

ORDINANCE NO. 1822

AN ORDINANCE AMENDING SECTION 11-7-101 OF ORDINANCE NO. 1265 IN REVISION OF THE ORDINANCES OF THE CITY OF PIERRE, HUGHES COUNTY, SOUTH DAKOTA, RELATING TO THE ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE.

Section 11-7-101 Adoption of the International Property Maintenance Code

An ordinance of the City of Pierre adopting the 2018 edition of the *International Property Maintenance Code*, 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 unfit for human occupancy and use, and the demolition of such existing structures in the City of Pierre; providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. 1764 of the City of Pierre and all other ordinances and parts of ordinances in conflict therewith.

The City Commission of the City of Pierre does ordain as follows:

Section 1. That a certain document, a copy of which is on file in the office of the Building Official of the City of Pierre, being marked and designated as the *International Property Maintenance Code*, 2018 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Pierre, in the State of South Dakota for 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 unfit for human occupancy and use, and the demolition of such existing structures as herein provided; 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 Property Maintenance Code on file in the office of the City of Pierre 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.

Section 2. The following sections are hereby revised:

[A] 101.1 Title. Insert “City of Pierre”

[A] 102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the *2018 International Building Code*, *2018 International Existing Building Code*, *2018 International Fire Code*, *2018 International Fuel Gas Code*, *2018 International Mechanical Code*, *2018 International Residential Code*, *2018 Uniform Plumbing Code*, and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the *International Zoning Code*, and *Chapter 12, Article 13, Flood Hazard Areas*, of the Revised Ordinances of the City of Pierre.

[A] 103.2 Appointment. The Community Resource Officer and the Building Official, acting as the Code Official, shall enforce the provisions of this code.

[A] **103.5 Fees.** Insert “Schedule of Fees”

[A] **112.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to administrative citations through the code enforcement process.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the *International Building Code, International Existing Building Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Residential Code, Chapter 13, Article 10, Floodplain Ordinance, Uniform Plumbing Code* or NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes.

302.4 Weeds. Insert “12 inches”

602.2 Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms* based on the winter outdoor design temperature for the locality . Cooking appliances shall not be used, nor shall *portable unvented* fuel-burning space heaters, or cord and plug connected electric space heaters be used, as a means to provide the primary means of required heating.

Exception: In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

602.3 Heat supply. Insert “October to April”

602.4 Occupiable work spaces. Insert “October to April”

Section 3. That Ordinance No. 1764 of City of Pierre entitled Section 1, Adoption of International Property Maintenance Code, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. 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.

Section 5. That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit 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 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. That the Finance Officer is hereby ordered and directed to cause this ordinance to be published.

Section 7. 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 twenty (20) days from and after the date of adoption and publication.

First Reading: March 16, 2021
Second Reading and Adoption: March 23, 2021
Published: March 27, 2021

CITY OF PIERRE, SOUTH DAKOTA

Steve Harding, Mayor

ATTEST:

Twila Hight, Finance Officer