BROOKINGS COUNTY ORDINANCE 2014-02

AN ORDINANCE PROVIDING FOR THE ADOPTION OF THE 2015 INTERNATIONAL BUILDING CODE AND 2015 INTERNATIONAL RESIDENTIAL CODE.

BE IT ORDAINED BY BROOKINGS COUNTY, SOUTH DAKOTA:

WHEREAS, Brookings County, South Dakota, has previously adopted the 2006 International Building Code and the 2006 International Residential Code by way of Brookings County Ordinance 2008-01 and 2008-03.

WHEREAS, the Brookings County Board of County Commissioners deems it necessary for the purpose of continuous promotion of health, safety, and the general welfare of the County, to adopt the 2015 edition of the International Building Code and the 2015 edition of the International Residential Code.

THEREFORE, BE IT ORDAINED BY BROOKINGS COUNTY, SOUTH DAKOTA, that the 2015 editions of the International Building Code and the International Residential Code be adopted under the following provisions:

SECTION A.

1. The 2015 edition of the International Residential Code provides for regulation and means of governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress in Brookings County. This Ordinance will assist in providing for the issuance of permits and collection of fees.

2. The 2015 edition of the International Building Code provides for regulation and means of governing the condition 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, and also provides for the condemnation of buildings and structures in Brookings County. This Ordinance will assist in providing for the issuance of permits and collection of fees.

SECTION B.

1. The Building Codes will be available for inspection at the Brookings County Development Office, 520 3rd Street, Suite 200, Brookings, SD 57006, marked and designated as the International Residential Code, 2015 edition, including Appendix Chapters, and the International Building Code, 2015 edition, including Appendix Chapters, both published by the International Code Council. The aforementioned Building Codes shall be and are hereby adopted as the Residential Code and Building Code of Brookings County, in the State of South Dakota, for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached

one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress; and also for regulating and governing the condition 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; and for the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures. Both Codes will provide for the issuance of permits and collection of fees.

2. Each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code and Building Code on file in the Brookings County Development Office are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section B.3 of this Ordinance.

3. The following sections are hereby revised:

From the International Residential Code, 2015 edition:

Section R101.1 Title.

> These provisions shall be known as the Residential Code for One-and Two-family Dwellings of Brookings County, and shall be cited as such and will be referred to herein as "Residential Code."

Section R301.2.1. Wind Limitations. Under Section R301, Design Criteria, is amended to read as follows:

> Section R301.2.1. Wind Limitations. The minimum basic wind speed for determining design wind pressure at any site shall be 90 miles per hour.

Section 1609.1.2. Minimum Wind Loads. Under Section 1609, Wind Loads, is amended to read as follows:

> Section 1609.1.2. Minimum Wind Loads. The minimum basic wind speed for determining design wind pressure at any site shall be 90 miles per hour.

Section R301.2.3. Snow Loads. Under Section R301, Design Criteria, and 1608.1, is amended to read as follows:

> Section R301.2.3. Snow Loads. The building official has determined the minimum roof ground snow load to be 40 pounds per square foot.

Section 1608.1. General. Under Section 1608, Snow Loads, is amended to read as follows:

Section 1608.1. General. The building official has determined the minimum roof ground load to be 40 pounds per square foot.

Section R310.1. Emergency Escape and Rescue Required. Under Section R310, Emergency Escape and Rescue Openings, is amended to include the following additional subsection:

Section R310.1.5. Basement Minimum Sill Height. For basements below grade, the minimum emergency escape and rescue opening shall have a sill height of not more than 48 inches above the finished floor.

From the International Building Code, 2015 edition:

Section 101.1. Title.

These regulations shall be known as the Building Code of Brookings County, hereinafter referred to as "Building Code."

Section 1612.3. Establishment of Flood Hazard Areas.

To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency engineering report entitled, "The Flood Insurance Study for Brookings County," as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

Section 3410.2. Applicability.

Structures existing prior to January 8, 2008, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or the Sections 3410.2.1 through 3410.2.5 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.

SECTION C.

1. That Brookings County Ordinances Nos. #2001-01, #2008-01, and #2008-03, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION D.

1. That if any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Brookings County Commission hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION E.

1. That nothing in this Ordinance or in the Residential Code and Building Code hereby adopted shall be construed to affect any proceeding currently pending 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 C of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION F.

1. The Brookings County Finance Officer is hereby ordered and directed to cause this Ordinance to be published.

SECTION G.

1. That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted herein shall take effect on the twentieth day after its completed publication, unless suspended by operation of a referendum.

Adopted this 2nd day of September, 2014.

BROOKINGS COUNTY:

Don Larson, Chairperson
Brookings County Commission

SEAL OF COUNTY • FINANCE OFFICE • BROOKINGS COUNTY • SOUTH DAKOTA

ATTEST:

Vicki Buseth
Brookings County Finance Officer

First Reading: August 12, 2014

Second Reading: August 26, 2014

Adopted:

Publications:

Effective Date: