

ORDINANCE # 4072

AN ORDINANCE REPEALING CHAPTER 15.12 OF THE RAPID CITY MUNICIPAL CODE IN ITS ENTIRETY AND ADOPTING A NEW CHAPTER 15.12 OF THE RAPID CITY MUNICIPAL CODE ENTITLED BUILDING CODES ADOPTED.

BE IT ORDAINED by the City of Rapid City that Chapter 15.12 of the Rapid City Municipal Code is repealed in its entirety.

BE IT FURTHER ORDAINED by the City of Rapid City that a new Chapter 15.12 of the Rapid City Municipal Code, entitled Building Codes Adopted, be and is hereby adopted as follows:

Article I. International Residential Code for One- and Two-Family Dwellings

15.12.010 Adoption.

There is adopted by the city that certain code known as the International Residential Code for One- and Two-Family Dwellings, Chapters 1-10 and 43, as recommended by the International Code Council, specifically the 2003 edition thereof, and Appendix H; for one- and two-family dwellings only. A copy of same is on file in the office of the City Building Official.

BE IT FURTHER ORDAINED that the International Residential Code for One- and Two-Family Dwellings, as adopted, be hereinafter amended as follows:

15.12.020 IRC Chapter 1, Section R103, DEPARTMENT OF BUILDING SAFETY – Amended.

IRC, Chapter 1, Section R103, **DEPARTMENT OF BUILDING SAFETY**, is hereby amended to read as follows:

**SECTION R103
~~DEPARTMENT OF BUILDING SAFETY~~
BUILDING PERMIT REVIEW TEAM**

15.12.030 IRC Chapter 1, Section R103.1 Creation of Enforcement Agency – Amended.

IRC, Chapter 1, section R103.1 Creation of enforcement agency, is hereby amended to read as follows:

R103.1 Creation of enforcement agency. The ~~department of building safety~~ Building Permit Review Team is hereby created and the official in charge thereof shall be known as the building official.

15.12.040 IRC, Chapter 1, Section R105.2 Work Exempt from Permit – Amended.

IRC, Chapter 1, Section R105.2 Work exempt from permit is hereby amended to read as follows:

R105.2 Work exempt from permit. Permits shall not be required for the following. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building:

1. One-story detached accessory structures, provided the floor area does not exceed 200 square feet (18.58m²).

2. Fences not over 6 feet (1829 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. ~~Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade and not over any basement or story below.~~ Platforms, walks, and driveways not more than 30 inches above grade and not over any basement or story below.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. ~~Prefabricated swimming pools that are less than 24 inches (610 mm) deep.~~ Prefabricated swimming pools which are less than 18 inches deep, do not exceed 5,000 gallons (19,000 L) and are installed entirely above ground.
8. Swings and other playground equipment accessory to a one- or two-family dwelling.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
10. Replacement of siding.
11. Replacement of like roofing materials.
12. Dumpsters.
13. Gutters, downspouts, and storm windows.
14. Window replacement - where the rough opening is not altered.
15. Structures or work performed on properties of the government of the United States of America, State of South Dakota, and County of Pennington.

Electrical:

~~Repairs and maintenance: A permit shall not be required for minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.~~

Gas:

1. ~~Portable heating, cooking or clothes drying appliances.~~
2. ~~Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.~~
3. ~~Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.~~

Mechanical:

1. ~~Portable heating appliance.~~
2. ~~Portable ventilation appliances.~~
3. ~~Portable cooling unit.~~
4. ~~Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.~~
5. ~~Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.~~
6. ~~Portable evaporative cooler.~~
7. ~~Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.~~
8. ~~Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.~~

~~The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.~~

~~The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.~~

Unless otherwise exempted, separate plumbing, electrical, and mechanical permits will be required for the above exempted items.

15.12.050 IRC Chapter 1, Section R105.3.1.1 Substantially improved or substantially damaged existing building in areas prone to flooding – Amended.

IRC Chapter 1, Section R105.3.1.1 Substantially improved or substantially damaged existing building in areas prone to flooding, is hereby amended to read as follows:

R105.3.1.1 Substantially improved or substantially damaged existing building in areas prone to flooding. ~~For applications for reconstruction, rehabilitation, addition, or other improvement of existing buildings or structures located in an are prone to flooding as established by Table R301.2(1), the building official shall examine or cause to be examined the construction documents and shall prepare a finding with regard to the value of the proposed work. For buildings that have sustained damage of any origin, the value of the proposed work shall include the cost to repair the building or structure to its predamage condition. If the building official finds that the value of proposed work equals or exceeds 50 percent of the market value of the building or structure before the damage has occurred or the improvement is started, the finding shall be provided to the board of appeals for a determination of substantial improvement or substantial damage. Applications determined by the board of appeals to constitute substantial improvement or substantial damage shall meet the requirements of Section R323. See Chapter 15.32, Flood Area Construction Regulations, of the Rapid City Municipal Code.~~

15.12.060 IRC Chapter 1, Section R106.1.3 Information for Construction in Areas Prone to Flooding – Amended.

IRC Chapter 1, Section R106.1.3 Information for construction in areas prone to flooding, is hereby amended to read as follows:

R106.1.3 Information for construction in areas prone to flooding. ~~For buildings and structures in flood hazard areas as established by Table R301.2(1), construction documents shall include:~~

- ~~1. Delineation of flood hazard areas, floodway boundaries, and flood zones, and the design flood elevation, as appropriate;~~
- ~~2. The elevation of the proposed lowest floor, including basement; in areas of shallow flooding (AO zones), the height of the proposed lowest floor, including basement, above the highest adjacent grade; and~~
- ~~3. The elevation of the bottom of the lowest horizontal structural member in coastal high hazard areas (V Zone); and~~
- ~~4. If design flood elevations are not included on the community's Flood Insurance Rate Map (FIRM), the building official and the applicant shall obtain and reasonably utilize any design flood elevation and floodway data available from other sources.~~

See Chapter 15.32, Flood Area Construction Regulations, of the Rapid City Municipal Code.

15.12.070 IRC Chapter 1, Section R106.3 Examination of documents – Amended.

IRC Chapter 1, Section R106.3 Examination of documents, is hereby amended to read as follows:

R106.3 Examination of documents. The building official shall examine or cause to be examined construction documents for code compliance.

R106.3.1 Approval ~~Review~~ of construction documents. When the building official issues a permit, the construction documents shall be ~~approved~~ reviewed in writing or by stamp. One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or his or her authorized representative.

R106.3.2 Previous ~~approvals~~ review. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

R106.3.3 Phased ~~approval~~ review. The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

15.12.080 IRC Chapter 1, Section R106.4 Amended Construction Documents - Amended.

IRC Chapter 1, Section R106.4 Amended construction documents, is hereby amended to read as follows:

R106.4 Amended construction documents. Work shall be installed in accordance with the reviewed construction documents, and any changes made during construction that are not in compliance with the ~~approved~~ reviewed construction documents shall be resubmitted for ~~approval~~ review as an amended set of construction documents.

15.12.090 IRC Chapter 1, Section R106.5 Retention of Construction Documents - Amended.

IRC Chapter 1, Section R106.5 Retention of construction documents, is hereby amended to read as follows:

R106.5 Retention of construction documents. One set of ~~approved~~ reviewed construction documents shall be retained by the building official for a period of not less than 180 days from the date of completions of the permitted work, or as required by state or local laws.

15.12.100 IRC Chapter 1, Section R107 Temporary Structures and Uses – Deleted

IRC Chapter 1, Section R107 Temporary Structures and Uses, is hereby deleted in its entirety.

15.12.110 IRC Chapter 1, Section R108 Fees – Amended

IRC Chapter 1, Section R108 Fees, is hereby amended to read as follows:

**SECTION R108
FEES**

R108.1 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid. (Table 100-A)

R108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. (Table 100-A)

R108.3 Building permit valuations. Building permit valuation shall include total value of the work for which a permit is being issued, such as electrical, gas, mechanical, plumbing equipment and other permanent systems, including materials and labor.

R108.4 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection with or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

R108.5 Refunds. The building official is authorized to establish a refund policy.

R108.6 Plan review fees. When submittal documents are required, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be paid as required, in accordance with Table 100-A.

The plan review fees specified in this subsection are separate fees form the permit fees specified in Section R108.1 and are in addition to the permit fees.

R108.7 Investigation fees for work without a permit. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in Table 100-A. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

15.12.120 IRC Chapter 1, Section R109.0 General - Added

IRC Chapter 1, Section R109.0 General, is hereby added to read as follows.

R109.0 General. All construction or work for which a permit is required shall be subject to inspection by the building official and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. In addition, certain types of construction shall have continuous inspection as specified in Section 1701 of the 2003 International Building Code.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of the Rapid City Municipal Code. Inspections do not give authority to violate or fail to follow other provisions of the Rapid City Municipal Code.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

Buildings or structures built without one or more required inspections, as specified by Section R109 of this Code and Chapter 17 of the *International Building Code* may be classed as an unsafe building or structure and action taken as specified by Section 115 for unsafe buildings or structures of this code. Buildings or structures wired, plumbed, provided with mechanical equipment, vents, connectors, chimneys without required inspections, as specified by the currently adopted Electrical Code, as locally amended; the currently adopted Plumbing Code, as amended; the currently adopted Mechanical Code, as locally amended, may be classed as an unsafe building or structure and action taken as specified by Section 115 for unsafe buildings or structures of the currently adopted edition of the *International Building Code*.

15.12.130 IRC Chapter 1, Section R109.1.3 Floodplain inspections - Amended

IRC Chapter 1, Section 109.1.3 Floodplain inspections, is hereby amended to read as follows:

R109.1.3 Floodplain inspections. ~~For construction permitted in areas prone to flooding as established by Table R301.2(1), upon placement of the lowest floor, including basement, and prior to further vertical construction, the building official shall require submission of a certification, prepared by a registered professional engineer or land surveyor, of the elevation of the lowest floor, including basement, required in Section R327. See Chapter 15.32, Flood Area Construction Regulations, of the Rapid City Municipal Code.~~

15.12.140 IRC Chapter 1, Section R110.4 Temporary Occupancy - Deleted

IRC Chapter 1, Section R110.4 Temporary Occupancy, is hereby deleted in its entirety.

15.12.150 IRC Chapter 1, Section R112 Board of Appeals

IRC Chapter 1, Section 1112 Board of Appeal, is hereby amended to read as follows:

SECTION R112 BOARD OF APPEALS

R112.1 General. ~~In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The building official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official. See Chapter 2.88, Development Appeals and Review Board, of the Rapid City Municipal Code.~~

R112.2 Limitations on authority. ~~An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.~~

R112.2.1 Determination of substantial improvement in areas prone to flooding. ~~When the building official provides a finding required in Section R105.3.1.1, the board of appeals shall determine whether the value of the proposed work constitutes a substantial improvement. A substantial improvement means any repair, reconstruction, rehabilitation, addition, or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the building or structure has sustained substantial damage, all repairs are considered substantial improvement regardless of the actual repair work performed. The term does not include:~~

- ~~1. Improvements of a building or structure required to correct existing health, sanitary or safety code violations identified by the building official and which are the minimum necessary to assure safe living conditions; or~~
- ~~2. Any alteration of an historic building or structure provided that the alteration will not preclude the continued designation as an historic building or structure. For the purpose of this exclusion, an historic building is:~~

- ~~2.1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places; or~~
- ~~2.2. Determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district; or~~

~~2.3. Designated as historic under a state or local historic preservation program that is approved by the Department of Interior.~~

R112.2.2 Criteria for issuance of a variance for areas prone to flooding. A variance shall only be issued upon:

- ~~1. A showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards in Section R323 inappropriate.~~
- ~~2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.~~
- ~~3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.~~
- ~~4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.~~
- ~~5. Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the design flood elevation increases risks to life and property.~~

R112.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

R112.4 Administration. The building official shall take immediate action in accordance with the decision of the board.

15.12.160 IRC Chapter 3, Table R301.2(1) Climatic and Geographic Design Criteria – Amended

IRC Chapter 3, Table R301.2(1) Climatic and Geographic Design Criteria, is hereby amended by inserting the following information into the table.

TABLE R301.2(1), CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA. Ground Snow Load – 45 psf; Wind speed – 80 mph; Seismic Design Category – B; Weathering – Moderate; Frost line depth – 42”; Termite – None to slight; Decay – None to slight; Winter Design Temp – -7; Flood Hazards – 2-18-98. (Table 100-B)

15.12.170 IRC Chapter 3, Section R301.2.4 Floodplain construction – Amended

IRC Chapter 3, Section R301.2.4 Floodplain construction, is hereby amended to read as follows:

R301.2.4 Floodplain construction. ~~Buildings and structures constructed in flood hazard areas (including A or V Zones) as established in Table R301.2(1) shall be designed and constructed in accordance with Section R323. See Chapter 15.32, Flood Area Construction Regulations, of the Rapid City Municipal Code.~~

Exception: ~~All buildings and structures in identified floodways as established in Table R301.2(1) shall be designed and constructed as stipulated in the *International Building Code*.~~

15.12.180 IRC Chapter 3, Section R303.1 Habitable Rooms – Amended

IRC Chapter 3, Section R303.1 Habitable rooms, is hereby amended to read as follows:

R303.1 Habitable rooms. All habitable rooms shall be provided with aggregate glazing area of not less than 8 6 percent of the floor area of such rooms. Natural ventilation shall be through windows, doors, louvers or other approved openings to the outdoor air. Such openings shall be provided with ready access or shall otherwise be readily controllable by the building occupants. The minimum openable area to the outdoors shall be 4 3 percent of the floor area being ventilated.

Exceptions:

1. The glazed areas need not be openable where the opening is not required by Section R310 and an approved mechanical ventilation system is provided capable of producing 0.35 air change per hour in the room or a whole-house mechanical ventilation system is installed capable of supplying outdoor ventilation air of 15 cubic feet per minute (cfm) (7.08 L/s) per occupant computed on the basis of two occupants for the first bedroom and one occupant for each additional bedroom.
2. The glazed areas need not be provided in rooms where Exception 1 above is satisfied and artificial light is provided capable of producing an average illumination of 6 foot candles (6.46 lux) over the area of the room at a height of 30 inches (762 mm) above the floor level.
3. Media and theater rooms.

15.12.190 IRC Chapter 3, Section 309.2 Separation Required – Amended

IRC Chapter 3, Section 309.2 Separation required, is hereby amended to read as follows:

R309.2 Separation required. The garage shall be separated from the residence and its attic area by not less than ~~1/2-inch (12.7 mm)~~ 5/8-inch gypsum board applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than 5/8-inch (15.9 mm) Type X gypsum board or equivalent. Where the separation is a floor-ceiling assembly, the structure supporting the separation shall also be protected by not less than 1/2-inch (12.7 mm) gypsum board or equivalent.

15.12.200 IRC Chapter 3, Section R310.1 Emergency escape and rescue required - Amended

IRC Chapter 3, Section R310.1 Emergency escape and rescue required, is hereby amended to read as follows:

R310.1 Emergency escape and rescue required. Basements with habitable space and every sleeping room shall have at least one openable emergency escape and rescue opening. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Where emergency escape and rescue openings are provided they shall have a sill height of not more than ~~44 inches (1118 mm)~~ 48 inches above the floor. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with Section 310.3. The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2.

15.12.210 IRC Chapter 3, Section R310.1.1 Minimum Opening Area – Amended

IRC Chapter 3, Section R310.1.1 Minimum opening area, is hereby amended to read as follows:

R310.1.1 Minimum opening area. All emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet (0.530 m²).

~~**Exception:** Grade floor openings shall have a minimum net clear opening of 5 square feet (0.465 m²).~~

15.12.220 IRC Chapter 3, Section R310.2.1 Ladder and steps - Amended

IRC Chapter 3, Section R310.2.1, is hereby amended to read as follows:

R310.2.1 Ladder and steps. Window wells with a vertical depth greater than ~~44 inches (1118 mm)~~ 48 inches shall be equipped with a permanently affixed ladder or steps usable with the window in the fully open position. Ladders or steps required by this section shall not be required to comply with Sections R311.5 and R311.6. Ladders or rungs shall have an inside width of at least 12 inches (305 mm), shall project at least 3 inches (76 mm) from the wall and shall be spaced not more than 18 inches (457 mm) on center vertically for the full height of the window well.

15.12.230 IRC Chapter 3, Section R311.5.3 Stair Treads and Risers – Amended

IRC Chapter 3, Section R311.5.3 Stair treads and risers, is hereby amended to read as follows:

R311.5.3 Stair treads and risers.

R311.5.3.1 Riser height. The maximum riser height shall be ~~7 3/4 inches (196 mm)~~ 8 inches. The riser shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

R311.5.3.2 Tread depth. The minimum tread depth shall be ~~10 inches (254 mm)~~ 9 inches. The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the treads leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). Winder treads shall have a minimum tread depth of 10 inches (254 mm) measured as above at a point 12 inches (305 mm) from the side where the treads are narrower. Winder treads shall have a minimum tread depth of 6 inches (152 mm) at any point. Within any flight of stairs, the greatest winder tread depth at the 12 inch (305 mm) walk line shall not exceed the smallest by more than 3/8 inch (9.5 mm).

R311.5.3.3 Profile. The radius of curvature at the leading edge of the tread shall be no greater than 9/16 inch (14.3 mm). A nosing not less than 3/4 inch (19 mm) but not more than 1 1/4 inch (32 mm) shall be provided on stairways with solid risers. The greatest nosing projection shall not exceed the smallest nosing projection by more than 3/8 inch (9.5mm) between two stories, including the nosing at the level of floors and landings. Beveling of nosing shall not exceed 1/2 inch (12.7 mm). Risers shall be vertical or sloped from the underside of the leading edge of the tread above at an angle not more than 30 (0.51 rad) degrees from the vertical. ~~Open risers are permitted, provided that the opening between treads does not permit the passage of a 4 inch diameter (102 mm) sphere.~~

Exceptions:

1. A nosing is not required where the tread depth is a minimum of 11 inches (279 mm).
2. The opening between adjacent treads is not limited on stairs with a total rise of 30 inches (762 mm) or less.

15.12.240 IRC Chapter 3, Section R314.4 Winders - Amended

IRC Chapter 3, Section R314.4 Winders, is hereby amended to read as follows:

R314.4 Winders. Winders are permitted, provided that the width of the tread at a point not more than 12 inches (305 mm) from the side where the treads are narrower is not less than ~~10 inches (254 mm)~~ 9 inches and the minimum width of any tread is not less than 6 inches (152 mm). The continuous handrail required by Section R315.1 shall be located on the side where the tread is narrower.

15.12.250 IRC Chapter 3, Section R314.6 Circular stairways - Amended

IRC Chapter 3, Section R314.6 Circular stairways is hereby amended to read as follows:

R314.6 Circular stairways. Circular stairways shall have a tread depth at a point not more than 12 inch (305 mm) from the side where the treads are narrower of not less than ~~11 inches (279 mm)~~ 9 inches and the minimum depth of any tread shall not be less than 6 inches (152 mm). Tread depth at any walking line, measured a consistent distance from a side of the stairway, shall be uniform as specified in Section R314.2.

15.12.260 IRC Chapter 3, Section R317.2 Townhouses – Amended

IRC Chapter 3, Section R317.2 Townhouses, is hereby amended to read as follows:

R317.2 Townhouses. Each townhouse shall be considered a separate building and shall be separated by fire-resistance-rated wall assemblies meeting the requirements of Section R302 for exterior walls.

Exception: A common 2-hour fire-resistance-rated wall is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. Electrical installations shall be installed in accordance with ~~Chapters 33 through 42~~ the current electrical code adopted by the City of Rapid City. Penetrations of electrical outlet boxes shall be in accordance with Section R317.3.

15.12.270 IRC Chapter 3, Section R318 Moisture Vapor Retarders – Deleted

IRC Chapter 3, Section R318 Moisture Vapor Retarders, is hereby deleted in its entirety.

15.12.280 IRC Chapter 3, Section R323 Flood-Resistant Construction - Deleted

IRC Chapter 3, Section R323 Flood-resistant construction, is hereby deleted in its entirety.

15.12.290 IRC Chapter 4, Section R401.1 Application – Amended

IRC Chapter 4, Section R401.1 Application, is hereby amended to read as follows:

R401.1 Application. The provisions of this chapter shall control the design and construction of the foundation and foundation spaces for all buildings. Wood foundations shall be designed and installed in accordance with AF&PA Report No. 7.

Exceptions:

1. The provisions of this chapter shall be permitted to be used for wood foundations only in the following situations:

1.1. In buildings that have no more than two floors and a roof.

1.2. When interior basement and foundation walls are provided at intervals not exceeding 50 feet.

~~2. In addition to the provisions of this chapter, the design and construction of foundations in areas prone to flooding as established by Table R301.2(1) shall meet the provisions of Section R323.~~

3. A one-story wood or metal frame building, not used for human occupancy and no over 1,000 square feet in floor area, when the clear span of the roof framing elements (bearing walls) do not exceed 24 feet may be supported on a concrete slab with thickened edge, as approved by the building official.

Wood foundations in Seismic Design Categories D1 and D2 shall be designed in accordance with accepted engineering practice.

15.12.300 IRC Chapter 4, Section R404.1 Concrete and masonry foundation walls - Amended

IRC Chapter 4, Section R404.1 Concrete and masonry foundation walls, is hereby amended to read as follows:

R404.1 Concrete and masonry foundation walls. Concrete and masonry foundation walls shall be selected and constructed in accordance with the provisions of this section or in accordance with ACI 318, NCMA TR68-A or ACI 530/ASCE 5/TMS 402 or other approved structural standards. When ACI 318 or ACI 530/ASCE 5/TMS 402 or the provisions of this section are used to design concrete or masonry foundation walls, project drawings, typical details and specifications are not required to bear the seal of the architect or engineer responsible for design, unless otherwise required by the state law of the jurisdiction having authority.

A one-story wood or metal frame building, not used for human occupancy and not over 1,000 square feet in floor area, when the clear span of the roof framing elements (bearing walls) do not exceed 24 feet may be supported on a concrete slab with thickened edge, as approved by the building official.

15.12.310 IRC Chapter 5, Section R502.12 Draftstopping required - Amended

IRC Chapter 5, Section R502.12 Draftstopping, is hereby amended to read as follows:

R502.12 Draftstopping required. When there is usable space both above and below the concealed space of a floor/ceiling assembly, draftstops shall be installed so that the area of the concealed space does not exceed ~~1,000 square feet (92.9 m²)~~ 1,500 square feet. Draftstopping shall divide the concealed space into approximately equal areas. Where the assembly is enclosed by a floor membrane above and a ceiling membrane below draftstopping shall be provided in floor/ceiling assemblies under the following circumstances:

1. Ceiling is suspended under the floor framing.
2. Floor framing is constructed of truss-type open-web or perforated members.

15.12.320 IRC Chapter 5, Section 506.2.3 Vapor Retarder - Deleted

IRC Chapter 5, Section 506.2.3 Vapor retarder, is hereby deleted in its entirety.

15.12.330 IRC Appendix H, Section AH106.1 Footings – Amended

IRC Appendix H, Section AH106.1 Footings, is hereby amended to read as follows:

AH106.1 General. ~~In areas with a frostline depth of zero as specified in Table R301.2(1), a~~ A patio cover shall be permitted to be supported on a slab on grade without footings, provided the slab conforms to the provisions of Section R505 of this code, is not less than 3.5 inches (89 mm) thick and the columns do not support live and dead loads in excess of 750 pounds (3.34 kN) per column.

15.12.340 IRC Appendix H, Section AH107.5 Footings - Amended

IRC Appendix H, Section AH107.7 Footings, is hereby amended to read as follows:

AH107.5 Footings. ~~In areas with a frost line is zero, a~~ A screen enclosure shall be permitted to be supported on a concrete slab on grade without footings, provided the slab conforms to the provisions of Section R506, is not less than 3 1/2 inches (89mm) thick, and the columns do not support loads in excess of 750 pounds (3.36 kN) per column.

Article II. International Building Code

15.12.400 Adoption

There is adopted by the city that certain code known as the International Building Code, Chapters 1-12, 14-28, 30-35, as recommended by the International Code Council, specifically the 2003 edition thereof, and Appendix C, I and J; for all occupancies except one- and two-family dwellings. A copy of the same is on file in the office of the City Building Official.

BE IT FURTHER ORDAINED that the International Building Code, as adopted, be hereinafter amended as follows:

15.12.410 IBC Chapter 1, Section 101.2 Exceptions – Amended

IBC Chapter 1, Section 101.2 Exceptions, is hereby amended to read as follows:

Exceptions:

1. Detached one- and two- family dwellings and multiple single-family dwellings (town houses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the *International Residential Code*.
2. Existing buildings undergoing repair, alterations, or additions and change of occupancy ~~shall~~ may be permitted to comply with the *International Existing Building Code* as an alternate to Chapter 34, Existing Structures, of the International Building Code.

15.12.420 IBC Chapter 1, Section 101.4.1 Electrical – Amended

IBC Chapter 1, Section 101.4.1 Electrical, is hereby amended to read as follows:

101.4.1 Electrical. The provisions of the ~~ICC Electrical Code~~ current electrical code adopted by the City of Rapid City shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances thereto.

15.12.430 IBC Chapter 1, Section 101.4.2 Gas – Amended

IBC Chapter 1, Section 101.4.2 Gas, is hereby amended to read as follows:

101.4.2 Gas. The provisions of the ~~International Fuel Gas Code~~ Rapid City Gas Code shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

15.12.440 IBC Chapter 1, Section 101.4.3 Mechanical – Amended

IBC Chapter 1, Section 101.4.3 Mechanical, is hereby amended to read as follows:

101.4.3 Mechanical. The provisions of the ~~International Mechanical Code~~ current mechanical code adopted by the City of Rapid City shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

15.12.450 IBC Chapter 1, Section 101.4.4 Plumbing – Amended

IBC Chapter 1, Section 101.4.4 Plumbing, is hereby amended to read as follows:

101.4.4 Plumbing. The provisions of the ~~International Plumbing Code~~ current plumbing code adopted by the South Dakota State Plumbing Commission with revisions, shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. ~~The provisions of the *International Private Sewage Disposal Code* shall apply to private sewage disposal systems.~~

15.12.460 IBC Chapter 1, Section 101.4.7 Energy – Deleted

IBC Chapter 1, Section 101.4.7 Energy is hereby deleted in its entirety.

15.12.470 IBC Chapter 1, Section 103, DEPARTMENT OF BUILDING SAFETY – Amended

IBC, Chapter 1, Section R103, **DEPARTMENT OF BUILDING SAFETY**, is hereby amended to read as follows:

**SECTION R103
DEPARTMENT OF BUILDING SAFETY
BUILDING PERMIT REVIEW TEAM**

15.12.480 IBC Chapter 1, Section 103.1 Creation of Enforcement Agency – Amended

IBC Chapter 1, Section 103.1 Creation of enforcement agency, is hereby amended to read as follows:

103.1 Creation of enforcement agency. ~~The department of building safety~~ Building Permit Review Team is hereby created and the official in charge thereof shall be known as the building official.

15.12.490 IBC Chapter 1, Section 106.3 Examination of Documents – Amended

IBC Chapter 1, Section 106.3 Examination of documents, is hereby amended to read as follows:

106.3 Examination of documents. The building official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

106.3.1 Approval ~~Review~~ Review of construction documents. When the building official issues a permit, the construction documents shall be ~~approved~~ reviewed, in writing or by stamp, as “Reviewed for Code Compliance.” One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

106.3.2 Previous ~~approvals~~ reviews. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

106.3.3 Phased ~~approval~~ review. The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder’s own risk with the building operation and without assurance that a permit for the entire structure will be granted.

15.12.500 IBC Chapter 1, Section 106.3.4.2 Deferred Submittals – Amended

IBC Chapter 1, Section 106.3.4.2 Deferred submittals, is hereby amended to read as follows:

106.3.4.2 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official.

Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the design and submittal documents have been ~~approved~~ reviewed by the building official.

15.12.510 IBC Chapter 1, Section 106.4 Amended Construction Documents – Amended

IBC Chapter 1, Section 106.4 Amended construction documents, is hereby amended to read as follows:

106.4 Amended construction documents. Work shall be installed in accordance with the ~~approved~~ reviewed construction documents, and any changes made during construction that are not in compliance with the ~~approved~~ reviewed construction documents shall be resubmitted for ~~approval~~ review as an amended set of construction documents.

15.12.520 IBC Chapter 1, Section 106.5 Retention of Construction Documents - Amended

IBC Chapter 1, Section 106.5 Retention of construction documents, is hereby amended to read as follows:

106.5 Retention of construction documents. One set of ~~approved~~ reviewed construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

15.12.530 IBC Chapter 1, Section 107.3 Temporary Power – Amended

IBC Chapter 1, Section 107.3 Temporary power, is hereby amended to read as follows:

107.3 Temporary power. The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the ~~ICC National Electrical Code~~ current electrical code adopted by the City of Rapid City.

15.12.540 IBC Chapter 1, Section 108.1 Payment of fees - Amended

IBC Chapter 1, Section 108.1 Payment of fees, is hereby amended to read as follows:

108.1 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid. (Table 100-C)

15.12.550 IBC Chapter 1, Section 108.2 Schedule of permit fees – Amended

IBC Chapter 1, Section 108.2 Schedule of permit fees, is hereby amended to read as follows:

108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. (Table 100-C)

15.12.560 IBC Chapter 1, Section 108.3 Building Permit Valuations - Amended

IBC Chapter 1, Section 108.3 Building permit valuations, is hereby amended to read as follows:

108.3 Building permit valuations. ~~The applicant for a permit shall provide an estimated permit value at time of application.~~ The estimated permit value shall be determined by the building official. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the building official.

15.12.570 IBC Chapter 1, Section 108.4 Work commencing before permit issuance – Amended

IBC Chapter 1, Section 108.4 Work commencing before permit issuance, is hereby amended to read as follows:

108.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical, or plumbing system before obtaining the necessary permits shall be subject to an additional fee, equal to the amount of the permit fee required established by the building official this code, that shall be in addition to the required permit fees. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The minimum investigation fee shall be the same as the minimum fee set forth in Table 100-C. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

15.12.580 IBC Chapter 1, Section 108.7 Plan Review Fees – Added

IBC Chapter 1, Section 108.7 Plan Review Fees, is hereby added to read as follows:

108.7 Plan review fees. When submittal documents are required, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be paid as required, in accordance with Table 100-C. The plan review fees specified in this subsection are separate fees form the permit fees specified in Section R108.1 and are in addition to the permit fees.

15.12.590 Chapter 1, Section 112 Board of Appeals - Amended

IBC Chapter 1, Section 112 Board of Appeals is hereby amended to read as follows:

SECTION 112 BOARD OF APPEALS

112.1 General. ~~In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.~~ See Chapter 2.88, Development Appeals and Review Board, of the Rapid City Municipal Code.

~~**112.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.~~

~~**112.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.~~

15.12.600 IBC Chapter 3, Section 308.5.1 Adult Care Facility - Amended

IBC Chapter 3, Section 308.5.1 Adult care facility, is hereby amended to read as follows:

308.5.1 Adult care facility. A facility that provides accommodations for less than 24 hours for more than five unrelated adults and provides supervision and personal care services shall be classified as Group I-4.

Exception: A facility where occupants are capable of responding to an emergency situation without physical assistance from the staff shall be classified as Group ~~A-3~~ R-3.

15.12.610 IBC Chapter 4, Section 402.10(2) Kiosks – Amended

IBC Chapter 4, Section 402.10(2) Kiosks, is hereby amended to read as follows:

2. Kiosks or similar structures located within the mall shall be without a roof and open to the ceiling above or provided with approved fire suppression and detection devices.

15.12.620 IBC Chapter 4, Section 403.1 Applicability

IBC Chapter 4, Section 403.1 Applicability, is hereby amended to read as follows:

403.1 Applicability. The provisions of this section shall apply to buildings having occupied floors located more than ~~75~~ 51 feet (~~22 860 mm~~) above the lowest level of fire department vehicle access.

Exception: The provisions of this section shall not apply to the following buildings and structures:

1. Airport traffic control towers in accordance with Section 412.
2. Open parking garages in accordance with Section 406.3.
3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1.
4. Low-hazard special industrial occupancies in accordance with Section 503.1.2.
5. Buildings with an occupancy in Group H-1, H-2 or H-3 in accordance with Section 415.

15.12.630 IBC Chapter 4, Section 404.3 Automatic Sprinkler Protection – Amended

IBC Chapter 4, Section 404.3 Automatic sprinkler protection, is hereby amended to read as follows:

404.3 Automatic sprinkler protection. An approved automatic sprinkler system shall be installed through out the entire building.

Exceptions:

1. That area of a building adjacent to or above the atrium need not be sprinklered provided that portion of the building is separated from the atrium portion by a 2-hour fire barrier wall or horizontal assembly or both.
- ~~2. Where the ceiling of the atrium is more than 55 feet (16 764 mm) above the floor, sprinkler protection at the ceiling of the atrium is not required.~~

15.12.640 IBC Chapter 4, Section 407.3 Corridor Walls – Amended

IBC Chapter 4, Section 407.3 Corridor walls, is hereby amended to read as follows:

407.3 Corridor walls. Corridor walls shall be constructed as smoke partitions in accordance with Section 710 Smoke Partitions.

15.12.650 IBC Chapter 5, Section 504.2 Automatic Sprinkler System Increase – Amended

IBC Chapter 5, Section 504.2 Automatic sprinkler system increase, is hereby amended to read as follows:

504.2 Automatic sprinkler system increase. Where a building is equipped through out with an approved automatic sprinkler system in accordance with Section 903.3.1.1, the value specified in Table 503 for maximum height is increased by 20 feet (6096 mm) and the maximum number of stories is increased by one story. These increases are permitted in addition to the area increase in accordance with Sections 506.2 and 506.3. For Group R buildings equipped through out with an approved automatic sprinkler system in accordance with Section 903.3.1.2, the value specified in Table 503 for maximum height is increased by 20 feet (6096 mm) and the maximum number of stories is increased by one story, but shall not exceed four stories or ~~60 feet (18 288 mm)~~ 51 feet, respectively.

Exceptions:

1. Group I-2 of Type IIB, III, IV or V construction.
2. Group H-1, H-2, H-3 or H-5.
3. Fire-resistance rating substitution in accordance with Table 601, Note d.

15.12.660 IBC Chapter 7, Section 710.7 Ducts and Air Transfer Openings – Amended

IBC Chapter 7, Section 710.7 Ducts and air transfer openings, is hereby amended to read as follows:

710.7 ~~Ducts and air~~ Air transfer openings. Air transfer openings in smoke partitions shall be provided with a smoke damper complying with Section 716.3.2.

Exception: Where the installations of smoke damper will interfere with the operation of a required smoke control system in accordance with Section 909, approved alternative protection shall be utilized.

15.12.670 IBC Chapter 7, Section 717.3.3 Other Groups – Amended

IBC Chapter 7, Section 717.3.3 Other groups, is hereby amended to read as follows:

717.3.3 Other groups. In other groups, draftstopping shall be installed so that horizontal floor areas do not exceed ~~1,000 square feet (93 m²)~~ 1,500 square feet.

Exception: Draftstopping is not required in buildings equipped through out with an automatic sprinkler system in accordance with Section 903.3.1.1.

15.12.680 IBC Chapter 10, Section 1008.1.4 Floor Elevation – Amended

IBC Chapter 10, Section 1008.1.4 Floor elevation, is hereby amended to read as follows:

1008.1.4 Floor elevation. There shall be a floor or landing on each side of a door. Such floor or landing shall be at the same elevation on each side of the door. Landings shall be level except for exterior landings, which are permitted to have a slope not to exceed 0.25 unit vertical in 12 units horizontal (2-per cent slope).

Exceptions:

1. Doors serving individual dwelling units in Groups R-2 and R-3 as applicable in Section 101.2 where the following apply:

- 1.1. A door is permitted to open at the top step of an interior flight of stairs, provided the door does not swing over the top step.
 - 1.2. Screen doors and storm doors are permitted to swing over stairs or landings.
2. Exterior doors as provided for in Section 1003.5, Exception 1, and Section 1017.2, which are not on an accessible route.
 3. In Group R-3 occupancies, the landing at an exterior door way shall not be more than ~~7 3/4 inches (197 mm)~~ 8 inches below the top of the threshold, provided the door, other than an exterior storm or screen door, does not swing over the landing.
 4. Variations in elevation due to differences in finish materials, but not more than 0.5 inch (12.7 mm).
 5. Exterior decks, patios or balconies that are part of Type B dwelling units and have impervious surfaces, and that are not more than 4 inches (102 mm) below the finished floor level of the adjacent interior space of the dwelling unit.

15.12.690 IBC Chapter 10, Section 1008.1.6 Thresholds – Amended

IBC Chapter 10, Section 1008.1.6 Thresholds, is hereby amended to read as follows:

1008.1.6 Thresholds. Thresholds at door ways shall not exceed 0.75 inch (19.1 mm) in height for sliding doors serving dwelling units or 0.5 inch (12.7 mm) for other doors. Raised thresholds and floor level changes greater than 0.25 inch (6.4 mm) at door ways shall be beveled with a slope not greater than one unit vertical in two units horizontal (50-percent slope).

Exception: The threshold height shall be limited to ~~7 3/4 inches (197 mm)~~ 8 inches where the occupancy is Group ~~R-2~~ R-3 as applicable in Section 101.2, the door is an exterior door that is not a component of the required means of egress and the doorway is not on an accessible route.

15.12.700 IBC Chapter 10, Section 1009.3 Stair Treads and Risers – Amended

IBC Chapter 10, Section 1009.3 Stair treads and risers, is hereby amended to read as follows:

1009.3 Stair treads and risers. Stair riser heights shall be 7 inches (178 mm) maximum and 4 inches (102 mm) minimum. Stair tread depths shall be 11 inches (279 mm) minimum. The riser height shall be measured vertically between the leading edges of adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 0.375 inch (9.5 mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at right angle to the tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 0.375 inch (9.5 mm). Winder treads shall have a minimum tread depth of 11 inches (279 mm) measured at a right angle to the tread's leading edge at a point 12 inches (305 mm) from the side where the treads are narrower and a minimum tread depth of 10 inches (254 mm). The greatest winder tread depth at the 12-inch (305 mm) walk line within any flight of stairs shall not exceed the smallest by more than 0.375 inch (9.5 mm).

Exceptions:

1. Circular stairways in accordance with Section 1009.7.
2. Winders in accordance with Section 1009.8.
3. Spiral stairways in accordance with Section 1009.9.
4. Aisle stairs in assembly seating areas where the stair pitch or slope is set, for sightline reasons, by the slope of the adjacent seating area in accordance with Section 1024.11.2.
5. In occupancies in Group R-3, as applicable in Section 101.2, within dwelling units in occupancies in Group R-2, as applicable in Section 101.2, and in occupancies in Group U, which are accessory to an

occupancy in Group R-3, as applicable in Section 101.2, the maximum riser height shall be ~~7.75 inches (197 mm)~~ 8 inches and the minimum tread depth shall be ~~10 inches (254 mm)~~ 9 inches, the minimum winder tread depth at the walk line shall be 10 inches (254 mm), and the minimum winder tread depth shall be 6 inches (152 mm). A nosing not less than 0.75 inch (19.1 mm) but not more than 1.25 inches (32 mm) shall be provided on stairways with solid risers where the tread depth is less than 11 inches (279 mm).
~~6. See the *International Existing Building Code* for the replacement of existing stairways.~~

15.12.710 IBC Chapter 10, Section 1009.3.2 Profile – Amended

IBC Chapter 10, Section 1009.3.2, is hereby amended to read as follows:

1009.3.2 Profile. The radius of curvature at the leading edge of the tread shall be not greater than 0.5 inch (12.7 mm). Beveling of nosings shall not exceed 0.5 inch (12.7 mm). Risers shall be solid and vertical or sloped from the underside of the leading edge of the tread above at an angle not more than 30 degrees (0.52 rad) from the vertical. The leading edge (nosings) of treads shall project not more than 1.25 inches (32 mm) beyond the tread below and all projections of the leading edges shall be of uniform size, including the leading edge of the floor at the top of a flight.

Exceptions:

1. Solid risers are not required for stairways that are not required to comply with Section 1007.3, provided that the opening between treads does not permit the passage of a sphere with a diameter of 4 inches (102 mm).
2. Solid risers are not required for occupancies in Group I-3.
3. Solid risers are not required to be associated with Group R-3 and Group U occupancies.

15.12.720 IBC Chapter 10, Section 1009.11 Handrails – Amended

IBC Chapter 10, Section 1009.11 Handrails, is hereby amended to read as follows:

1009.11 Handrails. Stairways shall have handrails on each side. Handrails shall be adequate in strength and attachment in accordance with Section 1607.7. Hand rails for ramps, where required by Section 1010.8, shall comply with this section.

Exceptions:

1. Aisle stairs complying with Section 1024 provided with a center handrail need not have additional handrails.
2. Stairways within dwelling units, spiral stairways and aisle stairs serving seating only on one side are permitted to have a hand rail on one side only.
3. Decks, patios and walk ways that have a single change in elevation where the landing depth on each side of the change of elevation is greater than what is required for a landing do not require handrails.
4. ~~In Group R-3 occupancies, a change in elevation consisting of a single riser at an entrance or egress door does not require hand rails.~~ Stairways having less than four risers and serving one individual dwelling unit in Group R-3 Occupancies need not have handrails.
5. Changes in room elevations of only one riser within dwelling units and sleeping units in Group R-2 and R-3 occupancies do not require handrails.

15.12.730 IBC Chapter 10, Section 1025.2 Minimum Size – Amended

IBC Chapter 10, Section 1025.2 Minimum size, is hereby amended to read as follows:

1025.2 Minimum size. Emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet (0.53 m²).

Exception: ~~The minimum net clear opening for emergency escape and rescue grade floor openings shall be 5 square feet (0.46 m²).~~

15.12.740 IBC Chapter 14, Section 1403.2 Weather Protection – Amended

IBC Chapter 14, Section 1403.2 Weather protection, is hereby amended to read as follows:

1403.2 Weather protection. Exterior walls shall provide the building with a weather-resistant exterior wall envelope. The exterior wall envelope shall include flashing, as described in Section 1405.3. The exterior wall envelope shall be designed and constructed in such a manner as to prevent the accumulation of water within the wall assembly by providing a water-resistive barrier behind the exterior veneer, as described in Section 1404.2 and a means for draining water that enters the assembly to the exterior of the veneer, unless it is determined that penetration of water behind the veneer shall not be detrimental to the building performance. Protection against condensation in the exterior wall assembly shall be provided ~~in accordance with the~~ *International Energy Conservation Code*.

Exceptions:

1. A weather-resistant exterior wall envelope shall not be required over concrete or masonry walls designed in accordance with Chapters 19 and 21, respectively.
2. Compliance with the requirements for a means of drainage, and the requirements of Sections 1405.2 and 1405.3, shall not be required for an exterior wall envelope that has been demonstrated through testing to resist wind-driven rain, including joints, penetrations and intersections with dissimilar materials, in accordance with ASTM E 331 under the following conditions:
 - 2.1. Exterior wall envelope test assemblies shall include at least one opening, one control joint, one wall/eave interface and one wall sill. All tested openings and penetrations shall be representative of the intended end-use configuration.
 - 2.2. Exterior wall envelope test assemblies shall be at least 4 feet by 8 feet (1219 mm by 2438 mm) in size.
 - 2.3. Exterior wall envelope assemblies shall be tested at a minimum differential pressure of 6.24 pounds per square foot (psf) (0.297 kN/m²).
 - 2.4. Exterior wall envelope assemblies shall be subjected to a minimum test exposure duration of 2 hours.

The exterior wall envelope design shall be considered to resist wind-driven rain where the results of testing indicate that water did not penetrate control joints in the exterior wall envelope, joints at the perimeter of openings or intersections of terminations with dissimilar materials.

15.12.750 IBC Chapter 14, Section 1403.2.1 Weather Resistive Sheathing Papers – Added

IBC Chapter 14, Section 1403.2.1 Weather resistive sheathing papers, is hereby added to read as follows:

1403.2.1 Weather resistive sheathing papers. House wraps or weather resistive sheathing papers consisting of spun bonded olefin sheets of high density polyethylene fibers are required to be installed as per the manufacturer's instruction/recommendations.

15.12.760 IBC Chapter 15, Section 1405.10.4 Grounding – Amended

IBC Chapter 15, Section 1405.10.4 Grounding, is hereby amended to read as follows:

1405.10.4 Grounding. Grounding of metal veneers on buildings shall comply with the requirements of ~~Chapter 27 and the ICC *Electrical Code*~~ the current electrical code adopted by the City of Rapid City.

15.12.770 IBC Chapter 15, Section 1503.4 Roof Drainage – Amended

IBC Chapter 15, Section 1503.4 Roof Drainage, is hereby amended to read as follows:

1503.4 Roof drainage. Design and installation of roof drainage systems shall comply with the *International 2003 Uniform Plumbing Code* current plumbing code adopted by the South Dakota State Plumbing Commission with revisions.

15.12.780 IBC Chapter 16, Section 1604.1 General – Amended

IBC Chapter 16, Section 1604.1 General, is hereby amended to read as follows:

1604.1 General. Building, structures, and parts thereof shall be designed and constructed in accordance with strength design, load and resistance factor design, allowable stress design, empirical design, or conventional construction methods, as permitted by applicable material chapters and Table 100-B, Climatic and Geographic Design Criteria.

15.12.790 IBC Chapter 16, Section 1612 Flood Loads – Amended

IBC Chapter 16, Section 1612 Flood Loads, is hereby amended to read as follows:

SECTION 1612 FLOOD LOADS

1612.1 General. ~~Within flood hazard areas as established in Section 1612.3, all new construction of buildings, structures and portions of buildings and structures, including substantial improvements and restoration of substantial damage to buildings and structures, shall be designed and constructed to resist the effects of flood hazards and flood loads. See Chapter 15.32, Flood Area Construction Regulations, of the Rapid City Municipal Code.~~

1612.2 Definitions. ~~The following words and terms shall, for the purposes of this section, have the meanings shown herein.~~

~~**BASE FLOOD.** The flood having a 1-percent chance of being equaled or exceeded in any given year.~~

~~**BASE FLOOD ELEVATION.** The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM).~~

~~**BASEMENT.** The portion of a building having its floor subgrade (below ground level) on all sides.~~

~~**DESIGN FLOOD.** The flood associated with the greater of the following two areas:~~

- ~~1. Area with a flood plain subject to a 1-percent or greater chance of flooding in any year; or~~
- ~~2. Area designated as a flood hazard area on a community's flood hazard map, or otherwise legally designated.~~

~~**DESIGN FLOOD ELEVATION.** The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where a depth number is not specified on the map, the depth number shall be taken as being equal to 2 feet (610 mm).~~

~~**DRY FLOODPROOFING.** A combination of design modifications that results in a building or structure, including the attendant utility and sanitary facilities, being water tight with walls substantially impermeable to the passage of water and with structural components having the capacity to resist loads as identified in ASCE 7.~~

~~**EXISTING CONSTRUCTION.** Any buildings and structures for which the "start of construction" commenced before the effective date of the community's first flood plain management code, ordinance or standard. "Existing construction" is also referred to as "existing structures."~~

~~**EXISTING STRUCTURE.** See "Existing construction."~~ ~~**FLOOD or FLOODING.** A general and temporary condition of partial or complete inundation of normally dry land from:~~

- ~~1. The overflow of inland or tidal waters.~~

2. The unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD DAMAGE RESISTANT MATERIALS. Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair.

FLOOD HAZARD AREA. The greater of the following two areas:

1. The area within a flood plain subject to a 1 percent or greater chance of flooding in any year.
2. The area designated as a flood hazard area on a community's flood hazard map, or otherwise legally designated.

FLOOD HAZARD AREA SUBJECT TO HIGH VELOCITY WAVE

ACTION. Area within the flood hazard area that is subject to high velocity wave action, and shown on a Flood Insurance Rate Map (FIRM) or other flood hazard map as Zone V, VO, VE or V1-30.

FLOOD INSURANCE RATE MAP (FIRM). An official map of a community on which the Federal Emergency Management Agency (FEMA) has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY. The official report provided by the Federal Emergency Management Agency containing the Flood Insurance Rate Map (FIRM), the Flood Boundary and Floodway Map (FBFM), the water surface elevation of the base flood and supporting technical data.

FLOODWAY. The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

LOWEST FLOOR. The floor of the lowest enclosed area, including basement, but excluding any unfinished or flood resistant enclosure, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of this section.

SPECIAL FLOOD HAZARD AREA. The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE or V1-30.

START OF CONSTRUCTION. The date of permit issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns. Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

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 repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for [INSERT NAME OF JURISDICTION]," dated [INSERT DATE OF ISSUANCE], as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

~~**1612.4 Design and construction.** The design and construction of buildings and structures located in flood hazard areas, including flood hazard areas subject to high velocity wave action, shall be in accordance with ASCE 24.~~

~~**1612.5 Flood hazard documentation.** The following documentation shall be prepared and sealed by a registered design professional and submitted to the building official:~~

- ~~1. For construction in flood hazard areas not subject to high velocity wave action:
 - 1.1. The elevation of the lowest floor, including basement, as required by the lowest floor elevation inspection in Section 109.3.3.
 - 1.2. For fully enclosed areas below the design flood elevation where provisions to allow for the automatic entry and exit of floodwaters do not meet the minimum requirements in Section 2.6.1.1, ASCE 24, construction documents shall include a statement that the design will provide for equalization of hydrostatic flood forces in accordance with Section 2.6.1.2, ASCE 24.
 - 1.3. For dry floodproofed nonresidential buildings, construction documents shall include a statement that the dry floodproofing is designed in accordance with ASCE 24.~~
- ~~2. For construction in flood hazard areas subject to high velocity wave action:
 - 2.1. The elevation of the bottom of the lowest horizontal structural member as required by the lowest floor elevation inspection in Section 109.3.3.
 - 2.2. Construction documents shall include a statement that the building is designed in accordance with ASCE 24, including that the pile or column foundation and building or structure to be attached thereto is designed to be anchored to resist flotation, collapse and lateral movement due to the effects of wind and flood loads acting simultaneously on all building components, and other load requirements of Chapter 16.
 - 2.3. For breakaway walls designed to resist a nominal load of less than 10 psf (0.48 kN/m²) or more than 20 psf (0.96 kN/m²), construction documents shall include a statement that the breakaway wall is designed in accordance with ASCE 24.~~

15.12.800 IBC Chapter 17, Section 1702 Definitions - Amended

IBC Chapter 17, Section 1702 Definitions, is hereby amended to read as follows:

SECTION 1702 DEFINITIONS

1702.1 General. The following words and terms shall, for the purposes of this chapter and as used else where in this code, have the meanings shown herein.

APPROVED AGENCY. An established and recognized agency or design professional regularly engaged in conducting tests or furnishing inspection services, when such agency has been approved.

APPROVED FABRICATOR. An established and qualified person, firm or corporation approved by the building official pursuant to Chapter 17 of this code.

CERTIFICATE OF COMPLIANCE. A certificate stating that materials and products meet specified standards or that work was done in compliance with approved construction documents.

FABRICATED ITEM. Structural, load-bearing or lateral load-resisting assemblies consisting of materials assembled prior to installation in a building or structure, or subjected to operations such as heat treatment, thermal cutting, cold working or reforming after manufacture and prior to installation in a building or structure. Materials produced in accordance with standard specifications referenced by this code, such as rolled structural steel shapes, steel-reinforcing bars, masonry units and plywood sheets, shall not be considered “fabricated items.”

INSPECTION CERTIFICATE. An identification applied on a product by an approved agency containing the name of the manufacturer, the function and performance characteristics, and the name and identification of an approved agency that indicates that the product or material has been inspected and evaluated by an approved agency (see Section 1703.5 and “Label,” “Manufacturer’s designation” and “Mark”).

LABEL. An identification applied on a product by the manufacturer that contains the name of the manufacturer, the function and performance characteristics of the product or material, and the name and identification of an approved

agency and that indicates that the representative sample of the product or material has been tested and evaluated by an approved agency (see Section 1703.5 and “Inspection certificate,” “Manufacturer’s designation” and “Mark”).
MANUFACTURER’S DESIGNATION. An identification applied on a product by the manufacturer indicating that a product or material complies with a specified standard or set of rules (see also “Inspection certificate,” “Label” and “Mark”).

MARK. An identification applied on a product by the manufacturer indicating the name of the manufacturer and the function of a product or material (see also “Inspection certificate,” “Label” and “Manufacturer’s designation”).

SPECIAL INSPECTION. Inspection as herein required of the materials, installation, fabrication, erection or placement of components and connections requiring special expertise to ensure compliance with approved construction documents and referenced standards (see Section 1704).

SPECIAL INSPECTION, CONTINUOUS. The full-time observation of work requiring special inspection by an approved special inspector who is present in the area where the work is being performed.

SPECIAL INSPECTION, PERIODIC. The part-time or intermittent observation of work requiring special inspection by an approved special inspector who is present in the area where the work has been or is being performed and at the completion of the work.

SPRAYED FIRE-RESISTANT MATERIALS. Cementitious or fibrous materials that are spray applied to provide fire-resistant protection of the substrates.

STRUCTURAL OBSERVATION. The visual observation of the structural system by a registered design professional for general conformance to the approved construction documents at significant construction stages and at completion of the structural system. Structural observation does not include or waive the responsibility for the inspection required by Section 109, 1704 or other sections of this code.

15.12.810 IBC Chapter 17, Section 1704.1 General – Amended

IBC Chapter 17, Section 1704.1 General, is hereby amended to read as follows:

1704.1 General. Where application is made for construction as described in this section, the owner or the registered design professional in responsible charge acting as the owner’s agent shall employ one or more special inspectors to provide inspections during construction on the types of work listed under Section 1704. The special inspector shall be a qualified person who shall demonstrate competence, to the satisfaction of the building official, for inspection of the particular type of construction or operation requiring special inspection. These inspections are in addition to the inspections specified in Section 109.

Exceptions:

1. Special inspections are not required for work of a minor nature or as warranted by conditions in the jurisdiction as approved by the building official and by the recommendation of the design professional.
2. Special inspections are not required for building components unless the design involves the practice of professional engineering or architecture as defined by applicable state statutes and regulations governing the professional registration and certification of engineers or architects.
3. Unless otherwise required by the building official, special inspections are not required for occupancies in Group R-3 as applicable in Section 101.2 and occupancies in Group U that are accessory to a residential occupancy including, but not limited to, those listed in Section 312.1.

15.12.820 IBC Chapter 17, Section 1716 Prefabrication – Added

IBC Chapter 17, Section 1716 Prefabrication, is hereby added to read as follows:

SECTION 1716 **PREFABRICATION**

1716.1 General.

1716.1.1 Purpose. The purpose of this section is to regulate materials and establish methods of safe construction where any structure or portion thereof is wholly or partially prefabricated.

1716.1.2 Scope. Unless otherwise specifically stated in this section, all prefabricated construction and materials used therein shall conform to all the requirements of this code.

1716.3 Definitions.

PREFABRICATED ASSEMBLY. A structural unit, the integral parts of which have been built or assembled prior to incorporation in the building.

PREFABRICATED STRUCTURES. The parts of which are fabricated and assembled in a central assembly point where on-site building, electrical, plumbing, and mechanical rough-in inspections occur at the assembly location.

1716.2 Tests of materials. Every approval of a material not specifically mentioned in this code shall incorporate as a proviso the kind and number of nationally recognized testes to be made during prefabrication.

1716.3 Tests of assemblies. The building official may require special tests to be made on assemblies to determine their durability and weather resistance.

1716.4 Connections. Every device used to connect prefabricated assemblies shall be designed as required by this code and shall be capable of developing the strength of the members connected, except in the case of members forming part of a structural frame as specified in Chapter 16. Connections shall be capable of withstanding uplift forces as specified in this code and in Chapter 16.

1716.5 Pipes and conduits. In structural design, due allowances shall be made for any material to be removed for the installations of pipes, conduit, and other equipment.

1716.6 Permits, materials, plans, fees, certificate, and inspections.

1716.6.1 Materials. Materials and the assembly thereof shall be inspected to determine compliance with this code. Every material shall be graded, marked, or labeled as required elsewhere in this code.

1716.6.2 Plans. One complete set of plans and specifications shall be submitted to the building inspection division of planning and building services for approval prior to issuing a building permit for a prefabricated structure. Plans shall be of sufficient detail and clarity to indicate compliance with all applicable codes (electrical, plumbing, building, mechanical, and zoning).

1716.6.3 Permits and fees. Permit fees shall be as follows:

1. The fee for a building permit shall conform to Table 100-A.
2. Electrical, plumbing, and mechanical permits and fees shall conform to the respective permit requirements and fee schedules.

1716.6.4 Certificate. A certificate of approval shall be furnished with every prefabricated assembly and prefabricated structure, except where the assembly is readily accessible to inspection at the site. The certificate of approval shall certify that the assembly in question has been inspected and meets all the requirements of this code. When mechanical equipment is installed so that it cannot be inspected at the site, the certificate of approval shall certify that such equipment complies with the laws applying thereto.

1716.6.5 Certifying agency. To be acceptable under this code, every certificate of approval shall be made by the approved agency.

1716.6.6 Field erection. The building official shall inspect placement of prefabricated assemblies at the building site to determine compliance with this code. Installation and finishing work at the building site must be performed by locally licensed contractors where required. Final inspections are to be made after the installation and finishing work has been completed and the building is ready for occupancy.

1716.6.7 Continuous inspection. If continuous inspection is required for certain materials where construction takes place on the site, it shall also be required where the same materials are used in prefabricated construction.

Exception: continuous inspection will not be required during prefabrication if the approved agency certifies to the construction and furnishes evidence of compliance.

1716.6.8 Moving permits. A moving permit shall be obtained for each prefabricated structure being moved within the city in accordance with Section 3408 Moved Buildings.

15.12.830 IBC Chapter 18, Section 1803.4 Grading and Fill in Floodways - Amended

IBC Chapter 18, Section 1803.4 Grading and fill in floodways, is hereby amended to read as follows:

1803.4 Grading and fill in floodways. ~~In floodways shown on the flood hazard map established in Section 1612.3, grading and/or fill shall not be approved unless it has been demonstrated through hydrologic and hydraulic analyses performed by a registered design professional in accordance with standard engineering practice that the proposed grading or fill, or both, will not result in any increase in flood levels during the occurrence of the design flood. See Chapter 15.32, Flood Area Construction Regulations, of the Rapid City Municipal Code.~~

15.12.840 IBC Chapter 18, Section 1805.2.1 Frost Protection – Amended

IBC Chapter 18, Section 1805.2.1 Frost protection, is hereby amended to read as follows:

1805.2.1 Frost protection. Except where otherwise protected from frost, foundation walls, piers and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. Extending below the frost line of the locality;
2. Constructing in accordance with ASCE-32; or
3. Erecting on solid rock.

Exception: Free-standing buildings meeting all of the following conditions shall not be required to be protected:

1. Classified in Importance Category I (see Table 1604.5);
2. Area of ~~400~~ 1,000 square feet (~~37 m²~~) or less with a maximum truss span of 24 feet; and
3. Eave height of 10 feet (3048 mm) or less.

Footings shall not bear on frozen soil unless such frozen condition is of a permanent character.

15.12.850 IBC Chapter 27, Section 2701.1 Scope – Amended

IBC Chapter 27, Section 2701.1 Scope, is hereby amended to read as follows:

2701.1 Scope. This chapter governs the electrical components, equipment and systems used in buildings and structures covered by this code. Electrical components, equipment and systems shall be designed and constructed in accordance with the provisions of the ~~ICC Electrical Code~~ current electrical code adopted by the City of Rapid City.

15.12.860 IBC Chapter 31, Section 3109 Swimming Pool Enclosures and Safety Devices – Deleted

IBC Chapter 31, Section 3109 Swimming Pool Enclosures and Safety Devices, is hereby deleted in its entirety.

15.12.870 IBC Chapter 34, Section 3410.2 Applicability – Amended

IBC Chapter 34, Section 3410.2 Applicability, is hereby amended to read as follows:

3410.2 Applicability. Structures existing prior to the adoption of this code, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or the provisions of Sections 3403 through 3407. The provisions in Sections 3410.2.1 through 3410.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.

15.12.880 IBC Appendix I, Section I104.2 Footings – Amended

IBC Appendix I, Section I104.2 Footings, is hereby amended to read as follows:

I104.2 Footings. ~~In areas with a frost depth of zero, a~~ A patio cover shall be permitted to be supported on a concrete slab on grade without footings, provided the slab conforms to the provisions of Chapter 19 of this code, is not less than 3 1/2 inches (89 mm) thick and further provided that the columns do not support loads in excess of 750 pounds (3.36 kN) per column.

15.12.890 IBC Appendix J, Section J101.2 Flood Hazard Areas– Amended

IBC Appendix J, Section J101.2 Flood hazard areas, is hereby amended to read as follows:

J101.2 Flood hazard areas. ~~The provisions of this chapter shall not apply to grading, excavation and earth work construction, including fills and embankments, in floodways within flood hazard areas established in Section 1612.3 unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed work will not result in any increase in the level of the base flood. See Chapter 15.32, Flood Area Construction Regulations, of the Rapid City Municipal Code.~~

15.12.900 IBC Appendix J, Section J103.1 Permits Required – Amended

IBC Appendix J, Section J103.1 Permits required, is hereby amended to read as follows:

J103.1 Permits required. Except as exempted in Section J103.2, no grading shall be performed without first having obtained a permit therefore from the building official and paying the required grading permit fee and grading plan review fee as established in Table 100-D and Table 100-E. A grading permit does not include the construction of retaining walls or other structures.

Article III. International Property Maintenance Code

15.12.910 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 structures in population areas, that certain code known as the International Property Maintenance Code, as recommended by the International Code Council, specifically the 2003 edition thereof, Chapters 1 through 8. A copy of the same is on file in the office of the City Building Official.

BE IT FURTHER ORDAINED that the International Property Maintenance Code, as adopted, be hereinafter amended as follows:

15.12.920 IPMC Chapter 1, Section 101.1 Title – Amended

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

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

15.12.930 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 Existing Building Code*~~ International Building Code and the International Residential Code.

15.12.940 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:

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 Existing Building Code*~~ International Building Code and the International Residential Code. ~~Nothing in this code shall be construed to cancel, modify or set aside any provision of the *International Zoning Code*.~~

15.12.950 IPMC Chapter 1, Section 103 Department of Property Maintenance Inspection – Amended

IPMC Chapter 1, Section 103 Department of Property Maintenance Inspection, is hereby amended to read as follows:

SECTION 103 ~~DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION~~ BUILDING PERMIT REVIEW TEAM

103.1 General. The ~~department of property maintenance inspection~~ building permit review team is hereby created and the executive official in charge thereof shall be known as the building or code official.

103.2 Appointment. The code official shall be appointed by the chief appointing authority of the jurisdiction; and the code official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, other related technical officers, inspectors and other employees.

103.4 Liability. The code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, 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 required or permitted in the discharge of official duties.

Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of property maintenance inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

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 the following schedule. (Table 100-A)

15.12.960 IPMC Chapter 1, Section 111 Means of Appeal – Amended

IPMC Chapter 1, Section 111 Means of Appeal, is hereby amended to read as follows:

SECTION 111 MEANS OF APPEAL

111.1 Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the ~~board of appeals~~ development appeals and review board, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

~~**111.2 Membership of board.** The board of appeals shall consist of a minimum of three members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The code official shall be an ex-officio member but shall have no vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.~~

~~**111.2.1 Alternate members.** The chief appointing authority shall appoint two or more alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.~~

~~**111.2.2 Chairman.** The board shall annually select one of its members to serve as chairman.~~

~~**111.2.3 Disqualification of member.** A member shall not hear an appeal in which that member has a personal, professional or financial interest.~~

~~**111.2.4 Secretary.** The chief administrative officer shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.~~

~~111.2.5 Compensation of members.~~ Compensation of members shall be determined by law.

~~111.3 Notice of meeting.~~ The board shall meet upon notice from the chairman, within 20 days of the filing of an appeal, or at stated periodic meetings.

~~111.4 Open hearing.~~ All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of not less than two-thirds of the board membership.

~~111.4.1 Procedure.~~ The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

~~111.5 Postponed hearing.~~ When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

~~111.6 Board decision.~~ The board shall modify or reverse the decision of the code official only by a concurring vote of a majority of the total number of appointed board members.

~~111.6.1 Records and copies.~~ The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the code official.

~~111.6.2 Administration.~~ The code official shall take immediate action in accordance with the decision of the board.

~~111.7 Court review.~~ Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

~~111.8 Stays of enforcement.~~ Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

15.12.970 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:

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, International Zoning Code, International Plumbing Code, International Mechanical Code, International Existing Building Code* or the *ICC Electrical Code International Residential Code, and the current codes adopted by the City of Rapid City for Plumbing, Electrical, and Mechanical*, such terms shall have the meanings ascribed to them as in those codes.

15.12.980 IPMC Chapter 3, Section 302.4 Weeds – Deleted

IPMC Chapter 2, Section 302.4 Weeds is hereby deleted in its entirety.

15.12.990 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.

15.12.1000 IPMC Chapter 5 Plumbing Facilities and Fixture Requirements – Amended

IPMC Chapter 5 Plumbing Facilities and Fixture Requirements, is hereby amended to read as follows:

CHAPTER 5

PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

SECTION 501 GENERAL

501.1 Scope. ~~The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.~~ Plumbing facilities and fixture requirements shall be governed by the current plumbing code adopted by the South Dakota State Plumbing Commission with revisions.

501.2 Responsibility. The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises which does not comply with the requirements of this chapter.

~~[P]~~ SECTION 502 REQUIRED FACILITIES

~~**502.1 Dwelling units.** Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.~~

~~**502.2 Rooming houses.** At least one water closet, lavatory and bathtub or shower shall be supplied for each four rooming units.~~

~~**502.3 Hotels.** Where private water closets, lavatories and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each ten occupants.~~

~~**502.4 Employees' facilities.** A minimum of one water closet, one lavatory and one drinking facility shall be available to employees.~~

~~**502.4.1 Drinking facilities.** Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in toilet rooms or bathrooms.~~

~~[P]~~ SECTION 503 TOILET ROOMS

~~**503.1 Privacy.** Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling.~~

~~**503.2 Location.** Toilet rooms and bathrooms serving hotel units, rooming units or dormitory units or housekeeping units, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.~~

~~**503.3 Location of employee toilet facilities.** Toilet facilities shall have access from within the employees' working area. The required toilet facilities shall be located not more than one story above or below the employees' working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). Employee facilities shall either be separate facilities or combined employee and public facilities.~~

~~**Exception:** Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of 500 feet (152 m) from the employees' regular working area to the facilities.~~

~~**503.4 Floor surface.** In other than dwelling units, every toilet room floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.~~

~~[P]~~ SECTION 504 PLUMBING SYSTEMS AND FIXTURES

504.1 General. All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

504.2 Fixture clearances. Plumbing fixtures shall have adequate clearances for usage and cleaning.

504.3 Plumbing system hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, backsiphonage, improper installation, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

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 *International Plumbing Code*.

[P] 505.2 Contamination. The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

505.3 Supply. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

505.4 Water heating facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

[P] SECTION 506 SANITARY DRAINAGE SYSTEM

506.1 General. All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

506.2 Maintenance. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

[P] SECTION 507 STORM DRAINAGE

507.1 General. Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance.

TABLE 100-A IRC BUILDING PERMIT FEES

TOTAL VALUATION	FEE
\$1.00 to \$1,600.00	\$37.00
\$1,601 to \$2,000.00	\$37.00 for the first \$1,600.00 plus \$2.00 for each additional \$1,000.00, or fraction thereof, to and including \$2,000.00
\$2,001 to \$25,000.00	\$45.00 for the first \$2,000.00 plus \$9.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000	\$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
\$500,00.00 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..... (minimum charge – two hours)	\$42.00 per hour ¹
2. Re-inspection fees	\$42.00 per hour ¹
3. Inspections for which no fee is specifically indicated..... (minimum charge – one hour)	\$42.00 per hour ¹
4. Additional plan review required by changes, additions, or revisions to plans..... (minimum charge – one hour)	\$42.00 per hour ¹
5. For use of outside consultants for plan checking and inspections, or both.....	Actual costs ²
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.	

¹Or 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.

²Actual costs include administrative and overhead costs.

TABLE 100-B CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD*	WIND Speed (mph)	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMP	FLOOD HAZARDS
			Weathering	Frost line depth	Termite	Decay		
45 psf	100	B	Moderate	42"	None to slight	None to slight	-7	2-18-98

* Roof snow load shall be 30 psf.

TABLE 100-C IBC BUILDING PERMIT FEES

TOTAL VALUATION	FEE
\$1.00 to \$1,600.00	\$37.00
\$1,601 to \$2,000.00	\$69.25
\$2,001 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	\$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
\$500,00.00 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 hour ¹ (minimum charge – two hours)
2. Re-inspection fees	\$47.00 per hour ¹
3. Inspections for which no fee is specifically indicated.....	\$47.00 per hour ¹ (minimum charge – one hour)
4. Additional plan review required by changes, additions, or revisions to plans.....	\$47.00 per hour ¹ (minimum charge – one hour)
5. For use of outside consultants for plan checking and inspections, or both.....	Actual costs ²
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.	

¹Or 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.

²Actual costs include administrative and overhead costs.

TABLE 100-D GRADING PERMIT FEES¹

CUBIC YARDS	FEE
50 or less	\$23.50
51 to 100	\$37.00
101 to 1,000	\$37.00 for the first 100 cubic yards plus \$17.50 for each additional 100 cubic yards or fraction thereof
1,001 to 10,000	\$194.50 for the first 1,000 cubic yards plus \$14.50 for each additional 1,000 cubic yards or fraction thereof
10,001 to 100,000	\$325.00 for the first 10,000 cubic yards plus \$66.00 for each additional 10,000 cubic yards or fraction thereof
100,001 cubic yards or more	\$919.00 for the first 100,000 cubic yards plus \$36.50 for each additional 10,000 cubic yards or fraction thereof
Other Inspections and Fees:	
1. Inspections outside of normal business hours..... (minimum charge – two hours)	\$50.50 per hour ²
2. Re-inspection fees	\$50.50 per hour ²
3. Inspections for which no fee is specifically indicated..... (minimum charge – one hour)	\$50.50 per hour ²

¹The fee for a grading permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project.

²Or 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.

TABLE 100-E GRADING PLAN REVIEW FEES

CUBIC YARDS	FEE
50 or less	No fee
51 to 100	\$23.50
101 to 1,000	\$37.00
1,001 to 10,000	\$49.25
10,001 to 100,000	\$49.25 for the first 10,000 cubic yards plus \$24.50 for each additional 10,000 cubic yards or fraction thereof
100,001 to 200,000	\$269.75 for the first 100,000 cubic yards plus \$13.25 for each additional 10,000 cubic yards or fraction thereof
200,001 or more	\$402.25 for the first 200,000 cubic yards plus \$7.25 for each additional 10,000 cubic yards or fraction thereof
Other Fees:	
1. Additional plan review required by changes, additions, or revisions to approved plans..... (minimum charge – two hours)	\$50.50 per hour*

*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.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: