

Ordinance No. 5891

AN ORDINANCE INCORPORATING CHANGES TO THE ADMINISTRATION OF TITLE 15 BUILDINGS AND CONSTRUCTION BY AMENDING CERTAIN PARTS OF THE INTERNATIONAL RESIDENTIAL CODE IN CHAPTER 15.13 OF THE RAPID CITY MUNICIPAL CODE

WHEREAS, the City of Rapid City has adopted the International Residential Code for One- and Two-Family Dwellings in Chapter 15.13 of the Rapid City Municipal Code; and

WHEREAS, some provisions within Chapter 15.13 and the International Residential Code for One- and Two-Family Dwellings conflict or contradict the proposed administrative provisions in Chapter 15.04; and

WHEREAS, the Common Council wishes to amend provisions found within Chapter 15.13 and the International Residential Code which conflict or contradict the administrative provisions proposed in Chapter 15.04; and

WHEREAS, the International Residential Code provides for a Board of Appeals to hear appeals to decisions made by the building official within the parameters of the International Residential Code; and

WHEREAS, the City wishes to consolidate the various boards of appeal existing under the international codes into one board, the Building Board of Appeals, as found in proposed Chapter 15.04.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Chapter 15.13 of the Rapid City Municipal Code is hereby amended as follows:

Chapter 15.13 International Residential Code

Section

15.13.010 Adoption.

15.13.020 IRC Chapter 1 – Deleted in part and replaced in part.

~~15.13.020~~030 IRC Chapter 1, Section R101.2, Scope–Amended.

~~15.13.030~~040 IRC Chapter 1, Section R102.7, Existing structures–Amended.

~~15.13.040~~050 IRC Chapter 1, Section R103.1, Creation of enforcement agency–Amended.

~~15.13.050~~060 IRC Chapter 1, Section R104.10.1, Areas prone to flooding–Amended.

~~15.13.060~~ IRC Chapter 1, Section R105.2, Work exempt from permit–Amended.

~~15.13.070~~ IRC Chapter 1, Section R105.3.1.1, Substantially improved or substantially damaged existing building in areas prone to flooding–Amended.

~~15.13.080~~ IRC Chapter 1, Section R105.5, Expiration–Amended.

~~15.13.090~~ IRC Chapter 1, Section R105.9, Preliminary inspection–Deleted.

~~15.13.100~~ IRC Chapter 1, Section R106.1.3, Information for construction in areas prone to flooding–Amended.

~~15.13.110~~ IRC Chapter 1, Section R106.3.1, Review of construction documents–Amended.

~~15.13.120 IRC Chapter 1, Section R106.4, Amended construction documents–Amended.~~
~~15.13.130 IRC Chapter 1, Section R106.5, Retention of construction documents–Amended.~~
~~15.13.140 IRC Chapter 1, Section R107, Temporary structures and uses–Deleted.~~
~~15.13.150 IRC Chapter 1, Section R108.1, Payment of fees–Amended.~~
~~15.13.160 IRC Chapter 1, Section R108.2, Schedule of permit fees–Amended.~~
~~15.13.170 IRC Chapter 1, Section R108.7, Plan review fees–Added.~~
~~15.13.180 IRC Chapter 1, Section R108.8, Investigation fees for work without a permit–Added.~~
~~15.13.190 IRC Chapter 1, Section R109.0, General–Added.~~
15.13.070 IRC Chapter 1, Section R109.1, Types of inspections–Amended.
~~15.13.200~~080 IRC Chapter 1, Section R109.1.3, Floodplain inspections–Amended.
~~15.13.210 IRC Chapter 1, Section R112, Board of Appeals–Amended.~~
~~15.13.220 IRC Chapter 1, Section R115, Residential contractor licenses–Added.~~
~~15.13.230~~090 IRC Chapter 2, Section R202, Definitions–Amended.
~~15.13.240~~100 IRC Chapter 3, Table R301.2(1), Climatic and geographic design criteria–Amended.
15.13.250110 IRC Chapter 3, Section R301.2.4, Floodplain construction – Amended.
15.13.260120 IRC Chapter 3, Section R302.2, Townhouses–Amended.
15.13.270130 IRC Chapter 3, Section 302.6, Dwelling/garage fire separation–Amended.
15.13.280140 IRC Chapter 3, Section R302.12, Draftstopping–Amended.
15.13.290150 IRC Chapter 3, Section R303.1, Habitable rooms–Amended.
15.13.300160 IRC Chapter 3, Section R309.3, Flood hazard areas–Amended.
15.13.310170 IRC Chapter 3, Section R310.1, Emergency escape and rescue required–Amended.
~~15.13.320~~180 IRC Chapter 3, Section R310.1.1, Minimum opening area–Amended.
~~15.13.330~~190 IRC Chapter 3, Section R310.2.1, Ladder and steps–Amended.
~~15.13.340~~200 IRC Chapter 3, Section R311.3.1, Floor elevations at the required egress doors–Amended.
~~15.13.350~~210 IRC Chapter 3, Section R311.7.4, Stair treads and risers–Amended.
~~15.13.360~~220 IRC Chapter 3, Section R311.7.9.3, Circular stairways–Added.
~~15.13.370~~230 IRC Chapter 3, Section R317.1.1, Field treatment–Amended.
~~15.13.380~~240 IRC Chapter 3, Section R318, Protection against subterranean termites–Deleted.
~~15.13.390~~250 IRC Chapter 3, Section R322, Flood- resistant construction–Amended.
~~15.13.400~~260 IRC Chapter 4, Section R401.1, Application–Amended.
~~15.13.410~~270 IRC Chapter 4, Section R403.1.4.1, Frost protection–Amended.
~~15.13.420~~280 IRC Chapter 4, Section R405.01, Concrete or masonry foundations–Amended.
~~15.13.430~~290 IRC Chapter 4, Section R408.07, Flood resistance required–Amended.
~~15.13.440~~300 IRC Chapter 5, Section R502.2.2.1, Table–Amended.
~~15.13.450~~300 IRC Chapter 5, Section R506.2.3, Vapor retarder–Deleted.
~~15.13.460~~310 IRC Chapter 6, Section R601.3, Vapor retarders–Deleted.
15.13.320 IRC Chapter 6, Section R602.3(5), Table–Amended.
~~15.13.470~~330 IRC Chapter 9, Section R903.4.1, Overflow drains and scuppers–Amended.
~~15.13.480~~340 IRC Chapter 9, Section R905.2.7.1, Ice barrier–Amended.
~~15.13.490~~350 IRC Chapter 11–Amended.
~~15.13.500~~360 IRC Appendix E, Section AE101.1, General–Amended.
~~15.13.510~~370 IRC Appendix J, Section AJ102.5, Flood hazard areas–Amended.
~~15.13.520~~380 IRC Appendix H, Section AH106.1, General–Amended.

15.13.530390 IRC Appendix H, Section AH107, Special provisions for aluminum screen enclosures in hurricane-prone regions–Deleted.

15.13.010 Adoption.

There is adopted by the city that certain code recommended by the International Code Council known as the International Residential Code for One- and Two-Family Dwellings, 2009 edition, specifically Chapters 1-11, Chapter 44, and Appendices E, J, K, & H thereof. The code is adopted for One- and Two-family Dwellings only. A copy of same is on file in the office of the City Building Official.

15.13.020 IRC Chapter 1 – Deleted in part and replaced in part.

The following sections of IRC Chapter 1 are hereby deleted and replaced with comparable provisions found in Chapter 15.04 Administration of the Rapid City Municipal Code.

Section R104 Duties and powers of the building official

Section R105 Permits

Section R106 Construction documents

Section R107 Temporary structures and uses

Section R108 Fees

Section R110 Certificate of occupancy

Section R112 Board of appeals

Section R113 Violations

Section R114 Stop work order

15.13.020030 IRC Chapter 1, Section R101.2, Scope–Amended.

IRC Chapter 1, Section R101.2, Scope, is hereby amended to read as follows:

SECTION R101

GENERAL

R101.2 Scope. The provisions of the International Residential Code for One- and Two-family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures.

EXCEPTION: Live/work units complying with the requirements of Section 419 of the International Building Code shall be permitted to be built as one-and two-family dwellings or townhouses.

15.13.030040 IRC Chapter 1, Section R102.7, Existing structures–Amended.

IRC Chapter 1, Section R102.7, Existing structures, is hereby amended to read as follows:

SECTION R102

APPLICABILITY

R102.7 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the International Property Maintenance Code for the general safety and welfare of the occupants and the public.

15.13.040050 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:

SECTION R103

BUILDING PERMIT REVIEW TEAM

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

15.13.050060 IRC Chapter 1, Section R104.10.1, Areas prone to flooding—Amended.

IRC Chapter 1, Section R104.10.1, Areas prone to flooding, is hereby amended to read as follows:

SECTION R104

DUTIES AND POWERS OF THE

BUILDING OFFICIAL

R104.10.1 Areas prone to flooding. See Chapter 15.32, Flood Area Construction Regulations, of the Rapid City Municipal Code.

~~**15.13.060 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:~~

~~**—SECTION R105**~~

~~**—PERMITS**~~

~~—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 used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.~~

~~—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.— Deck, 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 18 inches deep, do not exceed 5,000 gallons (19,000 L) and are installed entirely above ground.~~

~~—8.— Swings and other playground equipment.~~

~~—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 and windows except for dwellings and accessory structures located in a designated historic district or if individually listed in National Register of Historic Places per SDCL 1-19-11.1.~~

~~—11.— Dumpsters.~~

~~—12.— Gutters, downspouts, and storm windows.~~

~~—13.— Window replacement where the rough opening is not altered.~~

~~—14.— Structures or work performed on properties of the government of the United States of America, State of South Dakota, and County of Pennington.~~

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

~~15.13.070 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.~~** See Chapter 15.32, Flood Area Construction Regulations, of the Rapid City Municipal Code.

~~15.13.080 IRC Chapter 1, Section R105.5, Expiration Amended.~~

—IRC Chapter 1, Section R105.5, Expiration, is hereby amended to read as follows:

—**~~R105.5 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, except roofing permits, which shall expire 30 days from issuance. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days for building permits and 30 days for roofing permits. The extension shall be requested in writing and justifiable cause demonstrated. The time requirements of this section do not operate to change timelines established in any notice and/or order issued by the Building Official or his designee.

~~15.13.090 IRC Chapter 1, Section R105.9, Preliminary inspection Deleted.~~

—IRC Chapter 1, Section R105.9, Preliminary inspection, is hereby deleted in its entirety.

~~15.13.100 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:

—**~~SECTION R106~~**

—**~~CONSTRUCTION DOCUMENTS~~**

—**~~R106.1.3 Information for construction in areas prone to flooding.~~** See Chapter 15.32, Flood Area Construction Regulations, of the Rapid City Municipal Code.

~~15.13.110 IRC Chapter 1, Section R106.3.1, Review of construction documents Amended.~~

—IRC Chapter 1, Section R106.3.1, Review of construction documents, is hereby amended to read as follows:

~~—**R106.3.1 Review of construction documents.** When the building official issues a permit, the construction documents shall be 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.~~

~~**15.13.120 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 reviewed construction documents shall be resubmitted for review as an amended set of construction documents.~~

~~**15.13.130 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 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.~~

~~**15.13.140 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.~~

~~—**SECTION R107**~~

~~—**TEMPORARY STRUCTURES AND USES**~~

~~**15.13.150 IRC Chapter 1, Section R108.1, Payment of fees Amended.**~~

~~—IRC Chapter 1, Section R108.1, Payment of 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.~~

~~**15.13.160 IRC Chapter 1, Section R108.2, Schedule of permit fees Amended.**~~

~~—IRC Chapter 1, Section R108.2, Schedule of permit fees, is hereby amended to read as follows:~~

~~—**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 resolution adopted by the Common Council.~~

~~**15.13.170 IRC Chapter 1, Section R108.7, Plan review fees Added.**~~

~~—IRC Chapter 1, Section R108.7, Plan review fees, is hereby added to read as follows:~~

~~—**R108.7 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 set by resolution of the Common Council.~~

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

~~**15.13.180 IRC Chapter 1, Section R108.8, Investigation fees for work without a permit Added.**~~

~~—IRC Chapter 1, Section R108.8, Investigation fees for work without a permit, is hereby added to read as follows:~~

~~—**R108.8 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 set by the Common Council. 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.~~

~~**15.13.190 IRC Chapter 1, Section R109.0, General Added.**~~

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

~~—**SECTION R109**~~

~~—**INSPECTIONS**~~

~~—**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 2009 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.~~

15.13.070 IRC Chapter 1, Section R109.1, Types of inspections–Amended.

IRC Chapter 1, Section 109.1, Types of inspections, is hereby amended to read as follows:

SECTION R109

INSPECTIONS

For onsite construction, from time to time the Building Official, upon notification from the permit holder or his agent, may make or cause to be made any necessary inspections, and if any inspection is made shall either approve that portion of the construction as completed or shall notify the permit holder or his or her agent wherein the same fails to comply with this code or Chapter 15.04.

15.13.20080 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. See Chapter 15.32, Flood Area Construction Regulations, of the Rapid City Municipal Code.

15.13.210 IRC Chapter 1, Section R112, Board of Appeals–Amended.

~~—IRC Chapter 1, Section R112, Board of Appeals, is hereby amended to read as follows:~~

~~—SECTION R112~~

~~—BOARD OF APPEALS~~

~~—R112.1 Board of Appeals.~~ 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 Residential Code Board of Appeals (IRC Board of Appeals). The decision of the IRC Board of Appeals shall be final.

~~—R112.2 Membership and bylaws.~~ The membership of the IRC Board of Appeals described in subsection A shall be identical to the membership of the City's Residential Contractor Board. The officers of the Residential Contractor Board shall hold the same positions on the IRC Board of Appeals as they hold on the Residential Contractor Board. When the members of the Residential Contractor Board are

sitting as the IRC 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 Residential Contractor Board. The IRC 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 IRC Board of Appeals shall be governed by the latest edition of Roberts Rules of Order.

~~—R112.3 Appeals.~~ 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 R104.11 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 Residential Code as adopted by the City.

~~—R112.4 Notice of appeal.~~ All appeals must be submitted in writing to the building official or their designee within 10 business days of the order, decision or determination of the building official being appealed from. Once the appeal is received by the building official, the members of the IRC Board of Appeals shall be contacted 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.

~~—R112.5 Hearings.~~ 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.

~~15.13.220 IRC Chapter 1, Section R115, Residential contractor licenses Added.~~

—IRC Chapter 1, Section R115, Residential contractor licenses, is hereby added to read as follows:

—**SECTION R115**

—**RESIDENTIAL CONTRACTOR LICENSES**

—**R115.1 Definitions.** For the purposes of this chapter, the following definitions shall apply.

—A. —**CONSTRUCTION SUPERVISOR.** The individual who has passed the Residential Contractor Board's examination and has been designated by a residential building contractor or residential roofing contractor as the person responsible for the personal supervision of residential building contracting or residential roofing contracting.

—B. —**EMPLOYEE.** A person whose compensation for construction work is reported by the employer on an Internal Revenue Service W-2 Form and is also otherwise considered an employee under applicable law.

—C. —**FIRM.** A partnership, limited partnership, limited liability partnership, limited liability limited partnership, limited liability company, corporation or other legal entity.

—D. —**OFFICER.** When used in reference to a firm, as defined above, an individual who is a limited or general partner in any type of partnership, a member or manager of a limited liability company, or an officer or director of a corporation

—E. —**PERSONAL SUPERVISION.** The construction supervisor's oversight and direction of the residential building contracting that includes the following:

——1. —A construction supervisor is available to employees supervised and city inspectors.

——2. —A construction supervisor is able to and does determine that all work performed is in compliance with this chapter and all city ordinances, rules, regulations, and state law.

—F. —**RESIDENTIAL BUILDING CONTRACTING.** The enlargement, alteration, repair, improvement, conversion or new construction of any 1 family or 2 family dwelling, or any accessory building or structure associated with a 1 family or 2 family dwelling for which a building permit is required.

—G. —**RESIDENTIAL BUILDING CONTRACTOR.** A person or firm who for compensation or other consideration undertakes or offers to undertake residential building contracting.

—H. —**RESIDENTIAL ROOFING CONTRACTING.** The alteration, repair or improvement of the roof of any 1 family or 2 family dwelling for which a building permit is required.

—I. —**RESIDENTIAL ROOFING CONTRACTOR.** A person or firm who for compensation or other consideration undertakes or offers to undertake residential roofing contracting.

~~—R115.2 License required.~~

~~—A.— It is unlawful for any person or firm to conduct, carry on or engage in residential building contracting, or act in the capacity of a residential building contractor, without first obtaining from the City of Rapid City a valid residential building contractor’s license.~~

~~—B.— It is unlawful for any person or firm to conduct, carry on or engage in residential roofing contracting, or act in the capacity of a residential roofing contractor, without first obtaining from the City of Rapid City a valid residential roofing contractor’s license~~

~~—C.— The following exceptions do not require a license:~~

~~——1.— Employees of a licensee if they are under the personal supervision of a construction supervisor;~~

~~——2.— Persons engaged in other construction trades for which licenses are required by the city when that person is performing work commensurate with the respective license;~~

~~——3.— A landlord for work to be done on his or her property when the landlord is acting as his or her own contractor. A landlord may not build more than 1 single family dwelling in a 3-year period without obtaining a contractor’s license; and~~

~~——4.— A homeowner who builds, constructs, alters, repairs, adds to or demolishes any building or structure or any portion thereof that constitutes the owner’s residence or a building or structure accessory thereto that is intended for the owner’s personal use. An owner may not build more than 1 single family dwelling in a 3-year period without obtaining a contractor’s license, provided he or she occupies the dwelling a minimum of 1 year after the final inspection is approved.~~

~~—D.— The holder of a residential building contractor’s license may undertake residential roofing contracting without the requirement for a separate residential roofing contractor’s license.~~

~~—R115.3 License application.~~

~~—A.— *License application.* Any person or firm desiring to engage in the business of residential building contracting or residential roofing contracting shall first make an application for a license therefor to the building official on forms furnished by the Building Inspection Division.~~

~~—B.— *Designation of construction supervisor.* Each applicant shall designate on its application at least one construction supervisor who shall sit for the examination. If the applicant is a natural person, that person may designate himself or an employee as construction supervisor. If the applicant is a firm, it may designate an officer or employee of the firm as construction supervisor. An applicant may designate multiple construction supervisors, all of whom, upon successful completion of the examination, shall be listed on the license issued to the contractor. No applicant may designate a construction supervisor that has already been designated as~~

construction supervisor by another licensee, and no person or firm shall hold more than one license.

—C.— *Proof of excise tax number.* Applicants for a residential contractor's license and residential roofing contractor's license shall be required to supply a copy of their South Dakota excise tax license.

—D.— *South Dakota address and phone number.* Applicants for a residential contractor's license and residential roofing contractor's license shall be required to furnish the name, address and phone number of an agent residing in South Dakota. Any firm required to file organizing or incorporating documents with the Secretary of State shall furnish proof that it is a validly existing legal entity authorized to transact business in South Dakota.

—E.— *License application fees.* Each person applying for a residential contractor's license or residential roofing contractor's license shall pay the required fee. The fee for new licenses, examinations, and renewal of licenses shall be set by resolution of the Common Council.

—R115.4 Examination.

—A.— *Construction supervisor's examination.* Before a license may be issued, at least one designated construction supervisor shall be required to pass an examination as to his or her qualifications to perform residential building contracting or residential roofing contracting. The examination shall be given under the direction of the building official. Any person who fails the examination shall not be eligible to take another examination until at least 30 days have lapsed from the date of the last examination. Applicants shall pay the examination fee for each exam given.

—B.— *Exception to examination requirement.* The Building Official may approve the issuance of a license where all other qualifications are met and the contractor presents a valid current residential contractor license or a valid current residential roofing contractor license issued by any other governmental agency giving an examination, the scope and character of which, in the discretion of the building official, is at least equal to that given by the Residential Contractor Board.

—R115.5 Insurance.

—A.— *Liability insurance.* Liability insurance shall be required of every residential contractor and every residential roofing contractor. Every applicant for a residential contractor's license or residential roofing contractor's license shall present to the building official for review a valid certificate of insurance at the time of application. It shall be the duty of every residential contractor and every residential roofing contractor to continually maintain valid liability insurance. The minimum required general aggregate liability shall be \$1,000,000 with \$300,000 fire damage and \$1,000,000 each occurrence.

—B.— *Worker's compensation insurance.* In accordance with South Dakota state law, proof of worker's compensation insurance shall be verified prior to the issuance of a license.

~~—R 115.6 License use.~~

~~—A. *Supervision required.* No licensed residential building contractor or licensed residential roofing contractor shall allow his or her name to be used by any other person directly or indirectly, either to obtain a building permit or to perform residential building contracting or residential roofing contracting outside his or her personal supervision. Any subcontractor working for a licensed contractor shall also be licensed.~~

~~—B. *Termination or separation of designated construction supervisor.* It shall be the duty of each residential building contractor and residential roofing contractor to immediately notify the building official in writing upon the designation of a new construction supervisor or the termination or separation of a designated construction supervisor listed on the contractor's license.~~

~~—1. Upon the termination or separation of a designated construction supervisor, the contractor's~~

~~license shall expire ten (10) business days following such separation or termination unless:~~

~~—i. There is another construction supervisor listed on its license;~~

~~—ii. The contractor immediately designates another construction supervisor who has passed the examination; or~~

~~—iii. The license is extended as provided herein.~~

~~—2. The contractor may, within ten business days of any such termination or separation, request in writing from the Building Official an extension of its license, and the Building Official shall grant an extension for a period not to exceed 30 days from the date of termination or separation.~~

~~—3. No contractor may be issued a new permit during the period where no construction supervisor is listed on its license.~~

~~—R115.7 License term and renewal.~~

~~—A. *License term and renewal.* All residential building contractor licenses issued under the provisions of this chapter shall expire on December 31 of every third year, beginning on December 31, 1994. All residential roofing contractor licenses issued under the provisions of this chapter shall expire on December 31 of every third year, beginning on December 31, 2013. All renewal fees shall be paid on or before December 31 of each successive triennial year. No renewal license may be issued until the designated construction supervisor has completed the requirements for continuing education. Licenses not renewed by the date of expiration shall not be renewed and prior licensees shall be required to reapply for a new license, meeting all requirements of this Chapter including passing an examination and paying all required fees.~~

~~—B.— *Continuing education.* The continuing education requirement for license renewal is 1 hour of attendance for every year the license is in effect, at a code class approved by the building official. The class topics shall include, but are not limited to:~~

- ~~—— 1. Requirements of the code;~~
- ~~—— 2. Local amendments to the code;~~
- ~~—— 3. Requirements for group R-3 occupancies;~~
- ~~—— 4. Requirements for group U occupancies; and~~
- ~~—— 5. Roofing requirements.~~

~~— **R115.8 Rapid City Residential Contractor Board.**~~

~~—A.— There is continued, as existed prior to adoption of this Section, the Rapid City Residential Contractors Board. The Board shall consist of 5 members from the residential construction industry, and the building official or his or her designee shall be an ex officio, non-voting member. The members shall be appointed by the Mayor with approval of the Common Council. Members of the Board shall serve for a term of 2 years. The members of the Board, except for city staff, shall serve without compensation for the service.~~

~~—B.— The Board is authorized to adopt such rules and regulations as shall become necessary with the approval of the Common Council. The Board shall notify all license holding residential contractors and all license holding residential roofing contractors of the proposed rules and regulations within 60 days prior to the delivery of the rules and regulations to the Common Council.~~

~~—C.— The Board shall hold meetings, as necessary, for transaction of business that may come before it.~~

~~—D.— The purpose of the Board is to protect the public health, safety and welfare, and to guard against incompetent or dishonest contractors providing unsafe, unstable or short lived products or services. Board procedures should always be fair and reasonable.~~

~~Special care should be taken to insure that new or small volume builders can obtain a license without hardship.~~

~~— **R115.9 Violations and penalties.**~~

~~—A.— *Double fee.* Any person who shall commence any residential building work for which a permit is required by this code without first having obtained a permit therefore shall, if subsequently permitted to obtain a permit, pay double the permit fee fixed by this section for the work; provided, however, that, this provision shall not apply to emergency work when it shall be proved to the satisfaction of the building official that the work was urgently necessary and that it~~

was not practical to obtain a permit therefore before the commencement of the work. In all such cases, a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining the permit, a double fee as herein provided shall be charged.

~~—B.— *Suspension, revocation or refusal to issue.* It shall be within the discretion of the building official to suspend, revoke or refuse to issue or renew the license of any residential building contractor or residential roofing contractor who has been doing work without a permit. It shall also be within the discretion of the building official to suspend, revoke, or refuse to issue or renew any residential building contractor's license or any residential roofing contractor's license if the building official finds the following:~~

~~—— 1. — Suspension, revocation or refusal to renew is in the public interest; and~~

~~—— 2. — Based upon evidence presented, the applicant or licensee:~~

~~—— a. — Has filed an application for a license which is incomplete in any material respect or contains one or more statements which are false or misleading;~~

~~—— b. — Has engaged in any fraudulent, deceptive, or dishonest act or practice in the performance of residential building contracting or residential roofing contracting;~~

~~—— c. — Has violated any applicable provision of the International Residential Code, city ordinance, rule, regulation, or state law;~~

~~—— d. — Fails to maintain the requirements of licensure, including insurance, excise tax license or South Dakota phone and address as required by this Chapter;~~

~~—— e. — Fails to provide copies of records in his or her possession related to a matter under review;~~

~~—— f. — Fails to pay fees in a timely manner; or~~

~~—— g. — Fails to respond to a lawful order or directive of the building official or Residential Contractor Board.~~

~~—C.— Should any licensee, or applicant for license, under this chapter be aggrieved by the action of the building official, he or she may, within 10 business days, apply to the Residential Contractors Board for a review of the action. Upon the review, the Board may affirm, modify or reverse the action of the building official and may order for good cause the issuance of a license. The decision of the Board shall be final.~~

~~—D.— The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this code. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid, except insofar as the work or use which it authorizes is lawful.~~

~~—E.— The issuance or granting of a permit or approval of plans shall not prevent the building official from thereafter requiring the correction of errors in the plans and specifications or from preventing construction operations being carried on thereunder when in violation of this chapter or of any other ordinance or from revoking any certificate of approval when issued in error.~~

~~—F.— Any person or firm violating any of the provisions of this chapter shall be subject to the general penalty provided in Chapter 1.12. Each separate day or any portion thereof during which any violation of this chapter continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as therein provided.~~

~~—G.— A licensed contractor who is the subject of a review by the building official shall cooperate fully with the building official. Cooperation includes, but is not limited to:~~

~~—— 1. — Responding fully and promptly to questions raised by the building official;~~

~~—— 2. — Providing copies of records in the person's possession relative to the matter under review, as requested by the building official; and~~

~~—— 3. — Appearing at conferences or hearings scheduled by the building official.~~

15.13.230090 IRC Chapter 2, Section R202, Definitions—Amended.

IRC Chapter 2, Section R202, Definitions, is hereby amended to read as follows:

SECTION R202

DEFINITIONS

All definitions will remain the same except for those specifically changed as follows:

ACCESSORY STRUCTURE. A structure not over one story in height, the use of which is customarily accessory to and incidental to that of the dwelling(s) and which is located on the same property.

TOWNHOUSE. A single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides.

15.13.240100 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.

SECTION R301

DESIGN CRITERIA

Table R301.2(1)

Ground Snow Load – 42 psf and as per ASCE 705; Wind speed – 90 mph; Seismic Design Category – B; Weathering – Moderate; Frost line depth – 42"; Termite – None to slight; Winter Design Temp – -7° F; Ice Barrier Underlayment Required – Yes; Flood Hazards – 2-18-98; Air Freezing Index – 1548; and Mean Annual Temp – 48 ° F. (Table 100-B)

TABLE 100-B CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

<i>Ground Snow Load</i>	<i>Wind Speed</i>	<i>Seismic Design Category</i>	<i>Subject to Damage From</i>			<i>Winter Design Temp</i>	<i>Ice Barrier Underlayment Required</i>	<i>Flood Hazards</i>	<i>Air Freezing Index</i>	<i>Mean Annual Temp</i>
			<i>Weathering</i>	<i>Frost Line Depth</i>	<i>Termite</i>					
42 psf ¹	90	NA	Moderate	42"	None to slight	-7	yes	2-18-98	1548	48°F

¹The ground snow load for Rapid City shall be 42 psf and as per ASCE 705.

15.13.250110 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.

R301.2.4.1 Alternative provisions. See Chapter 15.32, Flood Area Construction Regulations, of the Rapid City Municipal Code.

15.13.260120 IRC Chapter 3, Section R302.2, Townhouses–Amended.

IRC Chapter 3, Section R302.2, Townhouses, is hereby amended to read as follows:

SECTION R302

FIRE-RESISTANT CONSTRUCTION

R302.2 Townhouses. Each townhouse shall be considered a separate building and shall be separated by fire- resistance-rated wall assemblies meeting the requirements of Section R302.1 for exterior walls.

Exception: A common 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses if such walls do not contain plumbing

or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with Chapters 34 through 43.

Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.

15.13.270130 IRC Chapter 3, Section 302.6, Dwelling/garage fire separation–Amended.

IRC Chapter 3, Section 302.6, Dwelling/garage fire separation, is hereby amended to read as follows:

R302.6 Dwelling/garage fire separation. The garage shall be separated as required by Table R302.6. Openings in garage walls shall comply with Section R302.5. This provision does not apply to garage walls that are perpendicular to the adjacent dwelling unit wall.

TABLE R302.6 DWELLING/GARAGE SEPARATION SEPARATION MATERIAL

From the residence and attics	Not less than 1/2-inch gypsum board or equivalent applied to the garage side
From all habitable rooms above the garage	Not less than 5/8-inch Type X gypsum board or equivalent
Structure(s) supporting floor/ceiling	Not less than 5/8-inch gypsum board or equivalent assemblies used for separation required by this section
Garages located less than 3 feet from a equivalent applied to dwelling unit on the same lot that are within this area	Not less than 1/2-inch gypsum board or the interior side of exterior walls

15.13.280140 IRC Chapter 3, Section R302.12, Draftstopping-Amended.

IRC Chapter 3, Section R302.12, Draftstopping, is hereby amended to read as follows:

R302.12 Draftstopping. In combustible construction where there is usable space both above and below the concealed space of a floor/ceiling assembly, draft stops shall be installed so that the area of the concealed space does not exceed 1500 square feet (92.9 m²). Draft stopping shall divide the concealed space into approximately equal areas. Where the assembly is enclosed by a floor membrane above and a ceiling membrane below, draft stopping 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.

15.13.290150 IRC Chapter 3, Section R303.1, Habitable rooms—Amended.

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

SECTION R303

LIGHT, VENTILATION AND HEATING

R303.1 Habitable rooms. All habitable rooms shall have an aggregate glazing area of not less than 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 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 capable of producing 0.35 air change per hour in the room is installed or a whole-house mechanical ventilation system is installed capable of supplying outdoor ventilation air of 15 cubic feet per minute (cfm) (78 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 installed in rooms where Exception 1 above is satisfied and artificial light is provided capable of producing an average illumination of 6 foot candles (65 lux) over the area of the room at a height of 30 inches (762 mm) above the floor level.
3. Use of sunroom additions and patio covers, as defined in Section R202, shall be permitted for natural ventilation if in excess of 40 percent of the exterior sunroom walls are open, or are enclosed only by insect screening
4. Media and theater rooms.

15.13.300160 IRC Chapter 3, Section R309.3, Flood hazard areas—Amended.

IRC Chapter 3, Section R309.3, Flood hazard areas, is hereby amended to read as follows:

SECTION R309

GARAGES AND CARPORTS

R309.3 Flood hazard areas. See Chapter 15.32, Flood Area Construction Regulations, of the Rapid City Municipal Code.

~~15.13.310~~170 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:

SECTION R310

EMERGENCY ESCAPE

AND RESCUE OPENINGS

R310.1 Emergency escape and rescue required. Basements, habitable attics and every sleeping room shall have at least one operable 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.

Where emergency escape and rescue openings are provided they shall have a sill height of not more than 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 R310.3. 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. Emergency escape and rescue openings shall open directly into a public way, or to a yard or court that opens to a public way.

Exception: Basements used only to house mechanical equipment and not exceeding total floor area of 200 square feet (18.58 m²).

~~15.13.320~~180 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).

~~15.13.330~~190 IRC Chapter 3, Section R310.2.1, Ladder and steps–Amended.

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

R310.2.1 Ladder and steps. Window wells with a vertical depth greater than 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 R311.7 and R311.8. 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.

15.13.340200 IRC Chapter 3, Section R311.3.1, Floor elevations at the required egress doors—Amended.

IRC Chapter 3, Section R311.3.1, Floor elevations at the required egress doors, is hereby amended to read as follows:

SECTION R311

MEANS OF EGRESS

R311.3.1 Floor elevations at the required egress doors. Landings or floors at the required egress door shall not be more than 1 1/2 inches (38 mm) lower than the top of the threshold.

Exceptions:

The exterior landing or floor shall not be more than 8 inches below the top of the threshold provided the door does not swing over the landing or floor

When exterior landings or floors serving the required egress door are not at grade, they shall be provided with access to grade by means of a ramp in accordance with Section R311.8 or a stairway in accordance with Section R311.7.

15.13.350210 IRC Chapter 3, Section R311.7.4, Stair treads and risers—Amended.

IRC Chapter 3, Section R311.7.4, Stair treads and risers, is hereby amended to read as follows:

R311.7.4 Stair treads and risers. Stair treads and risers shall meet the requirements of this section. For the purposes of this section all dimensions and dimensioned surfaces shall be exclusive of carpets, rugs or runners.

R311.7.4.1 Riser height. The maximum riser height shall be 8 inches. The minimum riser height shall be 4 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).

R311.4.7.2 Tread depth. The minimum tread depth shall be 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). Consistently shaped winders at the walkline shall be allowed within the same flight of stairs as rectangular treads and do not have to be within 3/8 inch (9.5 mm) of the rectangular tread depth.

Winder treads shall have a minimum tread depth of 9 inches measured between the vertical planes of the foremost projection of adjacent treads at the intersections with the walkline. Winder treads shall have a minimum tread depth of 6 inches (152 mm) at any point within the clear width of the stair. Within any flight of stairs, the largest winder tread depth at the walkline shall not exceed the smallest winder tread by more than 3/8 inch (9.5 mm).

R311.7.4.3 Profile. The radius of curvature at the nosing shall be no greater than 9/16 inch (14 mm). A nosing not less than 3/4 inch (19 mm) but not more than 1 1/4 inches (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 (9.5 mm) between two stories, including the nosing at the level of floors and landings. Beveling of nosings shall not exceed 1/2 inch (12.7 mm). Risers shall be vertical or sloped under the tread above from the underside of the nosing above at an angle not more than 30 degrees (0.51 rad) 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.

15.13.360220 IRC Chapter 3, Section R311.7.9.3, Circular stairways—Added.

IRC Chapter 3, Section R311.7.9.3, Circular stairways is hereby added to read as follows:

R311.7.9.3 Circular stairways. See Section 1009.8 of the 2009 International Building Code.

15.13.370230 IRC Chapter 3, Section R317.1.1, Field treatment—Amended.

IRC Chapter 3, Section R317.1.1, Field treatment, is hereby amended to read as follows:

SECTION R317

PROTECTION OF WOOD AND WOOD BASED PRODUCTS AGAINST DECAY

R317.1.1 Field treatment. Field-cut ends, notches and drilled holes of preservative-treated wood shall be treated.

15.13.380240 IRC Chapter 3, Section R318, Protection against subterranean termites—Deleted.

IRC Chapter 3, Section R318, Protection against subterranean termites, is hereby deleted in its entirety.

SECTION R318

PROTECTION AGAINST SUBTERRANEAN TERMITES

15.13.390250 IRC Chapter 3, Section R322, Flood- resistant construction–Amended.

IRC Chapter 3, Section R322, Flood-resistant construction, is hereby amended to read as follows.

SECTION R322

FLOOD-RESISTANT CONSTRUCTION

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

15.13.400260 IRC Chapter 4, Section R401.1, Application–Amended.

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

SECTION R401

GENERAL

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.

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

1. In buildings that have no more than two floors and a roof.
2. When interior basement and foundation walls are provided at intervals not exceeding 50 feet (15240 mm).
3. 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.

Wood foundations in Seismic Design Category D₀, D₁ or D₂ shall be designed in accordance with accepted engineering practice.

15.13.410270 IRC Chapter 4, Section R403.1.4.1, Frost protection–Amended.

IRC Chapter 4, Section R403.1.4.1, Frost protection, is hereby amended to read as follows:

SECTION R403

FOOTINGS

R403.1.4.1 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. Extended below the frost line specified in Table R301.2.(1);
2. Constructing in accordance with Section R403.3;
3. Constructing in accordance with ASCE 32; or
4. Erected on solid rock.

Exceptions:

1. Protection of freestanding accessory structures with an area of 1,000 square feet or less, of light-framed construction, with an eave height of 10 feet (3048 mm) or less shall not be required.
2. Protection of freestanding accessory structures with an area of 400 square feet (37m²) or less, of other than light-framed construction, with an eave height of 10 feet (3048 mm) or less shall not be required.
3. Decks not supported by a dwelling need not be provided with footings that extend below the frost line.

Footings shall not bear on frozen soil unless the frozen condition is permanent.

15.13.420280 IRC Chapter 4, Section R405.01, Concrete or masonry foundations— Amended.

IRC Chapter 4, Section R405.01, Concrete or masonry foundations, is hereby amended to read as follows:

SECTION R405

FOUNDATION DRAINAGE

R405.1 Concrete or masonry foundations. Drains shall be provided around all concrete or masonry foundations that retain earth and enclose habitable or usable spaces located below grade. Drainage tiles, gravel or crushed stone drains, perforated pipe or other approved systems or materials shall be installed at or below the area to be protected and shall discharge by gravity or mechanical means into an approved drainage system. Gravel or crushed stone drains shall

extend at least 1 foot (305 mm) beyond the outside edge of the footing and 6 inches (152 mm) above the top of the footing and be covered with an approved filter membrane material. The top of open joints of drain tiles shall be protected with strips of building paper, and the drainage tiles or perforated pipe shall be placed on a minimum of 2 inches (51 mm) of washed gravel or crushed rock at least one sieve size larger than the tile joint opening or perforation and covered with not less than 6 inches (152 mm) of the same material.

15.13.430290 IRC Chapter 4, Section R408.07, Flood resistance required—Amended.

IRC Chapter 4, Section R408.07, Flood resistance required, is hereby amended to read as follows:

R408.07 Flood resistance required. See Chapter 15.32, Flood Area Construction Regulations, of the Rapid City Municipal Code.

~~**15.13.440 IRC Chapter 5, Section R502.2.2.1, Table—Amended.**~~

~~—IRC Chapter 5, Section 502.2.2.1, Table, is hereby amended in its entirety.~~

~~—SECTION R502~~

~~—WOOD FLOOR FRAMING~~

15.13.450300 IRC Chapter 5, Section R506.2.3, Vapor retarder—Deleted.

IRC Chapter 5, Section R506.2.3, Vapor retarder, is hereby deleted in its entirety.

SECTION R506

CONCRETE FLOORS (ON GROUND)

15.13.460310 IRC Chapter 6, Section R601.3, Vapor retarders—Deleted.

IRC Chapter 6, Section R601.3, Vapor retarders, is hereby deleted in its entirety.

SECTION R601

MEANS OF EGRESS

15.13.320 IRC Chapter 6, Section R602.3(5), Table—Amended.

IRC Chapter 6, Section R602.3(5), Table, is hereby amended as follows:

TABLE R602.3(5)

SIZE, HEIGHT AND SPACING OF WOOD STUDS^{ad}

^{a.} Listed heights are distances between points of lateral support placed perpendicular to the plane of the wall. Increases in unsupported height are permitted where justified by analysis.

^{d.} Stud size, supporting two floors only, shall comply with the column heading for supporting one floor, roof, and ceiling.

15.13.470330 IRC Chapter 9, Section R903.4.1, Overflow drains and scuppers–Amended.

IRC Chapter 9, Section R903.4.1, Overflow drains and scuppers, is hereby amended to read as follows:

CHAPTER 9

REQUIREMENTS FOR ROOF COVERINGS

R903.4.1 Overflow drains and scuppers. Where roof drains are required, overflow drains having the same size as the roof drains shall be installed with the inlet flow line located 2 inches (51 mm) above the low point of the roof, or overflow scuppers having three times the size of the roof drains and having a minimum opening height of 4 inches (102 mm) shall be installed in the adjacent parapet walls with the inlet flow located 2 inches (51 mm) above the low point of the roof served. The installation and sizing of overflow drains, leaders and conductors shall comply with the current codes adopted by the City of Rapid City for Plumbing.

15.13.480340 IRC Chapter 9, Section R905.2.7.1, Ice barrier–Amended.

IRC Chapter 9, Section R905.2.7.1, Ice barrier, is hereby amended to read as follows:

R905.2.7.1 Ice barrier. In areas where there has been a history of ice forming along the eaves causing a backup of water as designated in Table R301.2(1), an ice barrier that consists of a least two layers of underlayment cemented together or of a self-adhering polymer modified bitumen sheet, shall be used in lieu of normal underlayment and extend from the lowest edges of all roof surfaces to a point at least 24 inches (610 mm) inside the exterior wall line of the building.

Exception: Detached accessory structures that contain no conditioned floor area.

If the ice dam is not inspected, the contractor shall provide an affidavit that the ice dam was installed properly.

15.13.490350 IRC Chapter 11–Amended.

IRC Chapter 11, is hereby amended to read as follows:

CHAPTER 11

ENERGY EFFICIENCY

Habitable living spaces shall be insulated to the following specifications: R-30 in the attic and R-11 in exterior walls.

Exception: Manufactured sunroom components.

15.13.500360 IRC Appendix E, Section AE101.1, General—Amended.

IRC Appendix E, Section AE101.1, General, is hereby amended to read as follows:

APPENDIX E

MANUFACTURED HOUSING USED AS DWELLINGS

SECTION AE101 SCOPE

AE101.1 General. These provisions shall be applicable to all manufactured homes used as a single dwelling unit and shall apply to the following:

1. Construction, alteration and repair of any foundation system which is necessary to provide for the installation of a manufactured home unit.
2. Construction, installation, addition, alteration, repair or maintenance of the building service equipment which is necessary for connecting manufactured homes to water, fuel, or power supplies and sewage systems.
3. Alterations, additions or repairs to existing manufactured homes. The construction, alteration, moving, demolition, repair and use of accessory buildings and structures and their building service equipment shall comply with the requirements of the codes adopted by this jurisdiction.

These provisions shall not be applicable to the design and construction of manufactured homes and shall not be deemed to authorize either modifications or additions to manufactured homes where otherwise prohibited.

Exception: In addition to these provisions, new and replacement manufactured homes to be located in flood hazard areas shall meet the applicable requirements of Chapter 15.32, Flood Area Construction Regulations, of the Rapid City Municipal Code.

15.13.510370 IRC Appendix J, Section AJ102.5, Flood hazard areas—Amended.

IRC Appendix J, Section AJ102.5, Flood hazard areas, is amended to read as follows:

APPENDIX J

EXISTING BUILDINGS AND STRUCTURES

SECTION AJ101 SCOPE

AJ102.5 Flood hazard areas. Work performed in existing buildings located in a flood hazard area shall be subject to the provisions of Chapter 15.32, Flood Area Construction Regulations, of the Rapid City Municipal Code.

15.13.520380 IRC Appendix H, Section AH106.1, General–Amended.

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

APPENDIX H

PATIO COVERS

SECTION AH106

FOOTINGS

AH106.1 General. 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 R506 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.

15.13.530390 IRC Appendix H, Section AH107, Special provisions for aluminum screen enclosures in hurricane-prone regions–Deleted.

SECTION AH107

SPECIAL PROVISIONS FOR ALUMINUM SCREEN ENCLOSURES IN HURRICANE-PRONE REGIONS

IRC Appendix H, Section AH107, is hereby deleted in its entirety.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)