



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

PLANNING DEPARTMENT

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MEMORANDUM

TO: Legal and Finance Committee

FROM: Marcia Elkins, Planning Director

DATE: December 4, 2003

RE: ISO Building Code Effectiveness Grading and Code Adoption

Staff is requesting authority to proceed with three following actions:

1) Authorize staff to submit the program outlined below in an attempt to regain Class PL 6 and CL6 Building Code Effectiveness Grading Schedule.

At the end of October, I shared information with the Committee regarding a downgrade in the ISO Building Code Effectiveness rating for the City of Rapid City that would negatively impact the insurance ratings for the Rapid City community. As a result, the City Council authorized the Mayor to send a letter to the ISO indicating that the City of Rapid City would like to pursue possible actions that would preclude the action to downgrade the ISO Building Code Effectiveness rating. The City must notify ISO of the anticipated actions by January 2, 2004 and those actions must be completed within one year.

In reviewing the classification results it appears that the single most significant issue is the adoption and implementation of updated Model Codes. After reviewing this issue with the Fire Department staff, Building Inspection Division staff and the City Attorney it appears appropriate for the City of Rapid City to pursue the adoption of the 2003 International Codes. (The City of Rapid City previously adopted the Uniform Building Code; however, that Code is no longer being updated or supported as across the country – as well as the state – communities are moving to the International Codes.) It is anticipated that the State of South Dakota will be adopting the 2003 version of the International Code during the 2004 Legislative Session. Staff would anticipate pursuing



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the adoption of the 2003 version of the code, including possible amendments during the first six months of 2004 with final adoption anticipated to occur after July 1, 2004 when the State legislation will likely become effective. This will allow enough time for extensive public input into the process.

Additional actions that the City will be pursuing include reviewing the selection procedures for the Building Official, developing a formal appeal process as recourse to the Building Official's interpretation, development of plan review checklists, as well as reviewing staff training and expanding public awareness programs. Staff believes that the combination of these activities will improve the City's classification as well as improve the quality of service provided to the community.

2) Authorize staff to pursue the adoption of the 2004 International Codes, including Building and Fire Codes.

In addition to improving the City's ISO classification as outlined above, the adoption of the International Codes will provide property owners with more flexibility in approved construction methods. As an example, City staff members have been contacted by the Rapid City Regional Hospital staff and their architects regarding the City's plans to adopt the International Codes. They anticipate that if the International Codes were in place they could experience significant cost savings over the next few years as they proceed with the rehabilitation of the hospital towers, 4th through 10th floors.

While it is anticipated that the Hospital and other users will enjoy some significant cost savings, as with many things there will likely be other construction projects that don't see cost savings or may have to install improvements. However these issues can be addressed and reviewed in detail over the next six months as the code adoption process proceeds. Again, staff anticipates holding numerous public meetings on the proposed changes through the process to insure that concerns and issues can be addressed prior to the ordinance being formally presented to the City Council.

Representatives of the South Dakota Association of Architects and the Associated General Contractors also contacted City staff expressing support for the adoption of the International Codes. Information provided to staff indicates that Rapid City is the only major community in the state that has not adopted the International Codes.

Staff would like to note that the new International Codes are performance based codes rather than a prescriptive code like the Uniform Building Code. Further, the International Codes rely more heavily on the use of fire sprinkler systems rather than fire dampers, rated wall separations and other methods of containing fire events. Obviously, that provides some trade offs in not only the costs and types of improvements required, but also the redundancy of systems and thus the safety of those systems in an emergency situation. The Building Division staff and the Fire Department staff would like to provide a more complete briefing on the similarities and differences in the codes at the Council Information meeting in January. At this time, staff is seeking general support to begin the process for eventual adoption of the International Codes next year.

3) Authorize staff to pursue the immediate adoption of the 2004 International Codes for Institutional occupancies.

As previously noted, staff believes that the adoption of the International Codes may result in some significant benefits to the Rapid City Regional Hospital rehabilitation project and other institutional uses. Staff would like to ask that the City Council authorize the staff to pursue the immediate adoptions of the International Codes for institutional occupancies. This would be a short-term solution that could be implemented more quickly to resolve this issue, while a more extensive review of the International Codes is undertaken with a broader - 3 - public input process. Staff has initiated a discussion with the Regional Hospital staff relative to this intermediate step and may have additional information and Hospital staff input available at the December 10, 2003 meeting. Additionally, staff has contacted the Black Hills Home Builders staff and may have additional information on their perspective for the December 10, 2003 meeting as well.

Please feel free to contact me, Gary Shepherd or Brad Solon if you have any questions relative to these issues. Because of the potential financial implication for the community, staff felt it was important to get these issues in front of the Legal and Finance Committee and the City Council for their consideration as soon as possible.

Xc: Mayor Shaw
Gary Shepherd
Brad Solon
Bernie Hall
Vern Osterloo
Janette McIntyre