



# TOWN OF GRANTHAM

NEW HAMPSHIRE

# BUILDING CODE

*Last Revised March 11, 2025*

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## **ARTICLE I - PURPOSE AND AUTHORITY**

In accordance with New Hampshire RSA 675: 3, the Town of Grantham hereby adopts the Current version of the "New Hampshire Building Code" or "State Building Code", as amended and defined in Chapter 155-A: 1, Title XII, Public Safety and Welfare, as the Grantham Building Code for the purpose of preserving the public health, safety, welfare and convenience and to insure any proposed building site is reasonably safe from flood hazards. The Town of Grantham adopts the "New Hampshire Building Code" which includes by reference, the following codes as amended: The International Building Code 2021, The International Existing Building Code 2021, The International Plumbing Code 2021, The International Mechanical Code 2021, The International Energy Conservation Code 2018, The International Swimming Pool and Spa Code 2021, and The International Residential Code 2021 as published by the International Code Council and The National Electrical Code 2020, as published by the National Fire Protection Association, Inc. The effective date for this Grantham Building Code shall be March 11, 2025. Any amendments to RSA 155-A:1 concerning the relevant codes, as cited above, shall be incorporated herein. Nothing in this Grantham Building Code shall be construed to be "inconsistent with or less stringent than, nor intended to replace, the requirements of the most recent edition of the state building code adopted under RSA 155-A" in accordance with RSA 674:51.

Any provisions of this Code that deviate from the State Code will be submitted to the State Board for review and shall not be effective until such review is completed.

## **ARTICLE II - GENERAL PROVISIONS**

There are two (2) separate building permits required by this Ordinance; a Flood Hazard Area Building Permit (FHABP) for construction in areas of special flood hazard and a General Building Permit (GBP) for all construction. A FHABP is needed for any new construction or substantial improvement in the special flood hazard areas as described primarily in Article III. A GBP is required for construction in all areas as listed primarily in Article VI.

## **ARTICLE III - FLOOD HAZARD AREA BUILDING PERMIT (FHABP) APPLICATION PROCEDURE**

Upon passage of this code, it shall be unlawful to start any construction or substantial improvement in the Town of Grantham without first obtaining from the Building Inspector: (1) either a FHABP, according to the procedure in the following paragraph, or a Building Registration indicating the proposed building is not in an area of special flood hazard; and (2) a GBP.

1. Applicant shall supply the Building Inspector with location of building site, type of construction contemplated and other information as requested on the application form.

2. The applicant shall be informed within two (2) weeks if the proposed site is located in the area of special flood hazard, or not.

a. If the proposed building site is not within the area of special flood hazard, the Building Inspector will so indicate and the applicant may continue the application process as indicated below.

If the proposed building site is located within an area of special flood hazard, the Building Inspector will furnish the applicant with a copy of the provisions of this building code and await completion of a full Flood Hazard Building Permit Application (see Article IV).

## **ARTICLE VI – FLOOD HAZARD AREA BUILDING PERMIT AND APPLICATION**

No building permit shall be issued by the Building Inspector for any new construction or substantial improvement (including prefabricated and mobile homes) on any proposed building site which lies within the area of special flood hazard delineated on the then current Flood Insurance Rate Map (FIRM) for the Town of Grantham, dated September 1, 1989, or later, unless such construction or substantial improvement:

1. is designed (or modified) and anchored to prevent flotation, collapse or lateral movement of the structure;
2. uses construction materials and utility equipment which are resistant to flood damage;
3. uses construction methods and practices which will minimize flood damage; and
4. has electrical, heating, plumbing, ventilation, air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within components during conditions of flooding.

The following information, as well as any other information the Building Inspector may require, shall be submitted with the application for the FHABP prior to any new construction or substantial improvement to any structure within the area of special flood hazard:

### **4.10 Existing Site Information**

1. A plan which accurately locates the proposed building site with respect to the FIRM.
2. Contours, elevations, or profiles which show the proposed building site and the corresponding elevation of the 100-year flood elevation for that particular area.
3. Location of existing structures, streets, utility lines, fill areas, drainage ways, and other pertinent data.

#### **4.20 Construction Plans**

1. A plan showing the finished grades and elevations of the proposed building site, as well as the location, levels and elevations of the lowest floor of any building including basement and any proposed fill areas. If the lowest floor is below grade on one (1) or more sides, the elevation above mean sea level of the floor immediately above must also be recorded.
2. Plans showing the location and elevation of proposed streets or driveways, utility lines, drainage ways, water supply and sewage disposal facilities.
3. Specifications for building construction and site improvement including; materials, landscaping, proposed method of water supply and sewage disposal, and flood proofing measure.

#### **4.30 Decision**

The Building Inspector shall within thirty (30) days of receipt of a completed FHABP Application, review such application and issue a decision in accordance with the flood provisions outlined in the New Hampshire State Building Code and in compliance with state and federal law. In the case of refusal to issue a permit, the Building Inspector shall return reasons for such refusal, and may include suggestions for future compliance with provisions of this code.

#### **4.40 Resubmission**

Applicants may resubmit refused application, which have been revised to conform to this Code's provisions.

#### **4.50 Fee**

A fee set by the Board of Selectmen in accordance with Article VI shall accompany all submissions and resubmission to the Building Inspector of applications for FHABP. The Board may designate setting an annual fee schedule to the Building Inspector if so desired.

### **ARTICLE V - FLOOD PLAIN DEVELOPMENT MEASURES**

A. Where new or replacement water and sewer systems (including on-site systems) are proposed in flood prone areas, the applicant shall provide the Building Inspector with assurance from the New Hampshire Department of Environmental Services that these systems will be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems will be located to avoid impairment to them or contamination from them during periods of flooding.

B. The Building Inspector shall maintain for public inspection, and furnish upon request, any certification of flood-proofing and the as built elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and include whether or not such structures contain a basement. If the structure has been flood- proofed, the as built elevation (in relation to mean sea level) to which the structure was flood-proofed. This information must be furnished by the applicant.

C. The Building Inspector shall review proposed developments to assure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, U.S.C. 1334. It shall be the responsibility of the applicant to certify these assurances to the Building Inspector.

D. Development Measures:

1. In riverine situations, prior to the alteration or relocation of a watercourse, the applicant for such authorization shall notify the Wetlands Bureau of the New Hampshire Department of Environmental Services and submit copies of such notification to the Building Inspector. Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Building Inspector.

2. The applicant shall submit to the Building Inspector certification provided by a registered professional engineer, assuring that the flood carrying capacity of an altered or relocated watercourse can and will be maintained.

3. Until a Regulatory Floodway is designated along watercourses, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zone AE on the FIRM, unless it is demonstrated by the applicant that the cumulative effect of the proposed development, when combined with all existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

E. In special flood hazard areas,

1. The Building Inspector shall determine the 100-year flood elevation in the following order of precedence according to the data available:

a. In Zones AE; refer to the elevation data provided in the Town's Flood Insurance Study and accompanying FIRM.

b. In A zones, the Building Inspector shall obtain, review and reasonably utilize any 100 year flood elevation data available from federal, state, development proposals submitted to the Town (i.e. subdivisions, site approvals) or other source.

2. The Building Inspector's 100 year flood elevation determination will be used as criteria for requiring in Zones A and AE;

a. All new construction or substantial improvements of residential structures have the lowest floor (including basement) elevated to or above the 100 year flood elevation.

b. That all new construction or substantial improvement of nonresidential structures have the lowest floor (including basement) elevated to or above the 100-year flood level; or together with attendant utility and sanitary facilities, shall:

1. Be flood-proofed so that below the 100-year flood elevation the structure is watertight with walls substantially impermeable to the passage of water;

11. Have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and

111. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section.

c. All manufactured homes to be placed or substantially improved within special flood hazard areas shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood level; and be securely anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

d. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding are permitted provided they meet the following requirements, 1) the enclosed area is unfinished or flood resistant, usable solely for the parking of vehicles, building access or storage, 2) the area is not a basement, 3) shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: a minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

e. Recreational vehicles placed on sites within Zones AE shall either i) be on the site for fewer than 180 days, ii) be fully licensed and ready for highway use, or iii) meet all standards of Section 60.3 (b) (1) of the National Flood Insurance Program Regulations and

the elevation and anchoring requirements for "manufactured homes" in Paragraph (c) (6) of Section 60.3.

## **ARTICLE VI - GENERAL BUILDING PERMIT**

A. A General Building Permit (GBP) is required and this Building Code, with reference to the specific codes outlined in Article I, controls all matters concerning the construction, alteration, addition, removal, demolition, use, location, occupancy and maintenance of all buildings and structures, and shall apply to existing or proposed buildings and structures.

B. No Building Permit is required for ordinary repairs.

C. The legal use and occupancy of any structure existing on the date of adoption of the Building Code or for which it has been previously approved shall be permitted to continue without change, except as may be mandated by any other local ordinances or State Code requirements.

D. Pursuant to RSA 155-A:4, a permit is required prior to starting new construction or renovation of buildings and structures as outlined in RSA 155-A:2. Application for a GBP shall be made to the Building Inspector and shall be accompanied by plans showing the work to be done. All plans shall bear the seal of a licensed architect, except for the following: 1) residential buildings with one (1) or two (2) dwelling units, or 2) any structure which does not have as its principal structural members reinforced concrete or structural steel, and is two and one-half (2- 1/2) stories or less, and contains 4,000 square feet or less, and is not a building of assembly.

E. No GBP shall be issued until after approval of the plans submitted. A GBP issue pursuant to this code must comply with any zoning or subdivision rules or ordinances or any other applicable Town Ordinance.

F. It shall be unlawful to vary materially from the submitted plans and specifications unless such variations are submitted in an amended plan to the Building Inspector and approved by the Building Inspector. Amendment fees shall apply.

G. The Building Inspector may make or cause to be made such inspections as are necessary to see to the enforcement of this Building Code and to make any tests or examinations of materials or methods to be used for the purpose of seeing that they comply with this building code.

H. Permit Time Limits: Any work for which a permit has been issued by the Building Inspector for any construction shall be actively prosecuted as follows: Appreciable Start: Residences - 4 months from date of approval (foundation in and capped). All other work - 6 months from date of approval to actively prosecute and/or make appreciable start. Failure to actively prosecute work within these limitations shall result in an automatic lapse in the permit. All work for which a permit has been issued by the Building Inspector must be completed within two (2) years of the date of the issuance of the permit.

## ARTICLE VII - FEES

The Board of Selectmen is authorized to establish such fees as may be necessary to defray the expenses of the building permit program and related costs. The Board of Selectmen may alternatively authorize the Building Inspector to create a list of such fees and publish them accordingly.

## ARTICLE VIII - FIRE SPRINKLER ORDINANCE

### A. Purpose

The Town of Grantham recognizes the need to preserve life and property and the purposes to which a sprinkler system would be valuable in terms of life occupancy, height and location.

The Grantham Planning Board, in conjunction with the Grantham Fire Department under Site Plan Review Regulations, shall review with applicants any requirements for fire protection in the form of an automatic sprinkler system (AFPS), with special consideration to be rendered to life occupancy, preservation of property, height of proposed building, and location issues. The following types of construction shall be considered for an AFPS system:

- i. Multi-family residences
- ii. Hotels, motels
- iii. Bed & Breakfasts, lodging houses
- iv. Any commercial enterprise over 35 feet in height that has obtained an approved variance from the Grantham Zoning Board of Adjustment
- v. Any commercial enterprise that may be considered hazardous by way of an explosive, flammable or toxic nature

### B. Definitions

**AFPS SYSTEM:** Shall mean an automatic Fire Protection Sprinkler System meeting or exceeding the minimum requirements for design and installation as outlined by the National Fire Protection Association.

**SINGLE FAMILY:** For the purposes of this ordinance, a single residential building containing one (1) dwelling unit designed for occupancy by not more than one (1) family.

**TWO FAMILY:** For the purposes of this ordinance, a single residential building containing two (2) dwelling units designed for occupancy by not more than two (2) families.

**MULTI-FAMILY:** A single residential building containing three (3) or more dwelling units and designed for occupancy by three (3) or more families.

**NFPA:** National Fire Protection Association

C. Requirements

1. The need for an automatic fire protection sprinkler system shall be reviewed and determined by the Planning Board under Site Plan Review regulation using the above provisions with the assistance of the Grantham Fire Department. Pursuant to RSA 674:51, V, such sprinklers may not be required in new or existing detached one or two family residential units or manufactured housing unit as defined by RSA 674:31 in a housing park under RSA 205-A:1, II Emphasis for review purposes shall be weighted towards the preservation of human life. It shall be anticipated that Phase I of the Site Plan Review process shall meet the needs for determination purposes of the requirement for an AFPS system. All waivers shall be recorded.

2. All required AFPS systems shall be designed and installed by a fire protection sprinkler company or other qualified designer/installer acceptable to the Fire Chief/Board of Fire Engineers.

3. The AFPS system constructed shall be designed and installed in accordance with either NFPA 13, NFPA 13D or NFPA 13R.

4. If an AFPS is deemed necessary under the Site Plan Review process, working plans for said sprinkler system shall be submitted for Phase II of the Site Plan Review Process following prior consultation with the Fire Chief/Board of Fire Engineers as to specific needs. These plans should have the Fire Chief's/Board of Engineer's approval prior to Phase II submission. It shall be the applicant's responsibility to ensure that the qualified designer/installer is present at such a meeting to qualify the type of sprinkler system required prior to submission for Phase II.

5. The AFPS installer shall test the completed system in accordance with the requirements for the type of system and shall furnish a completed contractor's Materials and Test Certificate to the Grantham Fire Department.

The AFPS system installer shall provide the Fire Department with at least 72 hours notice of the date and time of the required system tests in order that the Fire Chief or their designated representative may monitor such tests.

In the event of conflict between the requirements of this Ordinance and the requirement of any referenced publication or documents, the requirements of the current NH Building Code including, but not limited to, all published codes referenced therein, shall take precedence unless a grace period has been granted after the adoption of a new state code, in which case the applicant may certify compliance with either this Ordinance or the new building code for the duration of said grace period only.

## 6. Construction Regulations

The Fire Department shall review all permit applications and requests for certificates of occupancy to determine conformity with all relevant fire codes, regulations, and ordinances adopted or promulgated by the State of New Hampshire, the Town of Grantham, or the Grantham Fire Department and shall file a report with the Building Inspector.

The builder/contractor shall provide such additional information as may be requested by the Fire Department to verify compliance with State and Local fire codes, regulations and ordinances.

The Fire Department may conduct any necessary inspections during the building process to verify code compliance in any code regulated areas that would be concealed after the building is completed. The builder/contractor shall notify the Fire Department at least 72 hours before any such code regulated areas (including

but not limited to: fireplaces, chimneys, and firewalls) are concealed from view.

The Fire Department shall make all inspections to investigate any claimed violations of such codes, regulations and ordinances and shall file a report with the Building Inspector.

## **ARTICLE IX- CODE COMPLIANCE INSPECTIONS:**

When construction begins, the following code compliance inspections, to be conducted by the Building Inspector, **MUST BE REQUESTED IN ADVANCE:**

- a) Foundation footings, forms and reinforcement, if applicable. Lot pins must be in place at this inspection to assure set back requirements are met. If the pins are not there, or they cannot be verified, the construction will not be approved or allowed to continue. **DO NOT POUR CONCRETE UNTIL THE ABOVE HAS BEEN APPROVED.**
- b) Foundation - insulation, waterproofing, and drainage, prior to back-filling.
- c) Structural - rough frame, electrical and plumbing prior to covering.
- d) Inspection of the heating system and/or wood burning stove. All underground fuel tanks and piping must be inspected prior to back-filling.
- e) Final inspection.

### **Certificate of Occupancy**

You may not use or occupy a building or structure, in whole or in part, until Certificate of Occupancy has been issued. No permit shall be issued that would not result in compliance with the state building code and state fire code. RSA 155-A:4. You must forward the Certificate of

Occupancy request (part of the Building Permit Application) to the Building Inspector at the Grantham Town Hall, Selectmen's Office, 300 Rt. 10 S, Grantham, NH 03753, at least 10 days prior to issuance.

If you have any questions or wish to contact any of the above mentioned departments, please call:

- Building Inspector - 603-309-7094
- Selectmen's Office - (603) 863-6021

The Town is presently using the "New Hampshire Build Code", copies of which are available for viewing at the Grantham Town Hall, Town Administrator's Office.

## **ARTICLE X - APPEALS, FINES AND PENALTIES**

### **A. Building Code Board of Appeals**

There is hereby established a Building Code Board of Appeals of five (5) members appointed by the Board of Selectmen in the same manner as required by State Statutes for a Zoning Board of Adjustment, which shall serve until such time as a Zoning Board of Adjustment is established, which Board shall be designated to act then as the Building Code Board of Appeals, as provided in RSA 673:1, V. The Building Code Board of Appeals shall have the power, upon an appeal filed with it by any person aggrieved by a decision of the Building Inspector dealing with this Building Code, to verify the application of any provision of the Building Code to any particular case when, in its opinion, the enforcement of the Building Code would do manifest injustice and would be contrary to the spirit and purpose of the Building Code and the public interest.

These powers are from RSA 674:34 and it is intended that the Board of Appeals shall have such powers conferred by law. Any person aggrieved by a decision of the Building Code Board of Appeals may appeal the decision to the Sullivan County Superior Court as provided in RSA 677:16.

Any appeal to the Board of Appeals shall be taken within fifteen (15) days from the date of the decision of the Building Inspector. The time, notice, and manner of hearing before the Board of Appeals shall conform to the same requirements as the hearing before the Zoning Board of Adjustment, except that no notice shall be given to the abutters.

### **B. Fines and Penalties**

Any violation of this Ordinance shall be subject to the fines and penalties as provided in RSA Chapter 676 except that the maximum fine for a misdemeanor for violation shall not exceed \$500.00.

## **ARTICLE XI - DEFINITIONS**

**APPLICANT** - Any individual, group of individuals, corporation, partnership, association, or any other organization of persons including State and local governments and agencies thereof desiring to construct, assemble, or erect any structure (including prefabricated or mobile homes) for residential, commercial, agricultural, religious or other purpose, anywhere within the Town of Grantham.

**AREA OF SPECIAL FLOOD HAZARD** - The land in the flood plain within the Town subject to a one (1) percent or greater possibility of flooding in any given year. The area is designated as Zone A and AE on the Flood Insurance Rate Map, as amended.

**BASE FLOOD** - The flood level having a one (1) percent possibility of being equaled or exceeded in any given year.

**BASEMENT** - Any area of a building having its floor sub-grade on all sides.

**BUILDING INSPECTOR** - An officer appointed by the Selectmen to fulfill the duties as outlined herein, including inspection of building sites and issuance of building permits.

**DEVELOPMENT** - Any man-made change to improved or unimproved real estate, including, but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials.

**FLOOD OR FLOODING** - A general and temporary condition of partial or complete inundation of normal dry land areas from:

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation of run-off of surface waters from any source.

**FLOOD INSURANCE RATE MAP (FIRM)** - An official map of the Town, on which FEMA has delineated both the special flood hazard areas and the risk premium zones applicable to the Town.

**FLOOD INSURANCE STUDY** - An examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination and determination of mudslide and/or flood related erosion hazards.

**FLOOD PLAIN OR FLOOD-PRONE AREA** - Any land area susceptible to being inundated by water from any source (see definition of flooding, above).

**FLOOD PLAIN MANAGEMENT** - The operation of an overall program of corrective and preventive measures for reducing flood damage, including, but not limited to: emergency preparedness plans, flood control works, and land use and control measures.

**FLOOD-PROOFING** - Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**HISTORIC STRUCTURE** - Any structure that is:

- a.) Listed individually in the National Register Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b.) Certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic;
- c.) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- d.) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - 1.) By an approved state program as determined by the Secretary of Interior or
  - 2.) Directly by the Secretary of Interior in states without approved programs.

**LAND USE AND CONTROL MEASURE** - Zoning ordinances, subdivision regulations, building codes, health regulations, and other applications and extensions of the normal police power, to provide standards and effective enforcement provisions for the prudent use and occupancy of flood-prone and mudslide areas.

**LOWEST FLOOR** -The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.

**MANUFACTURED HOME** - A structure, transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes the term "manufactured home" includes park trailers, travel trailers, and other similar vehicles placed on site for greater than 180 consecutive days. This includes manufactured homes located in a manufactured home park or subdivision.

**MANUFACTURED HOME PARK OR SUBDIVISION** - A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**MUDSLIDE** - A general and temporary movement down a slope of a mass of rock or soil, artificial fill, or a combination of these materials, caused or precipitated by the accumulation of water on or under the ground.

**NEW CONSTRUCTION** - For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For flood plain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a flood plain management regulation adopted by a community and includes any subsequent improvements to such structure.

**100-YEAR FLOOD** - See "base flood".

**RECREATIONAL VEHICLE** - A vehicle which is (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designated primarily not for use a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

**START OF CONSTRUCTION** - Includes substantial improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on site, such as the pouring of slab, or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or part of the main structure; nor does it include the installation of streets and/or walkways.

**STRUCTURE** - For flood plain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. The term includes a building while in the course of construction, alteration, or repair, unless such material or supplies are within an enclosed building on the premises.

**SUBSTANTIAL DAMAGE** - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT** - Any combination of repairs, reconstruction, alteration, or improvements to a structure in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure. The market value of the structure shall be considered to be: 1) the appraised value prior to the start of the initial repair or improvement, or 2) in the case of damage, the value of the structure prior to the damage occurring. For the purposes of this

definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a structure listed on the National Register of Historic Places. This term includes structures which have incurred substantial damage, regardless of actual repair work performed.

**WATERCOURSE** - A natural or artificial channel or bed, through which a stream of water flows, such as a river or brook. The water flow may be continuous or seasonal in nature.

**VIOLATION** - The failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR § 60.3(b), (5), (c)(4), (c)(IO), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

## **ARTICLE XII - SEVERABILITY**

The provisions of this Ordinance are severable. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provisions or applications of this Ordinance which can be given effect without the invalid provision or application.

This Ordinance replaces any prior Grantham Building Code and becomes effective upon passage by the Grantham Town Meeting on March 11, 2025.

## **ARTICLE XIII - AMENDMENTS**

March 12, 1991 - New Article VIII (Sprinkler Ordinance) added and Articles VIII through XI renumbered IX through XII.

March 8, 1994 - New definition - RECREATIONAL VEHICLE added in Article XI. March 8, 1994-Insertion Article V - added V.E.2e. bldcd91a.315

March 12, 1996-Inserted New Fire Sprinkler Ordinance deleted former verbiage.

March 14, 2006 -Amendments, deletions and additions required by the National Flood Insurance Program to maintain compliance in the towns' Flood plain Ordinance.

March 11, 2008 - Insertion Article IX- added CODE COMPLIANCE INSPECTIONS

March 11, 2025 – Updates from recent changes in legislation.