

Ordinance No. 13-08

AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 22 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKINGS AND PERTAINING TO THE ADOPTION OF THE 2006 INTERNATIONAL BUILDING CODE, THE 2006 INTERNATIONAL RESIDENTIAL CODE, THE 2006 INTERNATIONAL MECHANICAL CODE, AND THE 2006 INTERNATIONAL EXISTING BUILDING CODE WITH CERTAIN AMENDMENTS THERETO.

BE IT ORDAINED by the City of Brookings that Article II of Chapter 22 of the Code of Ordinances of the City of Brookings be amended to read as follows:

I.

Article II. Building Code

Sec. 22-31. Adoption.

There is adopted by the city those certain codes known as the 2006 Edition of the International Building Code, the 2006 International Residential Code, the 2006 International Mechanical Code, and the 2006 International Existing Building Code, which may be used as an alternate to Chapter 34 of the 2006 International Building code, as recommended by the International Code Council, collectively referred to as the "International Building Code", "building code" or "code". A copy of the building code is on file in the office of the City Clerk and is available for inspection.

Sec. 22-32. Conflicts.

In the event of any other conflict between the provisions of the International Building Code adopted by this article and other provisions of city ordinance, state law or rules or regulations of the city, the provisions of city ordinance, state law or the rules or regulations of the city shall prevail and be controlling.

Sec. 22-33. Definitions.

The following words, terms and phrases, when used in the building code adopted in section 22-31, shall be defined, except where the context clearly indicates a different meaning, as follows:

Municipality means the City of Brookings.

Sec. 22-34. Establishment of office of building official.

The office of building official is created, and the city manager shall designate the executive official in charge, who shall be known as the building official and whose duties shall be as outlined in the International Building Code adopted in section 22-31.

Sec. 22-35. Fees; permits.

- (a) No permit required by the building code shall be issued until the fee prescribed by resolution shall have been paid. No amendment to a permit shall be approved until the additional fee, if any, resulting from an increase in the estimated cost of the building or structure, shall have been paid.
- (b) For the demolition or removal of a building that is furnished with water and/or sewer, a permit may be granted; provided, however, that in such case, a deposit guaranteeing the abandonment of the water services and guaranteeing the abandonment of the sewer services

shall be deposited at the time of application for such permit, the deposit to be in an amount to be determined by policy of the utility board. Such deposit, but not the fees, will be refunded upon completion of the work or the city will arrange for such work at actual cost, plus ten percent to be paid from such deposit. The demolition or removal shall be completed within 30 days after the issuance of the permit. If water and sewer services are to be reused or new services required for a new structure in the immediate future at the same location, deposits may be waived by the building official.

Sec. 22-36. Amendments.

The following amendments to the building code are adopted and incorporated into the building code:

Section R105.2. Work exempt from permit, is amended by deleting the following subsection:

5. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade and not over any basement or story below.

Section 105.5 and R105.5 Expiration, is amended by replacing Section 105.5 and R105.5 Expiration as set forth in the International Building Code with the following:

105.5 and R105.5 Expiration. Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one-half of the amount required for a new permit for such work provided no changes have been made or will be made in the original plans and specifications for such and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The building official may extend the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once.

Every permit issued by the building official under the provisions of this code shall expire and become null and void if the building or work is not completed within two years for all occupancies from the date issued.

Section 108.2 and R108.2, Schedule of permit fees, under 108.5 and R108, Fees, is amended to read as follows:

108.2 and R108.2 Investigation Fee. An investigation fee, in addition to the permit fee shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in section R108. The payment of such fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section 112 and R112, board of appeals, is amended to include the following:

112.1 and R112.1. General. In order to hear and decide appeals or orders, decisions or determinations made by the building official relative to the application and interpretation of this code, and to determine the suitability of alternate materials and methods of construction, there shall be and is created a board of appeals consisting of members who are qualified by experience and training to pass on matters pertaining to building construction and who are not employees of the jurisdiction. The building official shall be an ex-officio member of and shall act as secretary to such board, but shall have no vote on any matter before the board. The board of appeals shall consist of five members. Each member shall be appointed for a term of five years. The successors shall be appointed upon the expiration of the respective terms to serve five years. A vacancy shall be filled by the mayor with the concurrence of the city council for the unexpired term of any member who resigns, dies or is removed. The board of appeals shall elect a chairperson and vice-chairperson from its members. They shall adopt rules of procedure for conducting the business of the board of appeals, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

112.2 and R112.2. Limitations of authority. The board of appeals shall have no authority relative to the interpretation of the administrative provisions of this code, nor shall the board be empowered to waive requirements of this code that pertain to or affect life safety.

Section R301.2(1) Climatic and Geographic Design Criteria

1. Ground Snow Load 40 psf contour

Roof slopes with a rise of three inches (76.2 mm) or less to 12 inches (305 mm) shall be designed for a full or unbalanced snow load of not less than 30 pounds per square foot (1.44kN/square meter) of horizontal projection. Where a roof system is designed to slope less than one-quarter inch (6.35 mm) per 12 inches (305 mm), a surcharge load of not less five pounds per square foot (0.24kN/square meter) in addition to the required live load due to snow shall be designed for.

Roof slopes with over three inches (76.2 mm) of rise per 12 inches (305 mm) shall be designed for a full or unbalanced snow load of not less than 25 pounds per square foot (1.2kN/square meter) of horizontal projection.

Potential unbalanced accumulation of snow at valleys, parapets, roof structures, and offsets in roofs of uneven configuration shall be considered.

2. Wind Speed 90 mph

3. Seismic Design Category	A
4. Weathering	Severe
5. Frost Line Depth	42 inches (1,067 mm)
6. Termite Damage	Slight to Moderate
7. Winter Design Temperature-11 Degrees Fahrenheit	
8. Ice Barrier Underlayment Requirement	yes
9. Air Freezing Index	2,500
10. Mean Annual Temperature	46 degrees Fahrenheit

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 load to be 40 pounds per square foot ground snow 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 Emergency escape and rescue required. Basements and every sleeping room shall have at least one operable emergency escape and rescue opening. Such opening shall open directly into a public street, public alley, yard or court. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Where emergency escape and rescue openings are provided, they shall have a sill height of not more than 44 48 inches (1118 mm) above the floor....

Section R310.1.1 Minimum opening area. All emergency escape and rescue openings shall have a minimum net clear opening of 4.6 square feet (0.530m²).

R310.2.1 Ladder and steps. Window wells with a vertical depth greater than 48 inches (1118mm) shall be equipped with a permanently affixed ladder or steps usable with the window in the fully open position....

(Delete Section 310.5)

Section R313.1 Smoke alarms under Section R313 Smoke Alarms is amended to include the following additional subsections:

Section R313.1 Smoke alarms.

4. A smoke detector installed in a stairwell shall be so located as to ensure that smoke rising in the stairwell cannot be prevented from reaching the detector by an intervening door or obstruction.
5. A smoke detector installed to detect a fire in the basement shall be located in close proximity to the stairway leading to the floor above.
6. The smoke detector installed on a story without a separate sleeping area shall be located in close proximity to the stairway leading to the floor above.
7. Smoke detectors shall be mounted on the ceiling at least four inches (102 mm) from a wall or on a wall with the top of the detector not less than four inches (102 mm) nor more than 12 inches (305 mm) below the ceiling.

Section 903.2.7 Group R, under Section 903, Automatic Sprinkler Systems, is amended to read as follows:

Section 903.2.7 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R-1 fire area and a Group R-4 fire area with more than eight occupants. An automatic fire extinguisher system shall be provided throughout all buildings with a Group R-2 fire area of more than two stories in height, including basements, or having 16 or more dwelling units.

II.

Any or all ordinances in conflict herewith are hereby repealed.

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CITY OF BROOKINGS

Scott D. Munsterman, Mayor

ATTEST:

Shari Thornes, City Clerk