

CHAPTER 3-1 BUILDING CODE

3-1-1 ADOPTION OF BUILDING CODE

There is hereby adopted by the city, for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, the most recent edition of Uniform Building Code as published by the International Conference of Zoning Administrators, including the subcodes. One (1) copy of the valid edition shall be held on file in the office of the City Finance Officer.

Authority: SDCL 11-10-5

3-1-1.1 EXCEPTION TO CODE: AWNINGS

Awnings, metal or otherwise for the purposes of this Building Code shall be considered personal property, not part of the building. Regardless of this fact, permission to place an awning on a building in the business district as defined by the Zoning Regulations, shall be requested by filing a building permit in the office of the City Finance Officer.

Authority: SDCL 11-10-2

3-1-1.2 DEFINITIONS OF TERMS IN BUILDING CODE

- (a) Wherever the word "Municipality" is used in the Uniform Building Code, it shall be held to mean the City.
- (b) Wherever the term "Corporation Counsel" appears in the Uniform Building Code, it shall be held to mean the Attorney for the City.

3-1-2 ESTABLISHMENT OF THE OFFICE OF THE ZONING ADMINISTRATOR

The City Finance Officer or his designee is hereby designated as the City Zoning Administrator and/or the Building Official.

Authority: SDCL 11-10-4

3-1-3 BUILDING PERMITS; WHEN REQUIRED

Building permits shall be required for the following work:

- (a) For any structure/building in which the building/structure is erected, partially erected, demolished, moved, added to, or structurally altered; or
- (b) For any structure or building, regardless of cost, if additional land or area is required for the improvements to be sited on.

3-1-3.1 PRIOR PERMISSION REQUIRED

A building permit must be applied for and awarded prior to commencement of any work described within 3-1-3. It is the property owner's responsibility to obtain a building permit. However, if a contractor commences work whereby a building permit has not been obtained, the contractor, along with the property owner, shall be subject to fines as stipulated in this ordinance.

3-1-4 APPLICATION FOR BUILDING PERMISSION

Application for all permits required as stated in section 3-1-3 of this Chapter shall be submitted to the Zoning Administrator on a form provided by the City.

- (a) The Zoning Administrator shall accept and review all building permit applications and assess whether said applications are in compliance with the building code adopted here and the City's Zoning Ordinance.
- (b) If the Zoning Administrator determines through review of the application that said application is in compliance with pertinent regulations, then said Administrator may approve commencement of work proposed
- (c) If the Zoning Administrator determines through review of the application that said application is not in compliance with pertinent regulations, then said Administrator shall state the reasons for such refusal in writing. The Zoning Administrator shall retain the original and one (1) copy of the application, similarly marked.
- (d) The Board of Adjustment shall hear all requests for variances, conditional uses, and zoning appeals. Following review, the Board of Adjustment shall by vote decide final approval or disapproval of the permit(s) presented.

Authority. SDCL9-33-6 and 11-10-4

3-1-5 RIGHT OF ENTRY

The Zoning Administrator, in the discharge of his official duties, and upon proper identification, shall have the authority to enter a building, structure, or premises at any reasonable time.

Authority: SDCL 11-10-4