

ORDINANCE 2008-01

AN ORDINANCE PROVIDING FOR THE ADOPTION OF THE *2006 INTERNATIONAL BUILDING CODE* AND *2006 INTERNATIONAL RESIDENTIAL CODE*.

WHEREAS, BROOKINGS COUNTY has previously adopted the 1997 Building Code; and

WHEREAS, the Brookings County, South Dakota, Board of County Commissioners deems it necessary, for the purpose of promoting the health, safety, and the general welfare of the County, to adopt the *2006 International Residential Code* and the *2006 International Building Code*.

THEREFORE, BE IT ORDAINED BY BROOKINGS COUNTY, SOUTH DAKOTA, that the *2006 International Building Code* and the *2006 International Residential Code* be adopted and provide as follows;

SECTION A.

1. The *2006 International Residential Code* will provide regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress in the Brookings County. This ordinance will assist in providing for the issuance of permits and collection of fees.
2. The *2006 International Building Code* will provide regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures in the Brookings County. This ordinance will assist in providing for the issuance of permits and collection of fees.

SECTION B.

The County Commissioners of Brookings County does ordain as follows:

1. The building codes will be will available for inspection at the Brookings County Zoning Office, 601 4th St, Suite 105, Brookings, SD 57006. Being marked and designated as the *International Residential Code*, 2006 edition, including Appendix Chapters A – Q, and the *International Building Code*, 2006 edition, including Appendix Chapters A-K, both published by the International Code Council, be and is hereby adopted as the Residential

Code and Building Code of the Brookings County, in the State of South Dakota for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; and also for regulating and governing the condition and maintenance of all property, buildings and structures; by are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; both will be providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code and Building Code on file in the office of Brookings County are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

2. The following sections are hereby revised:

From the *International Residential Code*, 2006 edition:

Section R101.1 Title.

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

From the *International Building Code*, 2006 edition:

Section 101.1.Title.

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

Section 1612.3.Establishment of Flood Hazard Areas.

To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency I an engineering report entitled “The

Flood Insurance Study for Brookings County,” as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

Section 3410.2.Applicability.

Structures existing prior to _____, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or the Sections 3410.2.1 through 3410.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.

From the Uniform Code 2006 edition:

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

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

Section 1609.1.2, Minimum wind loads, under Section 1609, Wind Loads, is amended to read as follows:

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

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

Section R301.2.3. Snow loads. The building official has determined the minimum roof live load to be 40 pounds per square foot uniform load.

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

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

Section R310.1, Emergency escape and rescue required, under Section R310, Emergency Escape and Rescue Openings is amended to include the following additional subsection:

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

SECTION C.

That Ordinance No. #2001-01 of Brookings County and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION D.

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

SECTION E.

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

SECTION F.

The Brookings County Auditor is hereby ordered and directed to cause this ordinance to be published.

SECTION G.

That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect _____ from and after the date of its final passage and adoption.

FIRST READING December 18, 2007

SECOND READING January 8, 2008



Chairperson, Brookings County
Board of County Commissioners

ATTEST:



Brookings County Auditor

