

**RESOLUTION REQUIRING A FINAL SURVEY BE PROVIDED PRIOR TO
ISSUANCE OF CERTIFICATE OF OCCUPANCY FOR SINGLE FAMILY
RESIDENCES**

WHEREAS, the 2003 International Building Code as adopted by the City of Rapid City requires that no building or structure, including single family residences, be used or occupied until the Building Official has issued a certificate of occupancy; and

WHEREAS, the 2003 International Residence Code as adopted by the City of Rapid City also requires that no building or structure, including single family residences, be used or occupied until the Building Official has issued a certificate of occupancy; and

WHEREAS, the Building Official must ensure that prior to issuing a certificate of occupancy that the building or structure complies with the provisions of the Rapid City Municipal Code, the International Building Code and the International Residential Code as adopted by the City of Rapid City; and

WHEREAS, the Building Official will not be able to ensure compliance with the relevant codes without a final survey showing that the building or structure is properly located on the lot and that their location is in compliance with the site plan; and

WHEREAS, the City has implemented a program to regain an Insurance Services Office (ISO) Building Code Effectiveness Grading Schedule rating of PL Class 6 and CL Class 6; and

WHEREAS, this program includes adopting the 2003 International Building Code; and

WHEREAS, requiring certificates of occupancy for single family residential structures per the International Codes will result in the City receiving an increased score from the ISO on their Building Code Effectiveness Grading Schedule, thereby furthering the City's program to regain a PL Class 6 and CL Class 6 rating; and

WHEREAS, the Common Council of the City of Rapid City deems it to be in the City's best interest to adopt a policy that requires a final survey be provided prior to the Building Official issuing a certificate of occupancy.

NOW THEREFORE, be it resolved by the City of Rapid City that it is the policy of the Common Council to require that a final survey be completed on any new single family residence prior to the Building Official issuing a certificate of occupancy; and

BE IT FURTHER RESOLVED, that the final survey contain enough information that the Building Official can determine that the building or structure complies with the relevant codes relating to location of the building or structure on the lot and can further determine that the building or structure complies with the site plan; and

BE IT FURTHER RESOLVED, that the Building Official may issue a temporary certificate of occupancy not to exceed 90 days in length for structures whose final survey shows minor encroachments or other minor deviations from the site plan. The temporary certificate of occupancy shall be conditioned on the encroachment or other deviation in the site plan being corrected within 90 days. If the encroachment or deviation from the site plan has not been corrected within 90 days then the temporary certificate of occupancy will expire. The Building Official shall have sole authority to determine if any encroachment or deviation from the site plan is minor.

BE IT FURTHER RESOLVED, that the owner is responsible for obtaining and paying for the final survey; and

BE IT FURTHER RESOLVED, that this resolution only applies to final surveys for single family residential structures and does not change the process already in place for buildings or structures other than single family residential structures that have, under the version of the code currently adopted by the City of Rapid City, previously been required to obtain certificates of occupancy.

Dated this ____ day of _____, 2004.

Mayor

ATTEST:

Finance Officer