

CHAPTER 150: BUILDINGS & BUILDING CONSTRUCTION**Title: 150****Buildings and Building Construction**

CHAPTER		PAGE
150.01	Administration	150-8
150.02	Moving of Buildings	150-26
150.03	International Building Code	150-28
150.04	International Residential Code	150-56
150.05	Reserved	
150.06	Electrical Code	150-69
150.07	Plumbing Code	150-70
150.08	Noise Level Reduction Requirements	150-70
150.09	Reserved	
150.10	Reserved	
150.11	Travel Parks/Camping	150-73
	Appendix A: Table 100-A IRC Building Permit Fees	150-81
	Appendix B: Table 100-B IBC Building Permit Fees	150-82

CHAPTER 150.01: ADMINISTRATION

Section

150.01.10	Purpose.	150-8
150.01.20	Scope of title; conflicting provisions.	150-8
150.01.30	Authority of Building Official.	150-8
150.01.40	Right of entry.	150-9
150.01.50	Stop work orders.	150-9
150.01.60	Occupancy violations.	150-10
151.01.70	Certificate of occupancy and certificate of completion.	150-11
150.01.80	Modification of requirements.	150-11
150.01.90	Alternate materials, design and methods of construction and equipment.	150-11
150.01.100	Tests.	150-11
150.01.110	Building Board of Appeals-Creation.	150-11
150.01.120	Building Board of Appeals-Authority.	150-12
150.01.130	Building Board of Appeals-Appeals.	150-13
150.01.140	Reserved.	150-15
151.01.150	Building permit required.	150-15

CHAPTER	PAGE
150.01.160 Building permit-Exceptions.	150-15
150.01.170 Building permit application.	150-17
150.01.180 Submittal documents.	150-17
150.01.190 Information on plans and specifications.	150-18
150.01.200 Special inspectors.	150-19
150.01.210 Issuance of building permit.	150-19
150.01.220 Permit does not authorize unlawful work.	150-20
150.01.230 Expiration of permits.	150-20
150.01.240 Suspension or revocation.	150-21
150.01.250 Inspections generally.	150-21
150.01.260 Inspection requests.	150-22
150.01.270 Approval required.	150-22
150.01.280 Required inspections as stated on building permit.	150-22
150.01.290 Re-inspections.	150-23
150.01.300 Violations and penalties.	150-23
150.01.310 Notice of violation.	150-24
150.01.320 Penalty.	150-24
150.01.330 Permit fees.	150-24
150.01.340 City addressing.	150-24
150.01.350 Non-liability of city and Building Official.	150-24
150.01.360 Contingent building permits for footings and foundations.	150-25
150.01.370 Service utilities.	150-25
 CHAPTER 150.02 MOVING OF BUILDINGS	 150-26
150.02.010 Permit Required – Application fee – Display	150-26
150.02.002 Authorized Individuals-Liability for damage to City property	150-27
150.02.030 Standing still in public street-obstruction of Railways	150-27
150.02.040 Cutting or trimming trees, shrubbery, flowers & Grass	150-27
150.02.050 Cutting and removing wires and overhead structures	150-28
150.02.060 Violation Penalty	150-38
 CHAPTER 150.03 INTERNATIONAL BUILDING CODE	 150-28
150.03.010 Adoption of 2015 IBC	150-30
150.03.020 IBC Chapter 1 – Deleted in part & replaced in part	150-30
150.03.030 Reserved	150-30
150.03.040 Reserved	150-30
150.03.050 IBC Chapter 1 – Sec. 101.1.3 Plumbing – Amended	150-30
150.03.060 IBC Chapter 1 – Sec. 101.4.6 Energy Deleted	150-30
150.03.070 IBC Chapter 1 – Sec. 101.4.7 Electrical – Added	150-30
150.03.080 IBC Chapter 1—Sec. 101.6.1 Live Loads Posted – Amended	150-31
150.03.090 IBC Chapter 1 – Sec. 108.3 Temporary power – Amended	150-31
150.03.100 IBC Chapter 1 – Sec. 110.3 Required inspections – Amended	150-31
150.03.110 IBC Chapter 2 – Sec. 202 Definitions – Amended	150-31
150.03.120 IBC Chapter 3 – Sec. 312 Utility and Miscellaneous group	150-32

150.03.130 IBC Chapter 4 – Sec. 402.6.4 Plastic Signs – Deleted	150-32
150.03.140 IBC Chapter 4 – Sec. 403.1 Applicability – Amended	150-32
150.03.150 IBC Chapter 4 – Sec. (F) 404.3 Automatic Sprinkler Protection – Amended	150-33
150.03.160 IBC Chapter 4 – Sec. 412.4.1 Exterior walls – Deleted	150-33
150.03.170 IBC Chapter 5 – Sec. 504.2 Automatic Sprinkler System Increase – Amended	150-33
150.03.180 IBC Chapter 9 – Sec. (F) 903.2 Where required – Amended	150-34
150.03.190 IBC Chapter 10 – 1004.1.2 Maximum Floor Allowances Per occupant – Amended	150-35
150.03.200 IBC Chapter 11 – Sec. 1102.2 Design – Amended	150-35
150.03.210 IBC Chapter 11 – Sec. 1104.4 Multi-level buildings and Facilities – Amended	150-35
150.03.220 IBC Chapter 14 – Sec. 1404.2.1 Weather resistant sheathing Papers – Added	150-36
150.03.230 IBC Chapter 14 – Sec. 1405.11.4 Grounding – Amended	150-36
150.03.240 IBC Chapter 15 – Sec. (P) 1503.4 Roof Drainage – Amended	150-36
150.03.250 IBC Chapter 15 – Sec. 1507.5.4 Ice Barrier – Amended	150-36
150.03.260 IBC Chapter 15 – Sec. 1507.6.4 Ice Barrier – Amended	150-37
150.03.270 IBC Chapter 15 – Sec. 1507.7.4 Ice Barrier – Amended	150-37
150.03.280 IBC Chapter 15 – Sec. 1507.8.4 Ice Barrier – Amended	150-37
150.03.290 IBC Chapter 15 – Sec. 1507.9.4 Ice Barrier – Amended	150-38
150.03.300 IBC Chapter 16 – Sec. 1603.1 Construction Documents - Amended	150-38
150.03.310 IBC Chapter 16 – Sec. 1604.1 General – Amended	150-38
150.03.320 IBC Chapter 16 – Sec. 1608 Snow Loads – Amended	150-39
150.03.330 IBC Chapter 16 – Sec. 1612 Flood Loads – Amended	150-39
150.03.340 IBC Chapter 17 – Sec. 1702 Definitions – Amended	150-39
150.03.350 IBC Chapter 17 – Sec. 1704.2 Special Inspections – Amended	150-40
150.03.360 IBC Chapter 17 – Sec. 1712 Pre-fabrication – Added	150-41
150.03.370 IBC Chapter 18 – Sec. 1804.4 Grading & Fill in Flood Hazard areas – Amended	150-43
150.03.380 IBC Chapter 18 – Sec. 1808.6.1 Frost Protection – Added	150-43
150.03.390 IBC Chapter 27 – Sec. 2701.1 Scope – Amended	150-43
150.03.400 IBC Chapter 29 – Sec. 2901.1 Scope – Amended	150-45
150.03.410 IBC Chapter 29 – Sec. (P) 2902.1 Table, minimum number of Required plumbing fixtures – Amended	150-51
150.03.420 IBC Chapter 30 – Sec. 3002.7 Common enclosure with Stairway – Amended	150-51
150.03.430 IBC Chapter 31 – Sec. 3109 Swimming Pool enclosure and Safety devices – Deleted	150-51
150.03.440 IBC Chapter 32 – Sec. 3202.1.4 Space below sidewalk – Added	150-51
150.03.450 IBC Chapter 32 – Sec. 3205.5 Projection into alleys – Added	150-51
150.03.460 IBC Chapter 32 – Sec. 3202.6 Public Right-of-way structures Prohibited – Exceptions – Added	150-52
150.03.470 IBC Chapter 33 – Sec. 3308 Temporary use of street, alleys and Public property – Deleted	150-52
150.03.480 IBC Chapter 34 – Sec. 3412.2 Applicability – Amended	150-52
150.03.490 IBC Appendix I – Sec. 1105.2 Footings – Amended	150-52

150.03.500 IBC Appendix J – Sec. J101.2 Flood Hazard Areas – Amended	150-52
150.03.510 IBC Appendix J – Sec. J103.1 Permit required – Amended	150-52
150.03.520 IBC Appendix J – Sec. J103.2 Exemptions – Amended	150-53
150.03.530 IBC Appendix J – Sec. J104.2 Site Plan requirements – Amended	150-53
150.03.540 IBC Appendix J – Sec. J104.3 Geotechnical Report – Amended	150-54
150.03.550 IBC Appendix J – Sec. J107.2 Surface preparation – Amended	150-54
150.03.560 IBC Appendix J – Sec. J109.1 General – Amended	150-54
150.03.570 IBC Appendix J – Sec. J110 Erosion Control – Amended	150-54
150.03.580 IBC Appendix J – Table 100-B Climatic and Geographic design Criteria – Amended	150-54
150.04 INTERNATIONAL RESIDENTIAL CODE	150-56
150.04.010 IRC Chapter 1 – Adoption 2015 IRC	150-56
150.04.020 IRC Chapter 1 – Sec. Deleted in part and replaced in part	150-56
150.04.030 IRC Chapter 1 – Sec. R101.2 Scope – Amended	150-57
150.04.040 IRC Chapter 1 – Sec. R102.7 Existing structures – Amended	150-67
150.04.050 IRC Chapter 1 – Sec. R103.1 Creation of enforcement Agency – Amended	150-57
150.04.060 IRC Chapter 1 – Sec. R109.1 Types of inspections – Amended	150-58
150.04.070 IRC Chapter 1 – Sec. R109.1.3 Floodplain inspections – Amended	150-58
150.04.080 IRC Chapter 2 – Sec. R202 Definitions – amended	150-58
150.04.090 IRC Chapter 3 – Sec. R301.2(1) Climatic and geographic Design criteria – Amended	150-58
150.04.100 IRC Chapter 3 – Table R301.2(1) Climatic and geographic Design criteria – Amended	150-59
150.04.110 IRC Chapter 3 – Sec. R301.2.4 Floodplain construction – Amended	150-59
150.04.120 IRC Chapter 3 – Sec. R302.2 Townhouses – Amended	150-59
150.04.130 IRC Chapter 3 – Sec. R302.6 Dwelling/garage fire Separation – Amended	150-60
150.04.140 IRC Chapter 3 – Sec. R302.12 Draft-stopping – Amended	150-60
150.04.150 IRC Chapter 3 – Sec. R303.1 Habitable rooms – Amended	150-60
150.04.160 IRC Chapter 3 – Sec. R309.3 Flood hazard areas-Amended	150-61
150.04.170 IRC Chapter 3 – Sec. R310.1 Emergency escape and rescue Required – Amended	150-61
150.04.180 IRC Chapter 3 – Sec. R310.1.1 Minimum opening area – Amended	150-62
150.04.190 IRC Chapter 3 – Sec. R310.2.1 Ladder and steps – Amended	150-62
150.04.200 IRC Chapter 3 – Sec. R311.3.1 Floor Elevations at the required Egress doors – Amended	150-63
150.04.210 IRC Chapter 3 – Sec. R311.7.4 Stair treads and risers – Amended	150-63
150.04.220 IRC Chapter 3 – Sec. R311.7.9.3 Circular Stairways – Added	150-63
150.04.230 IRC Chapter 3 – Sec. R317.1.1 Filed treatment – Amended	150-64
150.04.240 IRC Chapter 3 – Sec. R318 Protection against subterranean Termites – deleted	150-64
150.04.250 IRC Chapter 3 – Sec. R322 Flood-resistant construction – Amended	150-64
150.04.260 IRC Chapter 4 – Sec. R401.1 Application – Amended	150-64

150.04.265 IRC Chapter 4 – Sec. R401.4 Soil test – Amended	150-65
150.04.266 IRC Chapter 4 – Sec. R401.4.1 Geotechnical Evaluation – Deleted	150-65
150.04.267 IRC Chapter 4 – Sec. R401.4.2 Compressible or shifting Soil – Deleted	150-65
150.04.270 IRC Chapter 4 – Sec. R403.1.4.1 Frost protection – Amended	150-65
150.04.275 IRC Chapter 4 – Sec. R403.1.8 Foundations on Expansive Soils – Deleted	150-66
150.04.280 IRC Chapter 4 – Sec. R405.01 Concrete or masonry Foundation – Amended	150-66
150.04.290 IRC Chapter 4 – Sec. R408.07 Flood resistance required – Amended	150-66
150.04.300 IRC Chapter 5 – Sec. R506.2.3 Vapor retarder – Deleted	150-67
150.04.310 IRC Chapter 6 – Sec. R601.3 Vapor retarders – Deleted	150-67
150.04.320 IRC Chapter 6 – Sec. R602.3(5) Table – Amended	150-67
150.04.330 IRC Chapter 9 – Sec. 903.4.1 Overflow drains and Scuppers – Amended	150-67
150.04.340 IRC Chapter 9 – Sec. R905.2.7.1 Ice barrier – Amended	150-67
150.04.350 IRC Chapter 11 – Amended	150-68
150.04.360 IRC Appendix E – Sec. AE101.1 General – Amended	150-68
150.04.370 IRC Appendix J – Sec. AJ102.5 Flood Hazard areas – Amended	150-69
150.04.380 IRC Appendix H – Sec. AH106.1 General – Amended	150-69
150.04.390 IRC Appendix H – Sec. AH107 Special Provisions for aluminum Screen enclosures in hurricane-prone regions - Delete	150-69
150.06 ELECTRICAL CODE	150-69
150.06.010 NEC – Adoption	150-69
150.06.020 NEC – Administration & Enforcement – Added	150-69
150.07 PLUMBING CODE	150-70
150.07.010 – Adoption	150-70
150.07.020 – Administration and enforcement – Added	150-70
150.08 NOISE LEVEL REDUCTION REQUIREMENT	150-70
150.08.010 – Purpose	150-70
150.08.020 – Adoption of Noise Level Reduction Design Requirements	150-71
150.08.030 – 80+dB(A) Noise Zone	150-93
150.11 TRAVEL PARKS	150-102
Article 1 – General Provisions	
150.11.010 – Definitions	150-73

Article II – Permit

150.11.020 – Permit Required	150-74
150.11.030 – Application	150-74
150.11.040 – Authorization authority	150-75
150.11.050 – Issuance prior to completion	150-75
150.11.060 – Term	150-75
150.11.070 – Fee	150-75

Article III – Property Development Standards

150.11.080 – Applicability	150-76
150.11.090 – Area	150-76
150.11.100 – Density	150-76
150.11.110 – Drainage	150-76
150.11.120 – Yards	150-76
150.11.130 -- Internal streets	150-76
150.11.140 -- Pedestrian Walkways	150-76
150.11.150 – Recreation Areas	150-77
150.11.160 – Spaces	150-77
150.11.170 – Stands	150-77
150.11.180 – Parking	150-78
150.11.190 – Electrical hookups	150-78
150.11.200 – Water connections	150-78
150.11.210 – Sewer hookups	150-78
150.11.220 – Toilet, washroom, bathing facilities	150-79
150.11.230 – Service buildings	150-79
150.11.240 – Dumping Stations	150-79
150.11.250 – Fireplaces and cooling shelters	150-79

Table 100-A IRC Fees	150-81
-----------------------------	---------------

Table 100-B IBC Fees	150-82
-----------------------------	---------------

(THIS PAGE INTENTIONALLY LEFT BLANK)

150.01.010 PURPOSE:

- A. The purpose of Title 150 is to provide minimum standards for the construction, alteration, moving, demolition, repairs as defined by code, and maintenance of all buildings, structures, and portions thereof.
- B. The minimum standards of this title, are intended to provide a reasonable level of protection for buildings, structures, and the public and are not intended to guarantee safety to properties, structures or the public. It is not the purpose of this title to create, or otherwise establish or designate any particular class or group of persons, who will or should be especially protected or benefited by the terms of this code and the Adopted Construction Codes.
- C. The purpose of this chapter is to prescribe the administrative procedures for this code and the Adopted Construction Codes.

150.01.020 SCOPE OR TITLE; CONFLICTING PROVISIONS:

- A. The provisions of this code shall apply to the construction, alteration, moving, demolition, repairs as defined by code, and maintenance of any building or structure within this jurisdiction, except work located primarily in a public way, public utility towers and poles, mechanical equipment not specifically regulated in this title, and hydraulic flood control structures.
- B. When, in any specific case, different sections of this code specify different materials, methods of construction, or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- C. In the event of a conflict among different provisions of this code, or a conflict between the provisions of this code and any other city ordinance, the provisions which impose the highest standard shall prevail.
- D. In the event of a conflict between the provisions of this code and any state or federal law, the provisions which impose the highest standard shall prevail.
- E. The use of the words "Adopted Construction Codes" shall refer to all of the provisions of all of the codes adopted in Title 150 of the Box Elder Municipal Code. The use of the words "this code" in this chapter and elsewhere in Title 150 where a different definition is not provided refers to the entirety of Title 150 and the Adopted Construction Codes.

150.01.030 AUTHORITY OF BUILDING OFFICIAL:

- A. Pursuant to this chapter, the Community Planning and Zoning Department is responsible for building permit issuance and plans review. The position of Building Official is hereby created as the official in charge of administering the provisions in Title 150. The Building Official shall be the Planning Director or supervised by the Director of the Planning and Zoning Office. The Planning Director shall have the power to designate deputy building

official(s), related technical officers, inspectors, plan examiners, and other employees, and all such employees, shall have powers as delegated by the Building Official.

- B. The Building Official and his or her duly authorized administrators shall be authorized and directed to enforce the provisions of this code and the Adopted Construction Codes. The Building Official shall have the power to render interpretations of this title and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code and the Adopted Construction Codes.

150.01.040 RIGHT OF ENTRY:

- A. Upon presentation of the proper credentials, the Building Official or his/her duly authorized representatives may enter at reasonable times any building, structure or premises within the jurisdictional area of the City to perform any duty imposed upon him or her by this code, to enforce the provisions of this code and the Adopted Construction Codes, or when the Building Official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous. If such building or premises are unoccupied, the authorized representative shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the authorized representative shall have full recourse to the remedies provided by law to secure entry.
- B. When the Building Official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner or occupant or person having charge, care or control of the building or premises shall not fail or neglect, after proper request is made, to promptly permit entry by the Building Official or his/her designee for the purpose of inspection and examination pursuant to this code.

150.01.050 STOP WORK ORDERS:

- A. Whenever any work is being done contrary to the provisions of this code and the Adopted Construction Codes, or contrary to the provisions of other pertinent laws or ordinances, or in a dangerous or unsafe manner, the Building Official or his/her duly authorized representatives may order the work stopped by notice in writing served on any persons engaged in doing or causing such work to be done, the owner of the property involved, or the owner's agent. The written notice shall set forth the specific reasons with citations to the code violated. Any such persons shall immediately stop such work until the violation is remedied and approved by the Building Official to proceed with the work.
- B. Any person who continues to perform work not approved by the Building Official shall be in violation of the stop work order and shall be subject to and administrative citation and/or the general penalty provision of Title 10.99.
- C. In the event the Building Official does not approve that the violation is remedied, the contractor or owner may appeal to the Planning and Zoning Commission.

150.01.060 OCCUPANCY VIOLATIONS:

Whenever any building or structure or equipment regulated by this title is being used contrary to the provisions of this code or the Adopted Construction Codes, the Building Official may order such use discontinued and the structure, or portion thereof, vacated by notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the Building Official and/or his designee, after receipt of such notice to make the structure, or portion thereof, comply with the requirements of this code. A violation of this section may result in issuance of an Administrative Citation.

150.01.070 CERTIFICATE OF OCCUPANCY AND CERTIFICATE OF COMPLETION:

- A. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the Building Official or their designee 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 any other ordinance.
- B. After the building or structure inspected and no violations of the provisions of this code or other laws enforced by the City, the Building Official and/or designee may issue a certificate of occupancy that contains the following:
1. The building permit number.
 2. The address of the structure.
 3. The name and address of the owner.
 4. A description of that portion of the structure for which the certificate is issued.
 5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified in the code.
 - ~~6. The name of the Building Official.~~
 - ~~7. The edition of the relevant code, under which the permit was issued.~~
 - ~~8. The use and occupancy of the structure.~~
 - ~~9. The type of construction completed.~~
 - ~~10. The design occupant load.~~
 - 11.6. If an automatic sprinkler system is provided, or whether the sprinkler system is required.
 12. 7. Any special stipulations and conditions of the building permit.
- C. The Building Official or his/her designee is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The Building Official shall set a time period, during which the temporary certificate of occupancy is valid.
- D. The Building Official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

- E. Certificates of occupancy are not required for work exempt from this title.
- F. At the Building Official's discretion, a certificate of completion may be issued or required for buildings or structures, which do not require a certificate of occupancy.

150.01.080 MODIFICATION OF REQUIREMENTS:

Wherever there are practical difficulties involved in carrying out the provisions of this code, the Building Official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the Building Official shall first find that a special individual reason makes the strict letter of this code impractical, that such modification is in compliance with the intent and purpose of this code, and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements.

150.01.090 ALTERNATE MATERIALS, DESIGN AND METHODS OF CONSTRUCTION AND EQUIPMENT:

The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided, that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code.

150.01.100 TESTS:

- A. Whenever there is insufficient evidence of compliance with any of the provisions of this code, or evidence that any material or construction or method does not conform to the requirements of this code, the Building Official may require tests at the expense of the owner, as proof of compliance to be made.
- B. Test methods shall be as specified by this code, the Adopted Construction Codes, or by other recognized test standards. If there are no recognized and accepted test methods for the proposed alternate, the Building Official shall determine test procedures. All tests shall be made by an approved person, agency or firm.
- C. Any expenses for tests required under this provision will be paid by the applicant. Any such tests are not at the expense of the city.

150.01.110 BUILDING BOARD OF APPEALS-CREATION:

- A. ~~The City Council may create a Board of Appeals, if a board is created, it is to be known as the Planning and Zoning Commission shall be the Building Board of Appeals.~~
- B. The Building Board of Appeals shall have oversight over the following codes when adopted:

1. International Building Code;
2. International Residential Code;
3. International Property Maintenance Code;
4. International Existing Building Code;
5. National Electrical Code as adopted by the State of South Dakota;
6. International Fuel Gas Code;
8. Uniform Plumbing Code as adopted by the State of South Dakota; and
9. International Mechanical Code.

~~C. Members of the Board shall be approved by the Common Council for terms of 3 years. The Board of Building Appeals is recommended to be composed of no less than 5 members who should be qualified by experience and training to pass upon technical matters pertaining to building construction; and whom of which is recommended to be appointed to the Board from the following groups when possible:~~

- ~~1. One member and 1 alternate be a building contractor or from a related field;~~
- ~~2. One member and 1 alternate be an electrical contractor or license holder with a minimum of 6 years of experience;~~
- ~~3. One member and 1 alternate be a plumbing and/or mechanical contractor or license holder with a minimum of 6 years of experience;~~
- ~~4. One member and 1 alternate be a registered engineer or Architect.~~
- ~~5. One member and 1 alternate be a citizen at large.~~
- ~~6. A member of either the Planning Commission, City Council or both. (Advisory~~
- ~~7. City Planning Director or department staff member. (Advisory)~~

~~D. No employee of any governmental entity, including the city, may serve as a voting member of the Board. Members shall serve until their successors are qualified and appointed.~~

~~E. The Common Council shall have authority to remove any member of the Board for cause, which cause shall be stated in writing and made a part of the record.~~

~~F. The term of each Board member appointed and currently serving shall be continued until expiration of the original term, or until the members shall have resigned or been removed for cause. Each member appointed to the Board, including alternate members, shall be appointed for a term of 3 years to expire March 1 of the third year. The initial terms shall be staggered in accordance with the following schedule:~~

- ~~1. March 1, 2017 – Initial terms for registered engineer or architect and alternate expire.~~
- ~~2. March 1, 2018 – Initial terms for mechanical contractor and alternate, and building contractor and alternate expire.~~
- ~~3. March 1, 2019 – Initial terms for plumbing contractor and alternate, and electrical contractor and alternate expire.~~

~~G. Three members of the Board shall constitute a quorum for the transaction of business.~~

150.01.120 BUILDING BOARD OF APPEALS-AUTHORITY:

Once created, Building Board of Appeals shall have the following powers and authorizations:

- A. The Board may adopt and enforce rules and regulations as may be thought proper and necessary for the performance of its work.
- ~~B. The Building Board of Appeals shall have the authority to review and, by affirmative vote of a majority of the members present at any public hearing, sustain, reverse, change or modify any decision of the Building Official, and make recommendation to City Council relating to questions concerning methods of building, use of processes and devices, strength and character of construction, and such other questions of like kind and character as may arise between the Building Official and the individual(s) aggrieved by the decision of the Building Official, except as otherwise provided in this section.~~
- C.B. The Building Board of Appeals shall have the authority to review decisions of the Building Official concerning modifications to the code and the suitability of alternate materials, design, and methods of construction and equipment concerning all Adopted Construction Codes except the Plumbing Code and the Electrical Code. Amendments to the Plumbing and Electrical Code can be appealed to the appropriate state Commission.
 1. The Building Board of Appeals is empowered to authorize a modification from the strict application of this code ~~and make recommendations to the council~~ when:
 - a. A special individual reason makes the strict letter of this code impractical ("strict application of this title will result in unnecessary hardship"); and
 - b. Modification is in compliance with the intent and purpose of this code;
 - c. Modification does not lessen any health, accessibility, life and fire safety, or structural requirements;
 2. The Building Board of Appeals is empowered to authorize alternate materials, design, and methods of construction when:
 - a. The proposed design is satisfactory and complies with the provisions of this code;
 - b. The material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation; and
 - c. Sufficient evidence or proof has been submitted to substantiate claims related to the application.
- D.C. Appeals of decisions made by the Building Official within the Plumbing Code concerning modifications to the code and the suitability of alternate materials, design, and methods of construction and equipment shall be made to the South Dakota Plumbing Commission. Appeals of decisions made by the Building Official within the Electrical Code concerning modifications to the code and the suitability of alternate materials, design, and methods of construction and equipment shall be made to the South Dakota Electrical Commission.

E.D. The Board is hereby authorized and empowered to review from time to time all provisions of the building, electrical, mechanical, plumbing, and housing codes adopted by the city; to conduct public hearings thereon, and to recommend to the Common Council modifications, revisions, changes, and new proposals pertaining thereto for their consideration and legislative action.

150.01.130 BUILDING BOARD OF APPEALS-APPEALS PROCESS:

- A. Any individual aggrieved by any decision of the Building Official may appeal to the Building Board of Appeals. Such appeal shall be taken within 30 calendar days from the date of said decision by filing with the Building Official a notice of appeal specifying all grounds for objections and if a hearing is not conducted or continued within the 30-calendar day time frame, the applicant will be deemed to have won approval of the appeal. Health and safety issues as determined by the Building Official are not deemed approved in this instance. Applicants shall pay a filing fee established by resolution of the City Council. The individual filing the appeal has the burden of establishing that the decision of the Building Official should be reversed, changed, or modified.
- B. The Building Board of Appeals shall schedule a hearing within 30 calendar days from the date of appeal for the hearing of the appeal, ~~giving public notice in the local newspaper 7 days prior to the hearing. The applicant and other persons interested in the case shall be notified as to the time and date of the hearing.~~
- C. ~~The Board shall hear all arguments and review all evidence submitted by the applicant, the Building Official, and any other person(s) interested in the case, and shall render its opinion. The Board shall electronically record the hearing, keep minutes of its proceedings, maintain all documents reviewed or introduced as evidence at meetings, and keep a record of the proceeding on file at Planning Office.~~
- D. ~~If an appeal before the Board concerns a particular trade, and if neither the Board member nor the alternate from this particular trade is in attendance at the meeting at which the application is considered, then an applicant can elect to continue the application until the next Board meeting.~~
- E. ~~The Board may affirm, modify or reverse the decision upon which an appeal was filed; may approve or disapprove requests for consideration of alternate materials and methods of construction; and may grant modifications to this code as discussed in this chapter. The Board shall act only upon the concurring vote of a majority of its members present and voting. **MAJORITY** shall mean more than 50% of the members present and voting. The decision of the Board shall be final except that an appeal regarding a determination on a license may be appealed to the City Council. Every decision of the Building Board of Appeals shall indicate the vote upon the decision and be recorded in the minutes, which shall be kept on file in the office of the Building Official.~~
- F.C. A decision of the Building Board of Appeals, which in effect may modify the provisions of the applicable code, shall not be considered a precedent for future decisions of the Building Official. The Building Board of Appeals shall act in each individual instance in

which the granting of a permit would change the application or provisions of any of the above-designated codes.

- G. D. All decisions of the Board are final with the exception that an appeal regarding a determination on a license may be appealed to the City Council.
- H. E. A decision of the Board that concerns the Plumbing Code may be appealed to the South Dakota Plumbing Commission.
- I. F. A decision of the Board that concerns the Electrical Code may be appealed to the South Dakota Electrical Commission.
- J. G. The details of any action granting modifications and use of alternative materials, design, and methods of construction shall be recorded and entered in the files of the permits and inspection division of the Planning and Zoning Department.

150.01.140 RESERVED:

150.01.150 BUILDING PERMIT REQUIRED:

Except as otherwise specified this code, no building or structure or part thereof regulated by this code shall be erected, constructed, enlarged, altered, repairs as defined by code, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the City.

150.01.160 BUILDING PERMIT-EXEMPTIONS:

A. A building permit shall not be required for the following:

1. Building:

- a. 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;
- b. Fences not over six (6') feet (1,829 mm) high;
- c. Retaining walls that are not over 4 feet (1,219 mm) in height measured from the top of the footing to the top of the wall, unless supporting a surcharge;
- d. 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;
- e. Deck, platforms, walks, and driveways where the walking surface is not more than 30 inches above grade and not over any basement or story below;
- f. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work;
- g. Prefabricated swimming pools that are less than 40 inches deep; do not exceed 12,000 gallons and are installed entirely above ground;
- h. Swings, playhouses and other playground equipment;

- i. Window awnings supported by an exterior wall which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support;
- j. Replacement of siding and windows and brick or stone for 1- and 2-family dwellings, 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;
- k. Dumpsters or dumpster enclosures;
- l. Gutters, downspouts, and storm windows;
- m. Window replacement - where the structural component and egress as required by code is not altered; in 1- and 2-family dwellings or as exempted by Building Official. ("m" does not apply to Historical Districts); or
- n. Replacement of roof covings with like material which does not involve the replacement of roof sheathing or any structural framing component;
- o. Replacement or repair of roof coverings, sheathing, structural roof-framing members, or siding on a mobile or manufactured home;
- p. Structures or work performed on properties of the government of the United States of America, State of South Dakota, Public School District, County of Meade and County of Pennington, or the City of Box Elder;

2. Mechanical:

- a. Portable heating appliances;
- b. Portable ventilation appliances and equipment;
- c. Portable cooling units;
- d. Steam, hot water or chilled water piping within any heating or cooling equipment or appliances regulated by this title;
- e. The replacement of any minor part that does not alter the approval of equipment or an appliance or make such equipment or appliance unsafe;
- f. Portable evaporative coolers;
- g. Self-contained refrigeration systems that contain ten (10) pounds (4.5 kg) or less of refrigerant, or that are actuated by motors of one (1) horsepower (0.75 kW) or less;
- h. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid; or
- i. Water heaters installed in one- and two-family dwellings.

3. Electrical:

- a. Placement of lamps in fixtures already installed by qualified persons in an approved manner, provided only qualified electricians may install or replace lamps in explosion-proof fixtures;
- b. Connecting or disconnecting equipment to an approved receptacle by a suitable attachment plug;
- c. Maintenance in labeled equipment or appliances, where the original installation was affected by a qualified electrician, when any such repair or maintenance work is not detrimental to the original wiring or connection;

- d. Installation, alteration or repair of wiring, devices, appliances, or equipment for operation of signals or for transmission of intelligence, where such wiring, devices, appliances, or equipment operate at a voltage not exceeding 50 volts between conductors and which do not include generating or transforming equipment capable of supplying more than 50 watts of energy;
 - e. Installation of electric wiring, devices, or equipment to be installed by a public utility in the generation, transmission or sale of electric energy, or for the use of such a utility in the transmission of intelligence;
 - f. Work performed under any contract led by the state and supervised and inspected by the state;
 - g. Buildings, structures, or premises owned by the state or federal government, including, but not limited to, state owned schools;
 - h. Existing electrical systems in any building, although a change in use or occupancy has occurred. Such existing electrical system may remain in service only if adequate and suitable for the intended purpose, and in compliance with NFPA 73; or
- B. 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 title or any other laws or ordinances of the city.

150.01.170 BUILDING PERMIT APPLICATION:

To obtain a permit, the applicant shall first file an application in a format approved by permits and inspections for that purpose. Every such application shall:

- A. Identify and describe the work to be covered by the permit, for which application is made;
- B. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work;
- C. Indicate the use or occupancy for which the proposed work is intended;
- D. Be accompanied by plans, diagrams, computations, specifications and other data as required by the Building Official;
- E. State the construction valuation of any new building, structure, addition, remodeling or alteration to an existing building;
- F. Be signed by the applicant or the applicant's authorized agent; and
- G. Give such other data and information as may be required by the Building Official.

150.01.180 SUBMITTAL DOCUMENTS:

- A. The Building Official will determine the plans to be submitted with a building permit. Such plans may include specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs or other data, and all

documents submitted shall constitute the submittal documents. Individuals or firms performing special inspections and structural observations shall be identified.

- B. The Building Official may waive the submission of plans, calculations, construction inspection requirements, and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.
- C. Any plans, computations, and specifications submitted shall be prepared by an engineer or architect as required by state law, as adopted or amended. The Building Official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state even if not required by state law. The Building Official may require construction documents, computations and specifications to be prepared and designed by a licensed design professional when the valuation of plumbing, electrical, and mechanical construction each individually calculated is \$65,000 or greater, or otherwise dictated by SDCL 36-18A. One- and Two -family dwellings are exempted.
- D. When it is required that documents be prepared by a licensed engineer or architect, the Building Official shall be authorized to require the owner to engage and designate on the building permit application the name of the licensed design professional who shall act as the licensed design professional in responsible charge of the project. If circumstances require, the owner or applicant shall designate a substitute licensed design professional in responsible charge who shall perform the duties required of the original. The Building Official shall be notified in writing by the owner, if the licensed design professional responsible for the project, is no longer in charge and unable to continue to perform the duties.
- E. The licensed design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.
- F. One set of approved plans shall be retained by the City for a period of 180 days after the issuance of the permit. One set of approved plans shall be kept on the site of the building or work at all times during which the work authorized, thereby is in progress, and until a Certificate of Occupancy has been issued.

150.01.190 INFORMATION ON THE PLANS AND SPECIFICATIONS:

~~A. All plans and drawings required by the Building Official shall be drawn to a scale of not less than 1/8-inch to a foot or an acceptable scale as determined by the Building Official with the scale identified on the plans and shall be completed in ink or some process that will not fade or obliterate. Plans for fences, retaining walls, foundation, excavation and accessory buildings shall be on paper not less than 8-1/2 inches by 11 inches in size. Plans for all other work shall be on paper not less than 11 inches by 17 inches in size.~~

~~B.~~ A. Plans, drawings and specifications will also contain, at a minimum, the following:

1. An accurate survey of the lot or tract of land to be built upon prepared by a surveyor licensed by the State of South Dakota; and

2. A plot plan drawn to scale showing the lot or tract to be built upon, the size and location of all existing and proposed improvements, and such other information as may be required for enforcement of the city's zoning ordinance. Plats for commercial projects shall also show fire hydrant locations and grade contour lines;
 3. All distances and dimensions shall be accurately figured and identified.
 4. The name of the owner, the address of the proposed improvement, the name of the architect or engineer with his/her seal and signature as required by state law, and the type of occupancy proposed; and (One & Two Family Dwellings are exempt)
 5. The entire mechanical, plumbing and electrical systems shall be shown in detail, including the placement of all fixtures, outlets and ductwork.
 6. An orientation, key, or existing plan shall be included when only a portion of the building is being finished or remodeled.
 7. Any other information as may be required to perform an accurate plan review.
- C. B. The Building Official may waive any of these requirements when it is determined that the information is not needed for plan review.
- D. C. Plans for buildings more than two stories in height, other than 1- and 2-family dwellings and their accessory structures, shall indicate how the required structural and fire-resistive integrity will be maintained where a penetration will be made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems.

150.01.200 SPECIAL INSPECTOR:

- ~~A. When any special inspection is required by the Building Official, this code or Adopted Construction Codes, the architect or engineer of record shall prepare an inspection program, which shall be submitted with the application for a building permit. The inspection program shall designate the portions of the work that require special inspection and indicate the duties of the special inspectors.~~
- ~~B. The special inspector shall be employed by the owner, the engineer or architect of record, or the agent of the owner. Any cost of special inspectors shall be paid by the applicant and **shall not** be paid by the city. The person(s) or firm(s) responsible for the special inspections shall be identified prior to the issuance of the building permit and shall be subject to approval by the Building Official.~~

150.01.210 ISSUANCE OF BUILDING PERMIT:

- A. The application, plans, specifications, computations and other data filed by an applicant for a permit shall be reviewed by the Building Official or his/her designee. Such plans may be reviewed by other city departments or professionals to verify compliance with any applicable laws under their jurisdiction. If the Building Official finds that the work described

in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code, the Adopted Building Codes, and other pertinent laws and ordinances, and that the required fees have been paid, the Building Official or his/her designee, may issue a permit therefor to the applicant.

- B. 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.
- C. When the City issues the permit where plans are required, the Building Official or his/her designee shall endorse in writing or stamp the plans and specifications "reviewed." Such approved plans and specifications shall not be changed, modified or altered without authorization from the Building Official, and all work regulated by this code and the Approved Building Codes shall be done in accordance with the approved plans. The Building Official may request additional engineered stamped or other drawings, related to change orders.
- D. When there are significant changes to the reviewed plans, new drawings must be submitted and an application for an additional permit shall be made.
- E. The City may issue a permit for the construction of part of a building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code and the Adopted Construction Codes. The holder of a partial permit shall proceed without assurance that the permit for the entire building or structure will be granted.
- F. 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 code, the Adopted Building Codes, or any other ordinance or from revoking any certificate of occupancy or certificate of approval when issued in error.

150.01.220 PERMIT DOES NOT AUTHORIZE UNLAWFUL WORK:

The issuance or granting of a permit, reviewed plans set, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code, the Adopted Construction Codes, or any other ordinance of this jurisdiction or of any state or federal laws. Permits presuming to give authority to violate or cancel the provisions of this code or any other ordinance shall not be valid. Certain exemptions that have been granted shall be deemed valid.

150.01.230 EXPIRATION OF PERMITS:

- A. 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, 1 or more extensions of time, for periods not more than 180 days for 1- and 2-family dwellings. 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 or her designee. A building permit is valid for 365 days from the date of issuance, if work is continuous.

- B. In order to renew action on an expired permit, the Building Official may charge an additional permit fee. The formula to determine the fee amount will be determined by resolution of the Common Council. Renewal permits shall be valid for a time period not to exceed 1 year and shall be so marked. No permit may be renewed more than once without approval from the Building Official. After all extensions have expired, the applicant must submit a new application and must comply with the relevant construction code(s) in effect at the time of the new application.

Permits one-hundred-eighty (180) days or older, where work has not commenced, the permit holder shall be required to submit a new application, and pay full permit price for said application.

150.01.240 SUSPENSION OR REVOCATION:

The Building Official may temporarily, in writing, suspend or revoke a permit issued under the provisions of this title whenever the permit is issued in error or on the basis of incorrect information. The permit will be restored upon correction of any errors. The Building Official may similarly revoke a permit issued in case of any false statement or misrepresentation of fact in the application or on the construction documents upon which the permit or approval was based.

150.01.250 INSPECTION GENERALLY:

- A. All construction or work for which a permit is required shall be subject to inspection by the Building Official or his/her designee, and all such construction or work shall remain accessible and exposed for inspection purposes until approved. In addition, certain types of construction shall have special inspection as specified in the Adopted Construction Codes, at the expense of the owner.
- B. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code, the Adopted Construction Codes, other city ordinances or adopted construction standards. Inspections presuming to give authority to violate or cancel the provisions of this code, the Adopted Construction Codes, or other city ordinances shall not be valid.
- C. 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, his/her designee, nor the city shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.
- D. A location survey of the lot may be required by the Building Official prior to installation of foundation to verify that the structure is located in accordance with the approved plans.

150.01.260 INSPECTION REQUESTS:

- A. It shall be the permit holder or permit holder's agent responsibility to notify the Building Official or his/her designee, that such work is ready for inspection. The Building Official may require that every request for inspection be filed at a minimum two (2) working days (48 hours) before such inspection is desired. Such a request may be in any form approved by the Building Official. No work may proceed until the inspection has been performed and approved.
- B. It shall be the duty of the permit holder or contractor who performed the work to provide access to and means for inspection of such work. The approved plans shall be on site at the time of inspection.

150.01.270 APPROVAL REQUIRED:

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Building Official or his/her designee. The reinforcing steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining the approval of the Building Official or his/her designee. The Building Official, upon notification, shall order the requested inspections, and shall either indicate that such portion of the construction is satisfactory and complete, or shall notify the permit holder or an agent of the permit holder if he or she fails to comply with this code or the Adopted Construction Codes. Any portions of the work, which do not comply, shall be corrected and such portion shall not be covered or concealed until authorized by the Building Official or his/her designee.

150.01.280 REQUIRED INSPECTIONS AS STATED ON BUILDING PERMIT:

- A. The Building Official or his/her designee, upon notification, may at a minimum make the inspections as set forth in this section.
1. Footing/foundation inspection: To be made after excavations for footings are complete and any required reinforcing steel and formwork is in place. Setbacks from property lines, adequate soil conditions, and footing depth, width and location shall be verified.
 2. Underground inspection: When the underground is installed and visible.
 3. Framing inspection: To be made after all framing, fire blocking, bracing and roof coverings are in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing and heating inspections are approved. All structural elements shall be inspected, and the vertical reinforcing steel for foundations shall be verified.
 4. Fire caulking inspection: Fire caulking shall be inspected at the time of the framing inspection at penetrations within concealed spaces.

5. Firewall inspection: Firewalls must be completed and inspected at the time of the framing inspection. Firewall penetrations and top-of-wall conditions shall be inspected prior to the placement of any ceilings or other finishes.
 6. Final inspection: To be made after the building and finish grading is completed and ready for occupancy or use. Exemptions for weather allowed.
 7. Certificate of occupancy or certificate of completion inspection: To be made prior to occupancy of any new structure or when the use of any structure changes. This inspection may be substituted for the final inspection.
 8. Special inspections: Special inspections shall be made as required in the Adopted Construction Codes or elsewhere in City Ordinances.
 9. Other inspections: In addition to the inspections specified above, the Building Official may make or require other inspections of any construction work to ascertain compliance with the provisions of this code and the Adopted Construction Codes, and other laws, which are enforced by this jurisdiction.
- B. Buildings or structures built without one (1) or more required inspections under this chapter or under the Adopted Construction Codes may be classed as an unsafe building or structure and action taken for unsafe buildings or structures under 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 in the Box Elder Municipal Code for unsafe buildings or structures of the currently adopted edition of the International Building Code.

150.01.290 RE-INSPECTIONS:

- ~~A. Once an inspection is requested, the installation shall be ready for inspection. When a person requests an inspection but the work is not ready for inspection when the inspector conducts the inspection, the Building Official may charge a re-inspection fee. If a second inspection is needed because the work was not ready for inspection, and if the work is also not ready for the second inspection, the Building Official shall charge a re-inspection fee.~~
- ~~B. If the inspector must make a second or subsequent inspection of the same portion of work in order to grant approval fees will be assessed, and no additional inspection of the work will be performed until the required fees have been paid.~~

150.01.300 VIOLATIONS AND PENALTIES:

- A. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building, or structure, or cause or permit the same to be done in violation of this title.

- B. If the owner, contractor, lessee, firm, corporation or other individuals(s) responsible for the violation shall fail to make such changes, alterations or repairs within the time set forth in the notice of violation, and no extension of such time has been procured, the Director of Planning and Zoning, Building Official or his/her duly authorized representatives, may issue an administrative citation and/or forward such evidence of violations to the Office of the City Attorney for proper legal action. The City Attorney is authorized to utilize all legal means permitted by the State of South Dakota to abate violations.
- C. Any person who shall commence any building work for which a permit is required by this code without first having obtained a permit therefor 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 therefor before the commencement of the work. In all such cases, a permit shall be obtained as soon as it is practical to do so, and if there were an unreasonable delay in obtaining the permit, a double fee as herein provided shall be charged.

150.01.310 NOTICE OF VIOLATION:

The Building Official or his/her duly authorized representatives shall, upon substantiated evidence of violation of any provision of this title, issue written notice to the owner, contractor, lessee, firm, corporation or other individual(s) responsible for the violation to correct same. Such corrective work shall start within thirty (30) days and finish within sixty (60) days, or as otherwise determined by the Building Official. Any corrective work related to a roofing permit must be finished within thirty (30) days.

150.01.320 PENALTY:

~~Any person violating this title shall be subject to an administrative citation and/or the general penalty provision of 10.99. Every such person, persons, firm or corporation shall be deemed guilty of a separate offense for every day on which such violation shall continue.~~

150.01.330 PERMIT FEES:

Fees payable under this chapter pursuant to any permit or license issued, or any inspection, or for any other reason shall be determined by resolution of the Common Council. The Building Official may establish a fee refund policy.

150.01.340 CITY ADDRESSING: (SEE TITLE IX CHAPTER 98)

150.01.350 NON-LIABILITY OF CITY AND BUILDING OFFICIAL:

- A. The Building Official is charged with the enforcement of this chapter, acting in good faith and without malice in the discharge of the duties required by this code or by any other pertinent law or ordinance, shall not thereby be rendered personally liable for damages that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of such duties. A suit brought against the Building Official, employee or city

official because of such act or omission performed by the Building Official, employee or city official in the enforcement of any provision of this code or other pertinent laws or ordinances implemented through the enforcement of this chapter or enforced by the Building Official shall be defended by the city until final termination of such proceedings, and any judgment resulting therefrom shall be assumed by the city.

- B. This code and the Adopted Construction Codes shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building or structure for any damages to persons or property caused by defects, nor shall the Building Official or the city be held as assuming any such liability by reason of the duties assumed or inspections authorized by this code or any permits or certificates issued under this code.

150.01.360 CONTINGENT BUILDING PERMITS FOR FOOTINGS AND FOUNDATIONS:

- A. A building permit may be issued with the approval of the Director of Planning Zoning, or their respective designees, to allow the construction of footings and foundations only, pending the completion of approval by the city of a rezoning, variance, plat, conditional use permit, planned development permit, code revision or other similar matter, subject to the following:
1. The applicant has provided all information and materials required or requested and has paid all required fees;
 2. The Director of Planning and Zoning Department and/or the Director of Public Works anticipate that within a reasonably short time the necessary approvals will be made;
 3. There is no known objection by any affected party; and
 4. The applicant and property owner have executed an agreement satisfactory to the Building Official recognizing that construction of footings and foundations are done at the risk of the property owner and agreeing that if the necessary approval is not granted, the property owner at his or her own expense will remove all footings and foundations constructed pursuant to the contingent permit including all necessary restoration of the site, within 120 days of the date of the denial of the required approval.
- B. The issuance of contingent permit for the construction of footings and foundations shall be within the discretion of the Building Official. The contingent permit shall only allow the construction of footings and foundations and shall not be construed to imply any assurance on the part of the city that any approval necessary to allow construction of the project will be granted or to imply any liability on the part of the city if the approval is not granted.

150.01.370 SERVICE UTILITIES:

- A. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the Building Official.

- B. The Building Official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.
- C. Any public utility franchised or any entity authorized to do business in the city, shall refuse and terminate service to any building or structure upon a showing by the City that:
1. Fails to meet minimum standards as prescribed by this code and the Adopted Construction Codes as currently adopted and amended;
 2. Has been declared to constitute a public nuisance by the Common Council;
 3. Has been determined to constitute a dangerous or unsafe building as defined by the current building codes as currently adopted and amended;
 4. Is occupied or used in violation of the city's zoning ordinances;
 5. Has refused to comply with licensing provisions as required by the city;
 6. Has wiring installed or being installed in violation of the Electrical Code as currently adopted by the State of South Dakota;
 7. Has plumbing not complying with the Plumbing Code as currently adopted by the State of South Dakota;
- D. Upon determination by the Building Official and/or the Common Council that any of the preceding violations or conditions exist, notice of such violation shall be made to the owner and occupant and if such condition is not corrected within five (5) days the utility company or companies involved will be notified and upon notification will terminate service to the building or structure. The superintendent of water utilities of the city upon notification that such condition has not been corrected will forthwith terminate water service to the structure in question.

CHAPTER 150.02: MOVING OF BUILDINGS:

SECTION	PAGE
150.02.010 Permit required-Application- Fee- Display.	150-27
150.02.020 Authorized individuals-Liability for damages to city property.	150-27
150.02.030 Standing still in public street- Obstructing railways.	150-27
150.02.040 Cutting or trimming trees, shrubbery, flowers or grass.	150-28
150.02.050 Cutting and removing wires and overhead structures.	150-28
150.02.060 Violation-Penalty.	150-28

150.02.010 PERMIT REQUIRED-APPLICATION FEE – DISPLAY:

- A. No licensed moving contractor or any other person shall move any building or structure over any street or alley without a building permit, if required, and a moving permit. A moving permit shall be obtained only by a licensed moving contractor from the city's

Building Official or his/her designee. The building official shall issue the moving permit only after the proper application has been made and proof is furnished that the required fee has been paid to the city's Finance Officer. An application for a moving permit shall state the owner's name, moving contractor's license name and number, the location to be moved from, the location to be moved to, the route to be followed and the building permit number, previously obtained from the city or county to which the house and/or structure is to be moved, if a building permit is required by law. The fee for a moving permit shall be in accordance with approved fee schedule approved by City Council.

- B. Any fees payable to other city departments shall be paid prior to a moving permit being issued.
- C. No refunds of moving permit fees shall be authorized.
- D. Permits shall be valid for 14 days. No extension shall be made.

150.02.020 AUTHORIZED INDIVIDUALS – LIABILITY FOR DAMAGES TO CITY PROPERTY:

- A. No person except a licensed moving contractor shall move any buildings within the limits of the city; provided that, any building or structure with a width of ten (10') feet or less, and twelve (12') feet in length or less, and a height of 10 feet or less, and any trailer or similar structure constructed upon wheels, excluding of mobile homes or manufactured housing, may be moved within the city by persons other than a licensed moving contractor. The mover of any structure, trailer or house trailer shall be liable to the city for damages caused by moving operations to the paving, curbs, overhead wires or other property of the city.
- B. Any person or company not meeting the above requirements may be required to show proof of insurance and/or a public utilities commission authority number.

150.02.030 STANDING STILL IN PUBLIC STREET – OBSTRUCTING RAILWAYS:

- A. No person shall allow any building or part of a building to stand still in any public street without a valid right-of-way permit issued by the Public Works Division.
- B. No person shall allow any building to obstruct any railway except with the consent in writing from the railway company.

150.02.040 CUTTING OR TRIMMING TREES, SHRUBBERY, FLOWERS OR GRASS:

No person moving any building shall cut down, or trim trees or disturb shrubbery, flowers, grass or break off branches of any tree along street, without the written permission of the Public Works Director or adjacent property owner, as the case may be, having ownership of the trees, shrubbery, flowers or grass.

150.02.050 CUTTING AND REMOVING WIRES AND OVERHEAD STRUCTURES:

It shall be the duty of the moving contractor to notify owners of overhead wires and other structures that may be affected by the moving of any building, and give such time of notice as shall be ample to make necessary provisions, removals and repairs. The moving contractor shall be responsible for all damages, claims, repairs and other costs occasioned by the pursuit of their work due to negligence or otherwise.

150.02.060 VIOLATION-PENALTY:

- A. Any person violating the provisions of this chapter shall be subject to an administrative citation of not less than \$25 nor more than class II Misdemeanor, or both for each offense and day in violation.
- B. The Building Official, in their discretion, may refuse to issue a moving permit for the moving of any building or structure to be performed by any moving contractor if the moving contractor has failed to comply with the provisions of any other moving permits. Any moving contractor may appeal the decision of the Building Official to the ~~Common Council~~ Planning and Zoning Commission.

CHAPTER 150.03: INTERNATIONAL BUILDING CODE

SECTION	PAGE
150.03.010 Adoption of 2012 International Building Code.	150-30
150.03.020 IBC Chapter 1-Deleted in part and replaced in part.	150-30
150.03.030 Reserved.	150-31
150.03.040 Reserved.	150-31
150.03.050 IBC Chapter 1, Section 101.4.3 Plumbing-Amended.	150-31
150.03.060 IBC Chapter 1, Section 101.4.6 Energy-Deleted.	150-31
150.03.070 IBC Chapter 1, Section 101.4.7 Electrical-Added.	150-31
150.03.080 IBC Chapter 1, Section 106.1 Live loads posted-Amended.	150-31
150.03.090 IBC Chapter 1, Section 108.3 Temporary power-Amended.	150-32
150.03.100 IBC Chapter 1, Section 110.3 Required Inspections-Amended.	150-32
150.03.110 IBC Chapter 2, Section 202 Definitions-Amended.	150-32
150.03.120 IBC Chapter 3, Section 312 Utility and Miscellaneous Group U-Amended.	150-32
150.03.130 IBC Chapter 4, Section 402.6.4 Plastic signs-Deleted.	150-33
150.03.140 IBC Chapter 4, Section 403.1 Applicability-Amended.	150-33
150.03.150 IBC Chapter 4, Section [F] 404.3 Automatic sprinkler protection-Amended.	150-33
150.03.160 IBC Chapter 4, Section 412.4.1 Exterior walls-Deleted.	150-34
150.03.170 IBC Chapter 5, Section 504.2 Automatic sprinkler system increase-Amended.	150-34
150.03.180 IBC Chapter 9, Section [F] 903.2 Where required-Amended.	150-34
150.03.190 IBC Chapter 10, Table 1004.1.2 Maximum floor area allowances per occupant- Amended.	150-34
150.03.200 IBC Chapter 11, Section 1101.2 Design-Amended.	150-36
150.03.210 IBC Chapter 11, Section 1104.4 Multilevel buildings and	

facilities-Amended.	150-36
150.03.220 IBC Chapter 14, Section 1404.2.1 Weather resistive sheathing papers-Added.	150-37
150.03.230 IBC Chapter 14, Section 1405.11.4 Grounding-Amended.	150-37
150.03.240 IBC Chapter 15, Section [P] 1503.4 Roof drainage-Amended.	150-37
150.03.250 IBC Chapter 15, Section 1507.5.4 Ice barrier-Amended.	150-37
150.03.260 IBC Chapter 15, Section 1507.6.4 Ice barrier-Amended.	150-38
150.03.270 IBC Chapter 15, Section 1507.7.4 Ice barrier-Amended.	150-38
150.03.280 IBC Chapter 15, Section 1507.8.4 Ice barrier-Amended.	150-38
150.03.290 IBC Chapter 15, Section 1507.9.4 Ice barrier-Amended.	150-39
150.03.300 IBC Chapter 16, Section 1603.1 Construction documents-Amended.	150-39
150.03.310 IBC Chapter 16, Section 1604.1 General-Amended.	150-39
SECTION	PAGE
150.03.320 IBC Chapter 16, Section 1608 Snow loads-Amended.	150-40
150.03.330 IBC Chapter 16, Section 1612 Flood loads-Amended.	150-40
150.03.340 IBC Chapter 17, Section 1702 Definitions-Amended.	150-40
150.03.350 IBC Chapter 17, Section 1704.2 Special inspections-Amended.	150-41
150.03.360 IBC Chapter 17, Section 1712 Prefabrication-Added.	150-42
150.03.370 IBC Chapter 18, Section 1804.4 Grading and fill in flood hazard areas-Amended.	150-44
150.03.380 IBC Chapter 18, Section 1808.6.1.1 Frost protection-Added.	150-44
150.03.390 IBC Chapter 27, Section 2701.1 Scope-Amended.	150-45
150.03.400 IBC Chapter 29, Section 2901.1 Scope-Amended.	150-45
150.03.410 IBC Chapter 29, Section [P] 2902.1 Table, Minimum number of required plumbing fixtures-Amended.	150-45
150.03.420 IBC Chapter 30, Section 3002.7 Common enclosure with stairway-Amended.	150-52
150.03.430 IBC Chapter 31, Section 3109 Swimming pool enclosures and safety devices-Deleted.	150-52
150.03.440 IBC Chapter 32, Section 3202.1.4 Space below sidewalk-Added.	150-52
150.03.450 IBC Chapter 32, Section 3202.5 Projection into alleys-Added.	150-52
150.03.460 IBC Chapter 32, Section 3202.6 Public right-of-way-Structures prohibited-Exceptions-Added.	150-53
150.03.470 IBC Chapter 33, Section 3308 Temporary use of streets, alleys, and public property-Deleted.	150-53
150.03.480 IBC Chapter 34, Section 3412.2 Applicability-Amended.	150-53
150.03.490 IBC Appendix I, Section I105.2 Footings-Amended.	150-53
150.03.500 IBC Appendix J, Section J101.2 Flood hazard areas-Amended.	150-54
150.03.510 IBC Appendix J, Section J103.1 Permits required-Amended.	150-54
150.03.520 IBC Appendix J, Section J103.2 Exemptions-Amended.	150-54
150.03.530 IBC Appendix J, Section J104.2 Site plan requirements-Amended.	150-54
150.03.540 IBC Appendix J, Section J104.3 Geotechnical report-Amended.	150-55
150.03.550 IBC Appendix J, Section J107.2 Surface preparation-Amended.	150-55
150.03.560 IBC Appendix J, Section J109.1 General-Amended.	150-55
150.03.570 IBC Appendix J, Section J110 Erosion control-Amended.	150-55
150.03.580 IBC Appendix A, Table 100-B Climatic and geographic design criteria-Adopted.	150-55

150.03.010 ADOPTION OF 2012 INTERNATIONAL BUILDING INTERNATIONAL BUILDING CODE:

There is hereby adopted by the city that certain code, recommended by the International Code Council, known as the International Building Code, 2012 edition, specifically Chapters 1-27, 29-35, and Appendices B, C, I and J thereof. The code is adopted for all occupancies except 1- and 2-family dwellings. A copy of the same is on file in the office of the City Building Official.

150.03.020 IBC CHAPTER 1-DELETED IN PART AND REPLACE IN PART:

The following sections of IBC Chapter 1 are hereby deleted and replaced with comparable provisions found in Chapter 150.01

Administration of the Box Elder Municipal Code.
Section 103 Department of Building Safety
Section 104 Duties and Powers of Building Official
Section 105 Permits
Section 107 Submittal Documents
Section 109 Fees
Section 111 Certificate of Occupancy
Section 113 Board of Appeals
Section 114 Violations
Section 115 Stop Work Order

150.03.30 RESERVED:**150.03.04 RESERVED:****150.03.050 IBC CHAPTER 1, SECTION 101.4.3 PLUMBING- AMENDED:**

IBC Chapter 1, Section 101.4.3 Plumbing, is hereby amended to read in its entirety as follows: **101.4.3 Plumbing.** The provisions of the current plumbing code adopted by the State of South Dakota and enforced by the State Plumbing Commission with revisions, are hereby adopted by the City and shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

150.03.060 IBC CHAPTER 1, SECTION 101.4.6 ENERGY-DELETED:

IBC Chapter 1, Section 101.4.6 Energy, is hereby deleted in its entirety.

150.03.070 IBC CHAPTER 1, SECTION 101.4.7 ELECTRICAL-ADDED:

IBC Chapter 1, Section 101.4.7 Electrical, is hereby added to read in its entirety as follows: **101.4.7 Electrical.** The provisions of the current electrical code adopted by the State of South Dakota and enforced by the State Electrical Commission are hereby adopted by the City and

shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances thereto.

150.03.080 IBC CHAPTER 1, SECTION 106.1 LIVE LOADS POSTED-AMENDED:

IBC Chapter 1, Section 106.1 Live loads posted, is hereby amended to read in its entirety as follows:

106.1 Live loads posted. Live loads are not required posted for on floors or a portion thereof of a commercial or industrial building.

150.03.090 IBC CHAPTER 1, SECTION 108.3 TEMPORARY POWER-AMENDED:

IBC Chapter 1, Section 108.3 Temporary Power, is hereby amended to read in its entirety as follows:

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

150.03.100 IBC CHAPTER 1, SECTION 110.3 REQUIRED INSPECTIONS-AMENDED:

IBC Chapter 1, Section 110.3 Required inspections, is hereby amended to read in its entirety as follows: **110.3 Inspections.** The Building Official, upon notification, may schedule the inspections set forth in Section 110.3.1 through 110.3.10.

150.03.110 IBC CHAPTER 2, SECTION 202 DEFINITIONS-AMENDED:

All definitions will remain the same as in Section 202 except for those specifically changed as follows:

STRUCTURAL OBSERVATION. The visual observation of the structural system by a registered design professional for general conformance to the reviewed construction documents at significant construction stages and at completion of the structural system.

Structural observation does not include or waive the responsibility for the inspection required by Section 110, 1704 or other sections of this code.

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 open space on at least two sides.

150.03.120 IBC CHAPTER 3, SECTION 312 UTILITY AND MISCELLANEOUS GROUP U-AMENDED:

IBC Chapter 3, Section 312 Utility and Miscellaneous Group U, is hereby amended to read in its entirety as follows: SECTION 312 UTILITY AND MISCELLANEOUS GROUP U **312.1 General.** Buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy shall be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy. Group U shall include, but not be limited to, the following: Agricultural buildings Aircraft hangars, accessory to a one- or two-family residence (see Section 412.5)

Barns
Carports
Fences more than 6 feet (1829 mm) high
Grain silos, accessory to a residential occupancy
Greenhouses
Livestock shelters
Private garages
Retaining walls
Sheds
Stables
Tanks
Towers
Camping Cabins

312.2 Camping Cabins. Camping cabins must have an egress window or door in each sleeping area, a smoke detector in each sleeping area, interior and exterior light, interior and exterior plug-ins, the unit number on each cabin, rodent protection, a fire extinguisher in each unit, and accessible units shall be provided as per Table 1107.6.1.1.

150.03.130 IBC CHAPTER 4, SECTION 402.6.4 PLASTIC SIGNS-DELETED:

IBC Chapter 4, Section 402.6.4 Plastic signs, is hereby deleted in its entirety.

150.03.140 IBC CHAPTER 4, SECTION 403.1 APPLICABILITY-AMENDED:

IBC Chapter 4, Section 403.1 Applicability, is hereby amended to read in its entirety as follows: **403.1 Applicability.** High-rise buildings shall comply with Sections 403.2 through 403.6. The provisions of this section shall apply to buildings having occupied floors located more than 75 feet above the lowest level of fire department vehicle access. **Exception:** The provisions of Section 403.2 through 403.6 shall not apply to the following buildings and structures:

1. Airport traffic control towers in accordance with Section 412.3.
2. Open parking garages in accordance with Section 406.5.
3. Buildings with a Group A-5 occupancy in accordance with Section 303.5.
4. Low-hazard special industrial occupancies in accordance with Section 503.1.1.
5. Buildings with a Group H-1, H-2 or H-3 occupancy in accordance with Section 415.

150.03.150 IBC CHAPTER 4, SECTION [F] 404.3 AUTOMATIC SPRINKLER PROTECTION-AMENDED:

IBC Chapter 4, Section [F] 404.3, Automatic sprinkler protection, is hereby amended to read in its entirety as follows: **[F] 404.3 Automatic sprinkler protection.** An approved automatic sprinkler system shall be installed throughout the entire building.

Exception: That area of a building adjacent to or above the atrium need not be sprinkled, provided that portion of the building is separated from the atrium portion by not less than 2-hour fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 711, or both.

150.03.160 IBC CHAPTER 4, SECTION 412.4.1 EXTERIOR WALLS-DELETED:

IBC Chapter 4, Section 412.4.1 Exterior walls, is hereby deleted in its entirety.

150.03.170 IBC CHAPTER 5, SECTION 504.2 AUTOMATIC SPRINKLER SYSTEM INCREASE-AMENDED:

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

504.2 Automatic sprinkler system increase. Where a building is equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, the value specified in Table 503 for maximum building height is increased by 20 feet (6096 mm) and the maximum number of stories is increased by one. These increases are permitted in addition to the building area increase in accordance with Sections 506.2 and 506.3. For Group R buildings equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.2, the value specified in Table 503 for maximum building height is increased by 20 feet (6096 mm) and the maximum number of stories is increased by one, but shall not exceed 60 feet (18288 mm) or four stories, respectively.

Exceptions: The use of an automatic sprinkler system to increase building heights shall not be permitted for the following conditions:

1. Fire areas classified as a Group I-2 occupancy of Type IIB, III, IV or V construction.
2. Fire areas classified as a Group H-1, H-2, H-3 or H-5 occupancy.
3. Fire-resistance rating substitution in accordance with Table 601, Noted.

150.03.180 IBC CHAPTER 9, SECTION [F] 903.2 WHERE REQUIRED-AMENDED:

IBC Chapter 9, Section [F] 903.2 where required, is hereby amended to read in its entirety as follows:

[F] 903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12.

150.03.190 IBC CHAPTER 10, TABLE 1004.1.2 MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT-AMENDED:

IBC Chapter 10, Table 1004.1.2 Maximum floor area allowances per occupant, is hereby amended to read in its entirety as follows:

TABLE 1004.1.2

MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT

FUNCTION OF SPACE	FLOOR AREA IN SQ. FT. PER OCCUPANT
Accessory storage areas, mechanical equipment room	300 Gross
Agricultural building 300 gross	300 Gross
Aircraft hangers	500 Gross
Airport terminal	
Baggage claim	20 Gross
Baggage handling	300 Gross
Concourse	100 Gross
Waiting areas	15 Gross
Assembly	
Gaming Floors (Keno, Video Lottery, Slots, etc.)	15 Net
Assembly with fixed seats	See Section 1004
Assembly without fixed seats	
Concentrated (chairs only – not fixed)	7 Net
Standing space	5 Net
Un-concentrated (tables and chairs)	15 Net
Bowling centers, allow 5 persons for each lane including 15 feet of runway, and for additional areas	7 Net
Business areas	100 Gross
Courtrooms – other than fixed seating areas	40 Net
Daycare	35 Net
Dormitories	50 Gross
Educational Classrooms	
Classroom area	20 Net
Shops and Vocational room areas	50 Net
Exercise Rooms	200 Gross
H-5 Fabrication and Manufacturing areas	200 Gross
Industrial areas	100 Gross
Institutional areas	
Inpatient Treatment areas	240 Gross
Outpatient areas	100 Gross
Sleeping areas	120 Gross
Kitchens, Commercial	200 Gross
Library	
Reading rooms	50 Net
Stack area	100 Gross

FUNCTION OF SPACE	FLOOR AREA IN SQ. FT. PER OCCUPANT
Locker rooms	50 Gross
Mall Buildings	See Section 4.8.2
Mercantile	
Areas on other floors	60 Gross
Basement and grade floor areas	30 Gross
Storage, stock, shipping area	300 Gross
Parking garages	200 Gross
Residential	200 Gross
Skating rinks, swimming pools	
Rink and pool	50 Gross
Decks	15 Gross
Stage Platforms	15 Net
Warehouses	500 Gross
Jails	
Per bed	12 net
All others	100 Gross

150.03.200 IBC CHAPTER 11, SECTION 1101.2 DESIGN-AMENDED:

IBC Chapter 11, Section 1101.2 Design, is hereby amended to read in its entirety as follows:

1101.2 Design. Buildings and facilities shall be designed and constructed to be accessible in accordance with this code and ICC A117.1. The scoping provision of ANSI shall be per section 1103.

150.03.210 IBC CHAPTER 11, SECTION 1104.4 MULTILEVEL BUILDINGS AND FACILITIES-AMENDED:

IBC Chapter 11, Section 1104.4 Multilevel buildings and facilities, is hereby amended to read in its entirety as follows:

1104.4 Multilevel buildings and facilities. At least one accessible route shall connect each accessible level, including mezzanines, in multilevel buildings and facilities.

Exceptions:

1. An accessible route from an accessible level is not required in facilities that are less than three stories in height or have less than 3,000 square feet (278.7 M2) per story.

This exception shall not apply to:

- 1.1. Multiple tenant facilities of Group M occupancies containing five or more tenant spaces;
- 1.2. Levels containing offices of health care providers (Group B or I); or
- 1.3. Passenger transportation facilities and airports (Group A-3 or B).

2. Levels that do not contain accessible elements or other spaces as determined by Section 1107 or 1108 are not required to be served by an accessible route from an accessible level.
3. In air traffic control towers, an accessible route is not required to serve the cab and the floor immediately below the cab.
4. Where a two-story building or facility has one story with an occupant load of five or fewer persons that does not contain public use space, that story shall not be required to be connected by an accessible route to the story above or below.
5. Vertical access to elevated employee workstations within a courtroom is not required at the time of initial construction, provided a ramp, lift or elevator complying with ICC A117.1 can be installed without requiring reconfiguration or extension of the courtroom or extension of the electrical system.

150.03.220 IBC CHAPTER 14, SECTION 1404.2.1 WEATHER RESISTIVE SHEATHING PAPERS-ADDED:

IBC Chapter 14, Section 1404.2.1, Weather resistive sheathing papers, is hereby added to read as follows:

1404.2.1 Weather resistive sheathing papers. House wraps or weather resistive sheathing papers consisting of spun bonded olefin sheets of high-density polyethylene fibers are required to be installed as per the manufacturer's instruction/recommendations.

150.03.230 IBC CHAPTER 14, SECTION 1405.11.4 GROUNDING-AMENDED:

IBC Chapter 14, Section 1405.11.4 Grounding, is hereby amended to read in its entirety as follows:

1405.11.4 Grounding. Grounding of metal veneers on buildings shall comply with the current electrical code adopted by the State of South Dakota Electrical Commission.

150.03.240 IBC CHAPTER 15, SECTION [P] 1503.4 ROOF DRAINAGE-AMENDED:

IBC Chapter 15, Section [P] 1503.4 Roof drainage, is hereby amended to read in its entirety as follows: **[P] 1503.4 Roof drainage.** Design and installation of roof drainage systems shall comply with the current plumbing code adopted by the South Dakota State Plumbing Commission with revisions.

150.03.250 IBC CHAPTER 15, SECTION 1507.5.4 ICE BARRIER-AMENDED:

IBC Chapter 15, Section 1507.5.4, Ice barrier, is hereby amended to read in its entirety as follows:

1507.5.4 Ice barrier. In areas where there has been a history of ice forming along the eaves causing a backup of water, an ice barrier that consists of at 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 shield is not inspected, the contractor shall provide an affidavit that the ice shield materials were installed properly.

150.03.260 IBC CHAPTER 15, SECTION 1507.6.4 ICE BARRIER-AMENDED:

IBC Chapter 15, Section 1507.6.4 Ice barrier, is hereby amended to read in its entirety as follows:

1507.6.4 Ice barrier. In areas where there has been a history of ice forming along the eaves causing a backup of water, an ice barrier that consists of at 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 shield is not inspected, the contractor shall provide an affidavit that the ice shield materials were installed properly.

150.03.270 IBC CHAPTER 15, SECTION 1507.7.4 ICE BARRIER-AMENDED:

IBC Chapter 15, Section 1507.7.4 Ice barrier, is hereby amended to read in its entirety as follows:

1507.7.4 Ice barrier. In areas where the average daily temperature in January is 25°F (-4°C) or less or where there is a possibility of ice forming along the eaves causing a backup of water, an ice barrier that consists of at least two layers of underlayment cemented together or of a self-adhering polymer- modified bitumen sheet shall 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 shield is not inspected, the contractor shall provide an affidavit that the ice shield materials were installed properly.

150.03.280 IBC CHAPTER 15, SECTION 1507.8.4 ICE BARRIER-AMENDED:

IBC Chapter 15, Section 1507.8.4 Ice barrier, is hereby amended to read in its entirety as follows:

1507.8.4 Ice barrier. In areas where there has been a history of ice forming along the eaves causing a backup of water, an ice barrier that consists of at 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 shield is not inspected, the contractor shall provide an affidavit that the ice shield materials were installed properly.

150.03.290 IBC CHAPTER 15, SECTION 1507.9.4 ICE BARRIER-AMENDED:

IBC Chapter 15, Section 1507.9.4 Ice barrier, is hereby amended to read in its entirety as follows:

1507.9.4 Ice barrier. In areas where there has been a history of ice forming along the eaves causing a backup of water, an ice barrier that consists of at 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 shield is not inspected, the contractor shall provide an affidavit that the ice shield materials were installed properly.

150.03.300 IBC CHAPTER 16, SECTION 1603.1 CONSTRUCTION DOCUMENTS-AMENDED:

IBC Chapter 16, Section 1603.1 Construction documents, is hereby amended to read in its entirety as follows: **1603.1 General.** Construction documents shall show the size, section and relative locations of structural members with floor levels, column centers and offsets dimensioned. The design loads and other information pertinent to the structural design required by Sections 1603.1.1 through 1603.1.9 shall be indicated on the construction documents. Engineer design data shall be provided for roof areas where drifting occurs. The design data shall be shown on the plans.

Exception: Construction documents for buildings constructed in accordance with the conventional light-frame construction provisions of Section 2308 shall indicate the following structural design information:

1. Floor and roof live loads.
2. Ground snow load, Pg.
3. Ultimate design wind speed, V_{ult} , (3-second gust), miles per hour (mph) (km/hr) and nominal design wind speed, V_{asd} , as determined in accordance with Section 1609.3.1 and wind exposure.
4. Seismic design category and site class.
5. Flood design data, if located in flood hazard areas established in Section 1612.3.
6. Design load-bearing values of soils.

150.03.310 IBC CHAPTER 16, SECTION 1604.1 GENERAL-AMENDED:

IBC Chapter 16, Section 1604.1 General, is hereby amended to read in its entirety as follows: **1604.1 General.** Building, structures, and parts thereof shall be designed and constructed in accordance with strength design, load and resistance factor design, allowable stress design,

empirical design, or conventional construction methods, as permitted by applicable material chapters and Table 100-B, Climatic and Geographic Design Criteria.

15.03.320 IBC CHAPTER 16, SECTION 1608 SNOW LOADS-AMENDED:

IBC Chapter 16, Section 1608 Snow loads, is hereby amended to read as follows:

SECTION 1608
SNOW LOADS

1608.1 General. Design snow loads shall be determined in accordance with Chapter 7 of ASCE 7, but the design roof load shall not be less than that determined by Section 1607.

1608.2 Ground snow loads. The ground snow loads to be used in determining the design snow loads for roofs shall be determined in accordance with ASCE 7 or Figure 1608.2 for the contiguous United States and Table 1608.2 for Alaska. Site-specific case studies shall be made in areas designated "CS" in Figure 1608.2. Ground snow loads for sites at elevations above the limits indicated in Figure 1608.2 and for all sites within the CS areas shall be approved.

Ground snow load determination for such sites shall be based on an extreme value statistical analysis of data available in the vicinity of the site using a value with a 2-percent annual probability of being exceeded (50-year mean recurrence interval). ~~Snow loads are zero for Hawaii, except in mountainous regions as approved by the building official.~~ See Climatic Table 100-B and Section 1603.1 for additional design requirements.

1608.3 Ponding instability. Susceptible bays of roofs shall be evaluated for ponding instability in accordance with Section 7.11 of ASCE 7.

15.03.330 IBC CHAPTER 16, SECTION 1612 FLOOD LOADS-AMENDED:

IBC Chapter 16, Section 1612 Flood loads, is hereby amended to read in its entirety as follows:

SECTION 1612
FLOOD LOADS

1612 All. See Chapter 151, Flood Prevention Regulations, of the Box Elder Municipal Code.

15.03.340 IBC CHAPTER 17, SECTION 1702 DEFINITIONS-AMENDED:

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

SECTION 1702
DEFINITIONS

1702.1 General. The following terms are defined in Chapter 2 of the IBC:

APPROVED AGENCY.
APPROVED FABRICATOR.
CERTIFICATE OF COMPLIANCE.
DESIGNATED SEISMIC SYSTEM.
FABRICATED ITEM.
INSPECTION CERTIFICATE.
INTUMESCENT FIRE-RESISTANT COATINGS.
MAIN WIND-FORCE-RESISTING SYSTEM.
MASTIC FIRE-RESISTANT COATINGS.
SPECIAL INSPECTION.
SPECIAL INSPECTION, CONTINUOUS.
SPECIAL INSPECTION, PERIODIC.
SPRAYED FIRE-RESISTANT MATERIALS.
STRUCTURAL OBSERVATION.

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

LABEL. An identification applied on a product by the manufacturer that contains the name of the manufacturer, the function and performance characteristics of the product or material, and the name and identification of an approved agency and that indicates that the representative sample of the product or material has been tested and evaluated by an approved agency (see Section 1703.5 and **INSPECTION CERTIFICATE**, **MANUFACTURER'S DESIGNATION** and **MARK**).

MANUFACTURER'S DESIGNATION. An identification applied on a product by the manufacturer indicating that a product or material complies with a specified standard or set of rules (see also **INSPECTION CERTIFICATE**, **LABEL** and **MARK**).

MARK. An identification applied on a product by the manufacturer indicating the name of the manufacturer and the function of a product or material (see also **INSPECTION CERTIFICATE**, **LABEL** and **MANUFACTURER'S DESIGNATION**).

150.03.350 IBC CHAPTER 17, SECTION 1704.2 SPECIAL INSTRUCTIONS-AMENDED:

IBC Chapter 17, Section 1704.2 Special inspections, is hereby amended to read in its entirety as follows: **1704.2 Special inspections.** Where application is made for construction as described in this section, the owner, or the registered design professional responsible, acting as the owner's agent, shall employ one or more special inspectors to provide inspections during construction on the types of work listed under Section 1705. These inspections are in addition to the inspections specified in Section 110.

Exceptions:

1. Special inspections are not required for construction of a minor nature or as warranted by conditions in the jurisdiction as approved by the building official and by the recommendation of the design professional.

2. Special inspections are not required for building components unless the design involves the practice of professional engineering or architecture as defined by applicable state statutes and regulations governing the professional registration and certification of engineers or architects.
3. Unless otherwise required by the building official, special inspections are not required for occupancies in Group R-3 as applicable in Section 101.2 and occupancies in Group U that are accessory to a residential occupancy including, but not limited to, those listed in Section 312.1.
4. Special inspections are not required for portions of structures designed and constructed in accordance with the cold-formed steel light-frame construction provisions of Section 2211.7 or the conventional light-frame construction provisions of Section 2308.

150.03.360 IBC CHAPTER 17, SECTION 1712 PREFABRICATION-ADDED:

IBC Chapter 17, Section 1712 Prefabrication, is hereby added to read in its entirety as follows:

SECTION 1712 PREFABRICATION

1712.1 General.

1712.1.1 Purpose. The purpose of this section is to regulate materials and establish methods of safe construction where any structure or portion thereof is wholly or partially prefabricated.

1712.1.2 Scope. Unless otherwise specifically stated in this section, all prefabricated construction and materials used therein shall conform to all the requirements of this code.

1712.1.3 Definitions.

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

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

1712.2 Tests of materials. Every approval of a material not specifically mentioned in this code shall incorporate as a proviso the kind and number of nationally recognized testes to be made during prefabrication.

1712.3 Tests of assemblies. The building official may require special tests to be made on assemblies to determine their durability and weather resistance.

1712.4 Connections. Every device used to connect prefabricated assemblies shall be designed as required by this code and shall be capable of developing the strength of the members connected, except in the case of members forming part of a structural frame as specified in Chapter 16. Connections shall be capable of withstanding uplift forces as specified in this code and in Chapter 16.

1712.5 Pipes and conduits. In structural design, due allowances shall be made for any material to be removed for the installations of pipes, conduit, and other equipment.

1712.6 Permits, materials, plans, fees, certificate, and inspections.

1712.6.1 Materials. Materials and the assembly thereof shall be inspected to determine compliance with this code. Every material shall be graded, marked, or labeled as required elsewhere in this code.

1712.6.2 Plans. One complete set of plans and specifications shall be submitted to the building inspection division of planning and building services for approval prior to issuing a building permit for a prefabricated structure. Plans shall be of sufficient detail and clarity to indicate compliance with all applicable codes (electrical, plumbing, building, mechanical, and zoning).

1712.6.3 Permits and fees. Permit fees shall be as follows:

1. The fee for a building permit shall be set by resolution of the Common Council.
2. Electrical, plumbing, and mechanical permits and fees shall conform to the respective permit requirements and fee schedules.

1712.6.4 Certificate. A certificate of approval shall be furnished with every prefabricated assembly and prefabricated structure, except where the assembly is readily accessible to inspection at the site. The certificate of approval shall certify that the assembly in question has been inspected and meets all the requirements of this code. When mechanical equipment is installed so that it cannot be inspected at the site, the certificate of approval shall certify that such equipment complies with the laws applying thereto.

1712.6.5 Certifying agency. To be acceptable under this code, every certificate of approval shall be made by the approved agency.

1712.6.6 Field erection. The building official shall inspect placement of prefabricated assemblies at the building site to determine compliance with this code. Installation and finishing work at the building site must be performed by locally licensed contractors where required. Final inspections are to be made after the installation and finishing work has been completed, and the building is ready for occupancy.

1712.6.7 Continuous inspection. If continuous inspection is required for certain materials where construction takes place on the site, it shall also be required where the same materials are used in prefabricated construction.

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

1712.6.8 Moving permits. A moving permit shall be obtained for each prefabricated structure being moved within the city in accordance with Section 3410 Moved Buildings & Chapter 150.02 of the Box Elder Municipal Code.

150.03.370 IBC Chapter 18, Section 1804.4 Grading and fill in flood hazard areas-Amended.

IBC Chapter 18, Section 1804.4 Grading and fill in flood hazard areas, is hereby amended to read in its entirety as follows:

1804.4 Grading and fill in flood hazard areas. See Chapter 151, Flood Prevention Regulations, of the Box Elder Municipal Code.

150.03.380 IBC CHAPTER 18, SECTION 1808.6.1.1 FROST PROTECTION-ADDED:

IBC Chapter 18, Section 1808.6.1.1, Frost protection, is hereby added to read in its entirety as follows:

1808.6.1.1 Frost protection. Except where otherwise protected from frost, foundation walls, piers and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

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

Exception: Freestanding buildings meeting all of the following conditions shall not be required to be protected:

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

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

150.03.390 IBC CHAPTER 27, SECTION 2701.1 SCOPE-AMENDED:

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

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

150.03.400 IBC CHAPTER 29, SECTION 2901.1 SCOPE-AMENDED:

IBC Chapter 29, Section 2901.1 Scope, is hereby amended to read in its entirety as follows:
2901.1 Scope. This chapter governs the plumbing components, equipment and systems used in buildings and structures covered by this code. Plumbing components, equipment and systems shall be designed and constructed in accordance with the provisions of the current plumbing code adopted by the State of South Dakota. Toilet and bathing rooms shall be constructed in accordance with Section 1210.

150.03.410 IBC CHAPTER 29, SECTION [P] 2902.1 TABLE, MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES-AMENDED:

IBC Chapter 29, Section [P] 2902.1 Table, Minimum number of required plumbing fixtures, is hereby amended to read as follows:

SECTION 2902
MINIMUM PLUMBING FACILITIES

Uniform Plumbing Code
Table 4-1

Minimum Plumbing Facilities 1

Each building shall be provided with sanitary facilities, including provisions for persons with disabilities as prescribed by the Department Having Jurisdiction. Table 4-1 applies to new buildings, additions to a building, and changes of occupancy or type in an existing building resulting in increased occupant load. Exception: New cafeterias used only by employees.

The total occupant load shall be determined in accordance with the Building Code. The type of building or occupancy shall be determined based on the actual use of the various spaces within the building. Building categories not shown in Table 4-1 shall be considered separately by the Authority Having Jurisdiction. The minimum number of fixtures shall be calculated at 50 percent male and 50 percent female based on the total occupant load.

Once the occupant load and uses are determined, the requirements of section 412.0 and Table 4-1 shall be applied to determine the minimum number of plumbing fixtures required.

Type of Building ² or Occupancy	Water Closets ¹⁴ (Fixtures per Person)	Urinals ⁵ (Fixtures per Person)	Lavatories (Fixtures per Person)	Bathtubs or Showers (Fixtures per Person)	Drinking ³ . ^{13, 17} Fountains (Fixtures per Person)
Assembly places— theatres, auditoriums, convention halls, etc.—for permanent employee use	Male Female 1: 1-15 1: 1-15 2: 16-35 3: 16-33 3: 36-55 4: 36-55 Over 55, add 1 fixture for each additional 40 persons.	Male 0: 1-9 1: 10-50 Add one fixture for each additional 50 males.	Male Female 1 per 40 1 per 40	N/A	N/A
Assembly places— theatres, auditoriums, convention halls, etc.—for public use	Male Female 1: 1-100 3: 1-50 2: 101-200 4: 51-100 3: 201-400 8: 101-200 11: 201-400 Over 400, add one fixture for each additional 500 males and 1 for each additional 125 females.	Male 1: 1-100 2: 101-200 3: 201-400 4: 401-600 Over 600, add 1 fixture for each additional 300 males.	Male Female 1: 1-200 1: 1-200 2: 201-400 2: 201-400 3: 401-750 3: 401-750 Over 750, add one fixture for each additional 500 persons.		1: 1-150 2: 151-400 3: 401-750 Over 750, add one fixture for each additional 500 persons
Dormitories ⁹ For School or labor ¹⁶	Male Female 1 per 10 1 per 8 Add 1 fixture for each additional 25 males (over 10) and 1 for each additional 20 females (over 8).	Male 1 per 25 Over 150, add 1 fixture for each additional 50 males.	Male Female 1 per 12 1 per 12 Over 12, add one fixture for each additional 20 males and 1 for each 15 additional females.	1 per 8 For females, add 1 bathtub per 30. Over 150, add 1 bathtub per 20.	1 per
Dormitories For staff use ¹⁶	Male Female 1: 1-15 1: 1-5 2: 16-35 3: 16-35 3: 36-55 4: 36-55 Over 55, add 1 fixture for each additional 40 persons.	Male 1 per 50	Male Female 1 per 40 1 per 40	1 per 8	

Type of Building ² or Occupancy	Water Closets ¹⁴ (Fixtures per Person)	Urinals ⁵ (Fixtures per Person)	Lavatories (Fixtures per Person)	Bathtubs or Showers (Fixtures per Person)	Drinking ^{3, 13, 17,} Fountains (Fixtures per Person)
Dwellings ⁴ Single dwelling Multiple dwelling or apartment house ¹	1 per dwelling 1 per dwelling or apartment		1 per dwelling 1 per dwelling or apartment unit	1 per dwelling 1 per dwelling or apartment unit	
Hospital waiting rooms	1 per room		1 per room		1 per 150 ¹²
Hospitals—for employee use	Male Female 1: 1-15 1: 1-5 2: 16-35 3: 16-35 3: 36-55 4: 36-55 Over 55, 1 additional fixture for each additional 40 persons.	Male 0: 1-0 1: 10-50 Add one fixture for each additional 50 males.	Male Female 1 per 40 1 per 40		
Hospitals Individual room Ward room	1 per room 1 per 8 patients		1 per room 1 per 10 patients	1 per room 1 per 20 patients	1 per 150 ¹²
Industrial ⁶ warehouses, workshops, foundries, and similar establishments—for employee use	Male Female 1: 1-10 1: 1-10 2: 11-25 2: 11-25 3: 26-50 3: 26-50 4: 51-75 4: 51-75 5: 76-100 5: 76-100 Over 100, add 1 fixture for each additional 30 persons.		Up to 100, 1 per 10 persons over 100, 1 per 15 persons ^{7, 8}	1 shower for each 15 persons exposed to excessive heat or to skin contamination with poisonous, infectious or irritating material	1 per 150 ¹²
Institutional—other than hospitals or penal institutions (on each occupied)	Male Female 1 per 25 1 per 20	Male 0: 1-9 1: 10-50 Add one fixture for each	Male Female 1 per 10 1 per 10	1 per 8	1 per 150 ¹²

floor)		additional 50 males.			
--------	--	----------------------	--	--	--

	Water Closets¹⁴ (Fixtures per Person)	Urinals⁵ (Fixtures per Person)	Lavatories (Fixtures per Person)	Bathtubs or Showers (Fixtures per Person)	Drinking^{3, 13, 17,} Fountains (Fixtures per Person)
Institutional—other than hospitals or penal institutions (on each occupied floor)—for employee use	Male Female 1: 1-15 1: 1-15 2: 16-35 3: 16-35 3: 36-55 4: 36-55 Over 55, add 1 fixture for each additional 40 persons.	Male 0: 1-9 1: 10-50 Add one fixture for each additional 50 males.	Male Female 1 per 40 1 per 40	1 per 8	1 per 150 ¹²
Office or public buildings	Male Female 1: 1-100 3: 1-50 2: 101-200 4: 51-100 3: 201-400 8: 101-200 11: 201-400 Over 400, add one fixture for each additional 500 males and 1 for each additional 150 females.	Male 1: 1-100 2: 101-200 3: 201-400 4: 401-600 Over 600, add 1 fixture for each additional 300 males.	Male Female 1: 1-200 1: 1-200 2: 201-400 2: 201-400 3: 401-750 3: 401-750 Over 750, add one fixture for each additional 500 persons.		1 per 150 ¹²
Office or public buildings—for employee use	Male Female 1: 1-15 1: 1-15 2: 16-35 3: 16-35 3: 36-55 4: 36-55 Over 55, add 1 fixture for each additional 40 persons.	Male 0: 1-9 1: 10-50 Add one fixture for each additional 50 males.	Male Female 1 per 40 1 per 40		
Penal institutions—for employee use	Male Female 1: 1-15 1: 1-15 2: 16-35 3: 16-35 3: 36-55 4: 36-55 Over 55, add 1 fixture for each	Male 0: 1-9 1: 10-50 Add one fixture for each	Male Female 1 per 40 1 per 40		1 per 150 ¹²

	additional 40 persons.	additional 50 males.			
Type of Building ² or Occupancy	Water Closets ¹⁴ (Fixtures per Person)	Urinals ⁵ (Fixtures per Person)	Lavatories (Fixtures per Person)	Bathtubs or Showers (Fixtures per Person)	Drinking ^{3, 13, 17,} Fountains (Fixtures per Person)
Elementary	Male 1 per 30 Female 1 per 25	Male 1 per 75	Male 1 per 35 Female 1 per 35		1 per 150 ¹²
Penal institutions—for prison use Cell Exercise room	1 per cell 1 per exercise room	Male 1 per exercise room	1 per cell 1 per exercise room		1 per cell block floor 1 per exercise room
Public or professional offices ¹⁵	Same as Office or Public Buildings for employee use ¹⁵	Same as Office or Public Buildings for employee use ¹⁵	Same as Office or Public Buildings for employee use ¹⁵		Same as Office or Public Buildings for employee use ¹⁵
Restaurants, pubs and lounges ^{11, 15}	Male 1: 1-50 2: 51-150 3: 151-300 Female 1: 1-50 2: 51-150 4: 151-300 Over 300, add 1 fixture for each additional 500 males and one for each 150 females	Male 1: 1-150 Over 150, add 1 fixture for each additional 150 males.	Male 1: 1-150 2: 151-200 3: 201-400 Female 1: 1-150 2: 151-200 3: 201-400 Over 400, add 1 fixture for each additional 400 persons.		
Retail or Wholesale Stores	Male 1: 1-100 2: 101-200 3: 201-400 Female 1: 1-25 2: 26-100 4: 101-200 6: 201-300 8: 301-400 Over 400, add one fixture for each additional 500 males and one for each 150 females	Male 0: 0-25 1: 26-100 2: 101-200 3: 201-400 4: 401-600 Over 600, add one fixture for each additional 300 males	1 per 2 water closets		0: 1-30 ¹⁷ 2: 31-150 One additional drinking fountain for each 150 persons thereafter

Type of Building ² or Occupancy	Water Closets ¹⁴ (Fixtures per Person)	Urinals ⁵ (Fixtures per Person)	Lavatories (Fixtures per Person)	Bathtubs or Showers (Fixtures per Person)	Drinking ^{3, 13, 17,} Fountains (Fixtures per Person)
Schools—for staff use All school	Male Female 1: 1-15 1: 1-15 2: 16-35 2: 16-35 3: 36-55 3: 36-55 Over 55, add 1 fixture for each additional 40 persons	Male 1 per 50	Male Female 1 per 40 1 per 40		
Retail or Wholesale Stores	Male Female 1: 1-100 1: 1-25 2: 101-200 2: 26-100 3: 201-400 4: 101-200 6: 201-300 8: 301-400 Over 400, add one fixture for each additional 500 males and one for each 150 females	Male 0: 0-25 1: 26-100 2: 101-200 3: 201-400 4: 401-600 Over 600, add one fixture for each additional 300 males	1 per 2 water closets		0: 1-30 ¹⁷ 2: 31-150 One additional drinking fountain for each 150 persons thereafter
Schools—for staff use All school	Male Female 1: 1-15 1: 1-15 2: 16-35 2: 16-35 3: 36-55 3: 36-55 Over 55, add 1 fixture for each additional 40 persons	Male 1 per 50	Male Female 1 per 40 1 per 40		
Schools—for student use Nursery	Male Female 1: 1-20 1: 1-20 2: 21-50 2: 21-50 Over 50, add 1 fixture for each		Male Female 1: 1-25 1: 1-25 2: 26-50 2: 26-50 Over 50, add 1 fixture for each		1 per 150 ¹²

	additional persons		additional 50 persons		
--	--------------------	--	-----------------------	--	--

Type of Building ² or Occupancy	Water Closets ¹⁴ (Fixtures per Person)	Urinals ⁵ (Fixtures per Person)	Lavatories (Fixtures per Person)	Bathtubs or Showers (Fixtures per Person)	Drinking ^{3, 13, 17,} Fountains (Fixtures per Person)
Secondary	Male 1 per 40 Female 1 per 30	Male 1 per 35	Male 1 per 40 Female 1 per 40		1 per 150 ¹²
Others (colleges, universities, adult centers, etc.)	Male 1 per 40 Female 1 per 30	Male 1 per 35	Male 1 per 40 Female 1 per 40		1 per 150 ¹²
Worship places educational and activities Unit	Male 1 per 150 Female 1 per 75	Male 1 per 150	1 per 2 water closets		1 per 150 ¹²
Worship places principal assembly place	Male 1 per 150 Female 1 per 75	Male 1 per 150	1 per 2 water closets		1 per 150 ¹²

1. The figures shown are based upon one (1) fixture being the minimum required for the number of persons indicated or any fraction thereof.
2. Building categories not shown on this table shall be considered separately by the Authority Having Jurisdiction.
3. Drinking fountains shall not be installed in toilet rooms.
4. Laundry trays. One (1) laundry tray or one (1) automatic washer standpipe for each dwelling unit or one (1) laundry tray or one (1) automatic washer standpipe, or combination thereof, for each twelve (12) apartments. Kitchen sinks, one (1) for each dwelling or apartment unit.
5. For each urinal added in excess of the minimum required, one water closet shall be permitted to be deducted. The number of water closets shall not be reduced to less than two-thirds (2/3) of the minimum requirement.
6. As required by PSAI Z4.1, *Sanitation in Places of Employment*.
7. Where there is exposure to skin contamination with poisonous, infectious, or irritating materials, provide one (1) lavatory for each five (5) persons.
8. Twenty-four (24) lineal inches (610 mm) of wash sink or eighteen (18) inches (457 mm) of a circular basin, when provided with water outlets for such space, shall be considered equivalent to one (1) lavatory.
9. Laundry trays, one (1) for each fifty (50) persons. Service sinks, one (1) for each one hundred (100) persons. Service sinks are required in all occupancies listed in Table 4-1 with the exception of dwellings.
10. General. In applying this schedule of facilities, consideration shall be given to the accessibility of the fixtures. Conformity purely on a numerical basis may not result in an installation suited to the needs of the individual establishment. For example, schools should be provided with toilet facilities on each floor having classrooms.
 - a. Surrounding materials, wall, and floor space to a point two (2) feet (610 mm) in front of urinal lip and four (4) feet (1,219 mm) above the floor, and not less than two (2) feet (610 mm) to each side of the urinal shall be lined with non-absorbent materials.
 - b. Trough urinals shall be prohibited.
11. A restaurant is defined as a business that sells food to be consumed on the premises.
 - a. The number of occupants for a drive-in restaurant shall be considered as equal to the number of parking stalls.
 - b. Hand-washing facilities shall be available in the kitchen for employees.

12. Where food is consumed indoors, water stations shall be permitted to be substituted for drinking fountains. Offices, or public buildings for use by more than six (6) persons shall have one (1) drinking fountain for the first one hundred fifty (150) persons and one (1) additional fountain for each three hundred (300) persons thereafter.
13. There shall be at least one (1) drinking fountain per occupied floor in schools, theatres auditoriums, dormitories, offices, or public buildings.
14. The total number of water closets for females shall be equal to the total number of water closets and urinals required for males. This requirement shall not apply to Retail or Wholesale Stores.
15. For smaller-type Public and Professional Offices such as banks, dental offices, law offices, real estate offices, architectural offices, engineering offices, and similar uses. A public area in these offices shall use the requirements for Retail or Wholesale Stores.
16. Recreation or community room in multiple dwellings or apartment buildings, regardless of their occupant load, shall be permitted to have separate single-accommodation facilities in common-use areas, within tracts or multi-family residential occupancies where the use of these areas is limited exclusively to owners, residents, and their guests. Examples are community recreation or multi-purpose areas in apartments, condominiums, townhouses, or tracts.
17. A drinking fountain shall not be required in occupancies of 30 or less. When a drinking fountain is not required, then footnotes 3, 12, and 13 are not applicable.

150.03.420 IBC CHAPTER 30, SECTION 3002.7 COMMON ENCLOSURE WITH STAIRWAY-AMENDED:

IBC Chapter 30, Section 3002.7 Common enclosure with stairway, is hereby amended to read in its entirety as follows:

3002.7 Common enclosure with stairway. Elevators shall not be in a common shaft enclosure with a stairway unless allowed as per Section 1022.

150.03.430 IBC CHAPTER 31, SECTION 3109 SWIMMING POOL ENCLOSURES AND SAFETY DEVICES-DELETED:

IBC Chapter 31, Section 3109 Swimming pool enclosures and safety devices, is hereby deleted in its entirety.

150.03.440 IBC CHAPTER 32, SECTION 3202.1.4 SPACE BELOW SIDEWALK-ADDED:

IBC Chapter 32, Section 3202.1.4 Space below sidewalk is hereby added to read in its entirety as follows: **3202.1.4 Space below sidewalk.** The space adjoining a building below a sidewalk on public property may be used and occupied in connection with the building for any purpose not inconsistent with this code or other laws or ordinances regulating the use and occupancy of such spaces on condition that the right to so use and occupy may be revoked by the City at any time and that the owner of the building will construct the necessary walls and footings to separate such space from the building and pay all costs and expenses attendant therewith. Footings located at least 8 feet (2438 mm) below grade may project not more than 12 inches (305 mm). (Ord. 6017 (part), 2014)

150.03.450 IBC CHAPTER 32, SECTION 3202.5 PROJECTION INTO ALLEYS-ADDED:

IBC Chapter 32, Section 3202.5 Projection into alleys is hereby added to read in its entirety as follows: **3202.5 Projection into alleys.** No part of any structure or any appendage thereto shall project into any alley.

Exceptions:

1. A curb or buffer block may project not more than 9 inches (229 mm) and not exceed a height of 9 inches (229 mm) above grade.
2. Footings located at least 8 feet (2438 mm) below grade may project not more than 12 inches (305 mm).

150.03.460 IBC CHAPTER 32 32, SECTION 3202.6 PUBLIC RIGHT-OF-WAY STRUCTURES PROHIBITED-EXCEPTIONS-ADDED:

IBC Chapter 32, Section 3202.6 Public right-of-way-Structures-Exceptions, is hereby added to read in its entirety as follows: **3202.6 Public rights-of-way-Structures prohibited-Exceptions.** Unless otherwise permitted by Municipal Code or approved on a temporary basis by the City Council in conjunction with a community event.

150.03.470 IBC CHAPTER 33, SECTION 3308 TEMPORARY USE OF STREETS, ALLEYS, AND PUBLIC PROPERTY-DELETED:

IBC Chapter 33, Section 3308 Temporary use of streets, alleys, and public property, is hereby deleted in its entirety.

150.03.480 IBC CHAPTER 34, SECTION 3412.2 APPLICABILITY-AMENDED:

IBC Chapter 34, Section 3412.2 Applicability, is hereby amended to read in its entirety as follows:

3412.2 Applicability. Structures existing prior to the adoption of this code, in which there is work, involving additions, alterations or changes of occupancy shall be made to comply with the requirements of this section or the provisions of Sections 3403 through 3409.

The provisions in Sections 3412.2.1 through 3412.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.

150.03.490 IBC APPENDIX I, SECTION I105.2 FOOTINGS-AMENDED:

IBC Appendix I, Section I105.2 Footings, is hereby amended to read in its entirety as follows: **I105.2 Footings.** A patio cover shall be permitted to be supported on a concrete slab on grade without footings, provided the slab conforms to the provisions of Chapter 19 of this code, is not less than 3 1/2 inches (89 mm) thick and further provided that the columns do not support loads in excess of 750 pounds (3.36 kN) per column.

150.03.500 IBC APPENDIX J, SECTION J101.2 FLOOD HAZARD AREAS- AMENDED:

IBC Appendix J, Section J101.2 Flood hazard areas, is hereby amended to read in its entirety as follows: **J101.2 Flood hazard areas.** See Chapter 151, Flood Area Prevention Regulations, of the City of Box Elder Municipal Code.

150.03.510 IBC APPENDIX J, SECTION J103.1 PERMITS REQUIRED-AMENDED:

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

J103.1 Permits required. Except as exempted in Section J103.2, no grading shall be performed without first having obtained approval from South Dakota DENR, and obtained a permit therefore from the building official and paying the required grading permit fee and grading plan review fee as established by resolution of the Common Council. A grading permit does not include the construction of retaining walls or other structures.

150.03.520 IBC APPENDIX J, SECTION J103.2 EXEMPTIONS-AMENDED:

IBC Appendix J, Section J103.2 Exemptions, is hereby amended to read in its entirety as follows:

J103.2 Exemptions. A grading permit shall not be required for the following:

1. Grading in an isolated, self-contained area, provided that the total amount of grading does not exceed 15 cubic yards or one acre, (whichever is the lesser amount) that there is no danger to the public, and that such grading will not adversely affect adjoining properties.
2. Excavation for construction of a structure permitted under this code.
3. Cemetery graves.
4. Refuse disposal sites controlled by other regulations.
5. Excavations for wells, or trenches for utilities.
6. Mining, quarrying, excavating, processing or stockpiling rock, sand, gravel, aggregate or clay controlled by other regulations, provided such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties.
7. Exploratory excavations performed under the direction of a registered design professional.

Exemption from the permit requirements of this appendix 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.

150.03.530 IBC APPENDIX J, SECTION J104.2 SITE PLAN REQUIREMENT-AMENDED:

IBC Appendix J, Section J104.2 Site plan requirements, is hereby amended to read in its entirety as follows:

J104.2 Site plan requirements. In addition to the provisions of Section 107, a grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of this code.

The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of this code. Site plans shall be prepared and stamped by a registered engineer, except that when the grading permit is for a recreational facility, a registered landscape architect may prepare the data required.

150.03.540 IBC APPENDIX J, SECTION J104.3 GEOTECHNICAL REPORT-AMENDED:

IBC Appendix J, Section J104.3 Geotechnical report, is hereby amended to read in its entirety as follows: **J104.3 Geotechnical report.** A geotechnical report prepared by a registered engineer shall be provided. The report shall contain at least the following:

1. The nature and distribution of existing soils;
2. Conclusions and recommendations for grading procedures;
3. Soil design criteria for any structures or embankments required to accomplish the proposed grading; and
4. Where necessary, slope stability studies, and recommendations and conclusions regarding site geology.

Exception: A geotechnical report is not required where the building code official determines that the nature of the work applied for is such that a report is not necessary.

150.03.550 IBC APPENDIX J, SECTION J107.2 SURFACE PREPARATION-AMENDED:

IBC Appendix J, Section J107.2 Surface preparation, is hereby amended to read in its entirety as follows: **J107.2 Surface preparation.** The ground surface shall be prepared to receive fill by removing vegetation, topsoil and other unsuitable materials, and scarifying the ground to a depth of at least 8 inches to provide a bond with the fill material.

150.03.560 IBC APPENDIX J, SECTION J109.1 GENERAL-AMENDED:

IBC Appendix J, Section J109.1 General, is hereby amended to read in its entirety as follows: **J109.1 General.** Unless otherwise recommended by a registered engineer, drainage facilities and terracing shall be provided in accordance with the requirements of this section.

Exception: Drainage facilities and terracing need not be provided where the ground slope is not steeper than 3 horizontal to 1 vertical (33 percent).

150.03.580 TABLE 100-A, CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA-ADOPTED:

When a provision in this code refers to a climatic condition or general condition found below, the following table shall be used, to the extent that it applies:

TABLE 100-A CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LEVEL	WIND SPEED (MPH)	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP.	ICE BARRIER UNDERLAY REQUIREMENT	FLOOD HAZARD	AIR FREEZING INDEX	MEAN ANNUAL TEMP
			WEATHERING	FROST LINE DEPTH	TERMITE					
42 psf ¹	115 ²	See	Moderate	42"	None to	-7	Yes	June	1548	48 F

	footnote ³		slight		2013	
--	-----------------------	--	--------	--	------	--

1. The ground snow load for Box Elder shall be 42 psf and as per ASCE 705.
2. Wind loads shall be in accordance with Chapters 26 to 30 of ASCE 7-10 and shall be based upon the Occupancy Category of the building under design. Buildings shall at a minimum be designed to Occupancy Category II having an ultimate wind speed velocity of 115 mph.
3. Seismic loads shall be in accordance with Section 1613 of IBC 2012 and ASCE 7-10. In the absence of specific site information, the building shall be designed in accordance with the following:

Short Period Acceleration (Ss) = 0.125 g
 1-Second Period Acceleration (S1) = 0.043 g
 Site Class = D

SECTION	PAGE
<u>CHAPTER 15.04: INTERNATIONAL RESIDENTIAL CODE</u>	150-57
150.04.010 Adoption.	150-59
150.04.020 IRC Chapter 1-Deleted in part and replaced in part.	150-59
SECTION	PAGE
150.04.030 IRC Chapter 1, Section R101.2, Scope-Amended.	150-59
150.04.040 IRC Chapter 1, Section R102.7, Existing structures-Amended.	150-59
150.04.050 IRC Chapter 1, Section R103.1, Creation of enforcement agency-Amended.	150-60
150.04.060 IRC Chapter 1, Section R109.1, Types of Inspections – Amended	150-60
150.04.070 IRC Chapter 1, Section R109.1.3, Floodplain inspections Amended	150-61
150.04.080 IRC Chapter 1, Section R202, Definitions-Amended.	150-61
150.04.090 IRC Chapter 2, Section R301.2(1) Climatic and geographic design criteria - Amended.	150-61
150.04.100 IRC Chapter 3, Table R301.2(1), Climatic and geographic design criteria-Amended.	150-61
150.04.110 IRC Chapter 3, Section R301.2.4, Floodplain construction-Amended.	150-61
150.04.120 IRC Chapter 3, Section R302.2, Townhouses-Amended.	150-62
150.04.130 IRC Chapter 3, Section 302.6, Dwelling/garage fire separation-Amended.	150-62
150.04.140 IRC Chapter 3, Section R302.12, Draftstopping-Amended.	150-62
150.04.150 IRC Chapter 3, Section R303.1, Habitable rooms-Amended.	150-63
150.04.160 IRC Chapter 3, Section R309.3, Flood hazard areas-Amended.	150-63
150.04.170 IRC Chapter 3, Section R310.1, Emergency escape and rescue required-Amended.	150-64
150.04.180 IRC Chapter 3, Section R310.1.1, Minimum opening area-Amended.	150-64
150.04.190 IRC Chapter 3, Section R310.2.1, Ladder and steps-Amended.	150-65

150.04.200	IRC Chapter 3, Section R311.3.1, Floor elevations at the required egress doors- Amended.	150-65
150.04.210	IRC Chapter 3, Section R311.7.4, Stair treads and risers-Amended.	150-65
150.04.220	IRC Chapter 3, Section R311.7.9.3, Circular stairways-Added.	150-66
150.04.230	IRC Chapter 3, Section R317.1.1, Field treatment-Amended.	150-66
150.04.240	IRC Chapter 3, Section R318, Protection against subterranean termites-Deleted.	150-66
150.04.250	IRC Chapter 3, Section R322, Flood-resistant construction-Amended.	150-67
150.04.260	IRC Chapter 4, Section R401.1, Application-Amended.	150-67
150.04.265	IRC Chapter 4, Section R401.4, Soil Test-Amended	150-67
150.04.266	IRC Chapter 4, Section R401.4.1, Geotechnical Evaluation-Deleted	150-68
150.04.267	IRC Chapter 4, Section R401.4.2, Compressible or Shifting Soil-Deleted	150-68
150.04.270	IRC Chapter 4, Section R403.1.4.1, Frost protection-Amended.	150-68
150.04.275	IRC Chapter 4, Section R403.1.8, Foundations on Expansive Soils-Deleted.	150-68
SECTION		PAGE
150.04.280	IRC Chapter 4, Section R405.01, Concrete or masonry foundations-Amended.	150-69
150.04.290	IRC Chapter 4, Section R408.07, Flood resistance required-Amended.	150-69
150.04.300	IRC Chapter 5, Section R506.2.3, Vapor retarder-Deleted.	150-69
150.04.310	IRC Chapter 6, Section R601.3, Vapor retarders-Deleted.	150-69
150.04.320	IRC Chapter 6, Section R602.3(5), Table-Amended.	150-69
150.04.330	IRC Chapter 9, Section R903.4.1, Overflow drains and scuppers-Amended.	150-70
150.04.340	IRC Chapter 9, Section R905.2.7.1, Ice barrier-Amended.	150-70
150.04.350	IRC Chapter 11-Amended.	150-70
150.04.360	IRC Appendix E, Section AE101.1, General-Amended.	150-71
150.04.370	IRC Appendix J, Section AJ102.5, Flood hazard areas-Amended.	150-71
150.04.380	IRC Appendix H, Section AH106.1, General-Amended.	150-71
150.04.390	IRC Appendix H, Section AH107, Special provisions for aluminum screen enclosures in hurricane-prone regions-Deleted.	150-72

150.04.010 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, 2012 edition, specifically Chapters 1-11, Chapter 44, and Appendices E, J, K, & H thereof. The code is adopted for 1- and 2-family dwellings only. A copy of same is on file in the office of the City Building Official.

150.04.020 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 150.01 Administration of the Box Elder 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

150.04.030 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.

150.04.040 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.

150.04.050 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.~~

150.04.060 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 151, Flood Prevention Regulations, of the Box Elder Municipal Code.

150.04.070 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 150.

150.04.080 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 151, Flood Preventions Regulations, of the Box Elder Municipal Code.

150.04.090 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.

150.04.100 IRC CHAPTER 3, TABLE R301.2(1), CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA-AMENDED:

IRC Chapter 3, Table R301.2(1), Climatic and geographic design criteria, is hereby amended by inserting the following information into the table.

TABLE 100-A CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

TABLE 100-A CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LEVEL	WIND SPEED (MPH)	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP.	ICE BARRIER UNDERLAY REQUIREMENT	FLOOD HAZARD	AIR FREEZING INDEX	MEAN ANNUAL TEMP
			WEATHERING	FROST LINE DEPTH	TERMITE					
42 psf ¹	115 ²	See footnote ³	Moderate	42"	None to slight	-7	Yes	June 2013	1548	48

1. The ground snow load for Box Elder shall be 42 psf and as per ASCE 705.
2. Wind loads shall be in accordance with Chapters 26 to 30 of ASCE 7-10 and shall be based upon the Occupancy Category of the building under design. Buildings shall at a minimum be designed to Occupancy Category II having an ultimate wind speed velocity of 115 mph.
3. Seismic loads shall be in accordance with Section 1613 of IBC 2012 and ASCE 7-10. In the absence of specific site information, the building shall be designed in accordance with the following:

Short Period Acceleration (Ss) = 0.125 g
 1-Second Period Acceleration (S1) = 0.043 g
 Site Class = D

150.04.110 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 Title 151.32, Flood Area Construction Regulations, of the City of Box Elder Municipal Code.

150.04.120 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.

150.04.130 IRC CHAPTER 3, SECTION 302.6, DWELLING/GARAGE FIRE SEPARATION-AMENDED:

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 apply to garage walls that are perpendicular to the adjacent dwelling unit wall.

TABLE R302.6 DWELLING/GARAGE SEPARATION MATERIAL: Separation from the residence and attics, by not less than 1/2-inch gypsum board or equivalent applied to the garage side from all habitable rooms above the garage, by 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 or accessor buildings, located less than six (6) feet from an equivalent separation applied to dwelling unit on the same lot that are within this area, by not less than 1/2-inch gypsum board or the interior side of exterior walls

150.04.140 IRC CHAPTER 3, SECTION R302.12, DRAFTSTOPPING-AMENDED:

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

R302.12 Draft-stopping. 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.

150.04.150 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.

150.04.160 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 151, Flood Area Construction Regulations, of the Box Elder City Municipal Code.

150.04.170 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).

150.04.180 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).

150.04.190 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.

150.04.200 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

servicing 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.

150.04.210 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).

R311.7.4.2 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.

150.04.220 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.

150.04.230 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.

150.04.240 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**150.04.250 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 151, Flood Area Construction Regulations, of the Box Elder City Municipal Code.

150.04.260 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.

150.04.265 IRC CHAPTER 4, SECTION R401.4 SOIL TEST-AMENDED:

IRC Chapter 4, Section 401.4 Soil Tests is hereby, and amended to read in its entirety as follows:

SECTION R401.4 SOIL PREPARATION. Compressible, shifting, and expansive soils are located throughout the City of Box Elder, and foundations and slabs placed on such soil require appropriate site preparation. A geotechnical engineering evaluation shall be provided for all new one & two family dwellings, however is not required for driveways or garage slabs. Such evaluation shall be provided with the building permit application.

There will be no City inspections in regards to the geotechnical report, and aspects of the report are the responsibility of the contractor and/or permit holder.

If the geotechnical evaluation included recommendations to address compressible, shifting, or expansive soils, then the contractor and/or permit holder shall submit an affidavit that all recommendations in the evaluation were completed. The affidavit and any documentation and/or photographs shall be submitted to the homeowner and the City Planning Department prior to the final inspection and issuance of a Certificate of Occupancy.

150.04.266 IRC CHAPTER 4, SECTION R401.4.1 GEOTECHNICAL EVALUATION-DELETED:

IRC Chapter 4, Section 401.4.1 Geotechnical evaluation is hereby deleted in its entirety.

150.04.267 IRC CHAPTER 4, SECTION R401.4.2 COMPRESSIBLE OR SHIFTING SOIL – DELETED

IRC Chapter 4, Section R401.4.2 Compressible or Shifting Soil, is hereby deleted in its entirety.

150.04.270 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.

150.04.275 IRC CHAPTER 4, SECTION R403.1.8 FOUNDATIONS ON EXPANSIVE SOIL-DELETED:

IRC Chapter 4, Section 403.1.8 Foundations on expansive soils, is hereby deleted in its entirety.

150.04.280 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.

150.04.290 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 151, Flood Area Construction Regulations, of the Box Elder City Municipal Code.

150.04.300 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)

150.04.310 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

150.04.320 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^{a-d}

- 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.

150.04.330 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 State of South Dakota.

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

150.04.350 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.

150.04.360 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 151, Flood Area Construction Regulations, of the Box Elder City Municipal Code.

150.04.370 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 151, Flood Area Construction Regulations, of the Box Elder City Municipal Code.

150.04.380 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.

150.04.390 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.

CHAPTER 150.06: ELECTRICAL CODE

SECTION	PAGE
150.06.010 Adoption.	150-73
150.06.020 Administration and Enforcement-Added.	150-73

150.06.010 ADOPTION:

There is adopted by the City of Box Elder, for the purpose of prescribing regulations for the practical safeguarding of persons and property from hazards arising from the use of electricity, that certain code known as the National Electrical Code (NEC), as recommended by the National Fire Protection Association (NFPA), specifically the 2014 edition thereof, also known as NFPA 70, and NFPA 73, Residential Electrical Maintenance Code for One and Two Family

Dwellings, 2011 Edition, for the inspection of existing commercial and residential buildings and services; and these are adopted by reference as though fully set forth herein.

150.06.020 ADMINISTRATION AND ENFORCEMENT-ADDED:

Administration and Enforcement, is added to read as follows:

Administration and Enforcement

All responsibility for administration and enforcement of the National Electrical Code will be left with the authority of the State Electrical Commission and their associated inspectors as provide by SDCL 36-16.

CHAPTER 150.07: PLUMBING CODE

SECTION	PAGE
15.07.010 Adoption.	150-72
15.07.020 Administration and Enforcement.	150-72

15.07.010 ADOPTION:

There is adopted by the city the 2009 Uniform Plumbing Code, as adopted by the South Dakota State Plumbing Commission. A copy of the same is on file in the office of the Community Planning and Development Services Department.

150.07.020 Administration and Enforcement-Added.

Administration and Enforcement, is added to read as follows:

Administration and Enforcement

All responsibility for administration and enforcement of the Uniform Plumbing Code will be left with the authority of the State Plumbing Commission and their associated inspectors as provide by SDCL 36-25.

CHAPTER 150.08: NOISE LEVEL REDUCTION REQUIREMENT

NOISE LEVEL REDUCTION

SECTION	PAGE
150.08.10 Purpose.	150-73
150.08.20 Adoption of Noise Level Reduction Design Requirements.	150-73
150.08.30 General Requirements.	150-76

150.08.010 PURPOSE:

A significant portion of the city is impacted by high noise levels generated by airfield operations. The US Environmental Protection Agency (EPA) has determined that prolonged exposure to such high noise levels is hazardous to human physical and mental health. Such exterior noise may be isolated and reduced to acceptable levels in homes and businesses through construction techniques that selectively increase the sound insulating quality of the exterior shell of occupied structures. The goal of these regulations is to obtain an interior noise level on not more than 65dB in all areas within the AICUZ noise zones designated greater than 65dB. Construction that complies with the noise level reduction design requirements, will provide sufficient noise attenuation to provide an acceptable interior noise levels.

150.08.020 ADOPTION OF NOISE LEVEL REDUCTION DESIGN REQUIREMENTS:

The Council hereby adopts the following noise level reduction design requirements for the construction of all new occupancies located within AICUZ noise zones to protect the health and safety of city residents. The construction requirements provided in this chapter are the minimum standards necessary to achieve the desired noise level reduction within occupied structures that are located in established AICUZ noise zones. These requirements shall also apply to all occupied structures located within noise zones that are expanded or structurally altered.

It will be the responsibility of the permit holder to comply with the Noise Level Reduction Design Requirements.

150.08.030 GENERAL REQUIREMENTS:

- (A) Except as otherwise required by law, an occupancy legally established prior to the adoption date of this chapter may be maintained unchanged. Any such legally nonconforming occupancy may be enlarged or extended with approved permits only if the portion of the structure being enlarged or extended complies with all provisions of this chapter.
- (B) The sound transmission class (STC) ratings are considered to be the recommended standard for construction materials/assemblies. It is not the intent of the Council to require a builders/manufacture's certification of the STC for the construction material/assembly.
- (C) The noise level reduction requirements specified may be achieved by any suitable combination of building design, building siting, choice of building materials, and execution of construction details in accordance with established architectural and acoustical principles. The NLR requirements should be applied to all occupied rooms having one or more exterior walls or an exterior ceiling. A room without any exterior walls, and which has an occupied space above its entire area, shall not be subject to these requirements.

- (D) An “exterior” door or window opens to the exterior of the structure or to a partially enclosed space such as a screened-in porch. In this chapter, whenever the words ‘doors” or “windows” are used it shall be assumed that the standard provision applies only to exterior doors and exterior windows, unless the word “interior” is specifically used for that provision.
- (E) Sound transmission class (STC) ratings for windows and doors are valid only if they are determined by laboratory (not field) tests performed by an independent testing laboratory for the product. A rating estimated for glass alone is not an acceptable substitute for STC tests of windows or doors, except for determining the rating of sidelights and transoms. Likewise, ratings estimated for door leafs alone are not an acceptable substitute for STC ratings of doors. The installed products must have the same composition and overall configuration such as storm panels, glass type (laminated, tempered, or float glass), glass thickness, spacing between panes of insulated glass, door core, gaskets, weather-stripping, door bottom seals, thresholds, etc., and the same overall configuration as the tested assembly. The overall configuration includes the operation type (casement, double hung, fixed, slider, etc.) in the case of windows, and the general size of glazing (one-eighth inch, one-fourth inch, one-half inch or full-view) in the case of doors. Issues that do not affect the acoustical performance such as glass obscuration, internal window muntin’s, door and window hardware, screens, and applied door moldings can be ignored.
- (F) Door sidelights and door and window transoms shall be considered “windows” and shall meet the provisions for windows. For these products it is acceptable to reference the laboratory STC rating of the glass alone. However, for the adjacent windows and doors it is still necessary to reference STC tests for the entire assembly, not just the glass or door leaf.
- (G) The phrase “roof” as used in this chapter shall refer to a ceiling attached to the bottom edge of roof structural members that are at least 14 inches deep (the depth is the clear distance between the ceiling gypsum board and the roof deck) for the portion of the structural member over a living space. The use of shallower roof framing is not allowed without a written statement from a qualified acoustical consultant or licensed architect. The best acoustical performance is achieved when there are horizontal ceilings, an accessible attic space above, and a sloped roof.
- (H) Mobile homes shall not be allowed to move into, or within, noise zones.
(Exception: Mobile Home Parks that were established prior to the adoption of this Ordinance, may exchange homes that do not comply with this chapter)
- (I) Commercial and industrial occupancies in noise zones shall also be sound attenuated to meet noise level reduction (NLR) requirements for all office, conference, break, and gathering areas and shall have their building plans certified

as such by a qualified acoustical consultant or a licensed architect. A building plan review is required for all commercial or industrial building permit applications before the permit can be approved.

(J) Agricultural structures are exempt from these requirements.

150.08.040 80+ dB NOISE ZONE:

New residential construction is not allowed in this noise zone. All construction for non-residential occupancies in this noise zone shall be designed by a licensed architect to meet a NLR of at least 65dB.

CHAPTER 150.09: RESERVED

CHAPTER 19.10: RESERVED

SECTION	PAGE
<u>CHAPTER 150.11: TRAVEL PARKS/CAMPING</u>	150-73
Article I. General Provisions	
150.11.010 Definitions.	150-73
Article II. Permit	
150.11.020 Required.	150-96
150.11.030 Application.	150-96
150.11.040 Authorization authority.	150-97
150.11.050 Issuance prior to completion.	150-97
150.11.060 Term.	150-97
150.11.070 Fee.	150-98
Article III. Property Development Standards	
150.11.080 Applicability.	150-98
150.11.090 Area.	150-98
150.11.100 Density.	150-98
150.11.110 Drainage.	150-98
150.11.120 Yards.	150-98
150.11.130 Internal streets.	150-98
150.11.140 Pedestrian walkways.	150-102
151.11.150 Recreation area.	150-102
150.11.160 Spaces.	150-102
150.11.170 Stands.	150-103
150.11.180 Parking.	150-103
150.11.190 Electrical hookups.	150-103

150.11.200 Water connections.	150-103
150.11.210 Sewer hookups.	150-104
150.11.220 Toilet, washroom, bathing facilities.	150-104
150.11.230 Service buildings.	150-104
150.11.240 Dumping station.	150-104
150.11.250 Fireplaces and cooling shelters.	150-104

ARTICLE I - DEFINITIONS

150.11.010 DEFINITIONS:

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DEPENDENT UNIT. Any unit other than a self-contained unit.

RECREATIONAL HOUSING. Includes travel trailers, park model trailers, camping cabins, pick-up coaches or campers, motorhomes, camping trailers, tents and similar forms of housing or shelter used for recreational purposes. An individual facility of the kind described herein shall hereafter be referred to as a unit.

RECREATIONAL HOUSING SPACE. The land set aside for the placement of the unit and exclusive use of its occupants and hereafter is referred to as space.

SELF-CONTAINED UNIT. A unit which can operate independent of external sewer, water and electric systems, containing a toilet, water storage connected to a kitchen sink and holding facilities for all liquid wastes.

TRAVEL PARK. A plot of ground primarily for use as parking and camping facilities by persons with transportable recreational housing with appropriate accessory uses.

ARTICLE II - PERMIT:

150.11.020 REQUIRED:

No travel park shall be operated within the city without first obtaining a permit therefor.

Exception: Travel/RV Parks in existence prior to the adoption of this chapter. Any expansion of an existing travel park, shall be compliant with the requirements herein specified.

150.11.030 APPLICATION:

A. An application for a travel park permit shall be as regulated hereunder.

B. The application for a permit shall be filed with and issued by the Planning Department upon approval of the Planning Commission and Common Council. Each application shall be accompanied by 3 copies of the plot plan drawn to scale and prepared by a licensed engineer or architect. The copies shall be reviewed and approved by the Planning Department, the South Dakota Department of Health, the Planning Commission and the Common Council.

The application for a permit shall be accompanied by a minimum fee of \$25 plus \$1 for every space or fraction thereof over 100 spaces. The following information shall be shown on the application:

1. Location and legal description of the proposed travel park;
2. Plans and specifications of all buildings, improvements, facilities and spaces constructed or to be constructed within the travel park;
3. Proposed use of buildings and spaces shown on the site;
4. The location and size of all recreational vehicle spaces;
5. Location of all points of entry and exit for motor vehicles and internal circulation pattern;
6. The location of all landscaping to be provided;
7. The location of all lighting and standards thereof to be provided;
8. Location of all walls and fences indicating height and materials of construction;
9. Name and address of the applicant;
10. Such other architectural and engineering data as may be required to permit the Building Inspector, Planning Director and Common Council to determine if the provisions of this chapter are being complied with.

150.11.040 AUTHORIZATION AUTHORITY:

Travel parks will be allowed only with the approval of the Planning Commission and Common Council.

150.11.050 ISSUANCE PRIOR TO COMPLETION:

The permit for operation may be issued prior to construction or completion thereof; provided, that a time schedule for development shall be prepared, which shall demonstrate the applicant's readiness and ability to provide the proposed services and all requirement improvements and facilities shall be installed within 1 year.

150.11.060 TERM:

Travel parks will be licensed annually and a fee will be charged.

150.1.070 FEE:

The permit fee for operating a travel park shall be \$35 per year for the first 10 RV/camping spaces and an additional \$.50 per year for each space in excess of 10. Any travel park adding

a spaces during a permit year shall pay the sum of \$5.00 for each space so added, for the unexpired portion of the year.

ARTICLE III - PROPERTY DEVELOPMENT STANDARDS

150.11.080 APPLICABILITY:

The following property development standards shall apply for all travel parks established after adoption of this chapter.

150.11.090 AREA:

No parcel of land containing less than five (5) acres may be used for the purpose permitted as a travel park or recreational vehicle park, unless conditional use permit in accordance with City CUP regulations and all other provisions of this article has been approved. In no case may a parcel of land less than three (3) acres be permitted as a travel park.

150.11.100 DENSITY:

A travel park shall be subject to the following density requirements: there shall be not less than 1,500 square feet of lot area for each space provided in the travel park; provided, however, that, maximum density shall not exceed twenty (20) spaces per acre within the travel park.

150.11.110 DRAINAGE:

The travel park shall be located on a well-drained site properly graded to insure rapid drainage and freedom from stagnant pools of water.

150.11.120 YARDS:

Yards adjacent to public streets inclusive of any parking/camping spaces or internal streets, shall be a minimum of 25 feet in depth. Yards abutting adjacent property outside the travel park without an intervening street or other permanent open space shall be at least 75 feet in width; provided, however, that this open space requirement may be reduced to a minimum of 25 feet upon adequate fencing and vegetative screening to protect occupants of adjoining properties from adverse influences within the travel park. All yards shall be landscaped and maintained.

150.11.130 INTERNAL STREETS:

Internal streets shall provide safe and convenient access to the spaces in appropriate travel park facilities. Alignment and grade shall be properly adapted to topography. Streets shall be paved with asphalt or Portland cement concrete, and provide a well-drained surface. The

roadway shall be of adequate width to accommodate anticipated traffic and shall meet the following minimum requirements:

- A. Entrance and all 2-way roads (no parking): Twenty-five (25') feet minimum driving surface;
- B. One-way (no parking): Fourteen (14') feet minimum driving surface.
- C. On road parking may be acceptable if additional hard surface road width is provided and approved in the initial review of the travel park application.

150.11.140 PEDESTRIAN WALKWAYS:

Access for pedestrians entering or leaving a travel park shall be by safe and convenient routes. The access need not be adjacent to or in the vicinity of other vehicular access points. Where there are crossing of roads for pedestrians at the edge of the travel park, they shall be safely located, marked and controlled where necessary. Adequate provisions shall be made for mutual visibility of drivers and persons crossing at such points.

150.11.150 RECREATION AREA:

Not less than 10% of the area of the travel park shall be devoted to recreation area. The recreation area may include space for common walkways and related landscaping in block interiors; provided that, the common open space is at least 20 feet in width, as passive recreation space, but shall include at least half of the total required recreation area in facilities for active recreation, such as swimming pools, ball fields, shuffleboard courts, play lots for small children and the like, of a nature designed to serve the type of campers anticipated, and so located as to be readily available from all spaces free from traffic hazards.

150.11.160 SPACES:

- A. Spaces shall be located in relation to internal streets as to provide for convenient vehicular ingress and egress if the space is intended for use by wheeled units.
- B. Where back-in or back-out spaces are used, appropriate maneuvering room shall be provided in the adjacent internal street and within the space, and where there are obstacles within potential maneuvering areas which might not be seen by a driver, the limits of the safe area shall be indicated in a manner clearly visible to the driver and ground blocks may be required to prevent backing into obstacles.
- C. That spaces be numbered to facilitate location by emergency vehicles.
- D. Where reasonably possible without excessive destruction of trees or other vegetation, particularly in campgrounds or portions of campgrounds intended for use by travel trailers, preference shall be given to a pull-through arrangement, so that no backing is necessary.
- E. Where spaces are to be used exclusively for erection of tents on the ground, it shall not be required to provide for vehicular access onto such spaces, but parking areas shall be provided within 100 feet thereof.

- F. No minimum dimensions are specified for spaces, but each shall provide a stand (unless used exclusively for erection of tents with no vehicles permitted) and the clearance and open spaces specified herein and the boundaries of each stand and space shall be clearly indicated.
- G. Spaces for dependent units shall be located within at least 300 feet by normal pedestrian routes of toilet, washroom and bath facilities. Spaces for self-contained units operating as such may be located more than 300 feet, but not more than 500 feet by normal pedestrian routes of toilet, washroom and bath facilities.

150.11.170 PARKING/CAMPING PADS/STANDS:

- A. Pads/Stands shall be of such size and be so located and improved in the spaces as to provide for the types of units, which are intended to use them. Where use by wheeled units is intended, vehicular access must be provided to the pad/stand. If use is to be restricted to tents to be erected on the ground, the pad/stand shall have a level surface suitable for erection of a tent, free of rocks, roots or other impediments to the driving of pegs to the depth of at least 8 inches, and graded and drained to prevent flow of surface water into or under tents erected on it. Pad/stands for wheeled units shall provide a smooth, paved, well-drained, dust-free surface level or of a grade not to exceed 5%. Stands shall be so located that when used clearances from units, including attached awnings and the like shall be as follows:
1. From units on adjoining stands: 15 feet;
 2. From common walkways, internal streets or parking areas: 15 feet;
 3. From buildings containing uses not likely to disturb stand occupants: 15 feet;
 4. From portions of buildings containing uses which would be disturbing to stand occupants: 25 feet.
- B. Within each space there shall be provided a living area suitably located and improved for outdoor use by occupants of units not to be occupied by units or towing vehicles, such space to be at least 10 feet minimum dimension and 200 square feet in area and so located as to be easily accessible from the entry side of units as normally parked and oriented on Pads/Stands.

150.11.180 PARKING GENERAL:

No parking shall be permitted upon the internal streets of the travel park unless otherwise approved, and a vehicle parking space shall be provided within each RV space, camping cabin or where tent facilities are utilized within a common area.

150.11.190 ELECTRICAL HOOKUPS:

Spaces for exclusive use of RV/Trailer shall be equipped with one (1) electrical hookup, 120 volts, 30 ampere with ground on conduit support. All electrical lines shall be installed underground. Electric hookups must meet the standards of the National Fire Protection Association Code 501-D-1971 A119.4-1971 for recreational travel parks.

150.11.200 WATER CONNECTIONS:

Each space, other than common congregate tent areas, shall include one (1) water connection with three-quarters (3/4") inch riser valve and three-quarters (3/4") inch hose bib. All water installations shall conform to the state plumbing code and current building codes adopted by the City of Box Elder, as amended, and be frostless in nature. The water system shall be adequate to provide 15 pounds per square inch of pressure at all spaces.

150.11.210 SEWER HOOKUPS:

Spaces for exclusive use of RV/trailer campers, which are supplied with water connections, shall have sanitary sewer connections

Such sewer hookups shall be installed pursuant to the requirements of the state plumbing code and the current building codes as adopted by the city.

150.11.220 TOILET, WASHROOM, BATHING FACILITIES:

A. A travel park containing one hundred spaces or less, shall provide toilet, washroom and bathing facilities at the following minimums:

1. Men: 4 shower stalls or 3 individual unisex showers, 2 water closets, 2 urinals, 4 lavatories;
2. Women: 4 shower stalls or 3 individual unisex showers, 4 water closets, 4 lavatories.

B. The same ratio shall apply for additional dependent sites and half of the facilities shall be required for additional self-contained sites. All such facilities shall be constructed and installed pursuant to City's adopted Building Code, state of South Dakota Plumbing Codes and other applicable local, state and federal regulations.

150.11.230 SERVICE BUILDINGS:

Each travel park shall be provided with a management office for management of the park and to provide services therefore. Such building office shall be constructed according to the current building code requirements adopted by the City of Box Elder. The management office may provide for sale or rental of supplies or for provision of services for satisfaction of daily or frequent needs of campers within the park, including providing groceries, ice, sundries, self-service laundry equipment and the like, but not sale of gasoline or fuel to automobiles.

150.11.240 DUMPING STATION (SANITARY SEWER):

Each park shall include a sanitary dumping station to be so located as not to create a traffic hazard on the main or circulating roads, nor to be a health hazard to the occupants of the park.

Such dumping station shall be constructed to meet the minimum requirements of the state plumbing code, the current building codes adopted by the City of Box Elder, and other

applicable ordinances and regulations, and shall meet the approval of the City of Box Elder and South Dakota Department of Health.

150.11.250 FIREPLACES AND COOKING SHELTERS:

Where fireplaces, cooking shelters or similar facilities for open fires or outdoor cooking are provided within spaces or elsewhere, they shall be so located, constructed, maintained and used as to minimize fire hazards, smoke nuisance within the park and in adjoining areas. Fuels used in outdoor fireplaces and grills must be restricted to wood, gas or charcoal.

APPENDIX A: TABLE 100-A IRC BUILDING PERMIT FEES

Total Valuation		Building Permit Fees			
From	To	Base Fee	For the First	Plus	For Each Additional
\$1	\$1,000	\$45.00			
\$1,001	\$2,000	\$45.00	\$1,000	\$2.50	\$100 or fraction thereof up to and including \$2,000
\$2,001	\$25,000	\$70.00	\$2,000	\$10.00	\$1,000 or fraction thereof up to and including \$25,000
\$25,001	\$50,000	\$300.00	\$25,000	\$7.50	\$1,000 or fraction thereof up to and including \$50,000
\$50,001	\$100,000	\$487.50	\$50,000	\$5.50	\$1,000 or fraction thereof up to and including \$100,000
\$100,001	\$500,000	\$762.50	\$100,000	\$3.50	\$1,000 or fraction thereof up to and including \$500,000
\$500,001	\$1,000,000	\$2,162	\$500,000	\$3.00	\$1,000 or fraction thereof up to and including \$1 Million
\$1,000,001	and above	\$3,662.00	\$1,000,000	\$2.00	\$1,000 or fraction there of above \$1 million

Other Inspections and Fees	
1. Fee for inspections outside of normal business hours (min. charge of 2 hours)	\$50 per hour ¹
2. Fee for re-inspection	\$50 per hour ¹
3. Fee for inspections for which no fee is indicated	\$50 per hour ¹
4. Fee for additional plan review required by changes, additions or revisions to plans (min. charge of 1 hour)	\$50 per hour ¹
5. Fee for use of outside consultants for plan checking and inspections or both	Actual costs ²
6. Fee for plan review for one- and two-family dwellings and accessory structures shall be 10% of the building permit fee	
7. Fee for plan review for all occupancies except one- and two-family dwellings shall be 25% of the building permit fee	

Notes to Table:

- ¹ Or the total hourly cost to the city, whichever is greater.
This cost shall include supervision, overhead, equipment, and hourly wages and benefits of the employees or contractors involved.
- ² Actual costs include administrative and overhead costs

APPENDIX B: TABLE 100-B IBC BUILDING PERMIT FEES

<i>Total Valuation</i>		<i>Building Permit Fees</i>			
<i>From</i>	<i>To</i>	<i>Base Fee</i>	<i>For the First</i>	<i>Plus</i>	<i>For Each Additional</i>
\$1	\$1,000	\$70			
\$1,001	\$2,000	\$70	\$2,000	\$2.50	\$100 or fraction thereof up to and including \$2,000
\$2,001	\$25,000	\$95.00	\$2,000	\$14.00	\$1,000 or fraction thereof up to and including \$25,000
\$25,001	\$50,000	\$417.00	\$25,000	\$11.00	\$1,000 or fraction thereof up to and including \$50,000
\$50,001	\$100,000	\$692.00	\$50,000	\$8.00	\$1,000 or fraction thereof up to and including \$100,000
\$100,001	\$500,000	\$1,092.00	\$100,000	\$6.50	\$1,000 or fraction thereof up to and including \$500,000
\$500,001	\$1,000,000	\$3,692.00	\$500,000	\$5.00	\$1,000 or fraction thereof up to and including \$1 Million
\$1,000,001	and above	\$6192.00	\$1,000,000	\$3.50	\$1,000 or fraction thereof.

<i>Other Inspections and Fees</i>	
1. Fee for inspections outside of normal business hours (min. charge of 2 hours)	\$50 per hour ¹
2. Fee for re-inspection	\$50 per hour ¹
3. Fee for inspections for which no fee is indicated	\$50 per hour ¹
4. Fee for additional plan review required by changes, additions or revisions to plans (min. charge of 1 hour)	\$50 per hour ¹
5. Fee for use of outside consultants for plan checking and inspections or both	Actual costs ²
6. Fee for plan review for one- and two-family dwellings and accessory structures shall be 10% of the building permit fee	
7. Fee for plan review for all occupancies except one- and two-family dwellings shall be 25% of the building permit fee	
Notes to Table:	
¹ Or the total hourly cost to the city, whichever is greater This cost shall include supervision, overhead, equipment, and hourly wages and benefits of the employees or contractors involved.	
² Actual costs include administrative and overhead costs	