

ORDINANCE NO. 612

AN ORDINANCE OF THE CITY OF SALEM, SD, AMENDING THE REVISED MUNICIPAL ORDINANCES OF THE CITY OF SALEM BY AMENDING CHAPTER 9.03, BUILDING CODE.

BE IT ORDAINED BY THE CITY OF SALEM, SD:

Section 1. That Chapter 9.03 of the Revised Municipal Ordinances of Salem, SD, is hereby amended to read as follows:

CHAPTER 9.03 - BUILDING CODE

9.0301 Adopted. The International Building Code, 2012 edition, including Appendix C and Appendix I as published by the International Code Council Inc., and amendments and additions thereto as provided in this Chapter are hereby adopted as the Building Code by the City of Salem for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, and maintenance of all buildings and structures in the City of Salem providing for the issuance of permits and collection of fees therefore. The minimum building standards in the 2012 edition of the International Building Code and amendments thereto shall be applied to any building permit issued after June 24, 2015.

A printed copy as amended is on file with the Salem Finance Officer.

9.0302 Modifications by the City of Salem to the 2012 International Building Code. The following sections and subsections of the 2012 International Building Code adopted in this Chapter shall be amended, added, or not adopted by the City as follows. All other sections or subsections of the 2012 International Building Code as published shall remain the same.

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

101.2 Scope. The provisions of this code shall apply to the construction, *alteration*, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception:

1. Detached one- and two-family *dwelling*s and multiple single-family *dwelling*s (*townhouses*) not more than three *stories* above *grade plane* in height with a separate *means of egress* and their accessory structures shall comply with the *International Residential Code*.

101.4.3 Plumbing. The provisions of the Adopted Plumbing Code of the South Dakota 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.

101.4.7 Electrical. The provisions of the Adopted Electrical Code of the South Dakota Electrical Commission shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances thereto.

103.1 Enforcement officer. There is hereby created the position of *building official* who shall be in charge of this code.

103.2 Appointment. The City of Salem City Council shall appoint a *building official* for the City of Salem.

104.8 Liability. The *building official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the *jurisdiction* in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be afforded all the protection provided by the City's insurance pool and any immunities and defenses provided by other applicable state and federal law and shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The *building official* or any subordinate shall not be liable for cost in any action, suit, or proceeding that is instituted in pursuance of the provisions of this code.

This code shall not be construed to relieve or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the City, its officers and employees, be held as assuming any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the *building official* and obtain the required *permit*. The building official may exempt permits for minor work.

A building permit shall be issued for an owner occupied one- or two-family dwelling, including townhouses and accessory buildings, only to the owner or representative.

105.2 Work exempt from permit. Exemptions from *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. *Permits* shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 200 square feet (18.6 m²).

2. Retaining walls that are not over 4 feet (1,219 mm) in height measured from the bottom grade elevation to the top of the wall, unless supporting a surcharge or impounding Class I, II, or IIIA liquids.
3. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.
4. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or *story* below and are not part of an *accessible route*.
5. Painting, papering, tiling, carpeting, cabinets, countertops, and similar finish work.
6. Temporary motion picture, television, and theater stage sets and scenery.
7. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 18 inches (457 mm) deep.
8. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
9. Swings and other playground equipment accessory to detached one- and two-family *dwelling*s.
10. Window *awnings* supported by an *exterior wall* that do not project more than 54 inches (1,372 mm) from the *exterior wall* and do not require additional support of Groups R-3 and U occupancies.
11. Nonfixed and movable fixtures, cases, racks, counters, and partitions not over 5 feet 9 inches (1,753 mm) in height.

Electrical: Not adopted by the City of Salem

Gas: Not adopted by the City of Salem

Mechanical: Not adopted by the City of Salem

Plumbing: Not adopted by the City of Salem

107.1 General. Submittal documents consisting of one complete set of hard copy plans with an additional hard copy site submittal and an electronic submittal in PDF format along with other *construction documents* such as a statement of *special inspections*, geotechnical report, and other data shall be submitted with each *permit* application. The *construction documents* shall be prepared by a *registered design professional* where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a *registered design professional*.

Exception: The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a *registered design professional* if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

107.3.1 Approval of construction documents. When the *building official* issues a *permit*, the *construction documents* shall be *approved*, in writing or by stamp, as “Reviewed for Code Compliance.” One set of *construction documents* so reviewed shall be retained by the *building official*. The site submittal set shall be returned to the applicant, shall be kept at the site of work, and shall be open to inspection by the *building official* or a duly authorized representative.

108.1 General. The *building official* is authorized to issue a *permit* for temporary structures and temporary uses. Such *permits* shall be limited as to time of service, but shall not be permitted for more than 365 days. Extensions beyond 365 days are not allowed. Temporary structures shall be provided with an accessible route that meets accessibility requirements of this code.

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems, or *alterations* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee schedules for the issuance of a building permit shall be set by resolution by the City Council.

109.7 Delinquent accounts. The City may refuse to issue permits or conduct inspections for any person or business whose utility account with the City of Salem is delinquent.

110.3.1 Footing and foundation inspection. Footing inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. If an inspection is required for concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

111.2 Certificate issued. After the *building official* inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building services, the *building official* shall issue a certificate of occupancy that contains the following:

1. The building *permit* number.
2. The address of the structure.
3. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
4. The name of the *building official*.
5. The edition of the code under which the *permit* was issued.
6. The use and occupancy in accordance with the provisions of Chapter 3.
7. The type of construction as defined in Chapter 6.
8. The design *occupant load in assembly occupancies*.
9. If an *automatic sprinkler system* is provided, whether the sprinkler system is required.

10. Any special stipulations and conditions of the building *permit*.

113.1 General. In order to hear and decide appeals of orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this code, to review all prospective changes to the respective codes and to submit recommendations to the responsible official and the City Council, to review requests for house moves, and to investigate matters brought before the board of appeals.

113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good, or better form of construction is proposed. The board shall have no authority relative to the administrative provisions of this code nor shall the board be empowered to waive requirements of this code.

113.3 Qualifications. Not adopted by the City of Salem.

114.3 Prosecution of violation. If the notice of violation is not complied with promptly, the *building official* is authorized to request the legal counsel of the jurisdiction to deem the violation as a strict liability offense and institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

SECTION 202-DEFINITIONS. Add the following definition.

STRICT LIABILITY OFFENSE. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited or failed to do an act which the defendant was legally required to do.

305.2 Day care. The use of a building or structure, or portion thereof, for educational, supervision, or *personal care services* for more than 12 children older than 2 1/2 years of age shall be classified as a Group E occupancy.

310.1 Residential Group R. Residential Group R includes, among others, the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as an Institutional Group I or when not regulated by the *International Residential Code* in accordance with Section 101.2. Residential occupancies shall include the following:

R-1 Residential occupancies containing *sleeping units* where the occupants are primarily transient in nature, including:

Boarding houses (transient)

Hotels (transient)

Motels (transient)

Congregate living facilities (transient) with 10 or fewer occupants are permitted to comply with the construction requirements for Group R-3.

R-2 Residential occupancies containing *sleeping units* or more than two *dwelling units* where the occupants are primarily permanent in nature, including:

Apartment houses

Boarding houses (nontransient)

Convents

Dormitories

Fraternities and sororities

Hotels (nontransient)

Live/work units

Monasteries

Motels (nontransient)

Vacation timeshare properties

Congregate living facilities with 16 or fewer occupants are permitted to comply with the construction requirements for Group R-3.

R-3 Residential occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4, or I, including:

Buildings that do not contain more than two *dwelling units*.

Adult care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours.

Child care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours.

Congregate living facilities with 16 or fewer persons.

Adult care and child care facilities that are within a single-family home are permitted to comply with the *International Residential Code*.

R-4 Residential occupancies shall include buildings arranged for occupancy as residential care/assisted living facilities including more than 5 but not more than 16 occupants, excluding staff.

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in this code or shall comply with the *International Residential Code* provided the building is protected by an *automatic sprinkler system* installed in accordance with Section 903.2.8.

403.2.1.1 Type of construction. The following reductions in the minimum *fire-resistance rating* of the building elements in Table 601 shall be permitted as follows:

1. For buildings not greater than 420 feet (128 m) in *building height*, the *fire-resistance rating* of the building elements in Type IA construction shall be permitted to be reduced to the minimum *fire-resistance ratings* for the building elements in Type IB.

Exception: The required *fire-resistance rating* of columns supporting floors shall not be permitted to be reduced.

2. In other than Group F-1, M, and S-1 occupancies, the *fire-resistance rating* of the building elements in Type IB construction shall be permitted to be reduced to the *fire-resistance ratings* in Type IIA.

Exception: The required *fire-resistance rating* of columns supporting floors shall not be permitted to be reduced.

3. The *building height* and *building area* limitations of a building containing building elements with reduced *fire-resistance ratings* shall be permitted to be the same as the building without such reductions.

[F] 501.2 Address identification. New and existing buildings shall be provided with *approved* address numbers or letters. Each character shall be a minimum 4 inches (102 mm) high and a minimum of 0.5 inch (12.7 mm) wide. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property. Where access is by means of a private road and the building address cannot be viewed from the *public way*, a monument, pole, or other *approved* sign or means shall be used to identify the structure.

Multi-building campus/complex developments addressed on private or public streets shall be provided with signage at the entrance to the campus/complex indicative of the address ranges within.

507.5.1 Property lines. Portions of an unlimited area building may be divided by platted property lines without requiring the construction of party walls if the whole building has:

1. Permanent open space on all sides as required by Sections 507.2, 507.3, 507.4, or 507.5; and
2. Proper legal agreements are submitted and approved by the building official and are recorded with the deed for each of the separate properties. These recorded agreements shall require that the buildings, as divided by property lines, be in conformance with the applicable provisions of the building and fire codes, as if the buildings were a single building on a single piece of property. In addition, the agreement must state that no individual building or property owner may modify any portion of the building in any way that would not be in compliance with the building and fire codes.

SECTION 902 DEFINITIONS

902.1 Definitions. The following words and terms are being added in addition to the defined terms already incorporated by reference in Section 11-17 of this code. The following words and terms shall, for the purposes of this chapter, and as used elsewhere in this code, have the meanings shown herein.

[F] FIRE AREA. The aggregate floor area enclosed and bounded by fire walls, *fire barriers*, *exterior walls*, or *horizontal assemblies* of a building.

[F] 903.2.6 Group I. An *automatic sprinkler system* installed in accordance with Section 903.3.1.1 shall be provided throughout buildings with a Group I *fire area*.

[F] 903.2.7 Group M. An *automatic sprinkler system* shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M *fire area* exceeds 12,000 square feet (1,115 m²).
2. A Group M *fire area* is located more than three stories above *grade plane*.
3. The combined area of all Group M *fire areas* on all floors, including any mezzanines, exceeds 24,000 square feet (2,230 m²).
4. A Group M *fire area* exceeding 5,000 square feet and is used for the display and sale of upholstered furniture.

[F] 903.2.8 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. An automatic fire-extinguishing system shall be provided throughout all buildings with a Group R-2 fire area more than two stories in height, including basements, or having more than 16 dwelling units.

[F] 903.3.1.1.1 Exempt locations. Automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an *approved* automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistance-rated construction, or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents when *approved* by the fire code official. Such rooms shall be separated from the remainder of the building by fire barrier walls and horizontal assemblies having a fire-resistance rating of not less than 2 hours.
3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a *fire-resistance rating* of not less than 2 hours.
4. Rooms or areas that are of noncombustible construction with wholly noncombustible contents.

[F] 904.11 Commercial cooking systems. The automatic fire-extinguishing system for commercial cooking systems shall be of a type recognized for protection of commercial cooking equipment and exhaust systems of the type and arrangement protected. Systems shall be installed to include cooking surfaces, deep-fat fryers, griddles, upright broilers, char broilers, range tops, broasters, and grills. Protection shall also be provided for the enclosed plenum space within the hood above the filters and exhaust ducts serving the hood.

Exception: The requirement for protection does not include steam kettles and steam tables or equipment, which as used do not create grease-laden vapors.

Preengineered automatic dry- and wet-chemical extinguishing systems shall be tested in accordance with UL 300 and *listed* and *labeled* for the intended application. Other types of automatic fire-extinguishing systems shall be *listed* and *labeled* for specific use as protection for commercial cooking operations. The system shall be installed in accordance with this code, its listing, and the manufacturer's installation instructions. Automatic fire-extinguishing systems of the following types shall be installed in accordance with the referenced standard indicated, as follows:

1. Carbon dioxide extinguishing systems, NFPA 12.
2. *Automatic sprinkler systems*, NFPA 13.
3. Foam-water sprinkler system or foam-water spray systems, NFPA 16.
4. Dry-chemical extinguishing systems, NFPA 17.
5. Wet-chemical extinguishing systems, NFPA 17A.

Exception: Factory-built commercial cooking recirculating systems that are tested in accordance with UL 710B and *listed, labeled*, and installed in accordance with Section 304.1 of the *International Mechanical Code*.

[F] 904.11.2 System interconnection. The actuation of the fire suppression system shall automatically shut down the fuel and/or electrical power supply to the cooking equipment and all electrical receptacles located beneath the hood. The fuel and electrical supply reset shall be manual.

[F] 907.2.1.1 System initiation in Group A occupancies with an occupant load of 1,000 or more. Activation of the fire alarm in Group A occupancies with an *occupant load* of 1,000 or more shall initiate a signal using an emergency voice/alarm communications system in accordance with Section 907.5.2.2.

Exception:

1. Group A-3 occupancies used for religious worship.
2. Where *approved*, the prerecorded announcement is allowed to be manually deactivated for a period of time, not to exceed 3 minutes, for the sole purpose of allowing a live voice announcement from an *approved, constantly attended location*.

[F] 907.2.2 Group B. A manual fire alarm system shall be installed in Group B occupancies where one of the following conditions exists:

1. The combined Group B *occupant load* of all floors is 500 or more.
2. The Group B *occupant load* is more than 100 persons above or below the lowest *level of exit discharge*.
3. The Group B *fire area* contains a Group B ambulatory health care facility.
4. The Group B occupancy has more than two occupied levels.

Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

[F] 907.2.6.2 Group I-2. An automatic smoke detection system shall be installed in *corridors* in nursing homes (both intermediate care and skilled nursing facilities), detoxification facilities, and spaces permitted to be open to the *corridors* by Section 407.2. The system shall be activated in accordance with Section 907.5. Hospitals shall be equipped with smoke detection as required in Section 407.

Exception: *Corridor* smoke detection is not required in smoke compartments that contain patient sleeping units where such units are provided with smoke detectors that comply with UL 268. Such detectors shall provide a visual display on the *corridor* side of each patient *sleeping unit* and shall provide an audible and visual alarm at the nursing station attending each unit. Smoke detectors installed as part of an intelligent or addressable fire alarm system capable of annunciation of room origin at a constantly attended location shall be acceptable.

[F] 907.2.8.2 Automatic smoke detection system. An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 shall be installed throughout all interior *corridors* serving *sleeping units* and at the top of each enclosed stairwell.

Exception: An automatic smoke detection system is not required in buildings that do not have interior *corridors* serving *sleeping units* and where each *sleeping unit* has a *means of egress* door opening directly to an *exit* or to an exterior *exit access* that leads directly to an *exit*.

[F] 907.2.8.4 Heat detectors. Heat detectors shall be installed in each attic subdivision and in all common areas such as recreation rooms, laundry rooms, furnace rooms, and similar areas.

Exception: Heat detection is not required in areas protected by an automatic fire-extinguishing system installed in accordance with 903.3.1.1 or 903.3.1.2.

[F] 907.2.9.1 Manual fire alarm system. A manual and automatic fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-2 occupancies where:

1. Any *dwelling unit* or *sleeping unit* is located three or more *stories* above the lowest *level of exit discharge*; or
2. Any *dwelling unit* or *sleeping unit* is located more than one *story* below the highest *level of exit discharge* of *exits* serving the *dwelling unit* or *sleeping unit*; or
3. The building contains more than 16 *dwelling units* or *sleeping units*; or
4. The building contains four or more *dwelling units* or *sleeping units* above the *level of exit discharge*.

Exceptions:

1. A fire alarm system is not required in buildings not more than two *stories* in height where all *dwelling units* or *sleeping units* and contiguous *attic* and crawl spaces are separated from each other and public or common areas by at least 1-hour *fire partitions* and each *dwelling unit* or *sleeping unit* has an *exit* directly to a *public way*, *exit court*, or *yard*.
2. Manual fire alarm boxes are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2 and the occupant notification appliances will automatically activate throughout the notification zones upon a sprinkler water flow.
3. A fire alarm system is not required in buildings that do not have interior *corridors* serving *dwelling units* and are protected by an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2, provided that *dwelling units* either have a *means of egress* door opening directly to an exterior *exit access* that leads directly to the *exits* or are served by open-ended *corridors* designed in accordance with Section 1026.6, Exception 4.

[F] 907.2.13.1.2 Duct smoke detection. Duct smoke detectors complying with Section 907.3.1 shall be located as follows:

1. In the main return air and exhaust air plenum of each air-conditioning system having a capacity greater than 2,000 cubic feet per minute (cfm) (0.94 m³/s). Such detectors shall be located in a serviceable area downstream of the last duct inlet.
2. At each connection to a vertical duct or riser serving two or more stories from a return air duct or plenum of an air-conditioning system. In Group R-1 and R-2 occupancies, a smoke detector is allowed to be used in each return air riser carrying not more than 5,000 cfm (2.4 m³/s) and serving not more than 10 air-inlet openings.
3. Duct smoke detectors installed more than 10 feet above a finished floor, above a ceiling, or on a rooftop shall be installed with remote test/indicators in an approved location below and in proximity to the unit served.

[F] 912.2.1 Visible location. Fire department connections shall be located on the street side of buildings, fully visible, and recognizable from the street or nearest point of fire department vehicle access or as otherwise *approved* by the code official. A weather-rated horn/strobe connected to the fire detection or sprinkler system shall be located not lower than 8 feet above the fire department connection and within 10 feet horizontally of the connection. The weather-rated horn/strobe must be visible from the fire lane or street.

1008.1.7 Thresholds. Thresholds at doorways shall not exceed 3/4 inch (19.1 mm) in height for sliding doors serving dwelling units or 1/2 inch (12.7 mm) for other doors. Raised thresholds and floor level changes greater than 1/4 inch (6.4 mm) at doorways shall be beveled with a slope not greater than one unit vertical in two units horizontal (50 percent slope).

Exception: The threshold height shall be limited to 8 inches (203 mm) where the occupancy is Group R-2 or R-3; the door is an exterior door that is not a component of the required *means of egress*; the door, other than an exterior storm or screen door, does not swing over

the landing or step; and the doorway is not on an *accessible route* as required by Chapter 11 and is not part of an *Accessible unit, Type A unit* or *Type B unit*.

1013.4 Opening limitations. Required *guards* shall not have openings which allow passage of a sphere 5 inches (127 mm) in diameter from the walking surface to the required *guard* height.

Exceptions:

1. The triangular openings at the open sides of a *stair*, formed by the riser, tread, and bottom rail shall not allow passage of a sphere 6 inches (152 mm) in diameter.
2. At elevated walking surfaces for access to and use of electrical, mechanical, or plumbing systems or equipment, *guards* shall not have openings which allow passage of a sphere 21 inches (533 mm) in diameter.
3. In areas that are not open to the public within occupancies in Group I-3, F, H, M, or S, and for *alternating tread devices* and ship ladders, *guards* shall not have openings which allow passage of a sphere 21 inches (533 mm) in diameter.
4. In assembly seating areas, *guards* at the end of *aisles* where they terminate at a fascia of boxes, balconies, and galleries shall not have openings which allow passage of a sphere 5 inches in diameter (127 mm) up to a height of 26 inches (660 mm). From a height of 26 inches (660 mm) to 42 inches (1,067 mm) above the adjacent walking surfaces, *guards* shall not have openings which allow passage of a sphere 8 inches (203 mm) in diameter.
5. Within individual dwelling units and sleeping units in Group R-2 and R-3 occupancies, *guards* on the open sides of *stairs* shall not have openings which allow passage of a sphere 5 inches (127 mm) in diameter.

1015.2.1 Two exits or exit access doorways. Where two *exits* or *exit access doorways* are required from any portion of the *exit access*, the exit access including the *exit doors* or *exit access doorways* shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the building or area to be served measured in a straight line between the exit access including the *exit doors* or *exit access doorways*. Interlocking or *scissor stairs* shall be counted as one *exit stairway*.

Exceptions:

1. Where *exit enclosures* are provided as a portion of the required *exit* and are interconnected by a 1-hour fire-resistance-rated *corridor* conforming to the requirements of Section 1018, the required *exit* separation shall be measured along the shortest direct line of travel within the *corridor*.
2. Where a building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2, the separation distance of the *exit doors* or *exit access doorways* shall not be less than one-third of the length of the maximum overall diagonal dimension of the area served.

1015.2.2 Three or more exits or exit access doorways. Where access to three or more *exits* is required, at least two means of the exit access including two *exit doors* or *exit access doorways* shall be arranged in accordance with the provisions of Section 1015.2.1.

**TABLE 1018.1
CORRIDOR FIRE-RESISTANCE RATING**

OCCUPANCY	OCCUPANT LOAD SERVED BY CORRIDOR	REQUIRED FIRE-RESISTANCE RATING (hours)	
		Without sprinkler system	With sprinkler system ^c
H-1, H-2, H-3	All	Not Permitted	1
H-4, H-5	Greater than 30	Not Permitted	1
A, B, E, F, M, S, U	Greater than 30	1	0
R	Greater than 10	1	0.5
I-2 ^a , I-4	All	Not Permitted	0
I-1, I-3	All	Not Permitted	1 ^b

- a. For requirements for occupancies in Group I-2, see Sections 407.2 and 407.3.
- b. For a reduction in the fire-resistance rating for occupancies in Group I-3, see Section 408.8.
- c. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2 where allowed.

1018.4 Dead ends. Where more than one *exit* or *exit access doorway* is required, the *exit access* shall be arranged such that there are no dead ends in *corridors* more than 20 feet (6,096 mm) in length.

Exceptions:

1. In occupancies in Group I-3 of Occupancy Condition 2, 3, or 4 (see Section 308.4), the dead end in a *corridor* shall not exceed 50 feet (15,240 mm).
2. In occupancies in Groups B, E, F, M, R-1, R-2, R-4, S, and U, where the building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1, the length of the dead-end *corridors* shall not exceed 50 feet (15,240 mm).
3. A dead-end *corridor* shall not be limited in length where the length of the dead-end *corridor* is less than 2.5 times the least width of the dead-end *corridor*.

**TABLE 1021.2(1)
STORIES WITH ONE EXIT OR ACCESS TO ONE EXIT FOR R-2 OCCUPANCIES**

STORY	OCCUPANCY	MAXIMUM OCCUPANTS (OR DWELLING UNITS) PER FLOOR AND TRAVEL DISTANCE
First story or basement	A, B ^d , E ^e , F ^d , M, U, S ^d	49 occupants and 75 feet travel distance
	H-2, H-3	3 occupants and 25 feet travel distance
	H-4, H-5, I, R	10 occupants and 75 feet travel distance
	S ^a	29 occupants and 100 feet travel distance
Second story	B ^b , F, M, S ^a	29 occupants and 75 feet travel distance
	R-2	4 dwelling units and 50 foot travel distance

For SI: 1 foot = 304.8 mm.

- a. For the required number of exits for parking structures, see Section 1021.1.2.
- b. For the required number of exits for air traffic control towers, see Section 412.3.
- c. Not adopted by the City of Salem.
- d. Group B, F, and S occupancies in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 shall have a maximum travel distance of 100 feet.
- e. Day care occupancies shall have a maximum occupant load of 10.

1022.8 Discharge identification. A stairway in an *exit enclosure* shall not continue below its *level of exit discharge* unless an approved barrier or a directional exit sign is provided at the *level of exit discharge* to prevent persons from unintentionally continuing into levels below. Directional *exit* signs shall be provided as specified in Section 1011.

1024.1 General. Approved luminous egress path markings delineating the exit path shall be provided in buildings of Groups A, B, E, I, M, and R-1 having occupied floors located more than 420 feet (128 m) above the lowest level of fire department vehicle access in accordance with Sections 1024.1 through 1024.5.

Exceptions:

1. Luminous egress path markings shall not be required on the *level of exit discharge* in lobbies that serve as part of the exit path in accordance with Section 1027.1, Exception 1.
2. Luminous egress path markings shall not be required in areas of *open parking garages* that serve as part of the exit path in accordance with Section 1027.1, Exception 3.

1029.1 General. In addition to the *means of egress* required by this chapter, provisions shall be made for emergency escape and rescue in Group R and I-1 occupancies. Basements and sleeping rooms below the fourth *story above grade plane* shall have at least one exterior *emergency escape and rescue opening* in accordance with this section. Where basements contain one or more sleeping rooms, *emergency escape and rescue openings* shall be required in each sleeping room,

but shall not be required in adjoining areas of the basement. Such openings shall open directly into a *public way* or to a *yard* or *court* that opens to a *public way*.

Exceptions:

1. The *emergency escape and rescue opening* is permitted to open onto a balcony within an *atrium* in accordance with the requirements of Section 404, provided the balcony provides access to an *exit* and the dwelling unit or sleeping unit has a *means of egress* that is not open to the *atrium*.
2. Basements with a ceiling height of less than 80 inches (2,032 mm) shall not be required to have emergency escape and rescue windows.
3. *High-rise buildings* in accordance with Section 403.
4. *Emergency escape and rescue openings* are not required from basements or sleeping rooms that have an *exit* door or *exit access* door that opens directly into a *public way* or to a *yard, court, or exterior exit* balcony that opens to a *public way*.
5. Basements without *habitable spaces* and having no more than 200 square feet (18.6 m²) in floor area shall not be required to have emergency escape windows.

1029.2 Minimum size. *Emergency escape and rescue openings* shall have a minimum net clear opening of 5.0 square feet (0.46 m²).

1029.3 Maximum height from floor. *Emergency escape and rescue openings* shall have the bottom of the clear opening not greater than 48 inches (1,219 mm) measured from the floor.

1029.5.2 Ladders or steps. Window wells with a vertical depth of more than 48 inches (1,219 MM) shall be equipped with an *approved* permanently affixed ladder or steps. 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 (o.c.) vertically for the full height of the window well. The ladder or steps shall not encroach into the required dimensions of the window well by more than 6 inches (152 mm). The ladder or steps shall not be obstructed by the *emergency escape and rescue opening*. Ladders or steps required by this section are exempt from the *stairway* requirements of Section 1009.

1104.4 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* from 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 square meters) per story. This exception shall not apply to:
 - 1.1. Multiple tenant facilities of Group M occupancies containing five or more tenant spaces;
 - 1.2. 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. 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* with an *occupant load* of five or fewer persons that does not contain *public use* space, that *story* 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.

1106.8 Signage. Accessible parking spaces and access aisles are required to be identified by signs. Signs shall be located at the head of accessible parking stalls and access aisles. The bottom of the lowest signs shall be located at least 60 inches above the pavement.

As referenced below, standard and van accessible parking space signs shall state, "RESERVED PARKING," and include the International Symbol of Accessibility, and supplemental signage must additionally state, "STATE PERMIT OR LICENSE REQUIRED. \$100 MINIMUM FINE AND CLASS 2 MISDEMEANOR FOR VIOLATORS." A van accessible parking space must have additional signage stating, "VAN ACCESSIBLE." A van accessible access aisle must be provided with signage including the International Symbol of Accessibility which states, "WHEELCHAIR ACCESS AISLE. ABSOLUTELY NO PARKING."



PRIMARY
SIGN

COLOR: Legend and border are GREEN on a White background - White symbol on a Blue background.

HEIGHT: When placing a single sign with no supplementary plaques (i.e., access aisle sign or incorporated sign), bottom edge of sign must be a minimum of 5 ft. from ground. If supplementary plaques are used, bottom edge of lowest sign must be a minimum of 5 ft. from ground.

SIZE: Primary sign is 12" x 18". Van Accessible sign is 12" x 6". State Permit sign is 12" x 9".

Supplementary messages may be incorporated on the primary signs; this requires sign size of 12" x 31".



SUPPLEMENTARY
PLAQUE
(IF NEEDED)



SUPPLEMENTARY
PLAQUE



ACCESS AISLE
SIGN

COLOR: Legend and border are RED on a White background - White symbol on a Blue background.

1106.9 Access aisles and markings. Each access which is part of an accessible route shall extend the full length of the parking space it serves. The aisle must have diagonally striped markings spaced every 4 feet (1,219 mm). Boundaries of the access aisle must be marked. The end may be a squared or curved shape. Two parking spaces may share an access aisle.

Access aisles shall be placed on a level surface with a slope not to exceed 1:48

Where an access aisle is located immediately adjacent to a sidewalk that provides the closest accessible route, the sidewalk must be provided with a curb ramp access to serve the access aisle.

1206.3.3 Court drainage. The bottom of every *court* shall be properly graded and drained to a public sewer or other approved disposal system complying with the Approved Code of the South Dakota Plumbing Commission.

1404.2.1 Weather-resistive sheathing papers. House wraps or weather-resistive sheathing papers consisting of spun bonded olefin sheets of high density polyethylene fibers are required to be installed on the exterior side of the sheathing material underneath the exterior covering.

1405.13.2 Window sills. In Occupancy Groups R-2 and R-3, one- and two-family and multiple-family dwellings, where the opening of the sill portion of an operable window is located more than 72 inches (1,829 mm) above the finished grade or other surface below, the lowest part of the clear opening of the window shall be at a height not less than 18 inches (457 mm) above the finished floor surface of the room in which the window is located. Glazing between the floor and a height of 18 inches (457 mm) shall be fixed or have openings through which a 5-inch (127 mm) diameter sphere cannot pass.

Exception: Openings that are provided with window guards that comply with ASTM F 2006 or F 2090.

[P] 1503.4 Roof drainage. Design and installation of roof drainage systems shall comply with Section 1503 and shall be sized and discharge in accordance with the approved code of the South Dakota Plumbing Commission. Unless roofs are sloped to drain over roof edges, roof drains or scuppers shall be installed at each low point of the roof.

Roofs shall be sloped a minimum of 1 unit vertical in 48 units horizontal (2% slope) for drainage unless designed for water accumulation in accordance with Section 1611.2 Ponding Instability.

Roof drainage water from a building shall not be allowed to flow over public property.

1601.1 Scope. The provisions of this chapter shall govern the structural design of buildings, structures, and portions thereof regulated by this code.

It shall not be the responsibility of the building official to determine engineering requirements of this code. Exclusive of Conventional Light-Frame Wood Construction provisions referenced in Section 2308, the method to resist loads as referenced in this chapter is the responsibility of a structural engineer or other qualified design professional.

1612.3 Establishment of flood hazard areas. To establish *flood hazard areas*, the applicable governing authority 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 in an engineering report entitled "The Flood Insurance Rate Map for

McCook County (and incorporated areas), South Dakota,” dated June 18, 2013 (Map Number 46087C0135D), 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. If there is a conflict between the provisions of this code and the City’s floodplain management ordinance, the provisions of the floodplain management ordinance shall prevail.

1703.1 Approved agency. An *approved agency* or the design professional of record shall provide all information as necessary for the *building official* to determine that the agency meets the applicable requirements.

1704.1 General. Where application is made for construction as described in this section, the owner or the *registered design professional in responsible charge* acting as the owner’s agent shall employ one or more *approved agencies* to perform inspections during construction on the types of work listed under Section 1704. These inspections are in addition to the inspections identified in Section 110.

The special inspector shall be a qualified person who shall demonstrate competence, to the satisfaction of the *building official*, for the inspection of the particular type of construction or operation requiring *special inspection*. The *registered design professional in responsible charge* and engineers of record involved in the design of the project are permitted to act as the *approved agency* and their personnel are permitted to act as the special inspector for the work designed by them, provided those personnel meet the qualification requirements of this section to the satisfaction of the *building official*. The special inspector shall provide written documentation to the building official demonstrating his or her competence and relevant experience or training. Experience or training shall be considered relevant when the documented experience or training is related in complexity to the same type of *special inspection* activities for projects of similar complexity and material qualities. These qualifications are in addition to qualifications specified in other sections of this code.

Exceptions:

1. *Special inspections* are not required for work of a minor nature or as warranted by conditions in the jurisdiction as *approved* by the *building official*.
2. *Special inspections* are not required for building components, unless the design involves the practice of professional engineering or architecture as defined by applicable state statutes and regulations governing the professional registration and certification of engineers or architects.
3. Unless otherwise required by the building official, special inspections are not required for Group U occupancies that are accessory to a residential occupancy including, but not limited to, those listed in Section 312.1.
4. The frequency and amount of special inspections shall be as determined by the design professional of record. The continuous and periodic inspections referenced in Tables 1704.3, 1704.4, 1704.5.1, 1704.5.3, 1704.7, 1704.8, and 1704.9 shall be considered as a guideline.

1804.7 Grading permits required. No person shall excavate or grade without first obtaining a permit from the City. If a building permit is not obtained, a separate grading permit must be obtained from the City for each site and may cover both excavations and fills.

Exceptions:

1. A separate grading permit is not required from the City where a site plan for a new building, structure, or addition is submitted for plan review where an excavation below finished grade for basements, footings, and foundations of a building, retaining wall, or other structure is authorized by a valid building permit.
2. A fill of less than one foot in depth and placed on natural terrain with a slope flatter than one unit vertical to five units horizontal (20 percent slope), or less than 3 feet (914 mm) in depth not intended to support structures, which does not exceed 300 cubic yards (153 m³) on any one lot and does not obstruct a drainage course.
3. Excavation, removal, or stockpiling of rock, sand, dirt, clay, or other like material, as may be required by the state, county, or municipal authorities in connection with the construction or maintenance of roads and highways. This shall not exempt work for street construction when such work is performed by private developers. When the private developer has obtained a permit to perform site grading, a second permit will not be required for street grading.
4. When approved by the City, grading in an isolated, self-contained area if there is no danger to public or private property.
5. Cemetery graves.
6. Refuse disposal sites controlled by other regulations.
7. Excavations for wells, tunnels, or utilities.
8. Mining, quarrying, excavating, processing, or stockpiling of rock, sand, gravel, aggregate or clay where established and provided for by law, provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property.
9. Exploratory excavations under the direction of soils engineers or engineering geologists.
10. An excavation that 1) is less than 2 feet (610 mm) in depth or 2) does not create a cut slope of less than 5 feet (1,524 mm) in height and steeper than one unit vertical in one and one-half units horizontal (66.7 percent slope).

Exemptions from the permit requirements of this chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this chapter or any other laws or ordinances of this jurisdiction.

1804.7.1 Grading permit requirements. Grading shall be performed in accordance with a grading plan approved by the City. Submitted plans shall indicate existing elevations, proposed elevations, method of erosion control, and shall include the legal description.

1806.2 Presumptive load-bearing values. The load-bearing values used in design for supporting soils near the surface shall not exceed the values specified in Table 1806.2 unless data to substantiate the use of higher values are submitted and *approved*. Where the *building official* has reason to doubt the classification, strength, or compressibility of the soil, the requirements of Section 1803.5.2 shall be satisfied.

Presumptive load-bearing values shall apply to materials with similar physical characteristics and dispositions. Where a presumed soil bearing capacity is in excess of 3,000 psf (471 kPa/m), data to substantiate the use of the presumed higher value must be submitted from a soils engineer for approval from the building official. Mud, organic silt, organic clays, peat, or unprepared fill shall not be assumed to have a presumptive load-bearing capacity unless data to substantiate the use of such a value are submitted.

Exception: A presumptive load-bearing capacity shall be permitted to be used where the *building official* deems the load-bearing capacity of mud, organic silt, or unprepared fill is adequate for the support of lightweight or temporary structures.

1809.5 Frost protection. Except where otherwise protected from frost, foundations 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: Freestanding buildings meeting all of the following conditions shall not be required to be protected:

1. Assigned to *Occupancy Category I* in accordance with Section 1604.5;
2. Area of 1,500 square feet (138 m²) or less for light-frame construction or 400 square feet (37 m²) or less for other than light-frame construction; and
3. Eave height of 10 feet (3,048 mm) or less.

Shallow foundations shall not bear on frozen soil unless such frozen condition is of a permanent character.

2308.9.3 Bracing. Braced wall lines shall consist of braced wall panels that meet the requirements for location, type, and amount of bracing as shown in Figure 2308.9.3, specified in Table 2308.9.3(1) and are in line or offset from each other by not more than 4 feet (1,219 mm) except for offsets not more than 200 square feet. Braced wall panels shall start not more than 12 1/2 feet (3,810 mm) from each end of a braced wall line. Braced wall panels shall be clearly indicated on the plans. Construction of braced wall panels shall be by one of the following methods:

1. Nominal 1-inch by 4-inch (25 mm by 102 mm) continuous diagonal braces let into top and bottom plates and intervening studs, placed at an angle not more than 60 degrees (1.0 rad) or

less than 45 degrees (0.79 rad) from the horizontal and attached to the framing in conformance with Table 2304.9.1.

2. Wood boards of 5/8 inch (15.9 mm) net minimum thickness applied diagonally on studs spaced not over 24 inches (610 mm) o.c.
3. Wood structural panel sheathing with a thickness not less than 3/8 inch (9.5 mm) for 16-inch (406 mm) or 24-inch (610 mm) stud spacing in accordance with Tables 2308.9.3(2) and 2308.9.3(3).
4. Fiberboard sheathing panels not less than 1/2 inch (12.7 mm) thick applied vertically or horizontally on studs spaced not over 16 inches (406 mm) o.c. where installed with fasteners in accordance with Section 2306.6 and Table 2306.6.
5. Gypsum board [sheathing 1/2-inch-thick (12.7 mm) by 4 feet-wide (1219 mm) wallboard or veneer base] on studs spaced not over 24 inches (610 mm) o.c. and nailed at 7 inches (178 mm) o.c. with nails as required by Table 2306.7.
6. Particleboard wall sheathing panels where installed in accordance with Table 2308.9.3(4).
7. Portland cement plaster on studs spaced 16 inches (406 mm) o.c. installed in accordance with Section 2510.
8. Hardboard panel siding where installed in accordance with Section 2303.1.6 and Table 2308.9.3(5).

For cripple wall bracing, see Section 2308.9.4.1. For Methods 2, 3, 4, 6, 7, and 8, each panel must be at least 48 inches (1,219 mm) in length, covering three stud spaces where studs are spaced 16 inches (406 mm) apart, and covering two stud spaces where studs are spaced 24 inches (610 mm) apart.

For Method 5, each panel must be at least 96 inches (2,438 mm) in length where applied to one face of a panel and 48 inches (1,219 mm) where applied to both faces. All vertical joints of panel sheathing shall occur over studs and adjacent panel joints shall be nailed to common framing members. Horizontal joints shall occur over blocking or other framing equal in size to the studding except where waived by the installation requirements for the specific sheathing materials. Sole plates shall be nailed to the floor framing and top plates shall be connected to the framing above in accordance with Section 2308.3.2. Where joists are perpendicular to braced wall lines above, blocking shall be provided under and in line with the braced wall panels.

2707.1 Scope. All Electrical regulations within the City of Salem will be governed by the South Dakota Electrical Commission. This can include but is not limited to inspections, permits, requirements, plan reviews, or any other function determined necessary by the City of Salem. An agreement between the City of Salem and the South Dakota Electrical Commission may be enacted in order to allow for a change in permitting, inspection, and other powers.

[F] 2702.1 Installation. Not adopted by the City of Salem.

[F] 2702.1.1 Stationary generators. Not adopted by the City of Salem.

[F] 2702.2 Where required. Not adopted by the City of Salem.

[F] **2702.2.1 Group A occupancies.** Not adopted by the City of Salem.

[F] **2702.2.2 Smoke control systems.** Not adopted by the City of Salem.

[F] **2702.2.3 Exit signs.** Not adopted by the City of Salem.

[F] **2702.2.4 Means of egress illumination.** Not adopted by the City of Salem.

[F] **2702.2.5 Accessible means of egress elevators.** Not adopted by the City of Salem.

[F] **2702.2.6 Accessible means of egress platform lifts.** Not adopted by the City of Salem.

[F] **2702.2.7 Horizontal sliding doors.** Not adopted by the City of Salem.

[F] **2702.2.8 Semiconductor fabrication facilities.** Not adopted by the City of Salem.

[F] **2702.2.9 Membrane Structures.** Not adopted by the City of Salem.

[F] **2702.2.10 Hazardous materials.** Not adopted by the City of Salem.

[F] **2702.2.11 Highly toxic and toxic materials.** Not adopted by the City of Salem.

[F] **2702.2.12 Organic peroxides.** Not adopted by the City of Salem.

[F] **2702.2.13 Pyrophoric materials.** Not adopted by the City of Salem.

[F] **2702.2.14 Covered and open mall buildings.** Not adopted by the City of Salem.

[F] **2702.2.15 High-rise buildings.** Not adopted by the City of Salem.

[F] **2702.2.16 Underground buildings.** Not adopted by the City of Salem.

[F] **2702.2.17 Group I-3 occupancies.** Not adopted by the City of Salem.

[F] **2702.2.18 Airport traffic control towers.** Not adopted by the City of Salem.

[F] **2702.2.19 Elevators.** Not adopted by the City of Salem.

[F] **2702.2.20 Smokeproof enclosures.** Not adopted by the City of Salem.

[F] **2702.3 Maintenance.** Not adopted by the City of Salem.

[P] **2901.1 Scope.** All Plumbing regulations within the City of Salem will be governed by the South Dakota Plumbing Commission. This can include but is not limited to inspections, permits, requirements, plan reviews, or any other function determined necessary by the City of Salem. An agreement between the City of Salem and the South Dakota Plumbing Commission may be enacted in order to allow for a change in permitting, inspection, and other powers.

[P] **2902.1 Minimum number of fixtures.** Not adopted by the City of Salem.

[P] **2902.1.1 Fixture calculations.** Not adopted by the City of Salem.

[P] **2902.1.2 Family or assisted use toilet and bath fixtures.** Not adopted by the City of Salem.

[P] **2902.2 Separate facilities.** Not adopted by the City of Salem.

[P] **2902.3 Employee and public toilet facilities.** Not adopted by the City of Salem.

[P] **2901.3.1 Access.** Not adopted by the City of Salem.

[P] **2902.3.2 Location of toilet facilities in occupancies other than malls.** Not adopted by the City of Salem.

[P] **2902.3.3 Location of toilet facilities in malls.** Not adopted by the City of Salem.

[P] **2902.3.4 Pay facilities.** Not adopted by the City of Salem.

[P] **2902.4 Signage.** Not adopted by the City of Salem.

[P] **2902.4.1 Directional signage.** Not adopted by the City of Salem.

3109.1 General. Swimming pools shall comply with the requirements of this section and other applicable sections of this code. These requirements shall be applicable to all new swimming pools hereafter constructed and shall apply to all existing pools which have a depth of 18 inches or more of water. No person in possession of land within the City, either as an owner, purchaser, lessee, tenant, or a licensee, upon which is situated a swimming pool having a depth of 18 inches or more shall fail to provide and maintain such a fence or wall as herein provided.

3109.2 Definition. The following word and term shall, for the purposes of this section and as used elsewhere in this code, have the meaning shown herein.

SWIMMING POOLS. Any structure intended for swimming, recreational bathing, or wading that contains water over 18 inches (457 mm) deep. This includes in-ground, above-ground, and on-ground pools; hot tubs; spas and fixed-in-place wading pools.

3109.4.1 Barrier height and clearances. The top of the barrier shall be at least 42 inches (1,066 mm) above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the barrier is authorized to be at ground level or mounted on top of the pool structure, and the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).

3109.4.1.2 Solid barrier surfaces. Not adopted by the City of Salem.

3109.4.1.3 Closely spaced horizontal members. Not adopted by the City of Salem.

3109.4.1.4 Widely spaced horizontal members. Not adopted by the City of Salem.

3109.4.1.5 Chain-link dimensions. Not adopted by the City of Salem.

3109.4.1.6 Diagonal members. Not adopted by the City of Salem.

3109.4.1.8 Dwelling wall as a barrier. Not adopted by the City of Salem.

3109.4.4 Modifications. Modification in individual cases, upon a showing of good cause with respect to height, nature, or location of a fence, wall, gates, or latches, or the necessity thereof, may be made by the building official, provided the protection as sought hereunder is not reduced thereby. The building official may grant permission for other protective devices or structures to be used as long as the degree of protection afforded by this substitute device or structure is not less than the protection afforded by the wall, fence, gate, and latch described herein. A reasonable period within which to comply with the requirements of this section for existing swimming pools shall be allowed, which period shall not exceed 90 days after notification by the building official.

3303.1 Construction documents. No person shall demolish or wreck a building or structure without first obtaining a razing permit. Permit fees shall be paid in accordance with Item 5 of Table 3-C. *Construction documents* and a schedule for demolition must be submitted when required by the *building official*. Where such information is required, no work shall be done until such *construction documents* or schedule, or both, are *approved*. The applicant shall secure insurance covering any possible liability that could incur during demolition.

3303.6 Utility connections. Service utility connections shall be discontinued and capped in accordance with the *approved* rules and the requirements of the applicable governing authority. Before a razing permit can be issued, the applicant must furnish approval from the City that applicable permits have been secured to assure that all utilities will be properly disconnected and inspected as per City's specifications. The applicant shall be responsible for notifying other utilities of such anticipated demolition.

3401.3 Compliance. Alterations, repairs, additions, and changes of occupancy to existing structures shall comply with the provisions for alterations, repairs, additions, and changes of occupancy in the *Fire Code, Mechanical Code, Plumbing Code, Property Maintenance Code, Residential Code*, and NFPA 70.

3410.1 Conformance. Structures moved into or within the jurisdiction shall comply with the provisions of this code for new structures.

Exceptions:

1. Mobile homes used as a dwelling and located in a mobile home park operated under a valid license.
2. Mobile homes used as a dwelling and located in a manufactured housing park.
3. Structures used as a temporary office or shelter on a construction or development site when approved by the building official.
4. Structures used as a temporary business office for a period not to exceed one year when approved by the building official and provided it meets the applicable accessibility requirements of this code.
5. Mobile homes/manufactured homes used as a sales office at a location where such homes are offered for sale provided it meets the applicable accessibility requirements of this code.

3410.2 Definitions. For the purpose of this section, the following words and phrases mean:

1. *Building mover.* Any person, firm, partnership, corporation, or association who engages in the business or work of moving a building across public property within the City.
2. *Building moving.* The moving of any house, building, structure, or any part or parts thereof, except structures or parts of structures less than 12 feet wide and 13.5 feet high when loaded, from one location to another when moving requires traveling upon, across, along, or over any street, avenue, highway, thoroughfare, alley, sidewalk, or other public ground in the City. This term does not apply to manufactured or modular structures or assemblies which do not exceed 15 feet in height and 16.6 feet in width including all nonstructural appendages, or a length of 80.6 feet including all nonstructural appendages.
3. *Agency.* The planning and building services department, police department, municipal maintenance department, and City Engineer.

3410.3 Permits required. No person shall engage in building moving unless and until he has obtained a building moving permit, which will not be issued to anyone except a person licensed as the building mover. Such permit shall be obtained not less than 48 hours prior to the move.

3410.4 Prerequisites to a permit. No permit to move a building shall be issued as hereunder provided until the following conditions have been satisfied.

1. A building permit is required to place a one- or two-family dwelling in a residential zoning district on the property described on the application if located in the City. Before a City building permit can be issued for a one- or two-family dwelling to be moved in a residential zoning district, the applicant shall post the property. A hearing before the building board of appeals will be required prior to the issuance of the building permit upon request from the public. A hearing will be initiated and scheduled at the request of the public within the time period of posting the signs per Item 1 below. The request shall be in writing on forms provided by building services.

Before any action can be taken by the board, the applicant shall:

- a. Post the property where the dwelling is to be moved for a continuous period of not less than five working days with signs furnished by the building official. At least two signs shall be posted. The applicant shall submit a written oath that the signs were properly posted.
- b. Submit one certified copy of the restrictions and covenants of the property where the dwelling is proposed to be moved. Those portions applicable to the dwelling shall be highlighted. If the property contains no restrictions or covenants, a statement to that fact shall be submitted.
- c. Submit a proposed site plan containing the legal description where the dwelling is proposed to be moved.
- d. Submit the inspection report from the building inspector.
- e. Submit original clear photographs of the front, rear, and side elevations of the dwelling to be moved.

2. Any person filing an application for a moving permit shall file with the City a liability insurance policy issued by the insurance company authorized to do business in this state and approved as to form by the City Attorney in the following amounts: \$250,000.00 per person, \$500,000.00 per accident, \$500,000.00 property damage.
3. When required by the building official, satisfactory evidence from a licensed pest control company that all nuisance pests have been exterminated from the structure.
4. Approval of the route and time of move by the City.
5. Approval from the planning and building services department concerning the moving of any building or structure in the historic district.

3410.5 Permit application. The application shall contain the date or dates of the moving of the building, house, or structure, a detailed statement setting forth the proposed route to be followed, the name of the person in charge of the move, the location of the premises to which the structure or building is to be moved, and an agreement that the applicant will immediately report any damage done by the moving operation to any public property and will indemnify and hold the City harmless from any claims or damages for injuries to persons or property resulting from the moving of the building or structure.

3410.6 Denial. If the applicant fails to agree or comply with the conditions as set forth herein or, in the judgment of the building official, the building or structure is in such a state of disrepair that it would not be safe to move the building or, if in the judgment of the City, the proposed move would result in an undue hazard to public traffic or undue damage to streets, sidewalks, trees, or other public property, the permit will be denied and reasons therefore endorsed upon the application.

3410.7 Restrictions on moving through streets. All moving of the building once started shall continue until completed, and no building shall be parked along the route unless deemed an emergency and approved by the City. The City may require police escorts, temporary removal of traffic devices, or may restrict or specify the day and hours during which the moving operation must be accomplished.

3410.8 Posting. Two moving placards must be posted on a visible location of opposite ends of the building being moved during the entire move, and the person moving the building must carry a signed duplicate of the permit.

3410.9 Escorts. Movers shall provide a front and rear escort for all movements.

3410.10 Flags. Red and orange flags, 12 inches by 12 inches, must be fastened to the rear corners of the moving structure.

3410.11 Notice to public service companies, cable TV operations, and the City of Salem. Before moving any building, the building shall make arrangements with the police department forty-eight hours prior to the move if a police escort is required. The mover shall also give forty-eight hours notice to all City departments, public service operations, and cable TV operators whose wires, traffic control devices, or other appliances which affect the moving of such building of the time when the move is to take place and request and arrange for the passage of such building. Such building mover shall pay to the City and said corporation and operators the reasonable cost and expense of the work required to be done.

3410.12 Tampering with private property. The mover during all moves shall obey all laws pertaining to tampering with private property and vehicles on the street. Tampering with any wires or facilities belonging to private or public service companies is prohibited.

3410.13 Reporting damage. The building mover shall immediately report any damage done by the moving operation to any street, sidewalk, curb, utility equipment, tree sign, or other public or private property to the City Maintenance Supervisor.

3412.2 Applicability. Structures existing prior to the initial adoption of building codes by the City, in which there is work involving additions, alterations, or changes of occupancy shall be made to comply with the requirements of this section or the provisions of Sections 3403 through 3409. The provisions in Sections 3412.2.1 through 3412.2.5 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.

Adopted this 27th day of May, 2015.

Mayor

ATTEST:

Finance Officer

Seal

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Second Reading & Adoption: May 27, 2015

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