

Ordinance No. 5892

**AN ORDINANCE INCORPORATING CHANGES TO THE ADMINISTRATION OF
TITLE 15 BUILDINGS AND CONSTRUCTION BY REPEALING AND ADOPTING
THE INTERNATIONAL PROPERTY MAINTENANCE CODE
IN CHAPTER 15.14 OF THE RAPID CITY MUNICIPAL CODE**

WHEREAS, the City of Rapid City has adopted the International Property Maintenance Code in Chapter 15.14 of the Rapid City Municipal Code; and

WHEREAS, some provisions within Chapter 15.14 and the International Property Maintenance Code conflict or contradict the proposed administrative provisions in Chapter 15.04; and

WHEREAS, the Common Council wishes to amend provisions found within Chapter 15.14 and the International Property Maintenance Code which conflict or contradict the administrative provisions proposed in Chapter 15.04; and

WHEREAS, the International Property Maintenance Code provides for a Board of Appeals to hear appeals to decisions made by the building official within the parameters of the International Property Maintenance Code; and

WHEREAS, the City wishes to consolidate the various boards of appeal existing under the international codes into one board, the Building Board of Appeals, as found in proposed Chapter 15.04.

WHEREAS, the City wishes to amend provisions concerning the amounts of fees required by provisions in Title 15 to refer to a resolution of the Common Council in which all relevant fees will be set.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Chapter 15.14 of the Rapid City Municipal Code is hereby amended as follows:

Chapter 15.14 International Property Maintenance Code

Section

15.14.010 Adoption.

15.14.020 IPMC Chapter 1–Deleted in part and replaced in part.

~~15.14.020~~030 IPMC Chapter 1, Section 101.1 Title–Amended.

~~15.14.030~~040 IPMC Chapter 1, Section 101.3 Intent–Amended.

~~15.14.040~~050 IPMC Chapter 1, Section 102.3 Application of other codes–Amended.

~~15.14.050~~ IPMC Chapter 1, Section 103 Building services–Amended.

15.14.060 IPMC Chapter 2, Section 201.3 Terms defined in other codes–Amended.

15.14.070 IPMC Chapter 3, Section 302.4 Weeds–Deleted.

15.14.080 IPMC Chapter 3, Section 302.8 Motor vehicles–Deleted.

15.14.090 IPMC Chapter 3, Section 303 Swimming pools, spas and hot tubs–Deleted.

15.14.100 IPMC Chapter 3, Section 304.1 General–Amended.
15.14.110 IPMC Chapter 3, Section 304.7 Roofs and drainage–Amended.
15.14.120 IPMC Chapter 3, Section 304.14 Insect screens–Amended.
15.14.130 IPMC Chapter 3, Section 304.18 Building security–Amended.
15.14.140 IPMC Chapter 3, Section 305.1 General–Amended.
15.14.150 IPMC Chapter 3, Section 308 Rubbish and garbage–Deleted.
15.14.160 IPMC Chapter 3, Section 309.3 Single occupant–Deleted.
15.14.170 IPMC Chapter 3, Section 309.4 Multiple occupancy–Deleted.
15.14.180 IPMC Chapter 3, Section 309.5 Occupant–Deleted.
15.14.190 IPMC Chapter 5, Section 501.1 Scope–Amended.
15.14.200 IPMC Chapter 5, Section 502.5 Public toilet facilities–Amended.
15.14.210 IPMC Chapter 5, Section 505.1 General–Amended.
15.14.220 IMC Chapter 6, Section 601.1 Scope–Amended.

~~APPENDIX A: TABLE 100-A-IRC BUILDING PERMIT FEES~~

~~APPENDIX B: TABLE 100-B-IBC BUILDING PERMIT FEES~~

15.14.010 Adoption.

There is adopted by the city for the purpose of prescribing regulations for the practical safeguarding of persons and property from hazards arising from housing, and for the removal of blighted structure in population areas, that certain code recommended by the International Code Council known as the International Property Maintenance Code, 2009 edition, specifically Chapters 1 through 8 thereof. A copy of the same is on file in the office of the City Building Official.

15.14.020 IPMC Chapter 1–Deleted in part and replaced in part.

The following sections of IPBC Chapter 1 are hereby deleted and replaced with comparable provisions found in Chapter 15.04 Administration of the Rapid City Municipal Code.

Section 104 Duties and powers of the code official
Section 105 Approval
Section 106 Violations
Section 111 Means of appeal
Section 112 Stop work order

15.14.020030 IPMC Chapter 1, Section 101.1 Title–Amended.

IPMC Chapter 1, Section 101.1, Title, is hereby amended to read as follows:

SECTION 101

GENERAL

101.1 Title. These regulations shall be known as the International Property Maintenance Code of the City of Rapid City, hereinafter referred to as “this code.”

15.14.030040 IPMC Chapter 1, Section 101.3 Intent–Amended.

IPMC Chapter 1, Section 101.3, Intent, is hereby amended to read as follows:

101.3 Intent. This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein. Repairs, alterations, additions to and change of occupancy in existing buildings shall comply with the International Building Code and the International Residential Code.

15.14.040050 IPMC Chapter 1, Section 102.3 Application of other codes–Amended.

IPMC Chapter 1, Section 102.3, Application of other codes, is hereby amended to read as follows:

SECTION 102

APPLICABILITY

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the International Building Code, Rapid City Municipal Code, and the current codes adopted by the City of Rapid City for Residential Contracting Plumbing, Electrical, Fuel Gas, and Mechanical.

~~15.14.050 IPMC Chapter 1, Section 103 Building services–Amended.~~

~~IPMC Chapter 1, Section 103, Building services, is hereby amended to read as follows:~~

~~—SECTION 103~~

~~—BUILDING SERVICES~~

~~—103.1 General.~~ The Division of Building Services is hereby continued and the executive official in charge thereof shall be known as the code official.

~~—103.2 Appointment.~~ The code official shall be appointed by the Director of Community Planning & Development Services.

~~—103.3 Deputies.~~ In accordance with the prescribed procedures of the City of Rapid City and with the concurrence of the Director of Community Planning & Building Services, the code official shall have the authority to appoint a deputy(s). Such employees shall have powers as delegated by the code official.

~~—103.4 Liability. The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.~~

~~—103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in Table 100-A and Table 100-B.~~

15.14.060 IPMC Chapter 2, Section 201.3 Terms defined in other codes—Amended.

IPMC Chapter 2, Section 201.3, Terms defined in other codes, is hereby amended to read as follows:

SECTION 201

GENERAL

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the International Building Code, International Fire Code, Rapid City Municipal Code, and the current codes adopted by the City of Rapid City for Residential Contracting, Plumbing, Electrical, Fuel Gas, and Mechanical, such terms shall have the meanings ascribed to them as in those codes.

15.14.070 IPMC Chapter 3, Section 302.4 Weeds—Deleted.

IPMC Chapter 3, Section 302.4, Weeds, is hereby deleted in its entirety.

SECTION 302

EXTERIOR PROPERTY AREAS

15.14.080 IPMC Chapter 3, Section 302.8 Motor vehicles—Deleted.

IPMC Chapter 3, Section 302.8, Motor vehicles, is hereby deleted in its entirety.

SECTION 302

EXTERIOR PROPERTY AREAS

15.14.090 IPMC Chapter 3, Section 303 Swimming pools, spas and hot tubs—Deleted.

IPMC Chapter 3, Section 303, Swimming pools, spas and hot tubs, is hereby deleted in its entirety.

SECTION 303

SWIMMING POOLS, SPAS AND HOT TUBS

15.14.100 IPMC Chapter 3, Section 304.1 General–Amended.

IPMC Chapter 3, Section 304.1, General, is hereby amended to read as follows:

SECTION 304

EXTERIOR STRUCTURE

304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.1.1 Unsafe conditions.

15.14.110 IPMC Chapter 3, Section 304.7 Roofs and drainage–Amended.

IPMC Chapter 3, Section 304.7, Roofs and drainage, is hereby amended to read as follows:

304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance. Roofs and reroofing shall comply with the International Building Code Chapter 15 or the International Residential Code Chapter 9.

15.14.120 IPMC Chapter 3, Section 304.14 Insect screens–Amended.

IPMC Chapter 3, Section 304.14, Insect screens, is hereby amended to read as follows:

304.14 Insect screens. During the period from May 1 to October 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

15.14.130 IPMC Chapter 3, Section 304.18 Building security–Amended.

IPMC Chapter 3, Section 304.18, Building security, is hereby amended to read as follows:

304.18 Building security. Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within as in compliance with Section 702.3.

15.14.140 IPMC Chapter 3, Section 305.1 General–Amended.

IPMC Chapter 3, Section 305.1, General, is hereby amended to read as follows:

SECTION 305

INTERIOR STRUCTURE

305.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

15.14.150 IPMC Chapter 3, Section 308 Rubbish and garbage–Deleted.

IPMC Chapter 3, Section 308, Rubbish and garbage, is hereby deleted in its entirety.

SECTION 308

RUBBISH AND GARBAGE

15.14.160 IPMC Chapter 3, Section 309.3 Single occupant–Deleted.

IPMC Chapter 3, Section 309.3, Single occupant, is hereby deleted in its entirety.

SECTION 309

PEST ELIMINATION

15.14.170 IPMC Chapter 3, Section 309.4 Multiple occupancy–Deleted.

IPMC Chapter 3, Section 309.4, Multiple occupancy, is hereby deleted in its entirety.

15.14.180 IPMC Chapter 3, Section 309.5 Occupant–Deleted.

IPMC Chapter 3, Section 309.5, Occupant, is hereby deleted in its entirety.

15.14.190 IPMC Chapter 5, Section 501.1 Scope–Amended.

IPMC Chapter 5, Section 501.1, Scope, is hereby amended to read as follows:

SECTION 501

GENERAL

501.1 Scope. Plumbing facilities and fixture requirements shall be governed by the current plumbing code adopted by the South Dakota State Plumbing Commission with revisions.

15.14.200 IPMC Chapter 5, Section 502.5 Public toilet facilities–Amended.

IPMC Chapter 5, Section 502.5, Public toilet facilities, is hereby amended to read as follows:

[P] SECTION 502

REQUIRED FACILITIES

502.5 Public toilet facilities. Public toilet facilities shall be maintained in a safe sanitary and working condition in accordance with the current codes adopted by the City of Rapid City for Plumbing. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during occupancy of the premises.

15.14.210 IPMC Chapter 5, Section 505.1 General–Amended.

IPMC Chapter 5, Section 505.1, General, is hereby amended to read as follows:

SECTION 505

WATER SYSTEM

505.1 General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the current codes adopted by the City of Rapid City for Plumbing.

15.14.220 IMC Chapter 6, Section 601.1 Scope–Amended.

IPMC Chapter 6, Section 601.1, Scope, is hereby amended to read as follows:

SECTION 601

GENERAL

601.1 Scope. Mechanical, electrical and plumbing requirements will be governed by the current mechanical, fuel gas, electrical and plumbing codes adopted by the City of Rapid City.

APPENDIX A:
TABLE 100 AR IRC BUILDING PERMIT FEES

TOTAL VALUATION	FEE
\$1.00 to \$5,000.00	\$72.00
\$5,001.00 to \$25,000.00	\$72.00 for the first \$5,000.00 plus \$9.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$252.00 for the first \$25,000.00 plus \$6.50 for each additional \$1,000.00, or fraction thereof, to and including \$ 50,000.00
\$50,001.00 to \$100,000.00	\$414.50 for the first \$50,000.00 plus \$4.50 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$639.50 for the first \$100,000.00 plus \$3.50 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,039.50 for the first \$500,000.00 plus \$3.00 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$3,539.50 for the first \$1,000,000.00 plus \$2.00 for each additional \$1,000.00, or fraction thereof
Other Inspections and Fees:	
1. Inspections outside of normal business hours..... \$42.00 per hour [†]	
(minimum charge—two hours)	
2. Re-inspection fees..... \$42.00 per hour [†]	
3. Inspections for which no fee is specifically indicated..... \$42.00 per hour [†]	
(minimum charge—one hour)	
4. Additional plan review required by changes, additions, or revisions to plans..... \$42.00 per hour [†]	
(minimum charge—one hour)	

5. ~~For use of outside consultants for plan checking and inspections, or both..... Actual costs²~~

6. ~~Plan review fees for 1 and 2 family dwellings and accessory structures shall be 10% of the building permit fee.~~

7. ~~Plan review fees for all occupancies except 1 and 2 family dwellings shall be 50% of the building permit fee.~~

¹ ~~Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.~~

² ~~Actual costs include administrative and overhead costs.~~

APPENDIX B:
TABLE 100-B IBC BUILDING PERMIT FEES

TOTAL VALUATION	FEE
\$1.00 to \$1,600.00	\$37.00
\$1,601.00 to \$2,000.00	\$69.25
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$ 50,000
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.15 for each additional \$1,000.00, or fraction thereof

~~Other Inspections and Fees:~~

~~1. Inspections outside of normal business hours..... \$47.00 per hour¹~~

~~(minimum charge—two hours)~~

~~2. Re-inspection fees..... \$47.00 per hour¹~~

~~3. Inspections for which no fee is specifically indicated..... \$47.00 per hour¹~~

~~(minimum charge—one hour)~~

~~4. Additional plan review required by changes, additions, or revisions to plans..... \$47.00 per hour¹~~

~~(minimum charge—one hour)~~

~~5. For use of outside consultants for plan checking and inspections, or both..... Actual costs²~~

~~6. Plan review fees for all occupancies except 1 and 2 family dwellings shall be 50% of the building permit fee.—~~

~~¹—Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.~~

~~²—Actual costs include administrative and overhead costs.~~

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective:

