

**STANDARD OPERATING PROCEDURE
PERMIT ISSUANCE ~ UPDATED 8/27/19**

1. Background

The City of Lawrence, Indiana (“City”), by and through its Department of Public Works (“DPW”) administers its own permitting program as provided for in the Lawrence Municipal Code (“Code”). Such program is designed to provide minimum standards for the protection of life, limb, health, environment, public safety and welfare, and for the conservation of energy in the design and construction of buildings and structures through the issuance of permits and inspections.

2. Authority

§ 2-1-1-5, et seq., of the Lawrence Municipal Code

(A) The Director of Public Works and his or her designees are hereby authorized and directed to administer and enforce all of the provisions of the Building Code.

(B) Whenever in the Building Code it is provided that anything must be done to the approval of or subject to the direction of the Director of Public Works or any other officer of the City, this shall be construed to give the officer only the discretion of determining whether the rules and standards established by ordinance have been complied with; and no provision shall be construed as giving any officer discretionary powers as to what the regulations, codes or standards shall be, or power to require conditions not prescribed by ordinances or to enforce ordinance provisions in an arbitrary or discriminatory manner. Any variances from adopted building rules are subject to approval under I.C. 22-13-2-7(b).

3. Adoption of Standards by Reference

Lawrence Municipal Code and Building rules of the Indiana Fire Prevention and Building Safety Commission as set out in Title 675 of the Indiana Administrative Code and shall include later amendments to those articles as the same are published in the Indiana Register or the Indiana Administrative Code with effective dates as fixed therein:

(A) Article 13 - Building Codes:

- (1) Fire and Building Safety Standards;
- (2) Indiana Building Code;
- (3) Indiana Building Code Standards; and
- (4) Indiana Handicapped Accessibility Code.

(B) Article 14 - One and Two Family Dwelling Codes: 2003 International Residential Code (IRC) and the State of Indiana 2008 amendments.

(C) Article 16 - Plumbing Codes: Indiana Plumbing Code.

(D) Article 17 - Electrical Codes: Indiana Electrical Code.

(E) Article 18 - Mechanical Codes: Indiana Mechanical Code.

(F) Article 19 - Energy Conservation Code: Indiana Energy Conservation Code.

(G) Article 20 - Swimming Pool Codes: Indiana Swimming Pool Code.

4. Permit Required

(A) No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building, structure or property in the City, or cause the same to be done, the cost of which exceeds \$1,500, without first obtaining a separate building permit for each building, structure or property from DPW.

(B) All permits shall be issued by DPW and all fees provided for herein shall be paid to the DPW office.

(C) To obtain a permit, the applicant, before beginning construction, shall file an application with DPW, in writing on a form furnished for that purpose by DPW. Every application shall:

- (1) Describe the land on which the proposed work is to be done by lot, block, tract and house and/or street address or similar description that will readily identify and definitely locate the proposed building or work;
- (2) Show the use or occupancy of all parts of the building;
- (3) State the name and address of the individual or company contracted to do the work (including sub-contractors) as well as the owner of the building and/or land;
- (4) State the valuation of the proposed work; and
- (5) Give other information as may be reasonably required by DPW.

5. Plans to Accompany Application for Permit

(A) Except where determined by DPW to be unnecessary, each application for a permit shall be accompanied by two sets of plans and specifications which shall be drawn to scale and shall be of sufficient clarity to indicate the nature and extent of the work proposed and shall show in detail that it will conform to the provisions of this chapter and all relevant laws, ordinances, rules, standards and codes. The first page of each set of plans shall include the legal description of the property and give the house and street address of the work and the name and address of the owner and the person who prepared them. The plans shall include a plot plan showing the location of the proposed building and of every building on the property.

(B) All plans for building construction under the authority of the Fire Prevention and Building Safety Commission of the State of Indiana must also be filed with the State Building Commissioner. No local permits shall be issued for the work until a copy of a Release for Construction from the State Building Commissioner is received by DPW.

6. Permit Issuance; Time Limit for Beginning Work

(A) The application, plot plans and specifications filed by an applicant for a permit shall be checked by DPW. If DPW is satisfied that the work described in an application for a permit and the plans filed therewith conform to the requirements of this chapter, he or she shall approve the permit issuance.

(B) When DPW approves the permit, he or she shall endorse in writing, or stamp on both sets of plans and specifications, "APPROVED." Approved plans and specifications shall not be changed, modified or altered without authorization from DPW, and all work shall be done in accordance with the approved plans.

(C) One set of approved plans, specifications and computations shall be retained by DPW for a period of not less than 90 days from the date of completion of the work covered therein; and one set of approved plans and specifications shall be returned to the applicant, which set shall be kept on the building site or work at all times during which the work authorized thereby is in progress.

(D) The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any provisions of the Building Code. No permit presuming to give authority to violate or cancel the provisions of the Building Code shall be valid, except insofar as the work or use which it authorized is lawful.

(E) The permit issuance based upon plans and specifications shall not prevent DPW from requiring the correction of errors in plans and specifications or from preventing building operations being carried on thereunder when in violation of this chapter or of any other City ordinance.

(F) Every permit issued by DPW under provisions of this chapter shall expire by limitation and become null and void if:

- (1) The building or work authorized by the permit is not commenced within 120 days from the date of the permit; or

(2) If the building or work authorized by the permit is suspended for a period of 180 or more days.

(G) Before work can be recommenced following suspension for a period of 180 or more days, a new permit first shall be obtained, and the fee therefor shall be one-half the amount required for a new permit for the work, provided that no changes have been made or will be made in the original plans and specifications for the work and, provided further, that suspension or abandonment has not exceeded one year. If either condition is violated, the fee shall be the fee for a new permit.

7. Inspections; Sequencing; Posting of Permit

(A) All construction or work for which a permit is required shall be subject to inspection by DPW.

(B) Work requiring a building permit shall not be commenced until the permit holder or his or her agent shall have posted the building permit and inspection record card in a conspicuous place in the front of the premises and in a position so as to allow DPW and inspectors to conveniently make the required entries thereon regarding inspection of the work. The permit holder shall maintain this card in that position until the completion of the job.

(C) No work shall be done on any part of the building or structure beyond the point indicated in each successive inspection without first obtaining the written approval of DPW. Written approval shall be indicated on the building permit and inspection record card only after an inspection has been made of each successive step in the construction as indicated on the card and as required by the Building Code.

(D) No reinforcing steel or structural framework of any part of any building or structure shall be covered or concealed in any manner whatever without first obtaining the approval of DPW.

(E) There shall be a final inspection and approval on all buildings when completed and ready for occupancy.

8. Building Inspections

(A) All new building construction within the City, regardless of use, shall be required to have a minimum of three building inspections: foundation inspection, framing inspection, and final inspection; provided that simple accessory buildings such as detached garages and pole buildings shall be required to have from one to three inspections depending upon the nature and complexity of the building.

(B) DPW shall, within two business days of notification from the permit holder or his or her agent, make the following inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his or her agent wherein the same fails to comply with the law:

(1) Foundation inspection. To be made after trenches are excavated and forms erected and when all materials for the foundation are delivered on the job. Where concrete from a central mixing plant is to be used, materials need not be on the job;

(2) Under slab and crawl space area inspections;

(3) Framing inspection. To be made after the roof, all framing, fire blocking and bracing are in place and all pipes, chimney and vents are complete;

(4) HVAC mechanical, electrical and plumbing inspections; and

(5) Final inspection. To be made after building is completed and ready for occupancy.

(C) It shall be the duty of the permit holder to notify DPW and also the owner, or his or her authorized agent, verbally or in writing, not less than two business days before the building is ready for inspection. It shall be the duty of the permit holder to see that the building will stand the building inspection prescribed before giving the above required notification.

(D) If DPW or an inspector finds that the building will not stand inspection, the permit holder shall be required to renotify DPW, as required above, when the building is ready for reinspection and to pay the sum of \$25 for each reinspection.

(E) Upon successful completion of all final inspections, DPW shall issue a certificate of occupancy to the owner of the building.

(F) No building may be occupied for any purpose or for any length of time without first obtaining a certificate of occupancy.

(G) No certificate of occupancy for any building or structure erected, altered or repaired after the adoption of this Building Code shall be issued unless the building or structure was erected, altered or repaired in compliance with the provisions of this Building Code.

9. Violations

It shall be unlawful for any person, firm or corporation, whether as owner, lessee, sub-lessee or occupant, to erect, construct, enlarge, alter, repair, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure, other than fences, in the City of Lawrence, or cause or permit the same to be done, contrary to or in violation of the provisions of the Building Code.

10. Stop Work Order

(A) The Director of Public Works and his or her subordinates shall have the power to order all work stopped on any construction, alteration, repair, installation, removal or demolition of buildings in the City if the work is being done in violation of any provision of this Building Code, any statute or ordinance relating thereto, or the zoning ordinances of Marion County as adopted by the Metropolitan Development Commission.

(B) The Director of Public Works and his or her subordinates may order the work to be stopped by notice in writing served on any persons engaged in doing or causing the work to be done, and the persons so notified shall forthwith stop the work.

(C) Work shall not be resumed after the issuance of the stop-work order except on the written permission of the Director of Public Works.

(D) Additional inspections required as a result of any stop-work order shall be separately charged to the contractor in violation and the charges paid to DPW prior to the issuance of the certificate of occupancy for the building or structure.

11. Right to Appeal

All persons shall have the right to appeal DPW's decisions, first through the Board of Public Works and Safety, and then to the Fire Prevention and Building Safety Commission of the State of Indiana in accordance with the provisions of I.C. 22-13-2-7 and I.C. 4-21.5-3-7, as applicable.

12. Penalties

(A) Whoever violates any provision of this chapter shall be subject to the general penalty provisions of this code, as set out in § 1-1-2-3 of the Lawrence Municipal Code

(B) (1) Whenever a person, partnership, corporation or other form of business organization which is either an applicant for or obtainer of a building permit owes fees (including checks returned for insufficient funds and permit fees owed) to the City of Lawrence or has failed to maintain the bond and insurance requirements of this chapter, DPW is authorized to withhold the issuance of subsequently requested permits until the time that the debt is satisfied or the bond and insurance requirements are satisfied.

(2) If work for which a permit is required by this chapter has been commenced without compliance, the permit fee shall be five times the applicable amount, plus the amount of the normal

fee for the permit; provided, however, that the maximum fee incurred under this section shall be \$1,000 plus the amount of the normal fee for the permit. This sanction shall in no way limit the operation of penalties provided elsewhere in the Code.

(3) DPW may revoke a building permit when:

(a) The application, plans or supporting documents contain a false statement or misrepresentation as to a material fact;

(b) The application, plans or supporting documents reflect a lack of compliance with building standards and procedures;

(c) There is a failure to comply with the requirements of § 2-1-1-10 (Permit Required; Applications);

(d) The contractor has failed to maintain the surety bond or insurance required as a condition to his or her licensure or listing; or

(e) The contractor has failed to maintain the surety bond or insurance required by §§ 2-1-3-3 and 2-1-3-4 as a prerequisite for obtaining a permit for the demolition or removal of a structure.