

ORDINANCE NO. 5-2021

AN ORDINANCE AMENDING:

CHAPTER 15.04.020 – Building Codes Adopted

CHAPTER 15.04.025 – International Property Maintenance Code (IMPC) 2021 as published by the International Code Council

CHAPTER 15.04.026 – International Fire Code 2021 as published by the International Code Council

CHAPTER 15.04.027 – International Existing Building Code 2021 as published by the International Code Council

WHEREAS, the City of Belle Fourche is authorized under SDCL 9-19-3 to enact, make, amend, revise, or repeal ordinances and resolutions;

WHEREAS, it is in the best interest of the City to amend Belle Fourche City code, Chapters 15.04.020, 15.04.025, 15.04.026, 15.04.027;

NOW, THEREFORE, BE IT ORDAINED that chapters 15.04.020, 15.04.025, 15.04.026 and 15.04.027 are hereby amended by enacting the following:

15.04.020 Building codes adopted.

The Common Council adopts the International Residential Code for One- and Two-Family Dwellings, Chapters 1-10, 1102 and 44, as recommended by the International Code Council, specifically the ~~2015~~ 2021 edition thereof, and Appendix H and Q; for one- and two-family dwellings only; and the International Building Code, Chapters 1-12, 14-~~28~~ 26, 30-35, as recommended by the International Code Council, specifically the ~~2015~~ 2021 edition thereof, and Appendix C, G, I, and J; for all occupancies except one- and two-family dwellings. A copy of the same is on file in the office of the City building official. The Building Codes, as adopted, are hereinafter amended as follows:

- (1) IRC Chapter 1, Section R105.2 Work exempt from permit is hereby amended to read as follows: Permits shall not be required for the following:
 - a. Retaining walls that are not over four (4) feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
 - b. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to one 1.
 - c. Platforms, walks Sidewalks and driveways not more than 30 inches above grade and not over any basement or story below. However, sidewalks used for public access shall be inspected by the building official for accessibility.
 - d. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
 - e. Prefabricated swimming pools that are less than 24 inches deep.
 - f. Swings and other playground equipment accessory to a one- or two-family dwelling.
 - g. Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.
 - h. Non-invasive electrical repairs and alterations.
 - i. Non-invasive plumbing repairs and alterations.

- j. Non-invasive mechanical repairs and alterations.
- k. Direct window replacement that does not include additional construction
- l. Direct door replacement that does not include additional construction

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

**Table R301.2 (1)
Climate and Geographic Design Criteria**

Ground Snow Load	Wind Speed (mph)	Seismic Design Category	Weathering	Frost Line Depth	Termite	Winter Design Temp.	Ice Barrier Underlayment Required	Flood Hazards*	Air Freezing Index**	Mean Annual Temp.
30	115	A	Severe	42" <u>48"</u>	None to Slight	-7° F	Yes	1990/2012	3,000	48.2° F

* The date in which the City of Belle Fourche adopted the first ordinance for management of flood hazard areas / the date of the current effective flood hazard map.

**The AFI (Air Freezing Index) is a measure of the combined magnitude and duration of air temperatures above and below freezing during any given winter. The AFI, the thermal properties of the soil, and the surface soil cover are the major parameters used to determine the ground freezing potential of a given climate. The number days in the past 100 years as per the National Climatic Data Center.

- (2) IRC Chapter 3, Section R302.5.1 Opening protection: Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches in thickness, solid or honeycomb – core steel doors not less than 1 3/8 inches thick, or 20 minute fire rated doors, equipped with self-closing device.
- (3) IRC Chapter 3, Section 302.13 Fire Protection of Floors, hereby deleted,
- (4) IRC Chapter 3, Section R313 Automatic Fire Sprinkler Systems is hereby deleted. IRC Chapter 3, Section R313.2.1 Design and installation is hereby amended. When installed an Automatic Residential fire sprinkler systems shall be designed and installed in accordance with Section P2904 or NFPA 13D.
- (5) IRC Chapter 4, Section R403.1.4.1 Exception 1 Frost Protection. Protection of freestanding accessory structures with an area of ~~1,000~~ 600 square feet or less, of light-framed construction, with an eave height of 10 feet or less shall not be required.
- (6) Chapter 11 Energy Efficiency AMENDMENTS

**TABLE N1102.1
INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT^a**

Climate Zone	Fenestration U-Factor [Btu/hr-ft ² -degrees F]	Skylight ^b U-Factor	Glazed Fenestration SHGC	Ceiling R-Value ^j	Wood Frame Wall R-Value	Mass Wall R-Value ⁱ	Floor R-Value	Basement ^c Wall R-Value	Slab ^d R-Value and Depth	Crawl Space ^e Wall R-Value
6A	0.32 <u>0.30</u>	0.55	NR	49 <u>60</u>	19 <u>20</u> or 13+5 ^h <u>10</u> ^h	15 <u>19</u> <u>20</u>	30 ^g	10 <u>13</u> <u>15ci</u> or <u>19</u> or <u>13+5ci</u>	10, 42 <u>48</u> inches	10 <u>13</u> <u>15ci</u> or <u>19</u> or <u>13+5ci</u>

- a. *R*-values are minimums. *U*-factors and solar heat gain coefficient (SHGC) are maximums.
 - b. The fenestration *U*-factor column excludes skylights. The SHGC column applies to all glazed fenestration.
 - c. The first *R*-value applies to continuous insulation which is allowed to be applied at the time of finishing the basement, the second to framing cavity insulation; either insulation meets the requirement.
 - d. R-5 shall be added to the required slab edge *R*-values for heated slabs.
 - g. Or insulation sufficient to fill the framing cavity, R-~~19~~ 20 minimum.
 - h. “13+~~5~~ 10” means R-13 cavity insulation plus R-~~5~~ 10 insulated sheathing. If structural sheathing covers 25% or less of the exterior, R-~~5~~ 10 sheathing is not required where structural sheathing is used. If structural sheathing covers more than 25% of exterior, structural sheathing shall be supplemented with insulated sheathing of at least R-2.
 - i. The second *R*-value applies when more than half the insulation is on the interior.
 - j. The minimum *R*-value for ceilings is further based on a minimum 6-inch (152 mm) heel height to allow the ceiling insulation to extend over the top plate.
- (7) Exception for Half Tank Structures. No half tank steel structures shall be allowed in residential areas.
- (8) IBC Chapter 1, Section 105.2 Work exempt from permit is hereby amended to read as follows: Permits shall not be required for the following:

- a. Retaining walls that are not over four (4) feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
- b. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to one
- c. Sidewalks and driveways not more than 30 inches above adjacent grade, and not over any basement or story below and are not part of an accessible route.
- d. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- e. Temporary motion picture, television and theater stage sets and scenery.
- f. Prefabricated swimming pools that are less than 24 inches deep.
- g. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
- h. Swings and other playground equipment accessory to a commercial zoned building.
- i. Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support of Group R-3 and U occupancies.
- j. Non-invasive Electrical repairs and alterations.
- k. Non-invasive Plumbing repairs and alterations.
- l. Non-invasive Mechanical repairs and alterations.
- m. Oil derricks
- n. Sidewalks and driveway not more than 30 inches above adjacent grade, and not over any basement or story below and are not part of an accessible route.
- o. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches.
- p. Temporary motion picture, television and theater stage sets and scenery.
- q. Direct window replacement that does not include additional construction
- r. Direct door replacement that does not include additional construction

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

(9) Exception fire sprinklers. The City of Belle Fourche will not require that any fire sprinkler be installed in one-family dwellings as defined in SDCL 11-10-5. This exception will also apply to any specialty resort or vacation home establishment as defined in chapter SDCL 34-18.

15.04.025 – International Property Maintenance Code (IMPC) ~~2015~~ 2021 as published by the International Code Council:

The common council hereby adopts the ~~2015~~ 2021 International Property Maintenance Code (IPMC) to provide standards to safeguard life or limb, health, property, and public welfare by regulating, governing, and controlling the use, occupancy, conditions, and site maintenance of all property, buildings, and structures within this jurisdiction and to provide for a just, equitable,

and practicable method whereby buildings or structures, which from any cause endanger the life, limb, morals, property, safety, or welfare of the general public or their occupants, may be repaired, vacated, or demolished. A copy of the code shall be on file in the office of the city building official. The International Property Maintenance Codes, as adopted, are hereinafter amended as follows:

(1) Any reference to the term “code official” in the International Property Maintenance Code will be equated to the term “building official” as referred to in the Belle Fourche City Ordinances.

(1) ~~(2)~~ IPMC Chapter 1, Section 102.3 Application of other codes. This section is hereby amended to read as follows: Repairs, additions or alterations to a structure, or changes of *occupancy*, shall be done in accordance with the procedures and provisions of the *International Building Code, International Existing Building Code, International Fire Code, International Residential Code, Plumbing and Electrical Codes as adopted by the State of South Dakota, Belle Fourche City Ordinances and other codes as adopted by the City of Belle Fourche*. Nothing in this code shall be construed to cancel, modify or set aside any provision of the Belle Fourche Zoning Code. All other references to codes not adopted by the City of Belle Fourche, or listed in this paragraph shall be removed from this IMPC as adopted.

(2) ~~(3)~~ IPMC Chapter 3, Section 302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight (8) inches.

(3) ~~(4)~~ IPMC Chapter 3, Section 303.2 Swimming Pools, Spas and Hot Tubs: Enclosures will not be required for above ground prefabricated swimming pools that are less than 24 inches deep.

15.04.026 – International Fire Code 2021 as published by the International Code Council.

A copy of the code shall be on file in the office of the city building official.

15.04.027 – International Existing Building Code 2021 as published by the International Code Council.

(1) Any reference to the term “code official” in the International Existing Building Code will be equated to the term “building official” as referred to in the Belle Fourche City Ordinances.

(2) IEBC Chapter 3 Section 302.2 Additional codes. This section is hereby amended to read as follows: Alterations, repairs, additions and changes or occupancy to, or relocation of, existing buildings and structures shall comply with the provisions for alterations, repairs, additions and changes of occupancy or relocation, respectively, in this code and the *International Building Code, International Fire Code, International Residential Code, Plumbing and Electrical Codes as adopted by the State of South Dakota, Belle Fourche City Ordinances and other codes as adopted by the City of Belle Fourche*. Nothing in this code shall be construed to cancel, modify or set aside any provision of the Belle Fourche Zoning Code. All other references to codes not adopted by the City of Belle Fourche, or listed in this paragraph shall be removed from this IEBC as adopted.