



CITY OF RAPID CITY

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MEMORANDUM

TO: Public Works Committee

FROM: Rapid City Residential Contractor Board

DATE: October 21, 2010

SUBJECT: Discussion Item – Complaint on Foundation Backfill

On September 9, 2010 the Rapid City Residential Contractor Board heard a complaint from Monta Lea Magstadt regarding the lack of adopted standard for backfill placement. Ms. Magstadt was concerned with settlement of soils surrounding her home on Alta Vista Drive. The home was constructed around the year 2000 and after the home was occupied there was settling around the perimeter of the foundation. After considerable discussion on the current requirements for back fill, and on the requirements for backfill in 2000, the Rapid City Residential Contractor Board recommended that no changes be made to the adopted Residential Code.

At the Request of the Public Works Committee on October 14, 2010, the Rapid City Residential Contractor Board again discussed the lack of an adopted standard for backfill placement. The Residential Contractor Board recommends that no action be taken, that the backfill of foundations is self regulating. They noted that one solution to correct improper backfill is the legal system as in the Magstadt case. They also expressed concerns that the City Council will soon be regulating every aspect of construction such as color of paint, texture of drywall and kitchen cabinets.

Staff contacted five nearby cities and found that Sioux Falls, Spearfish, Gillette, Saint Paul and Billings perform no inspections of the placement or compaction of backfill around foundations. Gillette requires engineer approval for a foundation, but does not require any approval specifically for backfill installation. While, some jurisdictions in Minnesota require engineer approval of a foundation, staff did not identify any communities that require an inspection or standards for the backfill.

The Rapid City Residential Contractor Board recommends that no changes be made to the adopted Residential Code.