

Town of Chester
New Hampshire

Building Code

As of March 29, 2023

Town of Chester Building Code

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TOWN OF CHESTER
BUILDING CODE

Article 1 – Building Code

Purpose and Authority

1.1 - Title - This Ordinance shall be known and cited as the Building Ordinance of the Town of Chester, New Hampshire and shall be construed to insure public safety and health insofar as they are dependent upon building construction.

1.2 - Minimum Requirements - The provisions of this Ordinance shall be held to be the minimum requirements for the preservation of life and health and safety of the inhabitants of the Town of Chester 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 of New Hampshire.

1.3 - Other Town Regulations - No provisions of the Town Zoning Ordinance or any other legal statute pertaining to the location, use or construction of buildings shall be nullified by the provisions of this Ordinance.

1.4 - Administration - The provisions of this Ordinance and enforcement of its requirements will be by the Board of Selectmen and/or the Building Official. (5/10/2011)

Article 2 – Building Code

Application for a Building Permit

2.1 - Permits - A permit issued by the Building Official shall be required before beginning operations of placement of foundations, alterations, repair or placement on a lot of a building or structure. Applications for permits shall be submitted in such form as the Building Official prescribes and shall be signed by or authorized by the owner.

2.2 - Plans - Applications for permits shall be accompanied by plans with sufficient clarity and detail dimensions to show the nature and character of the work to be performed. The building Official may waive the requirement for filing plans when the work involved is of a minor nature.

2.3 - Performance - All work performed under building permits shall conform to the plans and specifications filed with the application.

2.4 - Limitations of Permit - Construction must commence within six (6) months after issuance of the building permit. If construction is not commenced within this time period, the applicant must reapply. Construction must be complete within one (1) year after issuance of the building permit. If construction is not completed within this time period, the applicant must reapply.
(5/9/2017)

2.5 - Certificate of Occupancy - No areas of building or other structures which are hereinafter constructed, reconstructed or altered shall be occupied and no premises shall be used except for agriculture until a Certificate of Occupancy has been issued by the Building Inspector. No Certificate of Occupancy shall be issued for any premises unless the proposed use of the land, buildings and other structures herein shall comply with the provisions of this Ordinance or a variance issued by the Board of Adjustment and all applicable health, safety, fire, building codes, regulations and ordinances.

2.6 - Board of Adjustment - An applicant for a building permit whose application has been refused by the Building Official, or parties who have been ordered by the Building Official to incur expense in connection with construction or parties aggrieved by a decision by the Building Official on a matter left by this Ordinance to his/her approval or discretion, may appeal from such action by filing within ten (10) days from date of refusal, order or decision, a written appeal, signed by the owner of property involved with the Zoning Board of Adjustment.

2.7 - Saving Clause - Nothing in the Ordinance as adopted shall be construed to affect any suit or proceeding now in progress or any rights acquired or liability incurred or any cause or causes of actions accrued or existing under any Town Ordinance.

2.8 - Validity - The invalidity of any section or provision of this Ordinance, hereby adopted, shall not invalidate other sections or provisions thereof.

2.9 - Fees for Permits - A fee shall be charged for all permits issued under the terms of this Ordinance as determined by the Town of Chester Board of Selectmen. (7/21/2016)

2.10 - Enforcement - Upon any well-founded information that this Ordinance is being violated, the Board of Selectmen shall, on their own initiative, take 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 this Ordinance shall be punished on conviction by a fine in accordance with N.H. RSA 155-A:8 and RSA 676:17, which is currently \$275.00 per day of violation for a first offense and \$550.00 per day of violation for a subsequent offense. The fines may be assessed beginning upon the day after the conviction date or upon the day after the date on which the violator receives written notice from the Town that the violator is in violation, whichever is earlier. (5/10/2011)

Article 3 – Building Cod Building Code

3.1 - Building Code - All dwellings and structures shall comply with the requirements in the New Hampshire State Building Code, as established by NH RSA 155-A, and as may be amended from time to time. (5/10/11)

3.1.1 - Special Provisions

3.1.1.1 - Sprinkler Systems (as previously adopted and amended 1987 and 2003).

Sprinkler systems shall be installed in all conversions and new construction of all multi-family dwellings, all duplexes, manufactured housing not situated in a manufactured housing park as defined in RSA 205-A:1, and all clustered dwellings of any type, per NFPA 13D Standard for the Installation of Sprinkler Systems in One and Two-Family Dwellings. (3/28/23)

3.1.1.2 - Nothing herein shall prohibit the use of native lumber in such equivalent grade and sized as may be approved by the Code Official.

3.1.1.3 – Water Well Quality Testing - (8/28/19) - Prior to the issuance of a Certificate of Occupancy for any dwelling supplied by a newly drilled private well system, the builder or property owner shall submit to the Building Inspector the water quality test results, from a NH Certified Well Testing Lab, for the NHDES recommended Standard Analysis as stated in Environmental Fact Sheet^{1,2} WD-DWGB-2-1 dated 2011, as may be amended. All of the bureau's fact sheets are on-line at:

<http://des.nh.gov/organization/commissioner/pip/factsheets/dwqb/index.htm>

The test results shall show a comparison to the appropriate State or Federal Health Advisory standards, such as, the EPA maximum contaminate level standards. All tested parameters' results shall be disclosed to the purchaser of a property prior to closing. Such evidence of disclosure may be requested by the Building Inspector.

This requirement cannot be construed as a guarantee by the Town of Chester or its agents that the water system will function satisfactorily or that the system will remain at the tested levels.

¹ The NH DES fact sheet, "Suggested Water Quality Testing for Private Wells", further recommends that this analysis be completed every 3-5 years (except for bacteria and nitrate which are recommended yearly).

² Arsenic testing is included in the recommended standard analysis, WD-DWGB-2-1.

Additional Information & Recommendations - When taking any sample, DES recommends that it be taken after a heavy rainstorm. These events tend to highlight conditions of improper well construction or poor soil filtration.

Article 4 – Building Code

Permit Fee Schedule

(Revision as presented and approved on July 11, 2019 at the Public Hearing held by the Board of Selectmen for that purpose)

Effective July 11, 2019

Permit fees are calculated as the estimated construction cost¹ multiplied by \$7.00 per \$1,000 of construction cost. In all cases the square footage is calculated by the Building Official from plans as submitted by the applicant. (Please see the example worksheet at the end of the Building Code.) Construction costs are calculated as:

Residential

Application Fee: \$25 to be collected at time of application; non-refundable. To be deducted from cost of permit when issued.

Living Space – \$120.00 per square foot of living space. Calculated by the square footage of the outside perimeter times the number of stories – includes all living space accessible by stairways. Adjustments are made for inaccessible areas as needed. Finished basements are calculated as square footage of living space. Walk up attics are calculated as living space.

Outbuildings (Garages / carports / barns / storage buildings/ sheds / farm stands and other structures for agritourism) - 51.00 per square foot of area. Calculated by the square footage of the outside perimeter of the area. Second story areas are calculated by use – either same rate, or adjusted for storage or living space.

Storage areas identified within residential structures - \$22.00 per square foot of storage area –may include basement areas, accessible attic storage and garage / barn loft areas.

Decks / Porches - \$48.00 per square foot of area – calculated by the square footage of the outside perimeter of the area. Farmers porches and covered decks are treated the same. Three-season rooms are considered living space.

Change of use or conversion of space - \$150 minimum plus \$0.15 per square foot of effected area of new living space. Applies to conversions of basement, storage, attic, and any other areas as converted to habitable space.

Renovations – without adding additional footprint or stories - \$56.00 per square foot of area. Does not include change of use or increase in living space – existing space renovation only.

Residential Swimming Pools –In-ground \$0.56 per square foot: Above-ground- \$80.00. Additional trade fees may apply, such as mechanical and / or electrical as required.

Commercial

Permit fees are calculated as the estimated construction cost ¹ multiplied by \$7.00 per \$1000 of construction cost. In all cases the square footage is calculated by the Building Official from plans as submitted by the applicant. Construction costs are calculated as:

Application Fee: \$100 to be collected at time of application; non-refundable. To be deducted from cost of permit when issued.

Commercial Occupancy – New Construction - \$124.00 per square foot – calculated by the square footage of the outside perimeter times the number of stories. Includes any residential occupancy other than R-3 (one-two family and town houses).

Commercial Renovations- without additional footprint or stories: \$200 for first 1000 square feet; \$12 per 100 square foot after, rounded to nearest 100 feet.

Outbuildings (Garages / carports / barns / storage buildings / sheds / farm stands and other structures for agritourism) - \$51.00 per square foot of area. Calculated by the square footage of

the outside perimeter of the area. Second story areas are calculated by use – either same rate, or adjusted for storage or living space.

Commercial Swimming Pools – In-ground \$0.50 per square foot; Above-ground- \$80.00. Additional trade fees may apply, such as mechanical and/or electrical as required.

Other Fees

Building Permit Fee Transfer or Renewal – 50% of original permit fee. Only a single renewal allowed, after that the project must be re-permitted from the beginning.

Permits become invalid unless work commences within 180 days of permitting. Permits expire 12 months from the issue date and must be renewed to remain valid. Trade permits cannot be transferred.

Demolition Permit:

Residential: \$0.30 per square foot of demolition.

Commercial: \$0.60 per square foot of demolition.

Re-Inspection Fee - \$50.00

The Building Official upon inspection, which warrants repeat inspections and/or returns to the same site for the same inspection, may assess this fee.

Septic System Permit:

\$75.00 per Septic Design Plan Review

\$50.00 - Re-review of an amended or altered plan

\$50.00 – first test pit

\$35.00 – each additional test pit on same lot

Driveway Permit:

New – residential/per driveway: \$100.00

Improvement – residential/per driveway: \$50.00

New – commercial/multi-family: \$200.00

Improvement – commercial/multi-family: \$150.00

\$50.00 – septic system install (includes replacements)

Electrical Permit:

Residential \$80.00

Commercial \$125.00

Plumbing Permit:

Residential \$80.00

Commercial \$125.00

Mechanical Permit:

Residential \$80.00

Commercial \$125.00

Masonry Permit:

Residential \$80.00

Commercial \$125.00 per flue

Generator Permit*

Residential \$80.00

Commercial \$100.00 per 20kw or portion thereof

*Propane generators require gas permitting from the Chester Fire Department.

After the Fact Permit Fee – Minimum fee imposed is \$100.00 and/or a fine of up to \$50.00 per day (whichever is greater) may be charged for all work started without a permit. The fine period starts when the work is started and runs until a permit is issued. Fines must be paid before the permit can be issued. This applies to all permitting.

¹ Construction Cost Estimates

- Residential living space is the average of construction cost of multi-family, one- and two-family as provided by International Code Council (ICC) Building Valuation Data – August 2018
- Commercial is the average of construction cost of mercantile, business, and assembly (A-2) as provided by International Code Council (ICC) Building Valuation Data – August 2018
- Storage cost is as set for basements as provided by International Code Council (ICC) Building Valuation Data – August 2018

The Chester Fire Department issues the following permits:**Gas Appliance (such as furnace, fireplace, kitchen stove, heater, etc.)**

Residential \$65.00 per unit

Commercial \$65.00 per 2000 square feet or portion thereof or \$65.00 per unit whichever is greater

Chimney – excludes brick fireplace

Residential \$65.00

Commercial \$65.00 per flue

Gas Piping & Tanks/Cylinders

Residential \$65.00

Commercial \$65.00 per 2000 square feet or portion thereof.

Wood Stove/Pellet Stove \$50.00 per unit**Oil Burner**

Residential \$65.00 per unit

Commercial \$65.00 per 2000 square feet or portion thereof or \$65.00 per unit whichever is greater

Sprinkler Systems

Residential – single family \$75 per dwelling unit

Commercial \$75.00 per 2000 square feet or portion thereof or \$75.00 per unit whichever is greater

Plan amendments/revisions \$75.00

Re-inspection \$50.00

Place of Assembly Operational/Occupancy \$65.00

Required for all areas determined to be “place of assembly”. This fee is in additional to all other permitting.

Blasting/Explosive

\$65.00 up to 7 days

See Chester Fire Chief for scheduling

\$80.00 up to 60 days

Fireworks Display (Consult Chester Fire Chief)

All fireworks displays require a Fire Department detail to be present. The minimum fee for such detail is \$400.00 and covers up to the first four (4) hours of detail. Time beyond four (4) hours is billed at the standard Chester Fire Department detail rate per firefighter.

Re-Inspection Fee

\$100.00

The Fire Department Official upon inspection, which warrants repeat inspections and/or returns to the same site for the same inspection, may assess this fee.

Incident Reports

Fire / EMS – Less than one year

\$20.00

Fire / EMS – More than one year

\$30.00

Detail Fees

Fire / EMT

\$45.00 / hour / person

***Example Building Permit Calculation:** An example is shown for a 24' X 40' residential one-story building with a full, unfinished basement, 6' x 8' front porch, 12' X 12' deck and 24' x 28' car garage.

Fees consistent with posted fee schedule as dated 8/1/19									
Use Group	R-3				Construction Type			VB	
	Length		Width	Total Sq Ft	Sq Ft Cost		Cost of Construction		
First Floor	24	x	40	960	x	\$120.00	=	\$115,200.00	
		x		0	x	\$120.00	=	\$0.00	
		x		0	x	\$120.00	=	\$0.00	
		x		0	x	\$120.00	=	\$0.00	
		x		0	x	\$120.00	=	\$0.00	
Second Floor	24	x	40	960	x	\$120.00	=	\$115,200.00	
		x		0	x	\$120.00	=	\$0.00	
		x		0	x	\$120.00	=	\$0.00	
		x		0	x	\$120.00	=	\$0.00	
Attic		x		0	x	\$22.00	=	\$0.00	
		x		0	x	\$22.00	=	\$0.00	
		x		0	x	\$22.00	=	\$0.00	
		x		0	x	\$22.00	=	\$0.00	
Basement	24	x	40	960	x	\$22.00	=	\$21,120.00	
		x		0	x	\$22.00	=	\$0.00	
		x		0	x	\$22.00	=	\$0.00	
		x		0	x	\$22.00	=	\$0.00	
		x		0	x	\$22.00	=	\$0.00	
Garage	24	x	28	672	x	\$51.00	=	\$34,272.00	
		x		0	x	\$51.00	=	\$0.00	
Porch/Deck - Rear	12	x	12	144	x	\$48.00	=	\$6,912.00	
		x		0	x	\$48.00	=	\$0.00	
Porch/Deck - Front	6	x	8	48	x	\$48.00	=	\$2,304.00	
Calculated Total Cost of Construction			\$295,008.00						
Cost per \$1000	\$7.00		\$0.007						
Building PERMIT FEE			\$2,165.06						
Driveway Permit - New	\$ 100.00	1	\$ 100.00						

Sample Only. Additional permits and costs may apply.