

~ CHAPTER 6-A~

BUILDING OFFICIAL & GENERAL BUILDING REGULATIONS

06-A.04. International Building Codes.

06-A.04.010. Introduction.

1. The International Building Codes adopted herein were developed by the International Code Council (ICC), a consolidation of the model building codes of BOCA (Building Officials and Code Administrators International), ICBO (International Conference of Building Officials, and SBCCI (Southern Building Code Congress International). With the development of the ICC building codes, the development and maintenance of the BOCA, ICBO and SBCCI model codes was discontinued.
2. The purpose of these codes is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

06-A.04.020 Adoption of International Building Code (IBC), 2012 Edition.

That certain code known as the International Building Code, 2012 Edition, is hereby adopted by the City of Hot Springs, South Dakota, and the printed, copyrighted copy of such Code, which is on file in the office of the Building Official of this City, is adopted and incorporated as fully as if set out at length herein. Such Codes shall be enforced by the Building Official of this City.

06-A.04.025. Amendments to the International Building Code (IBC), 2012 Edition.

1. Section 102.4 Referenced codes and standards shall include those electrical and plumbing codes most currently adopted and enforced by the South Dakota Electrical Commission and the South Dakota Plumbing Commission, to include all amendments and exceptions thereto.

2. Section 105.5 Expiration shall include the following: Expiration of Building Permit. If the work described in any building permit has not begun within six (6) months from the date of issuance thereof, said permit shall expire; it shall be canceled by the Building Official; and written notice thereof shall be given to the persons affected. If the work described in any building permit has not been completed within two (2) years of the date of issuance thereof, the Building Official shall cause the building permit to be reviewed and written notice thereof shall be given to the persons affected. Upon review of the permitted project the Building Official may extend the permit conditional on an established completion date or, in the alternative, cancel the building permit. Written notice of cancellation shall be given to the persons affected to include provisions for the appeal of such decision.

3. Section 113 Board of Appeals. 113.1 General shall read “An appeal or complaint regarding decisions or determinations from the administrative official or department head in regard to the administration of this code shall first be made to the City Administrator or, in his/her absence, the Chief Executive Officer of the City for an administrative review. If the decision or determination is in writing an appeal shall be made within the time period specified in the notice or directive resulting from such decision or determination. In the event that the appellant is not satisfied with the City Administrator’s interpretation and/or determination on the issue, the appellant shall have the right to request to appeal the matter to the Common Council who shall act as the Board of Appeals. Upon such request the City Administrator shall place the appellant on the agenda for the next regularly scheduled City Council meeting for a legislative determination on the matter.”

4. Section 1807.1.3 ‘Rubble stone foundation walls’ shall be repealed in its entirety.

5. Section 1807.1.4 Wood foundations shall read: “Wood foundation systems shall not be permitted within the jurisdiction of the City of Hot Springs, to include post-frame or ‘pole barn’ construction for habitable residential structures.”

That certain code known as the International Residential Code, 2012 Edition, is hereby adopted by the City of Hot Springs, South Dakota, and the printed, copyrighted copy of such Code, which is on file in the office of the Building Official of this City, is adopted and incorporated as fully as if set out at length herein. Such Code shall be enforced by the Building Official of this City.

06-A.04.035. Amendments to the International Residential Code (IRC), 2012 Edition.

1. Section R102.4 Referenced codes and standards shall include those electrical and plumbing codes most currently adopted and enforced by the South Dakota Electrical Commission and the South Dakota Plumbing Commission, to include all amendments and exceptions thereto.
2. Section R105.2 Work exempt from permit shall be amended to include and/or read as follows:
 - Decks:
 1. Unenclosed decks not exceeding 200 square feet in area which do not incorporate or include a framed roof system.
 2. Unenclosed decks not more than 30 inches above grade at any point which do not incorporate or include a framed roof system.
 - Roof systems covering unenclosed porches providing:
 1. the total floor area does not exceed sixty (60) square feet and,
 2. The supporting members do not encroach more than six feet (6') into the required set-back.
 - Window and door replacement where the rough opening is not altered and the means of egress is not reduced.
 - Replacement of exterior wall siding.
 - Structures or work performed on properties of the United States Veterans Administration Hospital or the Michael J. Fitzmaurice State Veterans Home.
3. Section R105.5 Expiration shall include the following: Expiration of Building Permit. If the work described in any building permit has not begun within six (6) months from the date of issuance thereof, said permit shall expire; it shall be canceled by the Building Official; and written notice thereof shall be given to the persons affected. If the work described in any building permit has not been completed within two (2) years of the date of issuance thereof, the Building Official shall cause the building permit to be reviewed and written notice thereof shall be given to the persons affected. Upon review of the

permitted project the Building Official may extend the permit conditional on an established completion date or, in the alternative, cancel the building permit. Written notice of cancellation shall be given to the persons affected to include provisions for the appeal of such decision.

4. Section R112 Board of Appeals. R112.1 General shall read “An appeal or complaint regarding decisions or determinations from the administrative official or department head in regard to the administration of this code shall first be made to the City Administrator or, in his/her absence, the Chief Executive Officer of the City for an administrative review. If the decision or determination is in writing an appeal shall be made within the time period specified in the notice or directive resulting from such decision or determination. In the event that the appellant is not satisfied with the City Administrator’s interpretation and/or determination on the issue, the appellant shall have the right to request to appeal the matter to the Common Council who shall act as the Board of Appeals. Upon such request the City Administrator shall place the appellant on the agenda for the next regularly scheduled City Council meeting for a legislative determination on the matter.”
5. Section R202 Definitions shall include the following definitions:
 - **Balcony, Exterior** - An exterior floor system projecting from a structure and supported entirely by that structure, with no additional independent supports.
 - **Carport** - A temporary or permanent unenclosed detached accessory structure, without doors and not more than six-hundred square feet (600 SF) in area, used for the sheltered parking of vehicles. Carports enclosed on more than two sides shall be considered a garage. (see ‘Accessory Structure’)
 - **Deck** - A non-covered exterior attached or detached floor system supported on at least two opposing sides by an adjoining structure and/or posts, piers, or other independent supports.
 - **Porch** - A roofed structure, usually open at the front and sides, projecting from the face of a building and used to protect an entrance. Considered to be an addition to the main structure.
 - **Veranda** - Typically a long, wrap-around covered porch surrounded by a railing, often extending along more than one side of a building. Considered to be a part of or an addition to the main structure.

6. Table R301.2(1) Climatic And Geographic Design Criteria shall be designated as follows:

GROUND SNOW LOAD	30#
WIND SPEED	90 MPH
TOPOGRAPHIC EFFECTS	NO
SEISMIC DESIGN CATEGORY	B
WEATHERING	SEVERE
FROST LINE DEPTH	42 IN
TERMITE	NONE TO SLIGHT
WINTER DESIGN TEMPERATURE	-7°F
ICE BARRIER UNDERLAYMENT	YES
FLOOD HAZARDS	YES
AIR FREEZING INDEX	2000
MEAN ANNUAL TEMPERATURE	45°F

7. Section R309.1 Floor Surface shall read “Garage floor surfaces shall be of approved noncombustible material. The area of floor used for parking of automobiles or other vehicles should be sloped to facilitate the movement of liquids to a drain or toward the main vehicle entry door.”
8. Section R313 Automatic Fire Sprinkler Systems shall be deleted from this code.
9. Section R402.1 Wood foundations shall read: “Wood foundation systems shall not be permitted within the jurisdiction of the City of Hot Springs, to include post-frame or ‘pole barn’ construction for habitable residential structures.”
10. Section R403.1.4 Minimum depth. Exceptions: (monolithic foundations)
- a. Where the roof truss span is not over twenty-four feet (24’), single family light-framed detached garages not over 1000 square feet in area shall have a minimum footing width of eight inches (8”), shall have a minimum depth of eight inches (8”) below grade provided that the sill plate is a minimum of four inches (4”) from

grade and proper drainage is provided.

- b. Where the roof truss span is not over twenty-four feet (24'), single family light-framed detached garages over 1000 square feet in area may reduce the footing width from the required twelve inches (12") to eight inches (8") where a 30 degree to 45 degree back slope from the bottom of the footing to the floor slab is provided.
11. Section R403.1.6 Foundation anchorage. Exception #1, "For exterior wall wood sole plates attached to poured concrete foundations, an 8" 'J' or 'L' anchor bolt, embedded a minimum of 6 inches into the concrete may be used where the anchor bolt spacing is minimum 48 inches on-center."
12. Section R404.1.2 Concrete foundation walls. Exception: "Cast-in-place foundations greater than eighteen inches (18") in depth are prohibited except upon approval by the local Building Official and subject to a soils investigation. The term 'cast-in-place foundations' shall be defined as an excavation of which the excavated earthen sides or walls are intended to be used as the concrete form(s) against which the concrete is poured."
13. Section 501.3 Fire Protection of Floors shall be repealed.
14. Section 507 Decks. In addition to the provisions of this code, the Prescriptive Residential Wood Deck Construction Guide, based on the most current International Residential Code, as provided by the American Forest and Paper Association, shall be the official guide for the construction of decks within the city. Where a conflict exists between the guide and the adopted code, the most restrictive provisions shall prevail.
15. Chapter 11 Energy Efficiency shall read as follows:
 - Habitable spaces shall contain a minimum of:
 - 1- R-38 insulation in attic spaces.
 - 2- R-19 insulation in wall spaces.
16. Chapters 12 through Chapter 43 shall be repealed from this code.

Source: Ord. 1025, 11/05; Ord. 1068, 10/08;

06-A.04.040. Adoption of *The International Property Maintenance Code (IPMC), 2012 Edition.*

That certain code known as the International Property Maintenance Code, 2012 Edition, is hereby adopted by the City of Hot Springs, South Dakota, and the printed, copyrighted copy of such International Property Maintenance Code, 2012 Edition, which is on file in the office of the Building

Official of this City, is adopted and incorporated as fully as if set out at length herein. The Police Department and the Building Department may act jointly or separately, as is deemed necessary and appropriate by the Chief of Police and/or the Building Official, or however otherwise directed by the governing body, in the enforcement of this code.

06-A.04.045 Amendments to the International Property Maintenance Code, 2012 Edition.

1. Section 102.2 shall be repealed in its entirety.
2. Section 103 shall be repealed in its entirety.
3. Section 105 shall be repealed in its entirety.
4. Section 111.1, shall read: "An appeal or complaint regarding decisions or determinations from the administrative official or department head in regard to the administration of this code shall first be made to the City Administrator or, in his/her absence, the Chief Executive Officer of the City for an administrative review. If the decision or determination is in writing an appeal shall be made within the time period specified in the notice or directive resulting from such decision or determination. In the event that the appellant is not satisfied with the City Administrator's interpretation and/or determination on the issue, the appellant shall have the right to request to appeal the matter to the Common Council who shall act as the Board of Appeals. Upon such request the City Administrator shall place the appellant on the agenda for the next regularly scheduled City Council meeting for a legislative determination on the matter."
5. Section 302.4 shall indicate weeds or plant growth in excess of eight inches (8") in height.
6. Section 303 shall be repealed in its entirety.
7. Section 305 shall be repealed in its entirety.
8. Chapter 4 shall be repealed in its entirety.
9. Chapter 5 shall be repealed in its entirety.
10. Chapter 6 shall be repealed in its entirety.
11. Chapter 7 shall be repealed in its entirety.

06-A.05.01. Building Permit Fees.

When work has begun on a project for which a building permit is required, and the permit has not yet been obtained and the appropriate fees paid, then the building permit fees shall be multiplied by a factor of four (4). However, this shall not relieve the owner and or contractor from fully complying with

the requirements of all applicable building/construction codes and zoning laws applicable in that district or from any other penalties prescribed herein.

Section 2. That the parts of this ordinance that may be in conflict with any other ordinance of the City of Hot Springs hereby supersede any other ordinance.

[Ord. 1124, Eff. 12/25/12]

TABLE 6-30: BUILDING PERMIT & USE FEE

SCHEDULE

Ord. 1057, Eff. 10/23/07

\$1.00 - \$1000	\$20.00
\$1001 - \$2000	\$24.00
\$2001 - \$3000	\$28.00
\$3001 - \$4000	\$32.00
\$4001 - \$5000	\$36.00
<u>\$5001 - \$6000</u>	<u>\$39.00</u>
\$6001 - \$7000	\$42.00
\$7001 - \$8000	\$45.00
\$8001 - \$9000	\$48.00
\$9001 - \$10000	\$51.00
\$10001 - \$11000	\$54.00
\$11001 - \$12000	\$57.00
\$12001 - \$13000	\$60.00
\$13001 - \$14000	\$63.00
\$14001 - \$15000	\$66.00
<u>\$15001 - \$16000</u>	<u>\$69.00</u>
\$16001 - \$17000	\$72.00
\$17001 - \$18000	\$75.00
\$18001 - \$19000	\$78.00
\$19001 - \$20000	\$81.00
\$20001 - \$21000	\$84.00
\$21001 - \$22000	\$87.00
\$22001 - \$23000	\$90.00
\$23001 - \$24000	\$93.00
\$24001 - \$25000	\$96.00
<u>\$25001 - \$26000</u>	<u>\$98.00</u>
\$26001 - \$27000	\$100.00
\$27001 - \$28000	\$102.00
\$28001 - \$29000	\$104.00
\$29001 - \$30000	\$106.00
\$30001 - \$31000	\$108.00
\$31001 - \$32000	\$110.00
\$32001 - \$33000	\$112.00
\$33001 - \$34000	\$114.00
\$34001 - \$35000	\$116.00
<u>\$35001 - \$36000</u>	<u>\$118.00</u>
\$36001 - \$37000	\$120.00
\$37001 - \$38000	\$122.00
\$38001 - \$39000	\$124.00
\$39001 - \$40000	\$126.00
\$40001 - \$41000	\$128.00
\$41001 - \$42000	\$130.00
\$42001 - \$43000	\$132.00
\$43001 - \$44000	\$134.00
\$44001 - \$45000	\$136.00
<u>\$45001 - \$46000</u>	<u>\$138.00</u>
\$46001 - \$47000	\$140.00
\$47001 - \$48000	\$142.00
\$48001 - \$49000	\$144.00
\$49001 - \$50000	\$146.00
\$50001 - \$51000	\$148.00
\$51001 - \$52000	\$150.00
\$52001 - \$53000	\$152.00
\$53001 - \$54000	\$154.00

\$54001 - \$55000	\$156.00
<u>\$55001 - \$56000</u>	<u>\$158.00</u>
\$56001 - \$57000	\$160.00
\$57001 - \$58000	\$162.00
\$58001 - \$59000	\$164.00
\$59001 - \$60000	\$166.00
\$60001 - \$61000	\$168.00
\$61001 - \$62000	\$170.00
\$62001 - \$63000	\$172.00
\$63001 - \$64000	\$174.00
\$64001 - \$65000	\$176.00
<u>\$65001 - \$66000</u>	<u>\$178.00</u>
\$66001 - \$67000	\$180.00
\$67001 - \$68000	\$182.00
\$68001 - \$69000	\$184.00
\$69001 - \$70000	\$186.00
\$70001 - \$71000	\$188.00
\$71001 - \$72000	\$190.00
\$72001 - \$73000	\$192.00
\$73001 - \$74000	\$194.00
\$74001 - \$75000	\$196.00
<u>\$75001 - \$76000</u>	<u>\$198.00</u>
\$76001 - \$77000	\$200.00
\$77001 - \$78000	\$202.00
\$78001 - \$79000	\$204.00
\$79001 - \$80000	\$206.00
\$80001 - \$81000	\$208.00
\$81001 - \$82000	\$210.00
\$82001 - \$83000	\$212.00
\$83000 - \$84000	\$214.00
\$84001 - \$85000	\$216.00
<u>\$85001 - \$86000</u>	<u>\$218.00</u>
\$86001 - \$87000	\$220.00
\$87001 - \$88000	\$222.00
\$88001 - \$89000	\$224.00
\$89001 - \$90000	\$226.00
\$90001 - \$91000	\$228.00
\$91001 - \$92000	\$230.00
\$92001 - \$93000	\$232.00
\$93001 - \$94000	\$234.00
\$94001 - \$95000	\$236.00
<u>\$95001 - \$96000</u>	<u>\$238.00</u>
\$96001 - \$97000	\$240.00
\$97001 - \$98000	\$242.00
\$98001 - \$99000	\$244.00
\$99001 - \$100000	\$246.00

From \$100,001.00 on up add \$1.00
for each additional \$1000.00 to the base fee of \$246.00

Examples:

\$150,000.00: \$246.00 + \$50.00	\$296.00 fee
\$175,000.00: \$246.00 + \$75.00	\$321.00 fee
\$200,000.00: \$246.00 + \$100.00	\$346.00 fee
\$250,000.00: \$246.00 + \$150.00	\$396.00 fee
\$1,000,000.00: \$246.00 + \$900.00	\$1,146.00 fee
\$2,500,000.00: \$246.00 + \$2400.00	\$2,646.00 fee
\$5,000,000.00: \$246.00 + \$4,900.00	\$5,146.00 fee