

BUILDING CODE
FOR THE
TOWN OF NEW BOSTON, NEW HAMPSHIRE

Adopted March 11, 1986

Amended March 9, 1993

Amended March 13, 2001

Amended March 12, 2002

Amended March 9, 2004

Amended March 8, 2005

Amended March 11, 2008

Amended March 10, 2009

TABLE OF CONTENTS

CHAPTERS		PAGE
CHAPTER NB-1.0	General	1
Section		
NB-1.1	Definition; General	1
NB-1.2	Terms	1
NB-1.3	Purpose	1
NB-1.4	Authority	1
NB-1.5	Adoption	1
CHAPTER NB-2.0	Administrative	2
Section		
NB-2.1	Scope	2
NB-2.2	Entry	2
NB-2.3	Validity	2
NB-2.4	Violations	2
NB-2.5	Right of Appeal	2
NB-2.6	Alternate Materials and Systems	3
NB-2.7	Permit	3
NB-2.8	Plans	3
NB-2.9	Inspections	4
NB-2.10	Prefabricated Construction	4
NB-2.11	Inspection Card	4
NB-2.12	Existing Buildings	5
CHAPTER NB-3.0	Definitions	5
CHAPTER NB-4.0	Smoke Alarms	6
CHAPTER NB-5.0	Sprinkler Systems for One- & Two-Family Dwellings and Manufactured Housing	6
Section		
NB-5.1	Scope	6
NB-5.2	Purpose	7
NB-5.3	Process	7
NB-5.4	Design	7
NB-5.5	Disclaimer	8

BUILDING CODE REGULATIONS

CHAPTER NB-1.0: General

Section NB-1.1

These regulations shall be known and cited as the Building Ordinance of the Town of New Boston, New Hampshire as they are dependent upon building construction.

Section NB-1.2 Terms (Amended March 9, 2004.)

NB-1.2.1: Any reference contained in this Ordinance referring to Building Code, Building Official, Municipality, City, or Town shall be hereafter known as the Code, Building Inspector, and Town of New Boston.

Section NB-1.3 Purpose

The provisions of this Ordinance shall be held to be the minimum requirements for the protection of life, health, property, and safety and welfare of the general public, or consumers or the inhabitants of the Town of New Boston and shall be controlling as to all buildings and structures subject to this Ordinance, except where more stringent requirements are provided under the statutes of the State and local laws where applicable.

Section NB-1.4 Authority

NB-1.4.1: The provisions of this Ordinance and enforcement of its requirements will be by the Board of Selectmen and/or the Building Inspector.

NB-1.4.2: The Building Inspector is hereby authorized and directed to administer and enforce all of the provisions of the Code. The Building Inspector shall be appointed by the Selectmen of the Town.

Section NB-1.5 Adoption (Amended March 9, 2004.)

NB-1.5.1: The Town, by this Ordinance, shall adopt the International Residential Code, 2000, as published by the International Code Council, and as amended. (Section added March 9, 2004.)

NB-1.5.2: The Town, by this Ordinance, adopts the 1999 edition of NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, as published by the National Fire Protection Association, and as amended, as the standard that shall apply to all new one- and two-family dwellings and manufactured homes, if the builder or owner wishes to install a sprinkler system (s) in lieu of a required fire fighting water supply. (Added March 12, 2002 and amended March 9, 2004.)

Town of New Boston
Building Code

NB-1.5.3: The Town, by this Ordinance, adopts the 2002 edition of NFPA 13R, Standard for the Installation of Sprinkler Systems in Multi-Family Dwellings, as published by the National Fire Protection Association, and as amended, as the standard that shall apply to all new Multi-Family dwellings. (Section added 3/8/05.)

CHAPTER NB-2.0 Administrative

Section NB-2.1 Scope

The provisions of this Code apply to the construction, prefabrication, alteration, repair, use, occupancy, and maintenance of detached one or two family dwellings not more than three stories in height, and their accessory structures.

Section NB-2.2 Entry

Upon presentation of proper credentials, the Building Inspector or his duly authorized representatives may enter at reasonable times any building, structure, or premises in the jurisdiction to perform any duty imposed upon him by the Code.

Section NB-2.3 Validity

If for any reason any one or more sections, sentence clauses or parts of this Code are held invalid, such judgment shall not affect, impair or invalidate the remaining provisions of the Code. Any provision of any national code adopted by reference shall not apply when it conflicts with the provisions of this Code, the Town's Zoning Ordinance, or with State Law.

Section NB-2.4 Violations (Amended March 9, 2004.)

Enforcement of the provisions of this Code shall be pursuant to the provisions of RSA 676:17, and any other appropriate statutory remedy available to the Town. Pursuant to RSA 676:17(V), the Town hereby designates the Building Inspector as the official with the authority to enforce the provisions of this Code.

Section NB-2.5 Right of Appeal (Amended March 9, 2004.)

A building code board of appeals is hereby created which shall consist of five members which shall be appointed by the Selectmen. The Selectmen may also appoint up to five alternates as provided in RSA 673:6. The qualifications for such members shall be consistent with RSA 676:3, and once constituted, the building code board of appeals shall exercise the authority provided for in RSA 674:34, and any other applicable statute. The terms of the members of the building code board of appeals shall be for a period of three (3) years and shall be staggered as required by RSA 673:5,II. The Selectmen, upon making the initial appointments shall appoint members in a manner that insures that no more than 2 appointments occur

Town of New Boston
Building Code

annually in the case of a 5 member board, except when required to fill vacancies. Appeals may be had to and from the building code board of appeals in the manner provided by applicable statutes. The building code board of appeals shall, within ninety days of its original appointment, pursuant to RSA 676:1, adopt rules of procedure governing the manner of conducting its business and may include in the subject matter of such rules matters that may be necessary to provide for an appeal process, to the extent not inconsistent with applicable statutes.

Section NB-2.6 Alternate Materials and Systems (Amended March 9, 2004.)

NB-2.6.1: General

The provisions of this Code are not intended to limit the use of materials, appliances, equipment or methods of design or construction not specifically prescribed by this Code provided that the Building Inspector determines that the proposed changes are at least equivalent of that prescribed in this Code in suitability, quality, strength, effectiveness, fire resistance, durability, stability, safety and sanitation.

The Building Inspector may require that evidence or proof be submitted to substantiate any claim that may be made regarding the proposed alternate.

Section NB-2.7 Permit

NB-2.7.1: Required Permit

A permit shall be obtained before the start of construction, alteration, or repairs, other than ordinary repairs, using application forms furnished by the Building Inspector.

Ordinary repairs are nonstructural repairs and do not include addition to, alteration of, or replacement or relocation of water supply, sewer, drainage, gas, soil, waste, vent or similar piping, electric wiring, or other work for which a permit is required.

NB-2.7.2: Permit Fees

Permit fees shall be established by the Selectmen as established by State and/or local applicable law.

Section NB-2.8 Plans

When required by the Building Inspector, plans shall be drawn to scale and shall be of sufficient clarity to indicate the nature and the extent of the work proposed and shall show in detail that it will conform to the provisions of the Code, and all relevant laws, ordinances, rules and regulations. Plans shall show a plot plan drawn to scale showing the location of easements, drainage facilities,

Town of New Boston
Building Code

adjacent grades, property lines, the proposed building and of every existing building on the property.

Section NB-2.9 Inspections

NB-2.9.1: Types

For on-site construction the Building Inspector shall, from time to time, upon notification from the permit holder or his agent, make or cause to be made any necessary inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his agent wherein the same fails to comply with the Code. Inspections shall be made by the Building Inspector relevant to the following stages of construction:

1. Foundation: Commonly made after poles or piers are set or trenches or basement areas are excavated and forms erected and any required reinforced steel is in place prior to the placing of concrete.
2. Frame and Masonry: Commonly made after the roof, masonry, all framing, fire stopping and bracing are in place and all electrical pipes, chimneys, and vents are complete.
3. Plumbing and electrical: Commonly made prior to covering or concealment and before fixtures are set.
4. Final Inspection: A final inspection may be made after the building is completed and ready for occupancy.
5. Other: In addition to Inspections 1 through 4, the Building Inspector may require other inspections to ascertain compliance with the provisions of the Code.

NB-2.9.2: Approval

Work shall not proceed on any part of the building or structure beyond the point indicated by the specific inspection step without obtaining the written approval of the Building Inspector.

Section NB-2.10 Prefabricated Construction

A certificate of approval by an approved agency shall be furnished with every prefabricated assembly, except where all elements of the assembly are readily accessible to inspection at the site. Placement of prefabricated assemblies at the building site shall be inspected by the Building Inspector to determine compliance with the Code.

Section NB-2.11 Inspection Card

The permit holder or his agent shall post the inspection record on the job site in an accessible and conspicuous place to allow the

Town of New Boston
Building Code

Building Inspector to make the required entries. The permit holder shall retain this card until final inspection has been made and construction approved.

Section NB-2.12 Existing Buildings

All buildings and structures existing, or in active use, previous to the adoption of this Code may continue indefinitely in their present use as long as they are not substantially renovated.

CHAPTER NB-3.0: DEFINITIONS (Amended March 9, 2004.)

For the purpose of this Code terms, abbreviations, phrases, and certain words shall be defined as given below and also in accordance with CHAPTER 1.0: Section NB-1.2; NB-1.2.3.

Area: For the purpose of determining the floor area of a portion of a building, the area shall be the horizontal projected floor area inside the exterior enclosure walls or between the exterior and fire walls.

Attic: The space between the ceiling beams of the top habitable story and the roof rafters.

Attic, habitable: This shall mean an attic which has a stairway as a means of egress and in which the ceiling area at a height of seven and one-third ($7 \frac{1}{3}$) feet above the attic floor is not more than one-third ($\frac{1}{3}$) the area of the floor below.

Basement: A portion of the building partly underground, but having less than one-half ($\frac{1}{2}$) its clear height below the average grade of the adjoining ground.

Cellar: The portion of the building partly having one-half ($\frac{1}{2}$) or more than half its clear height below the average grade of the adjoining ground.

Existing Building: An existing building is a building which has been erected and is habitable prior to the adoption of this Code.

Grade Level, average: The average grade level of a building shall be the average finished ground level adjoining the building at the exterior walls.

Gross Floor Area: The gross floor area of a building shall be the sum of the habitable areas within the outside of the exterior walls of all levels with no deductions.

Height: As applied to a building, height shall mean the vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof,

Town of New Boston
Building Code

for flat and mansard roofs, and to the average height between eaves and ridge for other types of roofs.

NFPA: National Fire Protection Association

Nominal Size: The nominal size of building materials is the commonly acceptable commercial size designation of width and depth which is somewhat larger than the finished size.

Renovation, substantial: Substantial renovation shall mean any improvements to a building which require a town building permit and results in more than fifty (50) percent increase in the assessed valuation of the building.

Solid Fuel Device: Any chimney-connected device that burns wood, coal, or other similar organic materials or any combination of them for purposes of heating, cooking or both.

CHAPTER NB-4.0: Smoke Alarms (Amended March 9, 2004.)

Smoke Detectors Required: Smoke detectors shall be installed in each bedroom and on each additional story of the dwelling, including basements, cellars and unfinished spaces, but not including crawl spaces and uninhabitable attics. Attached garages shall include a heat detector in each stall interconnected with required smoke detectors. In dwellings or dwelling units with split levels, a smoke detector need be installed only on the upper level, provided the lower level is less than one full story below the upper level, except that if there is a door between levels, then a detector is required on each level. All detectors shall be interconnected to provide, when actuated, an alarm which will be audible in all sleeping areas. All detectors shall be approved and listed and shall be installed in accordance with the manufacturer's instructions. (Amended March 11, 2008.)

When alterations, repairs or additions requiring a permit occur, or when one or more sleeping rooms are added or created in existing dwellings, the entire building shall be provided with smoke detectors located as required for new dwellings.

Power Source: Required smoke detectors shall receive their primary power from a general lighting circuit and shall also be battery operated. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. When AC/DC smoke detectors become impractical, other equal means of protection must be provided.

CHAPTER NB-5.0: Sprinkler Systems for new One- and Two-Family Dwellings and Manufactured Homes. (Added March 12, 2002 and amended March 9, 2004.)

Section NB-5.1 Scope

This ordinance covers the design and installation of automatic

Town of New Boston
Building Code

sprinkler systems for the protection against fire hazards in new one- and two family dwellings and manufactured homes.

Section NB-5.2 Purpose

The purpose of this ordinance is to provide an alternative for a builder or owner wishing to install a sprinkler system(s) in lieu of a required fire fighting water supply.

Section NB-5.3 Process

NB-5.3.1 All residential sprinkler system designs shall be in accordance with the requirements of the 1999 Edition of NFPA 13D, as modified by this ordinance.

NB-5.3.2 All residential sprinkler design drawings shall be prepared, signed and dated by a NICET Level II (or higher), Automatic Sprinkler System Layout Technician.
NICET = National Institute for Certification in Engineering Technologies.

NB-5.3.3 A minimum of three (3) complete sets of sprinkler design drawings shall be submitted to the Town of New Boston at least three weeks prior to the installation of any sprinkler piping or components. No components of the sprinkler system may be installed prior to design approval by the Town of New Boston. Any costs incurred by the Town of New Boston in the approval process shall be borne by the submitter of the sprinkler design.

NB-5.3.4 All components of the sprinkler system, shall be installed in a manner acceptable to the Town of New Boston.

NB-5.3.5 Inspections during construction shall occur at regular intervals as determined by the Town of New Boston.

NB-5.3.6 Prior to acceptance of any new sprinkler system being placed into service it shall be inspected by, and tested in the presence of, the Town of New Boston Fire Inspector or their designee. This test will include a flow test at the most hydraulically demanding head location.

NB-5.3.7 Acceptance of the sprinkler system per NB-6.3.6 shall be a condition for issuance of the Certificate of Occupancy.

Section NB-5.4 Design

All sprinkler systems shall be designed in accordance with the 1999 edition of NFPA 13D except as follows:

1. Bathrooms, of any size, are required to be sprinkled.

Town of New Boston
Building Code

2. Rooms, closets or other enclosed spaces of less than 55 sq. feet that contain furnaces, boilers, water heaters (other than electric) or other mechanical equipment are required to be sprinkled.
3. Pumps and tanks shall be installed no less than 7" and no more than 9" above the permanent floor. The material used to accomplish this shall be permanent, solid and not allow any voids under the pump or tank. (Added March 11, 2008.)
4. Circuit breakers responsible for supplying power to the sprinkler system shall be equipped with a lockout device. (Added March 11, 2008.)
5. Valve handles shall be removed and stored in the sprinkler head box. (Added March 11, 2008.)
6. The power feed for the sprinkler system shall be protected in a method approved by the authority having jurisdiction. (Added March 11, 2008.)
7. Sprinkler systems shall be equipped with a fire department connection and external alarm approved by the authority having jurisdiction. (Added March 11, 2008.)
8. In addition to #7 above, all sprinkler systems installed in the Town of New Boston shall upon activation sound an alarm within the structure that will alert the occupants. This can be accomplished by connecting the sprinkler system to the household smoke detectors. (Added March 10, 2009.)

Section NB-5.5 Disclaimer

The Town of New Boston and all agencies do not assume any liability due to a sprinkler system failure or malfunction or its inability to operate properly.

Amended March 13, 2001 - deleted first sentence of Section NB-1.6, re: large building fire protection code.

Amended March 12, 2002 - Section NB-1.5.4 added; section NB-1.5.5 amended to include NFPA 13D; Section NB-6.0 added.

Amended March 9, 2004 - Most changes to delete reference to BOCA and CABO and to include reference to International Residential Code; Sections NB-1.2.2 & 1.2.3 deleted; Sections NB-1.5.1, 1.5.2 & 1.5.3 deleted; new section NB-1.5.1 added to refer to International Residential Code; Section NB-1.5.4 renumbered 1.5.2 and amended; Section NB-1.5.5 deleted; Section NB-1.5.6 deleted; Section NB-2.4 amended; Section NB-2.5 amended; Section NB-2.6.2 deleted; definitions of BOCA and CABO in Section NB-3.0 deleted; Chapter NB-4.0 deleted; Chapter NB-5.0 amended re: smoke alarms; Chapter NB-6.0 renumbered NB-5.0.

Amended March 8, 2005 - Section NB-1.5.3 added.

Amended March 11, 2008 - Section NB-4.0 amended re: smoke alarms in each stall of a garage; Added Section NB-5.4.3 through 7.

Amended March 10, 2009 - Added Section NB-5.4.8.