

CHAPTER 107

BUILDING CONSTRUCTION

[**HISTORY:** Adopted by the Annual Town Meeting of the Town of Hillsborough as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Planning Board — See Ch. 55.

Floodplain development — See Ch. 138.

Historic District Rules — See Ch. 147.

Site plan review — See Ch. 185.

Subdivision of land — See Ch. 201.

Zoning — See Ch. 229.

ARTICLE I

Building Permits

[Adopted by the ATM 3-11-1969 as Art. 26]

§ 107-1 Notice of intent to build.

No building shall be hereafter constructed by any person or persons, unless said person or persons shall first file with the Selectmen a notice of intent to build said building, which notice shall contain the general specifications of the proposed building or new construction, its location and intended use and such other information as the Selectmen may require, and, upon the filing of said notice, obtain from the Selectmen a permit for such building.

§ 107-2 Issuance; display.

Upon receipt of the notice by the Selectmen, or any one of them, unless the Selectmen make a determination that said building is not in the public interest or in any way jeopardizes the public health and safety, they shall forthwith issue the permit to the person or persons filing the notice, which permit shall be visibly displayed by the person or persons at the site of said construction.

§ 107-3 Refusal; hearing.

In the event that the Selectmen shall make a determination that the proposed building is not in the public interest or in any way jeopardizes the public health or safety, they shall forthwith notify the applicant of such determination and their refusal to issue the permit, and the applicant shall, upon request, be granted a hearing before the Board of Selectmen within 15 days from the notice of such refusal and shall be entitled to all rights of appeal as set forth in New Hampshire RSA 36, as if said Board of Selectmen were a Board of Adjustment.

§ 107-4 Recommendations from Planning Board.

[Added by the ATM 3-8-1983 by Art. 2]

No building permit shall be issued by the Town of Hillsborough for any commercial or nonresidential structure unless the Selectmen shall have received from the Planning Board and taken into consideration the recommendations of the Planning Board pursuant to site review regulations as adopted by the Hillsborough Planning Board, nor shall a building permit be issued for any construction which in the opinion of the Selectmen would have the potential for an adverse impact on the health, safety and welfare of the neighborhood or community, unless the Selectmen shall have received and taken into consideration the recommendations of the Planning Board pursuant to site review made in accordance with the regulations of the Hillsborough Planning Board.

§ 107-5 Penalties for offenses.

It shall be unlawful for any person to commence construction of any building within the Town of Hillsborough without having first filed the notice as herein required and obtained the permit as hereinabove set forth. Any person who shall be found guilty of violation of this article shall be fined not more than the maximum amount allowed by the laws of the State of New Hampshire, and each day such violation shall continue shall be deemed a separate offense.

§ 107-6 When effective.

This article shall take effect upon passage.

ARTICLE II

Life Safety Code

[Adopted by the ATM 3-12-1985 as Art. 13]

§ 107-7 Adoption of standards.

The Town voted to adopt the current 1981 Edition of the National Fire Protection Association's Life Safety Code, NFPA 101.

§ 107-8 Purpose.

This code deals with life safety from fire and like emergencies. It covers construction, protection and occupancy to minimize danger to life from fire, smoke, fumes or panic before the buildings are vacated. It specifies the number, size and arrangement of exit facilities sufficient to permit prompt escape of occupants from buildings or structures in case of fire or other conditions dangerous to life.

§ 107-9 Private homes excluded.

However, private homes are excluded.

§ 107-10 Local jurisdiction.

This code gives the local authority the jurisdiction.

ARTICLE III

International Residential Code
[Adopted 3-8-2005 ATM by Art. 5]

§ 107-11 Adoption of standards.

The Town voted to adopt the International Residential Code 2003 in accordance with NH RSA 675:3.

§ 107-12 Purpose.

The purpose of the Code is to provide minimum requirements to safeguard the public safety, health, and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment.

§ 107-13 Work exempt from permit.

For all single-family owner-occupied dwellings, the owners shall be exempt from obtaining a permit or inspections for any work, excluding additions and new buildings as defined in the International Residential Code 2003.

ARTICLE IV

State Building Code
[Adopted by the ATM 3-14-2006 by Art. 2]

§ 107-14 Enforcement.

The Town voted to establish a process for the enforcement of the State Building Code in accordance with NH RSA 674:51.

§ 107-15 Building Inspector.

A. The position of Building Inspector is hereby established.

B. The Building Inspector is authorized to issue building permits as provided by RSA 676:11-13 and certificates of occupancy for any building or structure that is erected or

remodeled or that undergoes a change or expansion of use subsequent to March 14, 2006;
and

C. The Building Inspector is authorized to perform inspections as necessary to assure compliance with the Town Building Code regulations (Ch. 107 of Town Code); and

D. The Building Inspector is authorized to enforce the State Building Code and to perform inspections to assure compliance with the State Building Code.

§ 107-16 Appeals.

The Zoning Board of Adjustment is hereby designated to act as the Building Code Board of Appeals.

§ 107-17 Fees.

The Board of Selectmen is authorized to establish fees to be charged for building permits and certificates of occupancy.