

# FEBRUARY 2022 MAYOR REPORT

## COMMISSION MEETINGS

- \* Attended one (1) Commission Meetings
- \* Absent for 2nd meeting of the month for scheduled vacation

## CITY DEVELOPMENT AND PLANNING

- \* Discussions (multiple) with City Administrator regarding current developments
- \* Emails with real estate agent regarding waste water expansion
- \* Discussion with City Administrator and HDR (Shagla and Robinson) regarding developer's proposed layout plan
- \* Discussion with City Administrator and HDR (Shagla and Robinson) regarding waste water expansion project and possible layout designs
- \* Meeting with City Administrator, developer (Stage Stop area), and attorney Talbot regarding proposed development, procedures, and protocols
- \* Meeting with City Administrator, developer team (Norman Ranch), and HDR regarding proposed development, procedures, and protocols

## DEPARTMENT AND PERSONNEL INTERACTION

- \* Met with Public Works at local park to discuss building plans for potential community project and discussed project with HDR
- \* Met at the waste water treatment facility with Waste Water Superintendent, Public Works, HDR (Shagla and Robinson), City Administrator, and Commissioner Butler to discuss possible layout designs for the waste water expansion project
- \* Discussed plan to convert small conference room to mayor's office/purchase office furniture with all commissioners, office staff, and Public Works
- \* Sent emails to all depts regarding revising personnel handbook, to include procedural manual for all depts and daily tasks performed and follow up conversations with staff and Commissioner Thurman and City Administrator
- \* Discussed public safety concerns with Chief Allen, Officer Macrander, and City Administrator with options from Meade Co States Attorney office
- \* Discussed plan for updating employee handbook with Commissioner Thurman
- \* Attended Municipal Dinner and reception with SD Senators and Representatives
- \* Municipal Day at the SD State Capital and discussed bills we support and have concerns with D Johnson, Drury, Goodwin, C Johnson
- \* Discussions (mutiple) with city attorney regarding legal issues, personnel issues, citizen issues, and election
- \* Received, reviewed, and responded to emails regarding a citizen's concerns
- \* Meeting with attorney Talbot regarding development issues and multiple follow up emails/discussions regarding specific ongoing development
- \* Discussed and purchased furniture through Evergreen
- \* Approval of meeting minutes and agendas
- \* Discussion with City Administrator - agenda items for Commission and P&Z meetings
- \*

Feb

**2022 Commissioner (C. Hirsch) Report**

**MEETING ATTENDED**

- \* Attended \_\_\_\_ (2) Commission Meetings
- \* Attended \_\_\_\_ (\_\_) Special Meeting

**Liaison – Police Department**

Visited with 56 summerset residents to get signitures for Commissioner.

Visit with Chief Don weekly

Empty box for additional notes or details.

# February 2022 Commissioner Thurman Report

## MEETING ATTENDED

\* Attended one (2) Commission Meetings

## FINANCE

- Review of job descriptions for finance staff. Further discussions planned to discuss duties and responsibilities and adequate coverage for the department needs.
- Review and discussions of software implementation.
- Review and drafting annual review policies and procedures.
- Review of employee handbook and current policies and procedures.

## MISC

- Review of International Building Codes
- Review of SD House Bill 1300
- Review of Municipal League Bills
- Review of Legislative News and Updates
- Review of P & Z Minutes.
- Discussion and approval of meeting minutes and agendas.
- Review and approval of city finances.
- Met with several homeowners to hear what their ideas are for growth and expansion of our community. Invited them to attend the commission meetings to become more involved in our city.

**SUMMERSET CITY COMMISSION  
REGULAR MEETING  
SUMMERSET MUNICIPAL BUILDING  
7055 LEISURE LANE  
THURSDAY, FEBRUARY 17, 2022 6:00 P.M.**

Commissioner Kitzmiller called the Regular Meeting to order at 6:00 p.m. Commissioners Hirsch, Kitzmiller, Thurman, and Butler were present. Absent: Mayor Torno. The City Attorney, City Finance Officer and City Administrator were also present.

Commissioner Kitzmiller led in the Pledge of Allegiance.

Commissioner Butler gave the invocation.

**DEPARTMENT HEAD REPORTS/CITY ADMINISTRATOR REPORT**

Reports were given by Department Heads and the City Administrator.

**Motion** by Hirsch, second by Thurman, to approve the agenda for the regular meeting of the Summerset City Commission for February 17th, 2022. Motion carried.

**CONSENT CALENDAR**

**Motion** by Butler, second by Thurman, to approve the minutes of the regular meeting of February 3rd, 2022. Motion carried.

**APPROVAL OF CLAIMS**

**Motion** by Thurman, second by Hirsch, to approve the claims and hand checks in the amount of \$58,059.74 from February 3rd, 2022 through February 16th, 2022 as presented or amended. Motion carried.

BAYMOUNT	Conference Lodging	163.98
BLACK HAWK WATER USERS DISTRICT	Monthly Usage	32.00
BRODIE, RAYNETTE	WWDEP Refund	50.00
CBH CO-OP	Govt Fuel	3,601.55
CITY OF RAPID CITY	Solid Waste Disposal	3,748.45
CRESPIN, PHILIP	WWDEP Refund	50.00
DEMERSSEMAN JENSEN	Legal Services	1,072.50
GOLDEN WEST TECHNOLOGIES	Managed Services/Licenses	2,684.00
GREENAPSIS	Professional Fees/ Janitorial	480.00
GUMMO, DANA	WWDEP Refund-Rental	100.00
HDR ENGINEERING, INC	Engineering	13,362.63
HUNT, DREW	Training	55.00
KONOLD, AUSTIN	WWDEP Refund	50.00
MDU	Govt Utilities	1,525.46
MEADE COUNTY AUDITOR	January Dispatch	3,314.14
MIDCONTINENT COMMUNICATIONS	WWTP Phone	199.17
MIDCONTINENT TESTING LABS	Mid Continent Testing	163.50
MOSIER, DAVID	WWDEP Refund	50.00

RAPID CITY JOURNAL	Publications	595.77
SCHRODING, DEREK	WWDEP Refund	50.00
SD ONE CALL	Notifications	15.75
SDASRO	2022 Conference SRO	75.00
SDML	Publication Order	30.00
SERVALL UNIFORM & LINEN SUPPLY	Monthly fees	143.10
SHEERZ, ANTON	WWDEP Refund-Credit Refund	163.68
THOMPSON, ROBERT	WWDEP Refund	100.00
TRANSOURCE	Snow Plow Loader/Loader Rental	20,300.00
WESTERN MAILERS	Postcard Mailing	439.86

#### **AMENDMENT TO TASK ORDER-HDR**

**Motion** by Butler, second by Thurman to approve the Amendment to Task Order from HDR Engineering. Motion carried.

#### **SECOND READING OF TSO 2022-03.**

Summerset Subdivision Lots 1-12 of Lot E-1 of Lot E, Block 9, Section 36, Township 3 North, Range 6 East, Black Hills Meridian, City of Summerset, Meade County, South Dakota.

a/k/a Kaelem Ct. Said property is zoned PD (Planned Development) and said petitioner requests the zoning to be changed to R1 (Single Family Residential).

**Motion** by Hirsch, second by Butler to approve second reading of Ordinance TSO 2022-03. Motion carried.

**Motion** by Butler, second by Hirsch to Adopt Ordinance TSO 2022-23. Motion carried.

#### **SECOND READING OF TSO 2022-04.**

Summerset Subdivision Lots AR, BR and C of Lot 1, Block 9, Section 36, Township 3 North, Range 6 East, Black Hills Meridian, City of Summerset, Meade County, South Dakota. Said property is zoned PD (Planned Development) and said petitioner requests the zoning to be changed to C1 (General Commercial).

**Motion** by Thurman, second by Butler to approve second reading of Ordinance TSO 2022-04. Motion carried.

**Motion** by Hirsch, second by Butler to Adopt Ordinance TSO 2022-04. Motion carried.

#### **SET FIRST READING FOR ORDINANCE 2022-01**

Revision to ordinance Title XV Chapter 153 – Subsection 153.025 Adoption of Building Code.

**Motion** by Butler, second by Thurman to set first reading for March 3<sup>rd</sup>, 2022 @ 6:00 p.m. Motion carried.

#### **SET FIRST READING FOR ORDINANCE 2022-02**

Revision to ordinance Title XV Chapter 152 – Subsection 152.01 Adoption of 2018 International Building Code by Reference.

**Motion** by Butler, second by Hirsch to set first reading for March 3<sup>rd</sup>, 2022 @ 6:00 p.m. Motion carried.

#### **SET FIRST READING FOR ORDINANCE 2022-03**

Revision to ordinance Title XV Chapter 152 – Subsection 152.02 Adoption of 2018 International Property Maintenance Code by Reference.

**Motion** by Hirsch, second by Thurman to set first reading for March 3<sup>rd</sup>, 2022 @ 6:00 p.m. Motion carried.

#### **SET FIRST READING FOR ORDINANCE 2022-04**

Revision to ordinance Title XV Chapter 152 – Subsection 152.03 Adoption of 2018 International Residential Code by Reference.

**Motion** by Butler, second by Thurman to set first reading for March 3<sup>rd</sup>, 2022 @ 6:00 p.m. Motion carried.

#### **FINANCE - SET FIRST READING OF SUPPLEMENTAL ORDINANCE 2022-05**

**Motion** by Butler, second by Hirsch to set first reading for March 3<sup>rd</sup>, 2022 @ 6:00 p.m. Motion carried.

**CITIZENS INPUT**

None.

**UPCOMING EVENTS:**

None.

**ITEMS FROM CITY ATTORNEY**

**Motion** by Butler, second by Thurman, to enter into executive session at 6:24 p.m. per SDCL 1-25-2 for discussing legal, economic development, negotiations, and personnel issues. Motion carried.

**Motion** by Butler, second by Hirsch, to come out of executive session at 6:30 p.m. Motion carried.

**ADJOURNMENT**

**Motion** by Thurman, second by Butler, to adjourn at 6:30p.m. Motion carried.

(SEAL)

ATTEST:

\_\_\_\_\_  
Candace Sealey  
Finance Officer

\_\_\_\_\_  
Melanie Torno  
Mayor

Published once \_\_\_\_\_, 2022 at a cost of \$\_\_\_\_\_.



# Check Register Report

Date: 03/01/2022

Time: 3:29 pm

Page: 2

City of Summerset

BANK: BANKWEST EFT

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
<b>BANKWEST EFT Checks</b>								
77	03/01/22	Printed			0322	AFLAC REMITTANCE PROCESSING	Employee Accident Insurance	186.94
81	03/01/22	Printed			1665	CARDMEMBER SERVICES	Credit Card Charges-Jan22	9,567.57
82	03/01/22	Printed			0011	SDRS	Retirement	9,542.28
83	03/01/22	Printed			0128	UNITED STATES TREASURY	Payroll Taxes February	15,971.42
<b>Total Checks: 4</b>							<b>Checks Total (excluding void checks):</b>	<b>35,268.21</b>
<b>Total Payments: 4</b>							<b>Bank Total (excluding void checks):</b>	<b>35,268.21</b>
<b>Total Payments: 51</b>							<b>Grand Total (excluding void checks):</b>	<b>133,830.21</b>

**NOTICE FOR PUBLICATION**

**ORDINANCE 2022-01**

Be it ordained by the City of Summerset for revisions to ordinance Title XV  
Chapter 153 – 153.025 Adoption of Building Code:

NOTICE IS HEREBY GIVEN that the City of Summerset will set the first reading on revised ordinance §153.025 dealing with Adoption of Building Code. Said first reading will be held at Summerset City Hall, 7055 Leisure Lane, Summerset SD on March 3rd, 2022 at 6:00 p.m. The purpose of the public hearing is to accept public comment on the proposed revised ordinance.

Individuals needing assistance related to the American Disabilities Act should contact the Summerset City Finance Officer no less than 24 hours prior to this hearing to make necessary arrangements.

Dated this 17th day of February 2022.

City of Summerset

Published once on 2/18/22, at the total approximate cost of \$17.14.

**Ordinance 2022-01**

**AN ORDINANCE AMENDING ORDINANCE TITLE XV, CHAPTER 153, SUBSECTION  
153.025 ADOPTION OF BUILDING CODE**

**AN EXISTING ORDINANCE OF SUMMERSET SD**

**§ 153.025 ADOPTION OF BUILDING CODE.**

The city hereby adopts, for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use, and occupancy, location, and maintenance of buildings and structures, including permits and penalties, 2018 International Residential Building Code and the 2018 International Building Code, except such portions as are herein deleted, modified, or amended. One copy of each of the codes with all the amendments has been filed with the city's Finance Office and the same are hereby adopted and incorporated fully as if set out at length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling in the construction of all buildings and structures therein contained within the city.

Passed and adopted this \_\_\_\_\_ day of March 2022.

\_\_\_\_\_  
Melanie Torno, Mayor

ATTEST:

\_\_\_\_\_  
Candace Sealey, Finance Officer

VOTE:

Torno:

Kitzmilller:

Butler:

Hirsch:

Thurman:

First Reading: March 3, 2022

Second Reading: March 17, 2022

Adoption:

Publication: two weeks\*

Effective:

Published twice at the total approximate cost of \$\_\_\_\_\_.

**NOTICE FOR PUBLICATION**

**ORDINANCE 2022-02**

Be it ordained by the City of Summerset for revisions to ordinance Title XV,  
Chapter 152, Subsection 152.01 - Adoption of 2018 International Building Code By  
Reference:

NOTICE IS HEREBY GIVEN that the City of Summerset will set the first reading on  
revised ordinance §152.01 dealing with Adoption of the 2018 International Building Code By  
Reference. Said first reading will be held at Summerset City Hall, 7055 Leisure Lane,  
Summerset SD on March 3rd, 2022 at 6:00 p.m. The purpose of the public hearing is to accept  
public comment on the proposed revised ordinance.

Individuals needing assistance related to the American Disabilities Act should contact the  
Summerset City Finance Officer no less than 24 hours prior to this hearing to make necessary  
arrangements.

Dated this 17th day of February 2022.

City of Summerset

Published once on 2/18/2022, at the total approximate cost of \$19.42.

**Ordinance 2022-02**

**AN ORDINANCE AMENDING ORDINANCE TITLE XV, CHAPTER 152, SUBSECTION 152.01  
ADOPTION OF 2018 INTERNATIONAL BUILDING CODE BY REFERENCE**

**AN EXISTING ORDINANCE OF SUMMERSET SD**

**§ 152.01 ADOPTION OF 2018 INTERNATIONAL BUILDING CODE BY REFERENCE.**

There is adopted by the city that certain code, recommended by the International Code Council, known as the International Building Code, 2018 edition. The code is adopted for occupancies except single- and two-family dwellings. A copy of the same is on file in the office of the city.

Passed and adopted this \_\_\_\_\_ day of March 2022.

\_\_\_\_\_  
Melanie Torno, Mayor

ATTEST:

\_\_\_\_\_  
Candace Sealey, Finance Officer

VOTE:

Torno:

Kitzmilller:

Butler:

Hirsch:

Thurman:

First Reading: March 3, 2022

Second Reading: March 17, 2022

Adoption:

Publication: two weeks\*

Effective:

Published twice at the total approximate cost of \$\_\_\_\_\_.

Adoption of 2018 International Building Code.  
 IBC Chapter 1, Section 101.1 Title–Amended  
 IBC Chapter 1, Section 101.4.1 Gas–Amended.  
 IBC Chapter 1, Section 101.4.3 Plumbing–Amended.  
 IBC Chapter 1, Section 101.4.6 Energy Deleted  
 IBC Chapter 1, Section 101.4.8 Electrical Amended  
 IBC Chapter 1, Section 106.1 Live Loads - Amended  
 IBC Chapter 1, Section 108.3 Temporary power–Amended.  
 IBC Chapter 1, Section 110.3 Required Inspections – Amended  
 IBC Chapter 1, Section 117 Residential Contractor Licenses - Added  
 IBC Chapter 2, Section 202 Definitions–Amended.  
 IBC Chapter 3, Section 312 Utility and Miscellaneous Group U–Amended.  
 IBC Chapter 4, Section 402.6.4 Plastic signs–Deleted.  
 IBC Chapter 4, Section 403.1 Applicability–Amended.  
 IBC Chapter 4, Section [F] 404.3 Automatic sprinkler protection–Amended.  
 IBC Chapter 9, Section [F] 903.2 Where required–Amended.  
 IBC Chapter 10, Table 1004.1.2 Maximum floor area allowances per occupant–Amended.  
 IBC Chapter 11, Section 1104.4 Multilevel buildings and facilities–Amended.  
 IBC Chapter 14, Section 1406.15 Grounding Amended  
 IBC Chapter 15, Section [P] 1502.1 Roof drainage–Amended.  
 IBC Chapter 16, Section 1603.1 Construction documents–Amended.  
 IBC Chapter 16, Section 1604.1 General–Amended.  
 IBC Chapter 16, Section 1608 Snow loads–Amended.  
 IBC Chapter 16, Section 1612 Flood loads–Amended.  
 IBC Chapter 18, Section 1804.5 Grading and fill in flood hazard areas–Amended.  
 IBC Chapter 18, Section 1808.6.1.1 Frost protection–Added.  
 IBC Chapter 27, Section 2701.1 Scope–Amended.  
 IBC Chapter 29, Section 2901.1 Scope–Amended.  
 IBC Chapter 31, Section 3109 Swimming pool enclosures and safety devices–Deleted.  
 IBC Chapter 32, Section 3202.1.4 Space below sidewalk–Added.  
 IBC Chapter 32, Section 3202.5 Projection into alleys–Added.  
 IBC Chapter 33, Section 3308 Temporary use of streets, alleys, and public property–Deleted.  
 IBC Appendix I, Section I105.2 Footings–Amended.  
 IBC Appendix J, Section J101.2 Flood hazard areas–Amended.  
 IBC Appendix J, Section J110 Erosion control - deleted

**Adoption of 2018 International Building Code**

There is adopted by the City that certain code, recommended by the International Code Council, known as the International Building Code, 2018 edition. The code is adopted for all occupancies except one- and two-family dwellings. A copy of the same is on file in the office of the City of Summerset.

**Commented [LS1]:** Added "2018"

**Commented [LS2]:** Added a copy is on file in the office of the City of Summerset.

**IBC Chapter 1, Section 101.1 Title–Added.**

IBC Chapter 1, Section 101.1 Title, is here by amended to read in its entirety as follows:

**101.1 Title.** These regulations shall be known as the Building Code of the City of Summerset, hereinafter referred to as "this code."

**Commented [LS3]:** Added "of the City of Summerset"

**IBC Chapter 1, Section 101.4.1 Gas–Amended.**

IBC Chapter 1, Section 101.4.1 Gas, is hereby amended to read in its entirety as follows:

**101.4.1 Gas.** The provisions of the Montana Dakota Utilities, Propane and LP Gas service providers code shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

**Commented [LS4]:** Originally stated International Fuel Gas Code. Amended to read Montana Dakota Utilities. Also amended by P&Z to include Propane and LP Gas Service providers.

**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 South Dakota State Plumbing Commission, 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.

**Commented [LS5]:** Originally stated International Plumbing Code, amended to read SD State Plumbing Commission.

**IBC Chapter 1, Section 101.4.6 Energy-Deleted.**

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

**Commented [LS6]:** Energy section deleted.

~~The provisions of the International Energy Conservation Code shall apply to all matters governing the design and construction of buildings for energy efficiency.~~

**IBC Chapter 1, Section 101.4.8 Electrical-Added.**

IBC Chapter 1, Section 101.4.8 Electrical, is hereby added to read in its entirety as follows:

**Commented [LS7]:** Added section 101.4.8 Electrical

**101.4.8 Electrical.** The provisions of the current electrical code adopted by the State of South Dakota for service territory providers shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances thereto.

**Commented [LS8]:** Amended wording to "State of South Dakota. P & Z amended further to add "for service territory providers."  
\*this addition of electrical matches RC

**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.** Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 100psf, such design live loads shall be conspicuously posted by the owner in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

**Commented [LS9]:** Originally stated 50 psf amended to 100 psf to match RC code.

**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 for service providers.

**Commented [LS10]:** Originally stated in NFPA 70. Amended to "State of South Dakota for service providers.

**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 make the inspections set forth in Section 110.3.1 through 110.3.11.

**Commented [LS11]:** Cleaned up coding. Summerset's old amendments stated 110.3.10 amended to new code ending in 110.3.11.

**IBC Chapter 1, Section 117 Residential Contractor Licenses-Added.**  
RESIDENTIAL CONTRACTOR LICENSES

**Commented [LS12]:** Summerset added this in 2017 – complies with our Contractor's Licensing. This is an addition to the 2018 IBC codes.

For the purposes of this chapter, the following definitions shall apply.

- A. **CONSTRUCTION SUPERVISOR.** The individual who has passed the Residential Contractor Board's examination and has been designated by a residential building contractor or residential roofing contractor as the person responsible for the personal supervision of residential building contracting or residential roofing contracting.
- B. **EMPLOYEE.** A person whose compensation for construction work is reported by the employer on an Internal Revenue Service W-2 Form and is also otherwise considered an employee under applicable law.
- C. **FIRM.** A partnership, limited partnership, limited liability partnership, limited liability limited partnership, limited liability company, corporation or other legal entity.
- D. **OFFICER.** When used in reference to a firm, as defined above, an individual who is a limited or general partner in any type of partnership, a member or manager of a limited liability company, or an officer or director of a corporation
- E. **PERSONAL SUPERVISION.** The construction supervisor's oversight and direction of the residential building contracting that includes the following:
  - 1. A construction supervisor is available to employees supervised and city inspectors.

2. A construction supervisor is able to and does determine that all work performed is in compliance with this chapter and all city ordinances, rules, regulations, and state law.

F. RESIDENTIAL BUILDING CONTRACTING. The enlargement, alteration, repair, improvement, conversion or new construction of any 1-family or 2-family dwelling, or any accessory building or structure associated with a 1-family or 2-family dwelling for which a building permit is required.

G. RESIDENTIAL BUILDING CONTRACTOR. A person or firm who for compensation or other consideration undertakes or offers to undertake residential building contracting.

H. RESIDENTIAL ROOFING CONTRACTING. The alteration, repair or improvement of the roof of any 1-family or 2-family dwelling for which a building permit is required.

I. RESIDENTIAL ROOFING CONTRACTOR. A person or firm who for compensation or other consideration undertakes or offers to undertake residential roofing contracting.

**117.1 License required.**

A. It is unlawful for any person or firm to conduct, carry on or engage in residential building contracting, or act in the capacity of a residential building contractor, without first obtaining from the City of Summerset a valid residential building contractor's license.

B. It is unlawful for any person or firm to conduct, carry on or engage in residential roofing contracting, or act in the capacity of a residential roofing contractor, without first obtaining from the City of Summerset a valid residential roofing contractor's license

C. The following exceptions do not require a license:

1. Employees of a licensee if they are under the personal supervision of a construction supervisor;

2. Persons engaged in other construction trades for which licenses are required by the city when that person is performing work commensurate with the respective license;

3. A landlord for work to be done on his or her property when the landlord is acting as his or her own contractor. A landlord may not build more than 1 single-family dwelling in a 3-year period without obtaining a contractor's license; and

4. A homeowner who builds, constructs, alters, repairs, adds to or demolishes any building or structure or any portion thereof that constitutes the owner's residence or a building or structure accessory thereto that is intended for the owner's personal use. An owner may not build more than 1 single-family dwelling in a 3-year period without obtaining a contractor's license, provided he or she occupies the dwelling a minimum of 1 year after the final inspection is approved.

D. The holder of a residential building contractor's license may undertake residential roofing contracting without the requirement for a

separate residential roofing contractor's license

**117.2 License application.**

A. License Application. Any person or firm desiring to engage in the business of residential building contracting or residential roofing contracting shall first make an application for a license therefor to the building official on forms furnished by the Building Official.

B. Proof of excise tax number. Applicants for a residential contractor's license and residential roofing contractor's license shall be required to supply a copy of their South Dakota excise tax license.

C. South Dakota address and phone number. Applicants for a residential contractor's license and residential roofing contractor's license shall be required to furnish the name, address and phone number of an agent residing in South Dakota. Any firm required to file organizing or incorporating documents with the Secretary of State shall furnish proof that it is a validly existing legal entity authorized to transact business in South Dakota.

D. License application fees. Each person applying for a residential contractor's license or residential roofing contractor's license shall pay the required fee. The fee for new licenses, and renewal of licenses shall be set by resolution of the Board of Commissioners.

**115.4 Insurance.**

A. Liability Insurance. Liability insurance shall be required of every residential contractor and every residential roofing contractor. Every applicant for a residential contractor's license or residential roofing contractor's license shall present to the building official for review a valid certificate of insurance at the time of application. It shall be the duty of every residential contractor and every residential roofing contractor to continually maintain valid liability insurance. The minimum required general aggregate liability shall be \$1,000,000 with \$300,000 fire damage and \$1,000,000 each occurrence.

B. Worker's compensation insurance. In accordance with South Dakota state law, proof of worker's compensation insurance shall be verified prior to the issuance of a license.

**115.5 License use.**

Supervision required. No licensed residential building contractor or licensed residential roofing contractor shall allow his or her name to be used by any other person directly or indirectly, either to obtain a building permit or to perform residential building contracting or residential roofing contracting outside his or her personal supervision. Any subcontractor working for a licensed contractor shall also be licensed.

A. Termination or Separation of Designated Construction Supervisor. It shall be the duty of each residential building contractor and residential roofing contractor to immediately notify the building official in writing upon the designation of a new construction supervisor or the termination or separation of a designated construction supervisor listed on the contractor's license.

1. Upon the termination or separation of a designated construction supervisor, the contractor's license shall expire ten (10) business days

following such separation or termination unless

- i. There is another construction supervisor listed on its license;
  - ii. The contractor immediately designates another construction supervisor who has passed the examination; or
  - iii. The license is extended as provided herein.
2. The contractor may, within ten business days of any such termination or separation, request in writing from the Building Official an extension of its license, and the Building Official shall grant an extension for a period not to exceed 30 days from the date of termination or separation.
3. No contractor may be issued a new permit during the period where no construction supervisor is listed on its license.

**115.6 License term and renewal.**

A. License term and renewal. All residential building contractor licenses issued under the provisions of this chapter shall expire on December 31 of every year. All residential roofing contractor licenses issued under the provisions of this chapter shall expire on December 31 of every year. All renewal fees shall be paid on or before December 31 of each successive year. No renewal license may be issued until the designated construction supervisor has completed the requirements of licensing.

**115.7 Summerset Residential Contractor Board.**

- A. The Summerset Residential Contractors Board shall consist of the 5 members from the Board of Commissioners. The members shall be appointed by the Mayor. Members of the Board shall serve for the term for which they were elected as Commissioners. The members of the Board, except for city staff, shall serve without compensation for the service.
- B. The Board is authorized to adopt such rules and regulations as shall become necessary.
- C. The Board shall hold meetings, as necessary, for transaction of business that may come before it.
- D. The purpose of the Board is to protect the public health, safety and welfare, and to guard against incompetent or dishonest contractors providing unsafe, unstable or short-lived products or services. Board procedures should always be fair and reasonable. Special care should be taken to insure that new or small volume builders can obtain a license without hardship.

**R115.8 Violations and penalties.**

A. Double fee. Any person who shall commence any residential building project for which a permit is required by this code without first having obtained a permit therefore 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 therefore before the commencement of the work. In all such cases, a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining the

permit, a double fee as herein provided shall be charged.

B. Suspension, revocation or refusal to issue. It shall be within the discretion of the building official to suspend, revoke or refuse to issue or renew the license of any residential building contractor or residential roofing contractor who has been doing work without a permit. It shall also be within the discretion of the building official to suspend, revoke, or refuse to issue or renew any residential building contractor's license or any residential roofing contractor's license if the building official finds the following:

1. Suspension, revocation or refusal to renew is in the public interest; and
2. Based upon evidence presented, the applicant or licensee:
  - a. Has filed an application for a license which is incomplete in any material respect or contains one or more statements which are false or misleading;
  - b. Has engaged in any fraudulent, deceptive, or dishonest act or practice in the performance of residential building contracting or residential roofing contracting;
  - c. Has violated any applicable provision of the International Residential Code, International Building Code, International Property Maintenance Code, city ordinance, rule, regulation, or state law;
  - d. Fails to maintain the requirements of licensure, including insurance, excise tax license or South Dakota phone and address as required by this Chapter;
  - e. Fails to provide copies of records in his or her possession related to a matter under review;
  - f. Fails to pay fees in a timely manner; or
  - g. Fails to respond to a lawful order or directive of the building official or Residential Contractor Board.

C. Should any licensee, or applicant for license, under this chapter be aggrieved by the action of the building official, he or she may, within 10 business days, apply to the Residential Contractors Board for a review of the action. Upon the review, the Board may affirm, modify or reverse the action of the building official and may order for good cause the issuance of a license. The decision of the Board shall be final.

D. The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this code. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid, except insofar as the work or use which it authorizes is lawful.

E. 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 chapter or of any other ordinance or from revoking any certificate of approval when issued in error.

F. Any person or firm violating any of the provisions of this chapter shall be subject to the general penalty provided in Chapter I,

Section 114.4 Violations and Penalties. Each separate day or any portion thereof during which any violation of this chapter continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as therein provided.

G. A licensed contractor who is the subject of a review by the building official shall cooperate fully with the building official. Cooperation includes, but is not limited to:

1. Responding fully and promptly to questions raised by the building official;
2. Providing copies of records in the person's possession relative to the matter under review, as requested by the building official; and
3. Appearing at conferences or hearings scheduled by the building official.

#### IBC Chapter 2, Section 202 Definitions-Amended.

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

**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.

**Commented [LS13]:** Originally stated three or more. Amended the same to two or more. This also matches RC code.

**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.

**Commented [LS14]:** Added language at significant construction stages and at completion of the structural system. Structural observations does not include or waive the responsibility for the inspections required – cited section and code.

#### 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 412.4)
- Barns
- Camping Cabins
- Carports
- Fences more than 6 feet (1829 mm) high

**Commented [LS15]:** Added camping cabins  
\*the near future could bring a RV Park, I wanted to make sure to capture camping cabins

Grain silos, accessory to a residential  
 occupancy Greenhouses  
 Livestock  
 Shelters  
 Private  
 garages  
 Retaining  
 walls  
 Sheds  
 Stables  
 Tanks  
 Towers

**312.1.1 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.

**Commented [LS16]:** Cleaned up code to incorporate 312.1.1  
 Originally 312.1.1 was Greenhouse per IBC

**IBC Chapter 4, Section 402.6.4 Plastic signs-Deleted.**

**Commented [LS17]:** Deleted – we have a sign ordinance

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

**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.

**Commented [LS18]:** Added wording pertaining “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 412.2.
2. Open parking garages in accordance with Section 406.5.
3. Buildings with a Group A-5 occupancy in accordance with Section 303.6.
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.

**Commented [LS19]:** Originally stated “the portion of a building” replaced with Buildings.

**Commented [LS20]:** Added wording “low-hazard”

**Commented [LS21]:** Grouped H1 H2 H3 and referred to all of Section 415

**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 sprinklered 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.

~~Where the ceiling of the atrium is more than 55 feet (16,764mm) above the floor, sprinkler protection at the ceiling of the atrium is not required.~~

**Commented [LS22]:** Exception is deleted. Matching RC code.

**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.

**Commented [LS23]:** Does not change/include the exceptions. Per our previous amendments.

**IBC Chapter 10, Table 1004.5 Maximum floor area allowances per occupant-Amended.**

IBC Chapter 10, Table 1004.5 Maximum floor area allowances per occupant, is hereby amended to read in its entirety as follows:

**Commented [LS24]:** Has now been amended from table 1004.1.2 to 1004.5

TABLE 1004.5  
MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT

<i>FUNCTION OF SPACE</i>	<i>FLOOR AREA IN SQ. FT. PER OCCUPANT</i>
<i>FUNCTION OF SPACE</i>	<i>FLOOR AREA IN SQ. FT. PER OCCUPANT</i>
Accessory storage areas, mechanical equipment room	300 gross
Agricultural building	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 (video lottery, keno, slots, etc.)	15 net
Exhibit gallery and museum	30 net
Assembly with fixed seats	See Section 1004.6

**Commented [LS25]:** Changed from 11 gross to 15 net per RC code

Assembly without fixed seats	
Concentrated (chairs only – not fixed)	7 net
Standing space	5 net
Unconcentrated (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	150 gross
Concentrated business use areas	See section 1004.8
Courtrooms – other than fixed seating areas	40 net
Daycare	35 net
Dormitories	50 gross
Educational	
Classroom area	20 net
Shops and other vocational room areas	50 net
Exercise rooms	50 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	
Stack area	50 net
Locker rooms	50 gross
Mall buildings – covered and open	See Section 402.8.2
Mercantile	
Areas on other floors	60 gross
Basement and grade floor areas	30 gross
Storage, stock, shipping areas	300 gross
Parking garages	200 gross
Residential	200 gross
Skating rinks, swimming pools	
Rink and pool	50 gross
Decks	15 gross
Stages and platforms	15 net
Warehouses	500 gross
Jails	1.05 per bed
All others	100 gross

**Commented [LS26]:** Changed from 100 gross to 50 net per RC code

**Commented [LS27]:** Added basement and grade floor areas – 30 gross

**Commented [LS28]:** Added jails 1.05 per bed and all others 100 gross per RC code

**IBC Chapter 11, Section 1104.4 Multilevel buildings and facilities-Amended.**

**Commented [LS29]:** Changed anything stated as multi-story to multilevel building.

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

**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 is not required to stories, mezzanines and occupied roofs that have an aggregate area of not more than 3,000 square feet (278.7 m<sup>2</sup>) and are located above and below accessible levels.~~
1. 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 m<sup>2</sup>) per story. This exception shall not apply to:
  - 1.1. Multiple tenant facilities of Group M occupancies containing five or more tenant spaces, ~~used for the sales or rental of goods and where at least one such tenant space is located on a floor level above or below the accessible levels.~~
  - 1.2. ~~Stories or mezzanines~~ 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. ~~Stories, mezzanines or occupied roofs.~~ 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 ~~or mezzanine~~ with an occupant load of five or fewer persons that does not contain public use space, that story ~~or mezzanine~~ shall not be required to be connected by an accessible route to the story above or below.
  5. Vertical access to elevated employee work stations 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.

**Commented [LS30]:** Struck out wording and replaced

**Commented [LS31]:** Keep story wording in on exceptions.

**Commented [LS32]:** Strike out wording

**Commented [LS33]:** Strike out wording

**Commented [LS34]:** Strike out wording

**Commented [LS35]:** Additional exemption added to RC Code

**IBC Chapter 14, Section 1406.15 Grounding-Added.**

IBC Chapter 14, Section 1406.15 Grounding, is hereby amended to read in its entirety as follows:

**1406.15 Grounding.** Grounding of metal veneers on buildings shall comply with the current electrical code adopted by the State of South Dakota and its service providers.

**Commented [LS36]:** Added to IBC – paragraph on grounding and compliance with State of SD electrical code and service providers.

**IBC Chapter 15, Section [P] 1502.1 Roof drainage-Amended.**

IBC Chapter 15, Section [P] 1502.1 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 ~~Section 1502 of this code and Sections 1106 and 1108, as applicable, of the International Plumbing Code~~ the current plumbing code adopted by the South Dakota State Plumbing Commission with revisions.

**Commented [LS37]:** Struck out and added SD State Plumbing Commission

**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.

Commented [LS38]: Added wording consistent with RC code

**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 ~~dead and~~ live loads.
2. Ground snow load,  $P_g$ .
3. ~~Basic~~ Ultimate design wind speed,  $V_{ul}$ , (3-second gust), miles per hour (mph) (km/hr) and ~~allowable stress~~ 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.
7. ~~Rain load data~~ Flood design data

Commented [LS39]: Struck out wording

Commented [LS40]: Struck out basic and allowable stress and replaced with ultimate and nominal

Commented [LS41]: Struck out and added flood design data

**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 referenced standards~~ and Table 100-B, Climatic and Geographic Design Criteria.

Commented [LS42]: Struck out wording and referred to Table 100-B

**IBC Chapter 16, Section 1608 Snow loads-Amended.**

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

**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.

**Commented [LS43]:** Added wording to refer to Climatic Table 100-B and Section 1603.1

**1608.3 Ponding instability.** Susceptible bays of roofs shall be evaluated for ponding instability in accordance with Chapters 7 and 8 of ASCE 7.

**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

**1612.1 General.** See Ordinance #23 Flood Prevention Ordinance - (Chapter 150) Municipal Code.

**Commented [LS44]:** Refer to our ordinance.

**IBC Chapter 18, Section 1804.5 Grading and fill in flood hazard areas-Added.**

IBC Chapter 18, Section 1804.5 Grading and fill in flood hazard areas, is hereby amended to read in its entirety as follows:

**1804.5 Grading and fill in flood hazard areas.** See Ordinance #23 Flood Prevention Ordinance - (Chapter 150) Municipal Code.

**Commented [LS45]:** Refer to our ordinance

**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:

**Commented [LS46]:** Addition to IBC matches RC code

**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:** Free-standing 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.~~

**Commented [LS47]:** Planning & Zoning amended to strike out wording.

**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 for its service providers.

**Commented [LS48]:** Added in code adopted by the State of SD. Planning & Zoning amended to add for its service providers.

**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 1209.

**Commented [LS49]:** Added plumbing code adopted by the State of SD

**IBC Chapter 31, Section 3109 Swimming pool enclosures and safety devices- Deleted.**

**Commented [LS50]:** Chapter deleted – matches RC code

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

~~The design and construction of swimming pools, spas and hot tubs shall comply with the International Swimming Pool and Spa Code.~~

**IBC Chapter 32, Section 3202.1.4 Space below sidewalk -Added.**

**Commented [LS51]:** Added space below sidewalk – in accordance with RC code

ICB Chapter 32, Section 3202.1.4 Space below sidewalk is hereby added to read in its entirety as follows:

**3202.14 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).

**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:

**Commented [LS52]:** Added projection into alley – in accordance with RC code  
Struck out wording in exception 3.

**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).
3. ~~Unless the City Engineer and Building Official jointly approve an exception pursuant to Section 12.04.160 of the Rapid City Municipal Code.~~

**IBC Chapter 33, Section 3308 Temporary use of streets, alleys, and public property-Deleted.**

**Commented [LS53]:** Chapter deleted – match RC code

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

~~**3308.1 Storage and handling of materials.** The temporary use of streets or public property for the storage or handling of materials or of equipment required for construction or demolition, and the protection provided to the public shall comply with the provisions of the applicable governing authority and this chapter.~~

~~**3308.1.1 Obstructions.** Construction materials and equipment shall not be placed or stored so as to obstruct access to fire hydrants, standpipes, fire or police alarm boxes, catch basins or manholes, nor shall such material or equipment be located within 20 feet (6096 mm) of a street intersection or placed so as to obstruct normal observations of traffic signals or to hinder the use of public transit loading platforms.~~

~~**3308.2 Utility fixtures.** Building materials, fences, sheds or any obstruction of any kind shall not be placed so as to obstruct free approach to any fire hydrant, fire department~~

connection, utility pole, manhole, fire alarm box or catch basin or so as to interfere with the passage of water in the gutter. Protection against damage shall be provided to such utility fixtures during the progress of the work, but sight of them shall not be obstructed.

**IBC Appendix I, Section 1105.2 Footings-Amended.**

IBC Appendix I, Section 1105.2 Footings, is hereby amended to read in its entirety as follows:

**1105.2 Footings.** ~~In areas with a frost depth of zero~~ 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.

**Commented [LS54]:** Struck out wording in areas with a frost depth of zero.

**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:

**Commented [LS55]:** Refer to our ordinance

**J101.2 Flood hazard areas.** See Ordinance #23 Flood Damage Prevention (Chapter 150).

**Commented [LS56]:** Refer to our ordinance

**IBC Appendix J, Section J110 Erosion control - deleted**

**Commented [LS57]:** We take care of erosion control through our building permits

**NOTICE FOR PUBLICATION**

**ORDINANCE 2022-03**

Be it ordained by the City of Summerset for revisions to ordinance Title XV,  
Chapter 152, Subsection 152.02 - Adoption of 2018 International Property Maintenance  
Code By Reference:

NOTICE IS HEREBY GIVEN that the City of Summerset will set the first reading on  
revised ordinance §152.02 dealing with Adoption of the 2018 International Property  
Maintenance Code By Reference. Said first reading will be held at Summerset City Hall, 7055  
Leisure Lane, Summerset SD on March 3rd, 2022 at 6:00 p.m. The purpose of the public  
hearing is to accept public comment on the proposed revised ordinance.

Individuals needing assistance related to the American Disabilities Act should contact the  
Summerset City Finance Officer no less than 24 hours prior to this hearing to make necessary  
arrangements.

Dated this 17th day of February 2022.

City of Summerset

Published once on 2/18/2022, at the total approximate cost of \$19.42.

**Ordinance 2022-03**

**AN ORDINANCE AMENDING ORDINANCE TITLE XV, CHAPTER 152, SUBSECTION 152.02  
ADOPTION OF 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE BY REFERENCE**

**AN EXISTING ORDINANCE OF SUMMERSET SD**

**§ 152.02 ADOPTION OF 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE BY  
REFERENCE.**

There is adopted by the city for the purpose of prescribing regulations for the practical safeguarding of persons and property from hazards arising from housing, and for the removal of blighted structure in population areas, that certain code recommended by the International Code Council known as the International Property Maintenance Code, 2018 edition, specifically Chapters 1 through 8 thereof. A copy of the same is on file in the office of the city.

Passed and adopted this \_\_\_\_\_ day of March 2022.

\_\_\_\_\_  
Melanie Torno, Mayor

ATTEST:

\_\_\_\_\_  
Candace Sealey, Finance Officer

VOTE:

Torno:

Kitzmilller:

Butler:

Hirsch:

Thurman:

First Reading: March 3, 2022

Second Reading: March 17, 2022

Adoption:

Publication: two weeks\*

Effective:

Published twice at the total approximate cost of \$\_\_\_\_\_.

**Adoption.**

IPMC Chapter 1, Section 101.1 Title—Amended.  
IPMC Chapter 1, Section 101.3 Intent—Amended.  
IPMC Chapter 1, Section 102.3 Application of other codes—Amended.  
IPMC Chapter 2, Section 201.3 Terms defined in other codes—Amended.  
IPMC Chapter 3, Section 302.4 Weeds—Deleted.  
IPMC Chapter 3, Section 303 Swimming pools, spas and hot tubs—Deleted.  
IPMC Chapter 3, Section 304.2 Protective treatment—Amended  
IPMC Chapter 3, Section 304.7 Roofs and drainage—Amended.  
IPMC Chapter 3, Section 304.13 Window, skylight and door frames—Amended.  
IPMC Chapter 3, Section 304.14 Insect screens—Amended.  
IPMC Chapter 3, Section 304.18 Building security—Amended.  
IPMC Chapter 3, Section 305.1 General—Amended.  
IPMC Chapter 3, Section 306.1.1 Unsafe conditions—Amended.  
IPMC Chapter 3, Section 308 Rubbish and garbage—Deleted.  
IPMC Chapter 5, Section 501.1 Scope—Amended.  
IPMC Chapter 5, Section 502.5 Public toilet facilities—Amended.  
IPMC Chapter 5, Section 505.1 General—Amended.  
IPMC Chapter 6, Section 601.1 Scope—Amended.  
IPMC Chapter 6, Section 602.2 Residential occupancies—Amended.  
IPMC Chapter 6, Section 602.3 Heat supply—Amended.  
IPMC Chapter 6, Section 602.4 Occupiable work spaces—Amended

**Adoption.**

There is adopted by the city for the purpose of prescribing regulations for the practical safeguarding of persons and property from hazards arising from housing, and for the removal of blighted structure in population areas, that certain code recommended by the International Code Council known as the International Property Maintenance Code, 2018 edition, specifically Chapters 1 through 8 thereof. A copy of the same is on file in the office of the City of Somerset.

**Commented [LS1]:** Changed the date to 2018

**IPMC Chapter 1, Section 101.1 Title—Amended.**

IPMC Chapter 1, Section 101.1, Title, is hereby amended to read in its entirety as follows:

**101.1 Title.** These regulations shall be known as the International Property Maintenance Code of the City of Somerset, hereinafter referred to as “this code.”

**Commented [LS2]:** Added City of Somerset

**IPMC Chapter 1, Section 101.3 Intent—Amended.**

IPMC Chapter 1, Section 101.3, Intent, is hereby amended to read in its entirety as follows:

**101.3 Intent.** This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein. Repairs, alterations, additions to and change of occupancy in existing buildings shall comply with the International Building Code and the International Residential Code.

**Commented [LS3]:** Added wording regarding repairs, alterations and additions.

**IPMC Chapter 1, Section 102.3 Application of other codes—Amended.**

IPMC Chapter 1, Section 102.3, Application of other codes, is hereby amended to read in its entirety as follows:

**102.3 Application of other codes.** 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, Summerset Municipal Code, and the current codes adopted by the City of Summerset for Residential Contracting, the State of South Dakota for Plumbing, the State of South Dakota for Electrical service providers, and the MDU Fuel Gas, Propane/LP code.

**Commented [LS4]:** Added Summerset Municipal Code, City of Summerset. Planning & Zoning amended to add "service providers" and "Propane/LP"

**IPMC Chapter 2, Section 201.3 Terms defined in other codes–Amended.**

IPMC Chapter 2, Section 201.3, Terms defined in other codes, is hereby amended to read in its entirety as follows:

**201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in the International Building Code, International Fire Code, Summerset Municipal Code, and the current codes adopted by the City of Summerset for Residential Contracting, the State of South Dakota for Plumbing, the State of South Dakota for Electrical service providers, and the MDU Fuel Gas, Propane/LP code, such terms shall have the meanings ascribed to them as stated in those codes.

**IPMC Chapter 3, Section 302.4 Weeds–Deleted.**

IPMC Chapter 3, Section 302.4, Weeds, is hereby deleted in its entirety.

**Commented [LS5]:** We had code enforcement so chapter is deleted

**IPMC Chapter 3, Section 303 Swimming pools, spas and hot tubs–Deleted.**

IPMC Chapter 3, Section 303, Swimming pools, spas and hot tubs, is hereby deleted in its entirety.

**Commented [LS6]:** Chapter deleted – matches RC code

**IPMC Chapter 3, Section 304.2 Protective treatment–Amended**

IPMC Chapter 3, Section 304.2, Protective treatment, is hereby amended to read in its entirety as follows:

**304.2 Protective treatment.** Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. ~~Surfaces designed for stabilization by oxidation are exempt from this requirement.~~ Fire resistant materials shall be maintained.

**Commented [LS7]:** Struck out wording – added fire resistant materials shall be maintained.

**IPMC Chapter 3, Section 304.7 Roofs and drainage–Amended.**

IPMC Chapter 3, Section 304.7, Roofs and drainage, is hereby amended to read in its entirety as follows:

**304.7 Roofs and drainage.** The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance. Roofs and reroofing shall comply with the International Building Code or the International Residential Code.

**Commented [LS8]:** Added – compliance with IBC and IRC

**IPMC Chapter 3, Section 304.13 Window, skylight and door frames—Amended.**

IPMC Chapter 3, Section 304.13, Window, skylight and door frames, is hereby amended to read in its entirety as follows:

**304.13 Window, skylight and door frames.** Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

**304.13.1 Glazing.** All glazing materials shall be maintained free from cracks and holes.

Commented [LS9]: Inserted the word "All"

**304.13.2 Openable windows.** Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

**304.13.3 Garage doors and frames.** Every garage door and frame shall be kept in a sound condition, good repair and weather tight. Garage doors shall be easily openable and shall be capable of being held in open position by door hardware.

Commented [LS10]: Added Garage doors and frames

**304.13.4 Garage doors.** Garage doors shall be readily opened and closed. Garage doors shall be equipped so as to secure the unit(s) from unauthorized entry.

**IPMC Chapter 3, Section 304.14 Insect screens—Amended.**

IPMC Chapter 3, Section 304.14, Insect screens, is hereby amended to read in its entirety as follows:

**304.14 Insect screens.** During the period from May 1 to October 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Commented [LS11]: Inserted date

**Exception:** Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

**IPMC Chapter 3, Section 304.18 Building security—Amended.**

IPMC Chapter 3, Section 304.18, Building security, is hereby amended to read in its entirety as follows:

**304.18 Building security.** Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within as in compliance with Section 702.3.

Commented [LS12]: Added wording in reference to Section 702.3

**IPMC Chapter 3, Section 305.1 General—Amended.**

IPMC Chapter 3, Section 305.1, General, is hereby amended to read in its entirety as follows:

**305.1 General.** The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

Commented [LS13]: Struck out wording

**IPMC Chapter 3, Section 306.1.1 Unsafe conditions—Amended.**

IPMC Chapter 3, Section 3.6.1.1 Unsafe conditions is hereby amended to omit the reference to the International Existing Building Code.

**Commented [LS14]:** Omit the reference to the IEBC

**IPMC Chapter 3, Section 308 Rubbish and garbage—Deleted.**

IPMC Chapter 3, Section 308, Rubbish and garbage, is hereby deleted in its entirety.

**Commented [LS15]:** Delete 308 Rubbish and garbage. Summerset has its own garbage ordinance

**IPMC Chapter 5, Section 501.1 Scope—Amended.**

IPMC Chapter 5, Section 501.1, Scope, is hereby amended to read in its entirety as follows:

**501.1 Scope.** Plumbing facilities and fixture requirements shall be governed by the current plumbing codes adopted by the South Dakota State Plumbing Commission with revisions.

**Commented [LS16]:** Added SD State Plumbing Commission

**IPMC Chapter 5, Section 502.5 Public toilet facilities—Amended.**

IPMC Chapter 5, Section 502.5, Public toilet facilities, is hereby amended to read in its entirety as follows:

**502.5 Public toilet facilities.** Public toilet facilities shall be maintained in a safe sanitary and working condition in accordance with the current codes adopted by the State of South Dakota for Plumbing. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during occupancy of the premises.

**Commented [LS17]:** Added SD State Plumbing

**IPMC Chapter 5, Section 505.1 General—Amended.**

IPMC Chapter 5, Section 505.1, General, is hereby amended to read in its entirety as follows:

**505.1 General.** Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the current codes adopted by the State of South Dakota for Plumbing.

**Commented [LS18]:** Added State of SD Plumbing

**IPMC Chapter 6, Section 601.1 Scope—Amended.**

IPMC Chapter 6, Section 601.1, Scope, is hereby amended to read in its entirety as follows:

**601.1 Scope.** Electrical and plumbing requirements will be governed by the current fuel gas, electrical and plumbing codes adopted by MDU, Propane/LP gas providers, the State of South Dakota or the City of Summerset.

**Commented [LS19]:** Added per Planning and Zoning "propane/lp gas providers. Referred to State of SD and City of Summerset.

**IPMC Chapter 6, Section 602.2 Residential occupancies—Amended.**

IPMC Chapter 6, Section 602.2, Residential occupancies, is hereby amended to read in its entirety as follows:

**602.2 Residential occupancies.** Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in Appendix D of the International Plumbing Code. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating.

**Commented [LS20]:** Strike out wording

**Exception:** In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

**IPMC Chapter 6, Section 602.3 Heat supply—Amended.**

IPMC Chapter 6, Section 602.3, Heat supply, is hereby amended to read in its entirety as follows:

**602.3 Heat supply.** Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 1 to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

Commented [LS21]: Add date

**IPMC Chapter 6, Section 602.4 Occupiable work spaces—Amended**

IPMC Chapter 6, Section 602.4, Occupiable work spaces, is hereby amended to read in its entirety as follows:

**602.4 Occupiable work spaces.** Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to May 1 to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

Commented [LS22]: Add date

**Exceptions:**

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

**NOTICE FOR PUBLICATION**

**ORDINANCE 2022-04**

Be it ordained by the City of Summerset for revisions to ordinance Title XV,  
Chapter 152, Subsection 152.03 - Adoption of 2018 International Residential Code By  
Reference:

NOTICE IS HEREBY GIVEN that the City of Summerset will set the first reading on  
revised ordinance §152.03 dealing with Adoption of the 2018 International Residential Code By  
Reference. Said first reading will be held at Summerset City Hall, 7055 Leisure Lane,  
Summerset SD on March 3rd, 2022 at 6:00 p.m. The purpose of the public hearing is to accept  
public comment on the proposed revised ordinance.

Individuals needing assistance related to the American Disabilities Act should contact the  
Summerset City Finance Officer no less than 24 hours prior to this hearing to make necessary  
arrangements.

Dated this 17th day of February 2022.

City of Summerset

Published once on 2/18/2022, at the total approximate cost of \$19.42.

**Ordinance 2022-04**

**AN ORDINANCE AMENDING ORDINANCE TITLE XV, CHAPTER 152, SUBSECTION 152.03  
ADOPTION OF 2018 INTERNATIONAL RESIDENTIAL CODE BY REFERENCE**

**AN EXISTING ORDINANCE OF SUMMERSET SD**

**§ 152.03 ADOPTION OF 2018 INTERNATIONAL RESIDENTIAL CODE BY REFERENCE.**

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, 2018 edition, specifically Chapters 1-11, Chapter 44, and Appendices E, H, J and K thereof. The city also adopts Section P2904 Dwelling Unit Fire Sprinkler systems as amended within this code. The code is adopted for one- and two-family dwellings only. A copy of the same is on file in the city's Finance Office.

Passed and adopted this \_\_\_\_\_ day of March 2022.

\_\_\_\_\_  
Melanie Torno, Mayor

ATTEST:

\_\_\_\_\_  
Candace Sealey, Finance Officer

VOTE:

Torno:

Kitzmilller:

Butler:

Hirsch:

Thurman:

First Reading: March 3, 2022

Second Reading: March 17, 2022

Adoption:

Publication: two weeks\*

Effective:

Published twice at the total approximate cost of \$\_\_\_\_\_.

## INTERNATIONAL RESIDENTIAL CODE

### Section

Adoption.

IRC Chapter 1–Deleted in part and replaced in part.

IRC Chapter 1, Section R101.1 Title Amended

IRC Chapter 1, Section R101.2, Scope–Amended.

IRC Chapter 1, Section R102.7, Existing structures–Amended.

IRC Chapter 1, Section R109.1, Types of inspections – Amended.

IRC Chapter 1, Section R109.1.3, Floodplain inspections–Amended.

IRC Chapter 2, Section R202, Definitions–Amended.

IRC Chapter 3, Table R301.2(1), Climatic and geographic design criteria–Amended.

IRC Chapter 3, Section R301.2.4, Floodplain construction–Amended

IRC Chapter 3, Section R301.2.4.1, Alternative provisions–Amended.

IRC Chapter 3, Section R302.2, Townhouses–Amended.

IRC Chapter 3, Section R302.5.1, Opening protection–Amended.

IRC Chapter 3, Section R302.12, Draftstopping–Amended.

IRC Chapter 3, Section R303.1, Habitable rooms–Amended.

IRC Chapter 3, Section R309.3, Flood hazard areas–Amended.

IRC Chapter 3, Section R310.1, Emergency escape and rescue required–Amended.

IRC Chapter 3, Section R310.2.2 Window sill height–Amended

IRC Chapter 3, Section R310.2.3.1, Ladder and steps–Amended.

IRC Chapter 3, Section R310.3.2.1, Ladder and steps–Amended.

IRC Chapter 3, Section R311.3.1, Floor elevations at the required egress doors–Amended.

IRC Chapter 3, Section R311.7.5, Stair treads and risers–Amended.

IRC Chapter 3, Section R311.7.5.1 Risers – Amended

IRC Chapter 3, Section R311.7.5.2 Treads – Amended

IRC Chapter 3, Section R311.7.5.2.1 Winder Treads – Amended

IRC Chapter 3, Section R311.7.5.3 Nosings- Amended

IRC Chapter 3, Section R311.7.10 Special stairways–Amended

IRC Chapter 3, Section R317.1.1, Field treatment–Amended.

IRC Chapter 3, Section R318, Protection against subterranean termites–Deleted.

IRC Chapter 3, Section R322, Flood-resistant construction–Amended.

IRC Chapter 4, Section R401.1, Application–Amended.

IRC Chapter 4, Section R403.1.4.1, Frost protection–Amended.

IRC Chapter 4, Section R408.07, Flood resistance –Amended.

IRC Chapter 5, Section R506.2.3, Vapor retarder–Deleted.

IRC Chapter 6, Section R602.3(5), Table–Amended.

IRC Chapter 9, Section R903.4.1, Secondary (emergency overflow) drains or scuppers–Amended.

IRC Chapter 9, Section R905.1.2, Ice barrier–Amended.

IRC Section R908.3, Roof Replacement – Amended from previously combined

IRC Section R908.3.1 Roof recover not allowed Amended from previously combined.

IRC Chapter 11–Amended.

IRC Section P2904.1, Dwelling unit fire sprinkler systems – General – Amended.

IRC Appendix E, Section AE101.1, General–Amended.

IRC Appendix J, Section AJ102.5, Flood hazard areas–Amended.

IRC Appendix H, Section AH105.2, Footings–Amended.

IRC Appendix H, Section AH106, Special provisions for aluminum screen enclosures in hurricane-prone regions–Deleted.

**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, 2018 edition, specifically Chapters 1-11, Chapter 44, and Appendices E, J, K, & H thereof. The City also adopts Section P2904 Dwelling Unit Fire Sprinkler systems as amended within this code. The code is adopted for one- and two-family dwellings only. A copy of same is on file in the City Finance Office of the City of Somerset.

**Commented [LS1]:** Corrected the wording to one – and two family dwellings 2018 edition to match IRC code

**IRC Chapter 1, Section R101.1, Title–Amended.**

IRC Chapter 1, Section R101.1, Title, is hereby amended to read in its entirety as follows:  
These regulations shall be known as the Residential Code of the City of Somerset, hereinafter referred to as “this code.”

**Commented [LS2]:** Added wording “City of Somerset”

**IRC Chapter 1, Section R101.2, Scope–Amended.**

IRC Chapter 1, Section R101.2, Scope, is hereby amended to read in its entirety as follows:

**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.

**Commented [LS3]:** Corrected the wording to one- and two family dwellings

**EXCEPTION:** Live/work units located in townhouses and 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.

**Commented [LS4]:** Struck out wording and added wording “shall be permitted to be built as one-and two family dwellings or townhouses.” Match RC code

**IRC Chapter 1, Section R102.7, Existing structures–Amended.**

IRC Chapter 1, Section R102.7, Existing structures, is hereby amended to read in its entirety as follows:

**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 or the International Property Maintenance Code or the International Fire Code or as deemed necessary by the building official for the general safety and welfare of the occupants and the public.

**Commented [LS5]:** Struck out wording

**IRC Chapter 1, Section R109.1 Types of Inspections–Amended.**

IRC Chapter 1, Section R109.1. Types of Inspections, is hereby amended to read in its entirety as follows:

**R109.1 Types of Inspections.** For on-site construction, from time to time the Building Official, upon notification from the permit holder or his agent, shall 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 of his or her agent wherein the same fails to comply with this code.

**Commented [LS6]:** Shall replaced with the word may

**IRC Chapter 1, Section R109.1.3, Floodplain inspections–Amended.**

IRC Chapter 1, Section R109.1.3, Floodplain inspections, is hereby amended to read in its entirety as follows:

**R109.1.3 Floodplain inspections.** See Ordinance #23 Flood Damage Prevention (Chapter 150: Flood Damage Prevention).

**Commented [LS7]:** Referred to our Ordinance

**IRC Chapter 2, Section R202, Definitions–Amended.**

All definitions will remain the same as in Section R202 except for those specifically changed as follows:

**ACCESSORY STRUCTURE.** ~~A structure that is accessory~~ 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.

**Commented [LS8]:** Struck out wording and added not over one story in height.

**TOWNHOUSE.** A single-family dwelling unit constructed in a group of ~~three~~ 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.

**Commented [LS9]:** Struck out three and replaced with two

**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-B CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

Ground Snow Level	Wind Speed	Seismic Design Category	Subject to Damage From			Winter Design Temperature	Ice Barrier Underlayment Required	Flood Hazards	Air Freezing Index	Mean Annual Temp
			Weathering	Frost Line Depth	Termite					
42 psf <sup>1</sup>	115 <sup>2</sup>	footnote <sup>3</sup>	Moderate	42"	None to slight	-7	yes	8/9/2010	1548	48°F
<sup>1</sup> The ground snow load for Summerset shall be 42 psf and as per ASCE 710. <sup>2</sup> 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. <sup>3</sup> Seismic loads shall be in accordance with Section 1613 of IBC 2018 and ASCE 7-10. In the absence of specific site information, the building shall be designed in accordance with the following: Short Period Acceleration (S <sub>s</sub> ) = 0.125 g 1-Second Period Acceleration (S <sub>1</sub> ) = 0.043 g Site Class = D										

**Commented [LS10]:** When flood ordinance was passed 8/9/2010

**Commented [LS11]:** Adding Summerset

**Commented [LS12]:** Changed date to state 2018

**IRC Chapter 3, Section R301.2.4, Floodplain construction–Amended.**

IRC Chapter 3, Section R301.2.4, Floodplain construction, is hereby amended to read in its entirety as follows:

**R301.2.4 Floodplain construction.**

See Ordinance #23 Flood Damage Prevention. (Chapter 150: Flood Damage Prevention).

**Commented [LS13]:** Refer to our ordinance

**IRC Chapter 3, Section R301.2.4.1, Alternative provisions–Amended.**

IRC Chapter 3, Section R301.2.4.1, Alternative provisions, is hereby amended to read in its entirety as follows:

**R301.2.4.1 Alternative provisions.** See Ordinance #23 Flood Damage Prevention. (Chapter 150: Flood Damage Prevention).

Commented [LS14]: Refer to our ordinance

**IRC Chapter 3, Section R302.2, Townhouses–Amended.**

IRC Chapter 3, Section R302.2, Townhouses, is hereby amended to read in its entirety as follows:

**R302.2 Townhouses.** ~~Walls separating townhouse units~~ Each townhouse shall be considered a separate building and shall be separated by fire- resistance-rated wall assemblies meeting the requirements in accordance with Section R302.2.1 or R302.2.2.

Commented [LS15]: Struck out wording – added each townhouse shall be considered a separate building

**IRC Chapter 3, Section R302.5.1, Opening protection–Amended.**

IRC Chapter 3, Section R302.5.1 Opening protection, is hereby amended to read in its entirety as follows:

**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 (35 mm) in thickness, solid or honeycomb core steel doors not less than 1 3/8 inches (35 mm) thick, or 20-minute fire-rated doors ~~equipped with a self-closing or automatic closing device.~~

Commented [LS16]: Struck out wording

**IRC Chapter 3, Section R302.12, Draftstopping–Amended.**

IRC Chapter 3, Section R302.12, Draftstopping, is hereby amended to read in its entirety as follows:

**R302.12 Draftstopping.** In combustible construction where there is usable space both above and below the concealed space of a floor-ceiling assembly, draftstops shall be installed so that the area of the concealed space does not exceed 1500 square feet. ~~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:

Commented [LS17]: Changed from 1000 to 1500 square feet, matching RC code

1. Ceiling is suspended under the floor framing.
2. Floor framing is constructed of truss-type open-web or perforated members.

**R302.12.1 Materials.** Draftstopping materials shall be not less than 1/2-inch (12.7 mm) gypsum board, 3/8-inch (9.5 mm) wood structural panels or other approved materials adequately supported. Draftstopping shall be installed parallel to the floor framing members unless otherwise approved by the building official. The integrity of the draftstops shall be maintained.

**IRC Chapter 3, Section R303.1, Habitable rooms–Amended.**

IRC Chapter 3, Section R303.1, Habitable rooms, is hereby amended to read in its entirety as follows:

**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.

Commented [LS18]: Changed from 8 % to 6%

Commented [LS19]: Changed from 4% to 3%.

**Exceptions:**

1. The glazed areas need not be openable where the opening is not required by Section R310 ~~and a whole house~~ 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. ~~is installed in accordance with Section M1505.~~

**Commented [LS20]:** Struck wording and added additional wording.

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.

**Commented [LS21]:** Adding fourth exception

**IRC Chapter 3, Section R309.3, Flood hazard areas—Amended.**

IRC Chapter 3, Section R309.3, Flood hazard areas, is hereby amended to read in its entirety as follows:

**R309.3 Flood hazard areas.** See Ordinance #23 Flood Damage Prevention (Chapter 150: Flood Damage Prevention).

**Commented [LS22]:** Refer to our ordinance

**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 in its entirety as follows:

**R310.1 Emergency escape and rescue required.** Basements, habitable attics and every sleeping room shall have ~~not less~~ at least one operable emergency escape and rescue opening. Where basements contain one or more sleeping rooms, an ~~emergency escape~~, 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 measured from the finished floor to the bottom of the clear opening. 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.

**Commented [LS23]:** Struck out wording and added paragraph with sill height

**Exceptions:**

1. Storm shelters and basements used only to house mechanical equipment and not exceeding total floor area of 200 square feet (18.58 m<sup>2</sup>).

2. Where emergency escape and rescue openings are provided within 5 feet of grade, they shall have a sill height of not more than 48 inches measured from the finished floor to the bottom of the clear opening.

**Commented [LS24]:** Added 2 exception to be consistent with 48 inch sill height

3. Where the dwelling or townhouse is equipped with an automatic sprinkler system installed in accordance with Section P2904, sleeping rooms in basements shall not be required to have emergency escape and rescue openings provided that the basement has one of the following:

3.1 One means of egress complying with Section R311 and one emergency escape and rescue opening.

3.2 Two means of egress complying with Section R311.

**R310.1.1 Operational constraints and opening control devices.** Emergency escape and rescue openings shall be operational from the inside of the room without the use of keys, tools or special knowledge. Window opening control devices on windows serving as a required emergency escape and rescue opening shall comply with ASTM F2090.

#### **IRC Chapter 3, Section R310.2.2 Window sill height—Amended**

IRC Chapter 3, Section R310.2.2 Window sill height is hereby amended to read in its entirety as follows:

**R310.2.2 Window sill height.** Where a window is provided as the emergency escape and rescue opening, it shall have a sill height of not more than 48 inches (1219 mm) above the floor; where the sill height is below grade, it shall be provided with a window well in accordance with Section R310.2.3.

Commented [LS25]: Changed from 44 to 48 inches

#### **IRC Chapter 3, Section R310.2.3.1, Ladder and steps—Amended.**

IRC Chapter 3, Section R310.2.3.1, Ladder and steps, is hereby amended to read in its entirety as follows:

**R310.2.3.1 Ladder and steps.** Window wells with a vertical depth greater than 48 inches (1219 mm) 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. 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.

Commented [LS26]: Changed from 44 to 48 inches

#### **IRC Chapter 3, Section R 310.3.2.1 Ladder and steps—Amended**

IRC Chapter 3, Section R310.3.2.1 Ladder and steps is hereby amended to read in its entirety as follows:

**R310.3.2.1 Ladder and steps.** Area wells with a vertical depth greater than 48 inches (1219 mm) shall be equipped with a permanently affixed ladder or steps usable with the door in the fully open position. Ladders or steps required by this section shall not be required to comply with Section R311.7. Ladders or rungs shall have an inside width of not less than 12 inches (305mm), shall project not less than 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 exterior stairwell.

Commented [LS27]: Changed from 44 to 48 inches

#### **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 in its entirety as follows:

**R311.3.1 Floor elevations at the required egress doors.** Landings or finished 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 landing or floor shall on the exterior side shall not be more than 8 inches below the top of the threshold provided that the door does not swing over the landing or floor.

**Commented [LS28]:** Changed from 7 ¼ to 8 inches

Where exterior landings or floors serving 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.

**IRC Chapter 3, Section R311.7.5 Stair treads and risers—Amended.**

IRC Chapter 3, Section R311.7.5 Stair treads and risers is hereby amended to read in its entirety as follows:

**R311.7.5 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.

**R311.7.5.1 Risers.** 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). Risers shall be vertical or sloped from the underside of the nosing of the tread 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.

**Commented [LS29]:** Changed from 7 3/4 to 8 inches

**Exception:** The opening between adjacent treads is not limited on spiral stairways stairs with a total rise of 30 inches (762 mm) or less.

**Commented [LS30]:** Struck out wording and added "stairs with a total rise of 30 inches or less."

**R311.7.5.2 Treads.** 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 tread's 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).

**Commented [LS31]:** Changed from 10 inches to 9 inches

**R311.7.5.2.1 Winder treads.** 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). 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.

**Commented [LS32]:** Changed from 10 inches to 9 inches

**R311.7.5.3 Nosings.** Nosings at treads, landings and floors of stairways shall have a The radius of curvature at the nosing shall be no greater than 9/16 inch (14 mm) or a bevel not greater than 1/2. 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).

**Commented [LS33]:** Struck out wording – added with solid risers and rearranged beveling to the last sentence.

**Exception:** A nosing is not required where the tread depth is a minimum of 11 inches (279 mm).

**R311.7.5.4 Exterior wood/plastic composite stair treads.** Plastic composite exterior Wood/plastic composite stair treads shall comply with the provisions of Section R507.3.

**Commented [LS34]:** Struck out wording – added wood

**IRC Chapter 3, Section R311.7.10 Circular stairways–Amended**

**Commented [LS35]:** Changed wording to match our previous ordinance from special stairway to circular

IRC Chapter 3, Section R311.10, Circular stairways is hereby added to read as follows:

**R311.7.10 Circular stairways.** Circular stairways and bulkhead enclosure stairways shall comply with requirements of Section R311.7 except as specified in in Sections R311.7.10.1 and R311.7.10.2.

**IRC Chapter 3, Section R317.1.1, Field treatment–Amended.**

IRC Chapter 3, Section R317.1.1, Field treatment, is hereby amended to read in its entirety as follows:

**R317.1.1 Field treatment.** Field-cut ends, notches and drilled holes of preservative-treated wood shall be treated ~~in the field in accordance with AWP A M4~~

**Commented [LS36]:** Struck out wording.

**IRC Chapter 3, Section R318, Protection against subterranean termites–Deleted.**

**Commented [LS37]:** R318 deleted

IRC Chapter 3, Section R318, Protection against subterranean termites, is hereby deleted in its entirety.

**IRC Chapter 3, Section R322, Flood-resistant construction–Amended.**

IRC Chapter 3, Section R322, Flood-resistant construction, is hereby amended to read in its entirety as follows.

**R322 Flood-resistant construction.** ~~See Ordinance #23 Flood Damage Prevention (Chapter 150: Flood Damage Prevention).~~

**Commented [LS38]:** Refer back to our ordinance

**IRC Chapter 4, Section R401.1, Application–Amended.**

IRC Chapter 4, Section R401.1, Application, is hereby amended to read in its entirety as follows:

**R401.1 Application.** The provisions of this chapter shall control the design and construction of the foundation and foundation spaces for all buildings. ~~In addition to the provisions of this chapter, the design and construction of foundations in flood hazard areas as established by Table R301.2(1) shall meet the provisions of Section R322.~~ Wood foundations shall be designed and installed in accordance with AF&PA Report No. 7.

**Commented [LS39]:** Strike out wording

**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 not 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.

**Commented [LS40]:** Adding a third exception.

**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 in its entirety as follows:

**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 (37m<sup>2</sup>) 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.

**Commented [LS41]:** Changed from 600 to 1,000 square feet

Footings shall not bear on frozen soil. ~~unless the frozen condition is permanent.~~

**Commented [LS42]:** Struck out wording per Planning and Zoning amendment.

**IRC Chapter 4, Section R408.07, Flood resistance –Amended.**

IRC Chapter 4, Section R408.07, Flood resistance is hereby amended to read in its entirety as follows:

**R408.07 Flood resistance.** See Ordinance #23 Flood Damage Prevention. (Chapter 150: Flood Damage Prevention).

**Commented [LS43]:** Refer to our Ordinance

**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.

**Commented [LS44]:** R506.2.3 deleted

**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<sup>ad</sup>**

<sup>a</sup>. Listed heights are distances between points of lateral support placed perpendicular to the plane of the wall. ~~Bearing walls shall be sheathed on not less than one side or bridging shall be installed not greater than 4 feet apart measured vertically from either end of the stud.~~ Increases in unsupported height are permitted where justified by analysis.

**Commented [LS45]:** Struck out wording

<sup>d</sup>. Stud size, supporting two floors only, shall comply with the column heading for supporting one floor, roof, and ceiling.

**Commented [LS46]:** Added (d)

**IRC Chapter 9, Section R903.4.1, Secondary (emergency overflow) drains or scuppers–Amended.**

IRC Chapter 9, Section R903.4.1, Secondary (emergency overflow) drains or scuppers, is hereby amended to read in its entirety as follows:

**R903.4.1 Secondary (emergency overflow) drains or scuppers.** Where roof drains are required, secondary emergency overflow roof drains or scuppers shall be provided where the roof perimeter

construction extends above the roof in such a manner that water will be entrapped if the primary drains allow buildup for any reason. 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 State of SD Plumbing codes.

Commented [LS47]: Added State of SD Plumbing codes

Overflow drains shall discharge to an approved location and shall not be connected to roof drain lines.

#### IRC Chapter 9, Section R905.1.2, Ice barrier—Amended.

IRC Chapter 9, Section R905.1.2, Ice barrier, is hereby amended to read in its entirety as follows:

**R905.1.2 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 shall be installed for asphalt shingles, metal roof shingles, mineral surfaced roll roofing, slate and slate-type shingles, wood shingles, and wood shakes that consists of a least two layers of underlayment cemented together or of a self-adhering polymer modified bitumen sheet, shall be used in place of 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. On roofs with slope equal to or greater than eight units vertical in 12 units horizontal (67-percent slope), the ice barrier shall also be applied not less than 36 inches (914mm) measured along the roof slope from the eave edge of the building.

Commented [LS48]: Strike out wording

**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.

Commented [LS49]: Adding additional comment

#### IRC Section R908.3, Roof replacement – Amended.

IRC Section R908.3 Roof replacement is hereby amended to read in its entirety as follows:

**R908.3 Roof replacement.** Roof replacement shall include the removal of all existing layers of roof coverings down to the roof deck.

Commented [LS50]: Adding the word "all"

Exceptions:

1. Complete and separate roofing systems, such as standing-seam metal roof systems, that are designed to transmit the roof loads directly to the building's structural system and that do not rely on existing roofs and roof coverings for support, shall not require the removal of existing roof coverings.

2. Installation of metal panel, metal shingle and concrete and clay tile roof coverings over existing wood shake roofs shall be permitted when the application is in accordance with Section R908.4.

3. The application of new protective coating over existing spray polyurethane foam roofing systems shall be permitted without tear-off of existing roof coverings.

Commented [LS51]: Adding exceptions 1, 2 & 3

4. Where the existing roof assembly includes an ice barrier membrane that is adhered to the roof deck, the existing ice barrier membrane shall be permitted to remain in place and covered with an additional layer of ice barrier membrane in accordance with Section R905.

**R908.3.1 Roof recover not allowed.** A roof recover shall not be permitted where any of the following conditions occur:

**Commented [LS52]:** Our old ordinance had replacement/recover as one section. It has been updated with IRC and split – correcting the code #s

1. Where the existing roof or roof covering is water soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.
2. Where the existing roof covering is slate, clay, cement or asbestos-cement tile.
3. Where the existing roof has one or more applications of any type roof covering.

**IRC Chapter 11–Amended.**

IRC Chapter 11, is hereby amended to read in its entirety as follows:

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.

**Commented [LS53]:** Amended Chapter 11 Energy Efficiency and simplified it to the specs of R-30 and R-11 and adding the exception of manufactured sunroom components.

**IRC Section P2904.1, Dwelling unit fire sprinkler systems – General – Amended.**

IRC Chapter 29, Section P2904.1, General, is hereby amended to read in its entirety as follows:

**P2904.1 General.** Section P2904 shall apply only when the property owner elects to install a fire sprinkler system and shall not be used to require installation of a fire sprinkler system. To the extent that a property owner chooses to install a fire sprinkler system in all or some of a structure, the design and installation of such a residential fire sprinkler system shall be in accordance with NFPA 13D or Section P2904, which shall be considered equivalent to NFPA 13D. Section P2904 shall apply to stand-alone and multipurpose wet-pipe sprinkler systems that do not include the use of antifreeze. A multipurpose fire sprinkler system shall provide domestic water to both fire sprinklers and plumbing fixtures. A stand-alone sprinkler system shall be separate and independent from the water distribution system. ~~A backflow preventer shall not be required to separate a stand-alone sprinkler system from the water distribution system. A backflow preventer shall not be required to separate a sprinkler system from the water distribution system, provided that the sprinkler system complies with all of the following.~~

**Commented [LS54]:** Added additional wording. Conforms to RC code

**Commented [LS55]:** Strike out wording

**IRC Appendix E, Section AE101.1, General–Amended.**

IRC Appendix E, Section AE101.1, General, is hereby amended to read in its entirety as follows:

**AE101.1 General.** These provisions shall be applicable ~~only~~ to all manufactured homes used as a single dwelling unit ~~installed on privately owned (non-rental) lots~~ and shall apply to the following:

**Commented [LS56]:** Struck out only and added “to all”

**Commented [LS57]:** Struck out wording

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 Ordinance #23 Flood Damage Prevention. (Chapter 150: Flood Damage Prevention).

**Commented [LS58]:** Added exception to refer to our ordinance on flooding

**IRC Appendix J, Section AJ102.5, Flood hazard areas—Amended.**

IRC Appendix J, Section AJ102.5, Flood hazard areas, is amended to read in its entirety as follows:

**AJ102.5 Flood hazard areas.** Work performed in existing buildings located in a flood hazard area shall be subject to the provisions of Ordinance #23 Flood Damage Prevention. (Chapter 150: Flood Damage Prevention).

**Commented [LS59]:** Refer to our ordinance on flooding

**IRC Appendix H, Section AH105.2, Footings—Amended.**

IRC Appendix H, Section AH105.2, Footings, is hereby amended to read in its entirety as follows:

**AH105.2, Footings.** In areas with a frostline depth of zero as specified in Table R301.2(1) for patio covers, 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.

**Commented [LS60]:** Struct out wording

**IRC Appendix H, Section AH106, Special provisions for aluminum screen enclosures in hurricane-prone regions—Deleted.**

IRC Appendix H, Section AH106, is hereby deleted in its entirety.

**Commented [LS61]:** Deleted not in hurricane prone region

CITY OF SUMMERSET  
 ORDINANCE NO. 2022.05  
 SUPPLEMENTAL APPROPRIATION ORDINANCE

Be it ordained by the City of Somerset that the following sums are supplementally appropriated to meet obligations of the municipality.

<b><u>EXPENDITURES</u></b>	<b>General Fund Fund 101</b>
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4210 <b><u>Law Enforcement</u></b>	\$58,500
Total Law Enforcement	\$ 58,500.00

*\*Approved at Budget Hearings but not reflected in the budget system.*

4900 <b><u>Miscellaneous</u></b>	
Return Remainder Of Powles Surety 2021	\$ 30,000.00
Total Miscellaneous	\$ 30,000.00

4120 <b><u>Mayoral Expense</u></b>	
Total Mayoral Other Expense	\$ 3,100.00

<b><u>Total Appropriations</u></b>	
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**SECTION TWO**

The following designates the fund or funds to which the money derived from the following source is applied.

<b><u>REVENUE</u></b>	<b>General Fund Fund 101</b>
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**SOURCE OF FUNDING**

Unassigned Fund Balance	\$91,600
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<b><u>TOTAL MEANS OF FINANCE</u></b>	<b>\$ 91,600.00</b>
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<b>ENTERPRISE FUNDS</b>	<b>Sewer Fund</b>
<b>EXPENDITURES</b>	

**SOURCE OF FUNDING**

Unassigned Fund Balance

Dated this 3rd day of March, 2022.

ATTEST:

\_\_\_\_\_  
 Candace Sealey, Finance Officer

\_\_\_\_\_  
 Melanie Torno, Mayor

Vote: Kitzmiller:  
 Thurman:  
 Torno:  
 Butler:  
 Hirsch:

First Reading: March 3, 2022  
 Second Reading:  
 Adopted:  
 Published: