

**ORDINANCE NO. 5221**

**AN ORDINANCE CLAIRIFYING THE TIME LIMITS IN THE CASE OF PERMITS ISSUED PURSUANT TO THE INTERNATIONAL BUILDING CODE BY ADDING SECTION 15.12.481 TO THE RAPID CITY MUNICIPAL CODE.**

WHEREAS, the City Building Official or his designee may issue an order and/or notice to correct a violation of the Rapid City Municipal Code related to construction or the condition of property within the City; and

WHEREAS, the notice and/or order to correct the violation will usually contain a timeline by which a building permit must be obtained and the correction(s) must be completed; and

WHEREAS, the International Building Code (IBC) as adopted by the City states that work authorized for obtaining the building permit must be commenced within 180 days or the permit becomes invalid; and

WHEREAS, the notice and/or order issued by the Building Official may contain a timeline for obtaining the building permit and completing the correction that is less than 180 days; and

WHEREAS, the Common Council of the City of Rapid City finds that it is in the City's best interest to amend Section 105.5 of the IBC as adopted by the City to make it clear that the 180 day timeline to commence work on a building permit does not operate to change any timeline established pursuant to a notice and/or order issued by the Building Official or his designee.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City, that Chapter 15.12 of the Rapid City Municipal Code be amended by adding Section 15.12.481 to read as follows:

**15.12.481 IBC Chapter 105.5 Expiration - Amended**

IBC Chapter 1, Section 105.5 dealing with the maximum length of time in which to complete work under a permit is hereby amended to read as follows:

**105.5 Expiration.** Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. The requirement that all work authorized by a building permit be commenced within 180 days does not operate to change timelines established in any notice and/or order issued by the Building Official or his designee.

CITY OF RAPID CITY

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Mayor

ATTEST:

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Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: