of Londonderry Health Ordinance, Chapter XX.”~~

TOWN OF LONDONDERRY, N.H.
ZONING REGULATIONS
REVISED 2004
Chapter 2 – BUILDING CODE AMENDMENTS

- 29. ~~Section 2906.1~~** Delete Section 2906.1 and insert in place thereof the following: “2906.1 General: A private sewage disposal system shall conform to the Town of Londonderry Health Ordinance, Chapter XX and State of NH Env. WS Subdivision and Individual Sewage Disposal System Design (FD90-184.)”
- 30. ~~Section 3408.2~~** Delete Section 3408.2 and insert in place thereof the following: “3408.2 Rehabilitation: Structures existing prior to (DATE?) in which there is work involving addition, alterations, or changes of occupancy, shall be made to conform to the requirements of this Section or the provisions of Section 3403.0 through 3407.0.”
- 31. ~~Section 115.2.3~~** add the following paragraph: “115.2.3 Certified Foundation Footing Plan: Upon completion of foundation footings, a certified plot plan prepared and signed by a surveyor licensed by the State of New Hampshire indicating that the improvements shown on said plan are in compliance with the setback and side yard requirements of the Town of Londonderry, and a notation of the elevation of the top of the foundation footing shall be submitted to the Building Inspector prior to erecting the foundation walls. This requirement may be waived by the Building Inspector in case of accessory structures and additions to existing structures.”
- 32. ~~Section 115.4~~** Delete Section 115.4 and insert in place thereof the following: “115.4 Right of Entry: In the discharge of duties, the code official or authorized representative shall have the authority to enter at any reasonable hour any building, structure or premises in the jurisdiction to enforce the provisions of this code, except that in the case of one and two family structures articulable cause that a substantial violation of this code must be demonstrated to the town administrator. This provision shall not be used to deprive an occupant of their rights under the Fourth Amendment of the U.S. Constitution. (Prohibition of warrantless searches or seizures.) Written approval of the town administrator is required except in the event of an emergency, such as a fire, collapse, or other condition which would as negatively impact the safety and health of the occupants. When the structure is covered by an open building permit, the building inspector shall have the right to enter upon the premises for the purpose of conducting code compliance inspections.”
- 33. ~~Section 115.5~~** Delete the last sentence in this section, and insert in place thereof the following: “Whenever an inspector from any agency or department observes an apparent or actual violation of some provision of some administrative law, ordinance, or code not within the inspector’s authority to enforce, the inspector shall report the violation to the code official having jurisdiction.”
- 34. ~~Section 118.2~~** Delete Section 118.2 and insert in place thereof the following: “118.2 Unlawful Continuance: Any person who shall continue any work in or about the structure after having been served with a stop work order, and except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to enforcement all as set forth in RSA 676.15-17.”
- 35. ~~Section 123.3~~** Delete paragraph 123.3 and insert in place thereof the following: “123.3 Compensation of Board of the Survey: The third member of the board shall receive for services a fee of \$100.00 hour to be paid by the applicant, in advance.”

TOWN OF LONDONDERRY, N.H.
ZONING REGULATIONS
REVISED 2004
Chapter 2 – BUILDING CODE AMENDMENTS

- 36. ~~Section 124.2~~**—Delete Section 124.2 in its entirety, (i.e. Sections 124.2, 124.2.1 through 124.2.6) and insert in place thereof the following: “123.2 membership of the Board—the Board of Appeals shall be the Londonderry Zoning Board of Adjustment.”
- 37. ~~Section 124.7~~**—Delete Section 124.7 and insert in place thereof the following: “124.7—Court Review: Any person aggrieved by the Board of Appeals decision may appeal the decision to the Superior Court in accordance with RSA 677.16.”
- 38. ~~Section 1205.1~~**—Delete Section 1205.1 in its entirety and insert in place thereof the following. “1205.1—Frost Protection: Except when erected upon, solid rock or otherwise protected from frost, foundation walls, piers, and, other permanent supports of all buildings and structures larger than 144 square feet in are or 10 feet in height shall extend 42 inches below the furnished grade or, to bedrock, and spread footings of adequate size, shall be provided where necessary to distribute properly the load within the allowable bearing value of the soil. Alternately, such structures shall be supported on piles when solid earth or rock is not available. Footings shall not bear on frozen soils unless such frozen condition is of a permanent character.”
- 39. ~~Section 2804.3~~**—Delete section 2804.3 and insert in place thereof the following: “2804.3—Private Water Supply: Where public mains are not available and a private source of water supply is used, a report of water test shall be submitted to the Health Officer for every new private water supply.”
- 40. ~~Section 2807.1~~**—Delete section 2807.1 and insert in place thereof the following: “2807.1—General: A private sewage disposal system shall conform to the Town of Londonderry health ordinance, Chapter XX and State of N.H. Env. WS subdivision and Individual Sewage Disposal System Design (FD90-184.)
- 41. ~~Article 31~~**—Delete Article 31 and insert in place thereof the following: “Article 31—Energy Conservation: “The design and construction of all structures and buildings shall conform to the provisions of the New Hampshire code for energy conservation in new building construction dated August 1979, Revised May 1980 (2nd. Edition), Revised June 1986 (3rd. Edition).” Additionally, the provisions of RSA 674.52 VI relative to the simplified adoption of updates and revisions to the BOCA National building Code/1990 Eleventh Edition are hereby adopted. Information required by RSA 674.51, II is as follows:
- (a)
 - (b) See Section 124.2
 - ©
 - (d) See Section 114.3.1

TOWN OF LONDONDERRY, N.H.
ZONING REGULATIONS
REVISED 2004

Part I

The **International Building Code 2000 Edition** as recommended and maintained by the voting membership of the International Code Council, Inc., with the following deletions and insertions:

1. Section 101.1 **Delete Section 100.1 and insert in place thereof the following:**
“100.1 Title: These regulations shall be known as the Building Code of the Town of Londonderry, New Hampshire hereinafter referred to as “this code”.
2. Section 101.4.4 Plumbing: **Delete last sentence of this section and insert in place thereof the following:** “*The provisions of the current State of NH Env.-1000 Subdivision and Individual Sewage Disposal System Design Rules and the Town of Londonderry Health Ordinance Chapter XII shall apply to private sewage disposal systems.*”
3. Section 103.1 Creation of Enforcement Agency: **Amend section to read as follows:** **The department of building safety is hereby created and the official in charge shall be known as the “Building Official or Building Inspector where the context so admits or requires.”**
4. Section 103.2 Appointment: **Amend section to read as follows:** **The building official shall be appointed “in accordance with the Charter of the Town of Londonderry and in accordance with the provisions of RSA 674:51, III. The building official shall be removed as provided by the Londonderry Town Charter and/or the personnel policies and procedures.”**
5. Section 103.3 Deputies: **Delete Section 103.3 and insert in place thereof the following:** “Section 103.3 Organization: The appointing authority as prescribed by the Charter of the Town of Londonderry shall appoint such number of officers, technical assistants, and other employees as shall be necessary for the administration of this code.”
6. Section 106.2.1 **Add the following section:** “**Section 106.2.1 Soil and Technical Data: All technical and soil data required by the current State of NH Env.-WS1000 Subdivision and Individual Sewage Disposal System Design Rules and the Town of Londonderry Health Ordinance, Chapter XII shall be submitted with the site plan.**”
7. Section 106.2.1.2 Driveway Plan: **Add the following section:** “Section 106.2.1.2 Driveway Plan: The driveway plan shall indicate the location and profile of the driveway(s) in accordance with the Public Works design specifications for the Town of Londonderry. The driveway plan shall be reviewed and approved by the Public Works Department prior to the issuance of a building permit.”
8. Section 108.2 Schedule of Permit Fees: **Amend section to read as follows:** **On buildings, structures, electrical, gas, mechanical, and plumbing systems or alteration requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as “determined by the Londonderry Town Council.”**

TOWN OF LONDONDERRY, N.H.
ZONING REGULATIONS
REVISED 2004

Part I - Cont'd

9. Section 109.3.1.1 Certified Foundation Footing Plan: **Add the following section:** “Section 109.3.1.1 Certified Foundation Footing Plan: Upon completion of foundation footings, a certified plot plan prepared and signed by a surveyor licensed by the State of NH indicating that the improvements shown on said plan are in compliance with the building setback requirements of the Town of Londonderry, and a notation of the elevation of the top of the foundation footing shall be submitted to the Building Inspector prior to erecting the foundation walls. This requirement may be waived by the Building Inspector in the case of accessory structures and additions to existing structures.”
10. Section 109.5 Inspection Requests: **Add the follow sentence to the section paragraph:** “Inspection requests made to the Londonderry building department shall require a minimum one day notice.”
11. Section 110.3.1 Approval Signature: **Add the following section:** “Section 110.3.1 Approval Signature: All commercial, industrial, residential and other structures and occupancies requiring a certificate of occupancy as mandated by Section 110 of this code will require the following signatures: an authorized Building Department representative; an authorized Fire Department representative; an authorized Engineering Department representative. EXCEPTION: Structures requiring no action by the Fire or Engineering Departments will require only an authorized Building Department representative signature.”
12. Section 112.1 General: **Delete section 112.1 in its entirety, (i.e.: 112.2 and 112.3) and insert in place thereof the following:** “ Board of Appeals: In accordance with the provisions of RSA 673:3, IV., the Londonderry Zoning Board of Adjustment shall act as the building code board of appeals, with the power as provided by RSA 674:34.”
13. Section 113.4 Violation Penalties: **Amend section to read as follows: Omit at the end of the paragraph “by law”, and insert the following:** “by the provisions of RSA 676:15 and 676:17.”
14. Section 114.3 Unlawful Continuance: **Amend section to read as follows: Omit at the end of the paragraph “by law”, and insert the following:** “by the provisions of RSA 676:15 and RSA 676:17.”
15. Section 1608.2 Ground Snow Loads: **Amend second sentence of section paragraph to read as follows:** “It has been determined by a site-specific case study conducted by the Structural Engineers of NH that the ground snow load for the Town of Londonderry is 65 pounds per square foot.”
16. Section 1805.2.1 Frost protection: **Amend section as follows: Delete “400 square feet”, and insert “200 square feet”.**
17. Section 1805.2.1 Frost Protection: **Add the following sentence at the end of section paragraph:** “The frost line for the Town of Londonderry has been determined to be 48" below finished grade.”

TOWN OF LONDONDERRY, N.H.
ZONING REGULATIONS
REVISED 2004

Part I (Cont'd)

18. Section 2901.1 Scope: ***Amend last sentence of paragraph to read as follows:*** “ Private sewage disposal systems shall conform to the current State of NH Env.-WS1000 Subdivision and Individual Sewage Disposal System Design Rules and the Town of Londonderry Health Ordinance, Chapter XII.”
19. International Plumbing Code 2000 - Section 602.3.3 Water Quality: ***Insert at the end of the section paragraph, the following sentence:*** “A water test report shall be submitted to the Building Inspector for review prior to the issuance of a certificate of occupancy. Such test shall include, “standard analysis” as recommended by the NH Department of Environmental Services, as well as volatile organic compounds (VOC) contaminants.”
20. Appendices: ***The following Appendix Chapters are hereby adopted as a part of the Londonderry Building Code:***
 - “Appendix C Group U - Agricultural Buildings”***
 - “Appendix E Supplementary Accessibility Requirements”***
 - “Appendix J Supplementary Accessibility Requirements for Qualified Historic Buildings and Facilities”***

TOWN OF LONDONDERRY, N.H.
ZONING REGULATIONS
REVISED 2004

Part II

The **International Residential Code, 2000 Edition** as recommended and maintained by the voting membership of the International Code Council, Inc., with the following deletions and insertions.

1. Section R101.1 Title: Insert in "[NAME OF JURISDICTION]" the following: "the Town of Londonderry"
2. Section R103.1 Creation of Enforcement Agency: *Amend section to read as follows:* The department of building safety is hereby created and the official in charge shall be known as the "*Building Official or Building Inspector where the context so admits or requires.*"
3. Section R103.2 Appointment: Amend section to read as follows: The building official shall be appointed "in accordance with the Charter of the Town of Londonderry and in accordance with the provisions of RSA 674:51, III. The building official shall be removed as provided by the Londonderry Town Charter and/or the personnel policies and procedures."
4. Section R103.3 Deputies: Delete Section R103.3 and insert in place thereof the following: "Section R103.3 Organization: The appointing authority as prescribed by the Charter of the Town of Londonderry shall appoint such number of officers, technical assistants, and other employees as shall be necessary for the administration of this code."
5. Section R105.2 Work Exempt from Permit: **Amend section as follows: Omit listed item number "1." in its entirety. Amend listed item number 3. By replacing "4 feet" with "3 feet".**
6. Section R106.2.1 Add the following section: "Section R106.2.1 Soil and Technical Data: All technical and soil data required by the current State of NH Env.-WS1000 Subdivision and Individual Sewage Disposal System Design Rules and the Town of Londonderry Health Ordinance, Chapter XX shall be submitted with the site plan."
7. Section R106.2.1.2 **Add the following section:** "Section R106.2.1.2 Driveway Plan: The driveway plan shall indicate the location and profile of the driveway(s) in accordance with the Public Works design specifications for the Town of Londonderry. The driveway plan shall reviewed and approved by the Public Works Department prior to the issuance of a building permit."
8. Section R108.2 Schedule of Permit Fees: *Amend section to read as follows:* On buildings, structures, electrical, gas, mechanical, and plumbing systems or alteration requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as "*determined by the Londonderry Town Council.*" *This requirement may be waived by the Building Inspector in the case of accessory structures and additions to existing structures.*"

TOWN OF LONDONDERRY, N.H.
ZONING REGULATIONS
REVISED 2004

Part 2 (Cont'd.)

9. Section R109.1.1.2 Certified Foundation Footing Plan: Add the following section: "Section R109.1.1.2 Certified Foundation Footing Plan: Upon completion of foundation footings, a certified plot plan prepared and signed by a surveyor licensed by the State of NH indicating that the improvements shown on said plan are in compliance with the building setback requirements of the Town of Londonderry, and a notation of the elevation of the top of the foundation footing shall be submitted to the Building Inspector prior to erecting the foundation walls. This requirement may be waived by the Building Inspector in the case of accessory structures and additions to existing structures."
10. Section R109.3 Inspection Requests: Add the following sentence to the section paragraph: "Inspection requests made to the Londonderry building department shall a minimum 24 hour notice."
11. Section R110.3.1 Approval Signature: Add the following section: "Section R110.3.1 Approval Signature: All commercial, industrial, residential and other structures and occupancies requiring a certificate of occupancy as mandated by Section 110 of this code will require the following signatures: an authorized Building Department representative; an authorized Fire Department representative; an authorized Engineering Department representative; EXCEPTION: Structures requiring no action by the Fire or Engineering departments will require only an authorized Building Department representative signature."
12. Section R112 Board of Appeals: **Delete section R112 in its entirety and insert in place thereof the following:** Section R112 Board of Appeals: In accordance with the provisions of RSA 673:3, IV., the Londonderry Zoning Board of Adjustment shall act as the building code board of appeals, with power as provided by RSA 674:34."
13. Section R113.4 Violation Penalties: Amend section to read as follows: Omit at the end of the paragraph "by law", and insert the following: by the provisions of RSA 674:15 and RSA 674:17."
14. Section R114.2 Unlawful Continuance: **Amend section to read as follows: Omit at the end of the paragraph "by law", and insert the following:** by the provisions of RSA 674:15 and RSA 674:17."
15. Table R301.2(1) Climatic and Geographic Design Criteria: Insert design criteria in the table as follows: Roof Snow Load - "It has been determined by a site-specific study conducted by the Structural Engineers of NH that the ground snow load for Londonderry is 65 pounds per square foot." ;Wind Speed - "90 mph Exposure B" Seismic Design Category - "A"; Weathering - "Severe"; Frost Depth - "48"; Termite - "Slight to Moderate"; Decay - "None to Slight"; Winter Design Temp - "-3F" Flood Hazard - "1980".
16. Section R403.1 General: ***Insert at the end of the section paragraph, the follow sentence:*** "Footings and foundation walls for structures larger than 200 square feet shall extend below the frost line as specified in Table R301.2(1) of this code."

TOWN OF LONDONDERRY, N.H.
ZONING REGULATIONS
REVISED 2004

Part 2 (Cont'd.)

17. Part VII - Plumbing: Omit Chapters 25 through 32 in reference to plumbing systems and insert the following: All plumbing systems shall comply with the provisions of the International Plumbing Code as referenced in Section 8:8 of the State Building Code."
18. International Plumbing Code 2000 - Section 602.3.3 Water Quality: Insert at the end of the section paragraph, the following sentence: "A water test report shall be submitted to the Building Inspector for review prior to the issuance of a certificate of occupancy. Such test shall include, "standard analysis" as recommended by the NH Department of Environmental Services, as well as volatile organic compounds (VOC) contaminants."
19. Part VIII - Electrical: Omit Chapters 33 through 42 in reference to electrical systems and equipment and insert the following: All electrical systems and equipment shall comply with the provisions of the National Electrical Code as referenced in Section 8:7 of the State Building Code."
20. Appendices: *The following Appendix Chapters are hereby adopted as part of this code:*
"Appendix E - Manufactured Housing Used As Dwellings"
"Appendix G - Swimming Pools, Spas and Hot Tubs"
"Appendix J - Existing Buildings and Structures"

TOWN OF LONDONDERRY, N.H.
ZONING REGULATIONS
REVISED 2004

Chapter 2 – BUILDING CODE AMENDMENTS

PART III – Demolition Delay

- A. Definitions.** As used in this section, the following words or phrases shall be defined as follows:
- 1. Building** defined as in the International Building Code 2000 Edition as recommended and maintained by the voting membership of the International Code Council, Inc.
 - 2. Demolition Review Committee:** A committee comprised of three (3) members and two (2) alternates appointed by the Town Council comprised of at least two (2) Heritage Commission members and one (1) at-large member of the public.
 - 3. Demolition:** The act of pulling down, destroying, removing, or razing a building or commencing the work of total or substantial destruction with the intent of completing the same.
- B. Criteria:** Any building or part of a building in the Town of Londonderry will fall under this Ordinance where:
- 1. The proposed demolition is greater than 500 square feet of gross floor area; and,**
 - 2. The building was constructed more than 50 years before the date of application for demolition permit; and,**
 - 3. The building is visible from the adjacent public right of way or public lands.**
- C. Procedure:** When an application for a demolition permit, or a building permit involving a demolition, or a site plan review involving demolition is made, or a formal written application is submitted to the Building Inspector for a determination under this ordinance, the building Inspector will determine if the building, or section of the building, meets the above criteria. If it does meet the above criteria, the Building Inspector shall:
- 1. Notify the applicant in writing within five (5) business days of the filing that the demolition must be reviewed before proceeding and that the delay will not exceed forty-five (45) days.**
 - 2. Within five (5) business days forward the application to each member of the Demolition Review Committee.**
 - 3. If the Demolition Review Committee determines the building to be potentially significant (see Section D.1); within five (5) business days of that decision the Building Inspector shall notify the applicant that a sign identifying the building as proposed for demolition and the date, time, and place of the public hearing on the proposed demolition is ready for posting in a visible location on the building. Posting of the sign within five (5) business days of receiving notification from the Building Inspector shall be the responsibility of the applicant. If the sign is not posted within five (5) business days, the forty-five (45) day time frame provided for above shall stop running and not resume until the sign is posted.**
- D. Demolition Review Committee Responsibilities:** It is the responsibility of the Demolition Review Committee to:
- 1. make a decision within five (5) business days of receipt of the demolition application as to whether the building might be of historical or architectural significance.**
 - 2. notify the Building Inspector in writing within two (2) business days of decision if the building is found not to be significant and demolition can proceed.**

TOWN OF LONDONDERRY, N.H.
ZONING REGULATIONS
REVISED 2004

PART III – Demolition Delay

3. Notify the Building Inspector in writing within two (2) business days of decision if the building is found to be potentially historically or architecturally significant.
4. Establish a date and location for a public hearing to occur within twelve (12) days of determination of potential significance. A notice of public hearing shall be submitted to the local newspaper within two (2) days of decision.
5. Hold the public hearing to hear all public testimony regarding demolition of the building. The applicant (or applicants agent) proposing the demolition shall be invited to attend the public hearing to hear the concerns or alternatives that are proposed by members of the public.
6. Notify the applicant and the Building Inspector within two (2) business days following the public hearing that he demolition can proceed if the building is found not to be significant.
7. Hold a meeting between the Demolition Review Committee and the applicant)or applicant's committee determines the building is significant and its loss potentially detrimental to the community.

E. Demolition.

1. If no alternatives to demolition have been identified and agreed to by the applicant, after the meeting provided in Section D.7, the applicant is free to proceed with demolition. Prior to demolition, and if the applicant is in agreement, the Demolition Review Committee shall photographically document the building. The committee may also encourage the applicant to salvage significant architectural features.
2. Nothing in this Ordinance shall be construed to prevent immediate demolition where public safety is at stake and the building has been determined by the Building Inspector to be a public hazard and demolition is the only viable recourse.

TOWN OF LONDONDERRY, N.H.
ZONING REGULATIONS
REVISED 2004

Chapter 2 – BUILDING CODE AMENDMENTS

SECTION I – BOARD OF ADJUSTMENT

The Board of Adjustment shall have authority to allow slight variations from the specific terms of this Ordinance where it can be shown that unnecessary hardship would otherwise result.

SECTION II – AMENDMENTS

This Ordinance may be amended by a majority vote of ~~any legal Town Meeting when such amendment is published in the warrant calling for the meeting. Also according to RSA 156:A.1.a~~ *of the Town Council, following the procedures et forth in the Town Charter*

SECTION III – ENFORCEMENT

Upon any well-founded information that this Ordinance is being violated the ~~Selectmen~~ *Building Official* shall ~~on their own initiative,~~ take ~~immediate~~ steps to enforce the provisions of this Ordinance by seeking ~~an injunction in the Superior Court or by any other~~ appropriate legal action. Whoever violates any of the provisions of the above regulations shall be punished upon conviction by a fine ~~not exceeding 100 dollars for each day of each violation~~ *in accordance with RSA 676:15 and 676:17.*

SECTION IV – EFFECTIVE DATE

This Ordinance (code) was *originally* adopted at the Town Meeting, March 9, 1965.

SECTION V – CONFLICTING PROVISIONS

Whenever the regulations made under the authority hereof differ from those described by any statute, ordinance or other regulations, that provision which imposes the greater restriction or the higher standard shall govern.

SECTION VI – VALIDITY

If any section, clause, provision, portion, or phrase of this Ordinance shall be held to be invalid or unconstitutional by any court of competent authority, such holding shall not affect, impair, or invalidate any other section, clause, provision, portion or phrase of this Ordinance.

~~End of Section~~