

ORDINANCE NO. 5821

AN ORDINANCE ADOPTING THE 2009 INTERNATIONAL EXISTING BUILDING CODE BY REPEALING CHAPTER 15.15 OF THE RAPID CITY MUNICIPAL CODE IN ITS ENTIRETY AND ADOPTING A NEW CHAPTER 15.15 OF THE RAPID CITY MUNICIPAL CODE

BE IT ORDAINED by the City of Rapid City that Chapter 15.15 of the Rapid City Municipal Code is repealed in its entirety.

BE IT ORDAINED by the City of Rapid City that a new Chapter 15.15 of the Rapid City Municipal Code, entitled International Existing Building Code, and is hereby adopted as follows:

15.15.010 ADOPTION

There is adopted by the city for the purpose of prescribing regulations for existing buildings, that certain code recommended by the International Code Council known as the International Existing Building Code, 2009 edition. A copy of the same is on file in the office of the City Building Official.

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

**SECTION 101
GENERAL**

15.15.020 IEBC Chapter 1, Section 101.1, TITLE – AMENDED

IEBC Chapter 1, Section 101.1, **TITLE**, is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the *Existing Building Code* of the [City of Rapid City](#), hereinafter referred to as “this code.”

**SECTION 103
~~DEPARTMENT OF BUILDING SAFETY~~ - BUILDING PERMIT REVIEW TEAM**

15.15.030 IEBC Chapter 1, Section 103.1, CREATION OF ENFORCEMENT AGENCY - AMENDED

IEBC 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 executive official in charge thereof shall be known as the code official.

15.15.040 IEBC Chapter 1, Section 103.2, APPOINTMENT - AMENDED

IEBC Chapter 1, Section 103.2, **APPOINTMENT** is hereby amended to read as follows:

103.2 Appointment. The code official shall be appointed by the chief appointing authority of the jurisdiction.

15.15.050 IEBC Chapter 1, Section 103.3, DEPUTIES - AMENDED

IEBC Chapter 1, Section 103.3, **DEPUTIES** is hereby amended to read as follows:

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, the related technical officers, inspectors, plan examiners, and other employees. Such employees shall have powers as delegated by the code official.

**SECTION 104
DUTIES AND POWERS OF CODE OFFICIAL**

15.15.060 IEBC Chapter 1, Section 104.10.1, FLOOD HAZARD AREAS – AMENDED

IEBC Chapter 1, Section 104.10.1, **FLOOD HAZARD AREAS**, is hereby amended to read as follows:

104.10.1 Flood hazard areas. ~~For existing buildings located in flood hazard areas for which repairs, alterations and additions constitute substantial improvement, the code official shall not grant modifications to provisions related to flood resistance unless a determination is made that:~~

- ~~1. The applicant has presented good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render compliance with the flood-resistant construction provisions inappropriate.~~
- ~~2. Failure to grant the modification would result in exceptional hardship.~~
- ~~3. The granting of the modification 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 laws or ordinances.~~
- ~~4. The modification is the minimum necessary to afford relief, considering the flood hazard.~~
- ~~5. A written notice will be provided to the applicant specifying, if applicable, 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 that construction below the design flood elevation increases risks to life and property.~~

~~[See Chapter 15.32, Flood Area Construction Regulations, of the Rapid City Municipal Code](#)~~

SECTION 105 PERMITS

15.15.070 IEBC Chapter 1, Section 105.5, EXPIRATION – AMENDED

IEBC Chapter 1, Section 105.5, **EXPIRATION**, is here by 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.

SECTION 106 CONSTRUCTION DOCUMENTS

15.15.080 IEBC Chapter 1, Section 106.3, EXAMINATION OF DOCUMENTS – AMENDED

IEBC Chapter 1, Section 106.3, **EXAMINATION OF DOCUMENTS**, is hereby amended to read as follows:

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

106.3.1 Approval Review of construction documents. When the code 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 code 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 code 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 code 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.

106.3.4 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 code official within a specified period.

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

Submittal 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 code official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until their design and deferred submittal documents have been ~~approved~~reviewed by the code official.

15.15.090 IEBC Chapter 1, Section 106.4, AMENDED CONSTRUCTION DOCUMENTS – AMENDED

IEBC 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 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.

15.15.100 IEBC Chapter 1, Section 106.5, RETENTION OF CONSTRUCTION DOCUMENTS – AMENDED

IEBC 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 code official for a period of not less than ~~the period required for retention of public records~~ 180 days from date of completion of the permitted work, or as required by state or local laws.

SECTION 107

TEMPORARY STRUCTURES AND USES

15.15.110 IEBC Chapter 1, Section 107.3, TEMPORARY POWER – AMENDED

IEBC Chapter 1, Section 107.3, **TEMPORARY POWER**, is hereby amended to read as follows:

107.3 Temporary power. The code 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 ~~NFPA-70~~ [the current electrical code adopted by the City of Rapid City](#).

SECTION 108 FEES

15.15.120 IEBC Chapter 1, Section 108.1, PAYMENT OF FEES - AMENDED

IEBC 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-AR](#))

15.15.130 IEBC Chapter 1, Section 108.2, SCHEDULE OF PERMIT FEES - AMENDED

IEBC Chapter 1, Section 108.2, **SCHEDULE OF PERMIT FEES**, is hereby amended to read as follows:

108.2 Schedule of permit fees. On buildings, 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-AR](#))

15.15.140 IEBC Chapter 1, Section 108.3, BUILDING PERMIT VALUATIONS - AMENDED

IEBC 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 code 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 code 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 code official. Final building permit valuation shall be set by the code official.

15.15.150 IEBC Chapter 1, Section 108.4, WORKING COMMENCING BEFORE PERMIT ISSUANCE - AMENDED

IEBC Chapter 1, Section 108.4, **WORKING 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 ~~established by the code official~~, equal to the amount of the permit fee required by 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-AR. 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.

15.15.160 IEBC Chapter 1, Section 108.6, REFUNDS - AMENDED

IEBC Chapter 1, Section 108.6, **REFUNDS**, is hereby amended to read as follows:

108.6 Refunds. The code official is authorized to establish a refund policy, which is on file in the office of the code official.

15.15.170 IEBC Chapter 1, Section 108.7, PLAN REVIEW FEES - ADD

IEBC 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-AR. The plan review fees specified in this subsection are separate fees from the permit fees specified in Table 100-AR, and are in addition to the permit fees.

**SECTION 110
CERTIFICATE OF OCCUPANCY**

15.15.180 IEBC Chapter 1, Section 110.1, ALTERED AREA USE AND OCCUPANCY CLASSIFICATION CHANGE – AMENDED

IEBC Chapter 1, Section 110.1, **ALTERED AREA USE AND OCCUPANCY CLASSIFICATION CHANGE**, is hereby amended to read as follows:

110.1 Altered area use and occupancy classification change. ~~No altered area of a building and no relocated building~~ No building undergoing a change in occupancy shall be used or occupied, and no change in the existing occupancy classification of a building or portion thereof shall be made until the code official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

SECTION 112 BOARD OF APPEALS

15.15.190 IEBC Chapter 1, Section 112, BOARD OF APPEALS – AMENDED

IEBC Chapter 1, Section 112, **BOARD OF APPEALS**, is hereby amended to read as follows:

112.1 General. ~~In order to hear and decide appeals of orders, decisions, or determinations made by the code 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.~~

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.~~

- A. In order to hear and decide appeals of orders, decisions or determinations made by the city's building official or their designee relative to the application and interpretation of this code, there is hereby created a board of appeals to be known as the Rapid City International Existing Building Code Board of Appeals (IEBC Board of Appeals). The decision of the IEBC Board of Appeals shall be final.
- B. The membership of the IEBC Board of Appeals described in subsection A shall be identical to the membership of the City's Development Appeals and Review Board (DARB). The officers of the DARB Board shall hold the same positions on the IEBC Board of Appeals as they hold on the DARB Board. When the members of the DARB Board are sitting as the IEBC Board of Appeals they shall make clear on the record that they are hearing a matter on their agenda in that capacity and not as the DARB Board. The IEBC Board of Appeals will have the authority to adopt by-laws governing the conduct of meetings. In the absence of by-laws to the contrary the meetings of the IEBC Board of Appeals shall be governed by the latest edition of Roberts Rules of Order.

- C. 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 that a request to use an alternate material, design or method of construction under Section 104.11 has been requested and denied. If the appeal is based on a claim that an alternate material, design or method of construction was improperly denied, the appellant must submit what alternate material, design or method of construction they are proposing. The appellant also has the burden to demonstrate to the Board that the alternative method or material that they are proposing is an equally good or better form of construction. The Board shall have no authority to waive the requirements of the International Existing Building Code as adopted by the City.

- D. All appeals must be submitted in writing to the building official or their designee within 30 days of the order, decision or determination of the building official being appealed from. Once the appeal is received by the building official they should contact the members of the IEBC Board of Appeals to schedule a meeting at which the appeal will be heard. The hearing on the appeal shall be held no sooner than 7 days after the appeal is received by the City.

- E. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official, any member of the City's staff or any person whose interests are affected shall be given an opportunity to be heard.

**SECTION 307
CHANGE OF OCCUPANCY**

15.15.200 IEBC Chapter 3, Section [EC] 307.5, ENERGY – DELETED

IEBC Chapter 3, Section [EC] 307.5, **ENERGY**, is hereby deleted in its entirety.

~~[EC] 307.5 Energy. Buildings undergoing a change in occupancy that would result in an increase in demand for either fossil fuel or electrical energy shall comply with the International Energy Conservation Code.~~

15.15.210 IEBC Chapter 3, Section 307.6, ELECTRICAL – AMENDED

IEBC Chapter 3, Section 307.6, **ELECTRICAL**, is hereby amended to read as follows:

307.6 Electrical. It shall be unlawful to make a change in the occupancy of a structure that will subject the

structure to the special provisions of the ~~International Building Code related to electrical installations~~ current electrical code adopted by the City of Rapid City applicable to the new occupancy without approval. The code official shall certify that the structure meets the intent of the provisions of law governing building construction for the proposed new occupancy and that such change of occupancy does not result in any hazard to the public health, safety or welfare.

15.15.220 IEBC Chapter 3, Section [FG]307.7, FUEL GAS – AMENDED

IEBC Chapter 3, Section [FG] 307.7, **FUEL GAS**, is hereby amended to read as follows:

[FG] 307.7 Fuel gas. It shall be unlawful to make a change in the occupancy of a structure that will subject the structure to the special provisions of the [current International Fuel Gas Code and Rapid City Gas Code adopted by the City of Rapid City](#) applicable to the new occupancy without approval. The code official shall certify that the structure meets the intent of the provisions of law governing building construction for the proposed new occupancy and that such change of occupancy does not result in any hazard to the public health, safety or welfare.

15.15.230 IEBC Chapter 3, Section [M]307.8, MECHANICAL – AMENDED

IEBC Chapter 3, Section [M]307.8, **MECHANICAL**, is hereby amended to read as follows:

[M] 307.8 Mechanical. It shall be unlawful to make a change in the occupancy of a structure that will subject the structure to the special provisions of the [current International Mechanical Code and Rapid City Mechanical Code adopted by the City of Rapid City](#) applicable to the new occupancy without approval. The code official shall certify that the structure meets the intent of the provisions of law governing building construction for the proposed new occupancy and that such change of occupancy does not result in any hazard to the public health, safety or welfare.

15.15.240 IEBC Chapter 3, Section [P]307.9, – AMENDED

IEBC Chapter 3, Section [P]307.9, **PLUMBING** , is hereby amended to read as follows:

[P] 307.9 Plumbing. It shall be unlawful to make a change in the occupancy of a structure that will subject the structure to the special provisions of the ~~International Plumbing Code~~ [current plumbing code adopted by the City of Rapid City](#) applicable to the new occupancy without approval. The code official shall certify that the structure meets the intent of the provisions of law governing building construction for the proposed new occupancy and that such change of occupancy does not result in any hazard to the public health, safety or welfare.

**[B]SECTION 309
MOVED STRUCTURES**

15.15.250 IEBC Chapter 3, Section 309.1, CONFORMANCE – AMENDED

IEBC Chapter 3, Section 309.1, **CONFORMANCE**, is hereby amended to read as follows:

309.1 Conformance. Structures moved into or within the jurisdiction shall comply with the provisions of ~~this code~~ the International Building Code and/or the International Residential Code for new structures.

SECTION 507 ELECTRICAL

15.15.260 IEBC Chapter 5, Section 507.1, MATERIAL – AMENDED

IEBC Chapter 5, Section 507.1, **MATERIAL**, is hereby amended to read as follows:

507.1 Material. Existing electrical wiring and equipment undergoing *repair* shall be allowed to be repaired or replaced with like material

507.1.1 Receptacles. ~~Replacement of electrical receptacles shall comply with the applicable requirements of Section 406.3(D) of NFPA 70.~~

A non-grounding type receptacle(s) shall be permitted to be replaced with ground-fault circuit interrupter- type of receptacles(s). These receptacles shall be marked “No Equipment Ground.” An equipment grounding conductor shall not be connected from the ground-fault circuit-interrupter-type receptacle to any outlet supplied form the ground-fault circuit-interrupter receptacle.

A non-grounding type receptacle(s) shall be permitted to be replaced with grounding – type receptacles(s) where supplied through a ground-fault circuit interrupter. Grounding-type receptacles supplied through the ground-fault circuit interrupter shall be marked “GFCI Protected” and “No Equipment Ground.” An equipment grounding conductor shall not be connected between the grounding-type receptacles.

507.1.2 Plug fuses. ~~Plug fuses of the Edison base type shall be used for replacements only where there is no evidence of over fusing or tampering per applicable requirements of Section 240.51(B) of NFPA 70.~~ Install type S adapters.

507.1.3 Non-grounding type receptacles – Grounding of luminaries. ~~For replacement of nongrounding type receptacles with grounding type receptacles and for branch circuits that do not have an equipment grounding conductor in the branch circuitry, the grounding conductor of a grounding type receptacle outlet shall be permitted to be grounded to any accessible point on the grounding electrode system or to any accessible point on the grounding electrode conductor in accordance with Section 250.130(C) of NFPA 70.~~ Grounding of replacement luminaries shall comply with the applicable requirements of Section 410.42 of NFPA 70.

507.1.4 Non-“hospital grade” receptacles. Group I-2 receptacles. ~~Non-“hospital grade” receptacles in patient bed locations of Group I-2 shall be replaced with “hospital grade” receptacles, as required by NFPA 99 and Article 517 of NFPA 70.~~

Patient care areas shall be replaced with “hospital grade” receptacles, as required by NFPA 99 and Article 517 of NFPA 70.

507.1.5 Grounding of appliances. ~~Frames of electric ranges, wall-mounted ovens, counter-mounted cooking units, clothes dryers and outlet or junction boxes that are part of the existing branch circuit for these appliances shall be permitted to be grounded to the grounded circuit conductor in accordance with Section 250.140 of NFPA 70.~~

SECTION 509 PLUMBING

15.15.270 IEBC Chapter 5, Section 509.1, MATERIALS – AMENDED

IEBC Chapter 5, Section 509.1, MATERIALS, is hereby amended to read as follows:

509.1 Materials. Plumbing materials and supplies ~~shall not be used for repairs that are prohibited in the *International Plumbing Code*.~~ that are prohibited in the current plumbing code adopted by the city of Rapid City shall not be used for repairs.

15.15.280 IEBC Chapter 5, Section 509.2, WATER CLOSET REPLACEMENT – AMENDED

IEBC Chapter 5, Section 509.2, WATER CLOSET REPLACEMENT, is hereby amended to read as follows:

509.2 Water closet replacement. ~~The maximum water consumption flow rates and quantities for all replaced water closets shall be 1.6 gallons (6 L) per flushing cycle.~~

Exception: ~~Blowout design water closets [3.5 gallons (13 L) per flushing cycle].~~

SECTION 602 BUILDING ELEMENTS AND MATERIALS

15.15.290 IEBC Chapter 6, Section 602.4, MATERIALS AND METHODS – AMENDED

IEBC Chapter 6, Section 602.4, MATERIALS AND METHODS, is hereby amended to read as follows:

602.4 Materials and methods. All new work shall comply with materials and methods requirements in the current electrical code adopted by the City of Rapid City, *International Building Code*, ~~International Energy Conservation Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, the Rapid City Gas Code,~~ and current plumbing code adopted by the City of Rapid City, as applicable, that specify material

standards, detail of installation and connection, joints, penetrations, and continuity of any element, component, or system in the building.

[FG] 602.4.1 International Fuel Gas Code. ~~The following sections of the *International Fuel Gas Code* shall constitute the fuel gas materials and methods requirements for Level 1 alterations:~~

- ~~1. All of Chapter 3, entitled "General Regulations," except Sections 303.7 and 306.~~
- ~~2. All of Chapter 4, entitled "Gas Piping Installations," except Sections 401.8 and 402.3.~~
 - ~~2.1. Sections 401.8 and 402.3 shall apply when the work being performed increases the load on the system such that the existing pipe does not meet the size required by code. Existing systems that are modified shall not require resizing as long as the load on the system is not increased and the system length is not increased even if the altered system does not meet code minimums.~~
- ~~3. All of Chapter 5, entitled "Chimneys and Vents."~~
- ~~4. All of Chapter 6, entitled "Specific Appliances."~~

SECTION 607 ENERGY CONSERVATION

15.15.300 IEBC Chapter 6, Section 607.1, MINIMUM REQUIREMENTS – DELETED

IEBC Chapter 6, Section 607.1, **MINIMUM REQUIREMENTS**, is hereby deleted in its entirety.

607.1 Minimum requirements. ~~Level 1 alterations to existing buildings or structures are permitted without requiring the entire building or structure to comply with the energy requirements of the *International Energy Conservation Code* or *International Residential Code*. The alterations shall conform to the energy requirements of the *International Energy Conservation Code* or *International Residential Code* as they relate to new construction only.~~

SECTION 704 FIRE PROTECTION

15.15.310 IEBC Chapter 7, Section 704.2.2, GROUPS A, B, E, F-1, H, I, M, R-1, R-2, R-4, S-1 and S-2 - AMENDED

IEBC Chapter 7, Section 704.2.2, **GROUPS A, B, E, F-1, H, I, M, R-1, R-2, R-4, S-1 and S-2**, is hereby amended to read as follows:

704.2.2 Groups A, B, E, F-1, H, I, M, R-1, R-2, R-4, S-1 and S-2. In buildings with occupancies in Groups A, B, E, F-1, H, I, M, R-1, R-2, R-4, S-1, and S-2, work areas that have exits or corridors shared by more than one tenant or that have exits or corridors serving

an occupant load greater than 30 shall be provided with automatic sprinkler protection where all of the following conditions occur:

1. The work area is required to be provided with automatic sprinkler protection in accordance with the *International Building Code* as applicable to new construction;
2. The work area exceeds 50 percent of the floor area; and
3. The building has sufficient municipal water supply for design of a fire sprinkler system available to the floor without installation of a new fire pump.

Exception: Work areas in Group R occupancies three stories or less in height.

SECTION 705 MEANS OF EGRESS

15.15.320 IEBC Chapter 7, Section 705.3.1.2.1, FIRE ESCAPE ACCESS AND DETAILS – AMENDED

IEBC Chapter 7, Section 705.3.1.2.1, **FIRE ESCAPE ACCESS AND DETAILS**, is hereby amended to read as follows:

705.3.1.2.1 Fire escape access and details. Fire escapes shall comply with all of the following requirements:

1. Occupants shall have unobstructed access to the fire escape without having to pass through a room subject to locking.
2. Access to a new fire escape shall be through a door, except that windows shall be permitted to provide access from single dwelling units or sleeping units in Group R-1, R-2, and I-1 occupancies or to provide access from spaces having a maximum occupant load of 10 in other occupancy classifications.
 - 2.1 Escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be 24 inches. The minimum net clear openable width dimension shall be 20 inches. When windows are provided as a means of escape or rescue, they shall have a finished sill height not more than 44 inches above the floor for all occupancies except one- and two-family dwellings.

Exception: One- and two-family dwellings may have a finished sill height of 48 inches.

- 2.1. ~~The window shall have a minimum net clear opening of 5.7 square feet (0.53 m²) or 5 square feet (0.46 m²) where located at grade.~~
 - 2.2. ~~The minimum net clear opening height shall be 24 inches (610 mm) and net clear opening width shall be 20 inches (508 mm).~~
 - 2.3. ~~The bottom of the clear opening shall not be greater than 44 inches (1118 mm) above the floor.~~
 - 2.4. ~~The operation of the window shall comply with the operational constraints of the *International Building Code*.~~
3. Newly constructed fire escapes shall be permitted only where exterior stairs cannot be utilized because of lot lines limiting the stair size or because of the sidewalks, alleys, or roads at grade level.
 4. Openings within 10 feet (3048 mm) of fire escape stairs shall be protected by fire assemblies having minimum 3/4-hour fire-resistance ratings.

Exception: Opening protection shall not be required in buildings equipped throughout with an approved automatic sprinkler system.

5. In all buildings of Group E occupancy, up to and including the 12th grade, buildings of Group I occupancy, rooming houses, and childcare centers, ladders of any type are prohibited on fire escapes used as a required means of egress.

SECTION 708 ELECTRICAL

15.15.330 IEBC Chapter 7, Section 708.1, NEW INSTALLATIONS – AMENDED

IEBC Chapter 7, Section 708.1, **NEW INSTALLATIONS**, is hereby amended to read as follows:

708.1 New installations. All newly installed electrical equipment and wiring relating to work done in any work area shall comply with ~~the materials and methods requirements of Chapter 5~~ the current electrical code adopted by the City of Rapid City.

15.15.340 IEBC Chapter 7, Section 708.3, RESIDENTIAL OCCUPANCIES – AMENDED

IEBC Chapter 7, Section 708.3, **RESIDENTIAL OCCUPANCIES**, is hereby amended to read as follows:

708.3.2 Kitchens. Kitchen areas shall have a minimum of two duplex receptacle outlets installed on an independent circuit.

708.3.4 Ground fault circuit interruption. Newly installed receptacle outlets shall be provided with ground fault circuit interruption as required by ~~NFPA-70~~ [the current electrical code adopted by the City of Rapid City.](#)

708.3.7 Clearance for equipment. Clearance for electrical service equipment shall be provided in accordance with the ~~NFPA-70~~ [the current electrical code adopted by the City of Rapid City.](#)

708.3.8 Heating equipment. [Heating equipment shall be supplied by an independent circuit, including an equipment ground.](#)

SECTION 710 PLUMBING

15.15.350 IEBC Chapter 7, Section 710.1, MINIMUM FIXTURES – AMENDED

IEBC Chapter 7, Section 710.1, **MINIMUM FIXTURES**, is hereby amended to read as follows:

710.1 Minimum fixtures. Where the occupant load of the story is increased by more than 20 percent, plumbing fixtures for the story shall be provided in quantities specified in the ~~International Plumbing Code~~ [current plumbing code adopted by the City of Rapid City](#) based on the increased occupant load.

SECTION 711 ENERGY CONSERVATION

15.15.360 IEBC Chapter 7, Section 711.1, MINIMUM REQUIREMENTS– DELETED

IEBC Chapter 7, Section 711.1, **MINIMUM REQUIREMENTS**, is hereby deleted in its entirety.

~~**711.1 Minimum requirements.** *Level 2 alterations to existing buildings or structures are permitted without requiring the entire building or structure to comply with the energy requirements of the International Energy Conservation Code or International Residential Code. The alterations shall conform to the energy requirements of the International Energy Conservation Code or International Residential Code as they relate to new construction only.*~~

SECTION 808 ENERGY CONSERVATION

15.15.370 IEBC Chapter 8, Section 808.1, MINIMUM REQUIREMENTS – DELETED

IEBC Chapter 8, Section 808.1, **MINIMUM REQUIREMENTS**, is hereby deleted in its entirety.

~~**808.1 Minimum requirements.** Level 3 alterations to existing buildings or structures are permitted without requiring the entire building or structure to comply with the energy requirements of the *International Energy Conservation Code* or *International Residential Code*. The alterations shall conform to the energy requirements of the *International Energy Conservation Code* or *International Residential Code* as they relate to new construction only.~~

SECTION 908 ELECTRICAL

15.15.380 IEBC Chapter 9, Section 908.1, SPECIAL OCCUPANCIES – AMENDED

IEBC Chapter 9, Section 908.1, **SPECIAL OCCUPANCIES**, is hereby amended to read as follows:

908.1 Special occupancies. Where the occupancy of an existing building or part of an existing building is changed to one of the following special occupancies as described in the ~~NFPA-70~~ [current electrical code adopted by the City of Rapid City](#), the electrical wiring and equipment of the building or portion thereof that contains the proposed occupancy shall comply with the applicable requirements of the ~~NFPA-70~~ [current electrical code adopted by the City of Rapid City](#) whether or not a change of occupancy group is involved:

1. Hazardous locations.
2. Commercial garages, repair, and storage.
3. Aircraft hangars.
4. Gasoline dispensing and service stations.
5. Bulk storage plants.
6. Spray application, dipping, and coating processes.
7. Health care facilities – including clinics and patient care areas.
8. Places of assembly.
9. Theaters, audience areas of motion picture and television studios, and similar locations.
10. Motion picture and television studios and similar locations.
11. Motion picture projectors.
12. Agricultural buildings.

15.15.390 IEBC Chapter 9, Section 908.2, UNSAFE CONDITIONS – AMENDED

IEBC Chapter 9, Section 908.2, **UNSAFE CONDITIONS**, is hereby amended to read as follows:

908.2 Unsafe conditions. Where the occupancy of an existing building or part of an existing building is changed, all unsafe conditions shall be corrected without requiring that all parts of

the electrical system ~~comply with NFPA 70~~ be brought up to the current electrical code adopted by the City of Rapid City.

15.15.400 IEBC Chapter 9, Section 908.3, SERVICE UPGRADE – AMENDED

IEBC Chapter 9, Section 908.3, **SERVICE UPGRADE**, is hereby amended to read as follows:

908.3 Service upgrade. Where the occupancy of an existing building or part of an existing building is changed, electrical service shall be upgraded to meet the requirements of ~~NFPA 70~~ be brought up to the current electrical code adopted by the City of Rapid City for the new occupancy.

15.15.410 IEBC Chapter 9, Section 908.4, NUMBER OF ELECTRICAL OUTLETS – AMENDED

IEBC Chapter 9, Section 908.4, **NUMBER OF ELECTRICAL OUTLETS**, is hereby amended to read as follows:

908.4 Number of electrical outlets. Where the occupancy of an existing building or part of an existing building is changed, the number of electrical outlets shall comply with the ~~NFPA 70~~ be brought up to the current electrical code adopted by the City of Rapid City for the new occupancy.

SECTION 910 PLUMBING

15.15.420 IEBC Chapter 9, Section 910.1, INCREASED DEMAND– AMENDED

IEBC Chapter 9, Section 910.1, **INCREASED DEMAND**, is hereby amended to read as follows:

910.1 Increased demand. Where the occupancy of an existing building or part of an existing building is changed such that the new occupancy is subject to increased or different plumbing fixture requirements or to increased water supply requirements in accordance with the ~~International Plumbing Code~~ current plumbing code adopted by the City of Rapid City, the new occupancy shall comply with the intent of the respective ~~International Plumbing Code~~ current plumbing code adopted by the City of Rapid City, provisions.

15.15.430 IEBC Chapter 9, Section 910.2, FOOD HANDLING OCCUPANCIES– AMENDED

IEBC Chapter 9, Section 910.2, **FOOD HANDLING OCCUPANCIES**, is hereby amended to read as follows:

910.2 Food-handling occupancies. If the new occupancy is a food-handling establishment, all existing sanitary waste lines above the food or drink preparation or storage areas shall be panned or otherwise protected to prevent leaking pipes or condensation on pipes from contaminating food or drink. New drainage lines shall not be installed above such areas and shall be protected in accordance with the ~~International Plumbing Code~~ current plumbing code adopted by the City of Rapid City.

15.15.440 IEBC Chapter 9, Section 910.3, INTERCEPTOR REQUIRED – AMENDED

IEBC Chapter 9, Section 910.3, **INTERCEPTOR REQUIRED**, is hereby amended to read as follows:

910.3 Interceptor required. If the new occupancy will produce grease or oil-laden wastes, interceptors shall be provided as required in the ~~International Plumbing Code~~ current plumbing code adopted by the City of Rapid City.

15.15.450 IEBC Chapter 9, Section 910.5, GROUP I-2 – AMENDED

IEBC Chapter 9, Section 910.5, **GROUP I-2**, is hereby amended to read as follows:

910.5 Group I-2. If the occupancy group is changed to Group I-2, the plumbing system shall comply with the applicable requirements of the ~~International Plumbing Code~~ current plumbing code adopted by the City of Rapid City.

**SECTION 912
CHANGE OF OCCUPANCY CLASSIFICATION**

15.15.460 IEBC Chapter 9, 912.4, MEANS OF EGRESS HAZARD CATEGORIES – AMENDED

IEBC Chapter 9, 912.4, **MEANS OF EGRESS HAZARD CATEGORIES**, is hereby amended to read as follows:

**TABLE 912.4
MEANS OF EGRESS HAZARD CATEGORIES**

RELATIVE HAZARD	OCCUPANCY CLASSIFICATIONS
1 (Highest Hazard)	H, <u>I</u>
2	I-2, I-3, I-4 <u>R-1, R-2, R-3, R-4</u>
3	A, E, M, I-1, R-1, R-2, R-4
4	B, F-1, S-1 R-3
5 (Lowest Hazard)	F-2, S-2, U

912.4.1 Means of egress for change to higher hazard category. When a change of occupancy classification is made to a higher hazard category (lower number) as shown in Table 912.4, the means of egress shall comply with the requirements of Chapter 10 of the *International Building Code*.

Exceptions:

1. Stairways shall be enclosed in compliance with the applicable provisions of Section 803.1.
2. Existing stairways including handrails and guards complying with the requirements of Chapter 8 shall be permitted for continued use subject to approval of the code official.
3. Any stairway replacing an existing stairway within a space where the pitch or slope cannot be reduced because of existing construction shall not be required to comply with the maximum riser height and minimum tread depth requirements.
4. Existing corridor walls constructed of wood lath and plaster in good condition or 1/2-inch-thick (12.7 mm) gypsum wallboard shall be permitted. ~~Such walls shall either terminate at the underside of a ceiling of equivalent construction or extend to the underside of the floor or roof next above.~~
5. Existing corridor doorways, transoms, and other corridor openings shall comply with the requirements in Sections 705.5.1, 705.5.2, and 705.5.3.
6. Existing dead-end corridors shall comply with the requirements in Section 705.6.
7. ~~An existing operable window with clear opening area no less than 4 square feet (0.38 m²) and minimum opening height and width of 22 inches (559 mm) and 20 inches (508 mm), respectively, shall be accepted as an emergency escape and rescue opening.~~ [See Section 705.3.1.2.1.](#)

15.15.470 IEBC Chapter 9, 912.5, HEIGHTS AND AREAS HAZARD CATEGORIES – AMENDED

IEBC Chapter 9, 912.5, **HEIGHTS AND AREAS HAZARD CATEGORIES**, is hereby amended to read as follows:

**TABLE 912.5
HEIGHTS AND AREAS HAZARD CATEGORIES**

1 (Highest Hazard)	H, <u>I</u>
2	A-1, A-2, A-3, A-4, I , R-1, R-2, <u>R-3</u> , R-4
3	A-1, A-2, A-3, A-4
4	E, F-1, S-1, M
5 (Lowest Hazard)	B, F-2, S-2, A-5, R-3, U

SECTION 1003 STRUCTURAL

15.15.480 IEBC Chapter 10, Section 1003.5, FLOOD HAZARD AREAS – AMENDED

IEBC Chapter 10, Section 1003.5, **FLOOD HAZARD AREAS**, is hereby amended to read as follows:

1003.5 Flood hazard areas. ~~Additions and foundations in flood hazard areas shall comply with the following requirements:~~

- ~~1. For horizontal additions that are structurally interconnected to the existing building:
 - ~~1.1. If the addition and all other proposed work, when combined, constitute substantial improvement, the existing building and the addition shall comply with Section 1612 of the International Building Code.~~
 - ~~1.2. If the addition constitutes substantial improvement, the existing building and the addition shall comply with Section 1612 of the International Building Code.~~~~
- ~~2. For horizontal additions that are not structurally interconnected to the existing building:
 - ~~2.1. The addition shall comply with Section 1612 of the International Building Code.~~
 - ~~2.2. If the addition and all other proposed work, when combined, constitute substantial improvement, the existing building and the addition shall comply with Section 1612 of the International Building Code.~~~~
- ~~3. For vertical additions and all other proposed work that, when combined, constitute substantial improvement, the existing building shall comply with Section 1612 of the International Building Code.~~
- ~~4. For a new, replacement, raised, or extended foundation, if the foundation work and all other proposed work, when combined, constitute substantial improvement, the existing building shall comply with Section 1612 of the International Building Code. [See Chapter 15.32, Flood Area Construction Regulations, of the Rapid City Municipal Code.](#)~~

SECTION 1101 GENERAL

15.15.490 IEBC Chapter 11, Section 1101.1, FLOOD HAZARD AREAS – AMENDED

IEBC Chapter 11, Section 1101.1, **FLOOD HAZARD AREAS**, is hereby amended to read as follows:

1101.4 Flood hazard areas. ~~In flood hazard areas, if all proposed work, including repairs, work required because of a change of occupancy, and alterations, constitutes substantial improvement, then the existing building shall comply with Section 1612 of the International Building Code.~~

Exception: ~~If an historic building will continue to be an historic building after the proposed work is completed, then the proposed work is not considered a substantial improvement. For the purposes of this exception, an historic building is:~~

- ~~1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places;~~
- ~~2. Determined by the Secretary of the U.S. Department of Interior to contribute to the historical significance of a registered historic district or a district preliminarily determined to qualify as a historic district; or~~
- ~~3. Designated as historic under a state or local historic preservation program that is approved by the Department of Interior.~~ [See Chapter 15.32, Flood Area Construction Regulations, of the Rapid City Municipal Code.](#)

SECTION 1201 GENERAL

15.15.500 IEBC Chapter 12, Section 1201.1, SCOPE – AMENDED

IEBC Chapter 12, Section 1201.1, **SCOPE**, is hereby amended to read as follows:

1201.1 Scope. ~~This chapter provides requirements for relocated or moved structures.~~ [Structures moved into or within the jurisdiction shall comply with the provisions of the International Building Code and/or the International Residential Code for new structures.](#)

SECTION 1301 GENERAL

15.15.510 IEBC Chapter 13, Section [B]1301.2 APPLICABILITY – AMENDED

IEBC Chapter 13, Section [B] 1301.2, **APPLICABILITY**, is hereby amended to read as follows:

[B]1301.2 Applicability. Structures existing prior to [March 27, 1968](#), in which there is work involving additions, alterations, or changes of occupancy, shall be made to conform to the requirements of this chapter or the provisions of Chapters 4 through 12. The provisions of Sections 1301.2.1 through 1301.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, and S. These provisions shall not apply to buildings with occupancies in Group H or Group I.

SECTION 1401 GENERAL

15.15.520 IEBC Chapter 14, Section 1401.5, FACILITIES REQUIRED – AMENDED

IEBC Chapter 14, Section 1401.5, **FACILITIES REQUIRED**, is hereby amended to read as follows:

1401.5 Facilities required. Sanitary facilities shall be provided during construction or demolition activities in accordance with the ~~International Plumbing Code~~ [current plumbing code adopted by the City of Rapid City](#).

TABLE 100-A IEBC 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 \$100,000.000	\$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.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)