

The City of Winner adopted an amended version of the 2001 International Building Code (IBC). The ordinance explains amendments + deletions of the IBC.

## ORDINANCE 741

**AN ORDINANCE** establishing the minimum regulations governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; known as the Building Code.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINNER, TRIPP COUNTY, SOUTH DAKOTA** as follows:

Section 1        That a certain document, three (3) copies of which are on files in the office of the City Finance Officer of the City of Winner, South Dakota, being marked and designated as the International Building Code, and the International Residential Code, as published by the International Code Council, Inc., be and is hereby adopted as the Building Code for the City of Winner, in the State of South Dakota; for the control of building and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms said Building Code are hereby referred to, adopted, and made a part hereof, as is fully set out in this Ordinance, with the additions, insertions, deletions and changes, prescribed within this Ordinance.

Section 2        That Ordinance number 737 of the Winner Zoning Ordinance sections 2011, 2013, 2017, 2021, 2023, and 2025, and Chapter 13 article 1, section 13.1.01 of Ordinance 731, entitled Winner City Ordinance, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3        The following sections of the International Building Code are hereby revised.

101.1 Title.        These regulations shall be known as the BUILDING CODE of the City of Winner, South Dakota, hereinafter referred to as “this code”.

101.4.1 Electrical. The provisions of the 1999 Edition of the National Electric Code, or the International Electric Code shall apply to the installation of electrical systems.

101.4.2 Gas. DELETE

101.4.3 Mechanical. The provisions of the 1997 Edition of the Uniform Mechanical Code, or the International Mechanical Code shall apply to the installation, alteration, repairs, and replacement of mechanical systems.

101.4.4 Plumbing. The provisions of the 1996 National Standard Plumbing Code, or the International Plumbing Code shall apply to the installation, alterations, repairs and replacement of the plumbing systems. The provisions of the South Dakota Department of Environment and Natural Resources shall apply to sewage disposal systems.

101.4.5. Property Maintenance. DELETE

101.4.3 Fire Prevention. The provisions of the 1997 Edition of the Uniform Fire Code, or the International Fire Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare.

101.4.7 Energy. DELETE

103.1 Building Official. The City Council shall hire a building official, authorized to enforce the provisions of this code, and shall function under the direction of the City Administrator/Finance Officer and be responsible to the Planning and Zoning Commission.

103.2 Appointment. DELETE

103.3 Deputies. DELETE

105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit. The Building Official may exempt permits for minor work.

105.1.1 Annual Permit. DELETE

105.1.2 Annual Permit Records. DELETE

105.2 Work Exempt From Permit.

1. Retaining walls, which are 2 feet or less in height measured from the bottom of the footing to the top of the wall.
2. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio or height to diameter or width does not exceed 2 to 1.
3. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
4. Temporary motion picture, television and theater stage sets and scenery.
5. Prefabricated swimming pools accessory to group R-3 occupancy, as applicable in section 101.2, which are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.
6. Swings and other playground equipment accessory to one and two family dwellings.
7. Window awnings supported by an exterior wall of group R-3, as applicable in section 101.2 and Group C occupancies.
8. Movable cases, counters, and partitions not over five (5) feet nine (9) inches in height.
9. Oil derricks.
10. Shingling, re-roofing of existing one and two family dwellings, siding and replacing windows.

107.3 Temporary Power. DELETE

109.3.2 Concrete Slab or Under Floor Inspection. DELETE

109.3.3 Lowest Floor Elevation. DELETE

109.3.5 Lathe or Gypsum Board Inspections. DELETE

109.3.7 Energy Efficiency Inspections. DELETE

305.2 Daycare. The use of a building or structure, or portion thereof, for educational, supervision, or personal care services for more than 10 children older than two and one half (2-1/2) years of age, shall be classified as a group E occupancy.

1003.3.11 Handrails. Item 4. In group R-3 occupancies, a change in elevation of

Less than three (3) risers does not require a handrail.

Item 5. Changes in room elevations of less than three (3) risers within dwelling units in group R-2 and R-3 occupancies do not require handrails.

1104.5 Location. DELETE

1107.4 Care Facilities. Occupancies containing care facilities (Groups A-3, E, and I) shall be accessible as provided in this chapter. *Exception – Group R-3 occupancies.*

1612.3 Establishment of Flood Hazard Areas. DELETE

1612.4 Design and Construction. DELETE

1612.5 Flood Hazard Certificates. DELETE

1704.12 Exterior Insulations and Finish Systems. DELETE

1805.2.1 Frost Protection. Except where erected on solid rocks or otherwise protected from frost, foundation walls, piers, and other permanent supports of buildings and structures larger than one thousand two hundred (1200) square feet in area shall extend thirty six (36) inches below plane (502.1), and spread footings of adequate size shall be provided where necessary to properly distribute the load within the allowable load-bearing value of the soil. Alternately, such available footings load shall not bear on frozen soils unless frozen condition is of permanent character.

## **Section 4**

The International Residential Code (IRC) 2000 is Adopted as part of Ordinance number 741 with the Following Amendments or Additions:

## **1. Administration**

R101.1 Title. These regulations shall be known as the Residential Building Code of the City of Winner, Tripp County, South Dakota, hereinafter referred to as "This Code".

102.4 Referenced Codes and Standards. The code and standards referenced in this code shall be considered part of the requirements of the code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply. References to the International Electrical Code shall allow use of the requirements of the 1999 Edition of the National Electrical Code. References to the International Mechanical Code shall allow use of the 1997 Edition of the Uniform Mechanical Code. References to the International Plumbing Code shall allow use of the 1996 Edition of the National Standard Plumbing Code. The South Dakota Department of Environment and Natural Resources shall apply to private sewage disposal systems. References to the International Fire Code shall allow use of the 1997 Edition of the Uniform Fire Code.

102.7 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 Winner City Ordinance, Chapters 12 and 13, the 1997 Edition of the International Fire Code or the International Fire Code, or as is deemed necessary by the Building Official for the General Safety and Welfare of the occupancies and the public.

R103.1 Building Official. The City Council shall hire a building official, authorized to enforce the provisions of this code, and shall function under the direction of the City Administrator/Finance Officer and be responsible to the Planning and Zoning Commission.

R104.10.1 Area Prone to Flooding. DELETE

R105.2 Work Exempt From Building Permits.

1. Retaining walls that are not over two (2) feet in height measured from bottom of the footing to the top of the wall.
2. Water tanks supported directly upon grade if the capacity does not exceed five thousand (5000) gallons and the ratio of height to diameter or width does not exceed two (2) to one (1).

3. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.
4. Fabricated swimming pools that are less than twenty-four (24) inches deep.
5. Swings and other playground equipment accessory to a one (1) or two (2) family dwelling.
6. Window awnings supported by an exterior wall.

R106.1.4 Energy Efficiency. Detached one and two family dwellings and town houses shall install a minimum of R-30 value insulation in ceilings and a minimum of R-19 value insulation in exterior walls.

R107.3 Temporary Power. DELETE

R108.5 Refunds. The Building Official is authorized to establish refund policy.

R327 Flood Resistant Construction. DELETE

R408.6 Flood Resistance. DELETE

R315.1 Handrails. Handrails having minimum and maximum height of thirty-four (34) inches and thirty-eight (38) inches, respectively, measured vertically from the nosing of the threads, shall be provided on at least one side of the stairways. All required handrails shall be continuous the full length of the stairs with three or more risers from a point directly above the top riser of a flight to a point directly above lowest riser of the flight. Ends shall be returned or shall terminate in newel posts or safety terminal. Handrails adjacent to a wall shall have a space of not less than one and one half (1.5) inches between the wall and the handrails.

*Exceptions:*

1. Handrails shall be permitted to be interrupted by a newel post at a turn.
2. The use of a volute, turnout or starting easing shall be allowed over the lowest tread.

Chapter 11 Energy Efficiency. DELETE

Chapter 24 Fuel Gas. DELETE

Chapter 25 Plumbing Administration. DELETE

Chapter 26 General Plumbing Requirements DELETE

Chapter 27 Plumbing Fixtures DELETE

Chapter 28 Water Heaters DELETE

Chapter 29 Water Supply and Distribution. DELETE

Chapter 30 Sanitary Drainage. DELETE

Chapter 31 Vents. DELETE

Chapter 32 Traps. DELETE

Chapter 32-42 Electrical Requirements. DELETE

Appendix E. Manufactured Housing Used as Dwellings. DELETE

**Section 5** That nothing in this ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in Section 2 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 6** The City Finance Officer shall certify to the adoption of this Ordinance, and cause the same to be published as required by law; and this ordinance shall be in effect and in force after it's approval as required by law.

This Ordinance shall be in force and effect 20 days after publication.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

City of Winner, Tripp County, South Dakota