

ORDINANCE 19-02

AN ORDINANCE PROVIDING FOR THE ADOPTION OF THE 2012~~8~~ INTERNATIONAL BUILDING CODE AND AMENDMENTS AND ADDITIONS THERETO; THE 2012~~8~~ INTERNATIONAL RESIDENTIAL CODE FOR ONE-AND TWO-FAMILY DWELLINGS, CHAPTERS 1-10 and 12- 24 AND 44 AND AMENDMENTS AND ADDITIONS THERETO; THE 2012~~8~~ INTERNATIONAL PROPERTY MAINTENANCE CODE AND AMENDMENTS AND ADDITIONS THERETO; THE 2012~~8~~ INTERNATIONAL MECHANICAL CODE AND AMENDMENTS AND ADDITIONS THERETO; THE 2012~~8~~ INTERNATIONAL FIRE CODE AND AMENDMENTS AND ADDITIONS THERETO AND FOR THE REPEAL OF ALL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.

Be it ordained by the Lawrence County Commission that:

**Section 1. Adoption 2012~~8~~ International Building Code**

The International Building Code, 2012~~8~~ edition as published by the International Code Council Inc., and amendments and additions thereto as provided in Section 2 of this Ordinance are hereby adopted by Lawrence County as provided by SDCL 7-8-20 (17) for regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the unincorporated area of Lawrence County and providing for issuance of permits and collection of fees therefore. The minimum building standards in the 2012 editions of the International Building Code and amendments thereto shall be applied to any building permit issued after ~~June 6, 2013~~ **May 31, 2019**. A printed copy of such code and additions and amendments thereto is on file with the Lawrence County Planning & Zoning Office.

**Section 2. Amendments, Additions and deletions to the 2012~~8~~ International Building Code**

**108.2 Schedule of Permit Fees.** A fee for each permit as required by Section 105.1 shall be paid based on the construction costs as adopted by Resolution by the County Commissioners. The fee schedules for the issuance of a building permit shall be as follows:

\$30.00 for the first \$1,000.00 of the structure's value and \$3.00 for each additional \$1000.00 of the structure's value.

The structure's value shall be determined by the Building Valuation Data Table per the International Code Council.

**IBC 105.2 Work exempt from permit is hereby.** Permits shall not be required for the following. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

1. One-story detached accessory structures provided the floor area does not exceed two hundred (200) square feet.
2. Fences not over six (6) feet high.
3. Retaining walls that are not over four (4) feet in height measured from grade on the exposed side to the top of the wall, unless supporting

- surcharge.
- 4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed two (2) to one (1).
- 5. Platforms, walks and driveways not more than 30 inches above grade and not over any basement or story below.
- 6. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.
- 7. Above ground prefabricated swimming pools.
- 8. Swings and other playground equipment.
- 9. Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.
- 10. Replacement of siding.
- 11. Replacement of like roofing materials.
- 12. Gutters, downspouts, and storm windows.
- 13. Window replacement where the rough opening is not altered.
- 14. Structures or work performed on properties of the government of the United States of America or the State of South Dakota.

**113 Board of Appeals.** The Lawrence County Commission shall be the Board of Appeals.

**Section 3. Adoption 2012~~8~~ International Residential Code for One-and Two Family Dwellings**

The International Residential Code for One-and Two Family Dwellings, 2012~~8~~ edition as published by the International Code Council Inc., and amendments and additions thereto as provided in Section 4 of this Ordinance are hereby adopted by Lawrence County as provided by SDCL 7-8-20 (17) for regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the unincorporated area of Lawrence County and providing for issuance of permits and collection of fees therefore. The minimum building standards in the 2012~~8~~ editions of the International Residential Code for One-and Two Family Dwellings and amendments thereto shall be applied to any building permit issued after ~~June 6, 2013~~ **June 14, 2019**. A printed copy of such code and additions and amendments thereto is on file with the Lawrence County Planning & Zoning Office.

**Section 4. Amendments, Additions and deletions to the 2012~~8~~ International Residential Code for One-and Two-Family Dwellings**

The following sections and subsections of the International Residential Code for One-and Two-Family Dwellings adopted in this article shall be amended, added, or deleted as follows. All other sections or subsections of the 2012~~8~~ International Residential Code for One-and Two Family Dwellings shall remain the same.

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA  
Unincorporated Areas, Lawrence County, SD

<b>Ground Snow Load (psf) : pounds per square foot (depends on elevation of building)</b>	<b>43 for Spearfish Area 56 for Deadwood Area Above that needs to be Engineered</b>
<b>Wind Speed (mph)</b>	<b>90-115</b>
<b>Seismic Design Category</b>	<b>A</b>
<b>Subject to Damage From:</b>	
<b>Weathering</b>	<b>Moderate</b>
<b>Frost Line Depth</b>	<b>42"</b>
<b>Termite</b>	<b>None to Slight</b>
<b>Decay</b>	<b>None to Slight</b>
<b>Winter Design Temperature (f)</b>	<b>- 7</b>
<b>Ice Shield Under-underlayment Required</b>	<b>Yes</b>
<b>Flood Hazards</b>	<b>NFIP</b>
<b>Air Freezing Index</b>	<b>2,000 2500</b>
<b>Mean Annual Temperature</b>	<b>42</b>

**R105.2 IRC 105.2 Work exempt from permit is hereby.** Permits shall not be required for the following. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

1. One-story detached accessory structures provided the floor area does not exceed two hundred (200) square feet.
2. Fences not over six (6) feet high.
3. Retaining walls that are not over four (4) feet in height measured from grade on the exposed side to the top of the wall, unless supporting surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed two (2) to one (1).
5. Platforms, walks and driveways not more than 30 inches above grade and not over any basement or story below.
6. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.
7. Above ground prefabricated swimming pools.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall which do not project

more than 54 inches from the exterior wall and do not require additional support.

10. Replacement of siding.
11. Replacement of like roofing materials.
12. Gutters, downspouts, and storm windows.
13. Window replacement where the rough opening is not altered.
14. Structures or work performed on properties of the government of the United States of America or the State of South Dakota.

**R108.2 Schedule of Permit Fees.** A fee for each permit as required by Section R105.1 shall be paid based on the construction costs as adopted by Resolution by the County Commissioners. The fee schedules for the issuance of a building permit shall be as follows:

\$30.00 for the first \$1,000.00 of the structure's value and \$3.00 for each additional \$1000.00 of the structure's value.

The structure's value shall be determined by the Building Valuation Data Table per the International Code Council.

**R302.5.1** Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches in thickness, solid or honeycomb-core steel doors not less than 1 3/8 inches thick, or 20-minute fire-rated doors.

**R313** Automatic fire sprinkler systems is hereby deleted.

**R313.2.1** Design and installation is hereby amended. When installed an Automatic residential fire sprinkler systems shall be designed and installed in accordance with Section P2904 or NFPA 13D.

**R315** Carbon Monoxide alarms is hereby deleted.

**R403.1.4.1 exception 1.** Frost Protection of freestanding accessory structures with an area of 1024 square feet or less, of light-framed construction, with an eave height of ten (10) feet or less shall not be required.

**R501.3** Fire protection of floors is hereby deleted.

## **Section 5. Amendments, Additions and deletions to the 2012~~8~~ International Property Maintenance Code**

The County Commission hereby adopts the 2012~~8~~ International Property Maintenance Code to provide standards to safeguard life or limb, health, property, and public welfare by regulating, governing, and controlling the use, occupancy, conditions, and site maintenance of all property, buildings, and structures within this jurisdiction and to provide for a just, equitable, and practicable method whereby buildings or structures, which from any cause endanger the life, limb, morals, property, safety, or welfare of the general public or their occupants, may be repaired, vacated, or demolished. A printed copy of such code and additions and amendments thereto is on file with the Lawrence County Planning & Zoning Office.

The following sections and subsections of the 2012~~8~~ International Property Maintenance Code adopted in this article shall be amended, added, or deleted as follows. All other sections or

subsections of the 2012 International Property Maintenance Code shall remain the same.

**Sec. [A] 111.2** Membership of board is hereby amended to read as follows: The County Commission shall be the Board of Appeals.

**Sec. 303 SWIMMING POOLS, SPAS AND HOT TUBS: Sec. 302.2** Enclosures will not be required for above ground prefabricated swimming pools.

## **Section 6 . Amendments, Additions and deletions to the 2012~~8~~ Mechanical Code**

The County Commission hereby adopts the 2012~~8~~ Mechanical Code as published by the International Code Council. A printed copy of such code and additions and amendments thereto is on file with the Lawrence County Planning & Zoning Office.

The following sections and subsections of the 2012~~8~~ Mechanical Code adopted in this article shall be amended, added, or deleted as follows. All other sections or subsections of the 2012~~8~~ Mechanical Code shall remain the same.

**Sec. 508.1.1 Makeup Air Temperature.** The temperature of makeup air shall not be more than 10 degrees Fahrenheit below the temperature of the air in the conditioned space.

Exceptions:

1. Makeup air that is part of the air-conditioning system.
2. Makeup air that does not decrease the comfort conditions of the occupied space.

## **Section 7. Amendments, Additions and deletions to the 2012~~8~~ International Fire Code**

The County Commission hereby adopts the 2012~~8~~ International Fire Code as published by the International Code Council. A printed copy of such code and additions and amendments thereto is on file with the Lawrence County Planning & Zoning Office.

Lawrence County Commission Chair, **Randy Deibert**  
Lawrence County Auditor, **Brenda McGruder**  
Deputy State's Attorney, Bruce Outka

First Reading: **May 7, 2019**  
Second Reading: **May 21, 2019**  
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