

ORDINANCE NO. 1823

AN ORDINANCE AMENDING SECTION 11-8-101 OF ORDINANCE NO. 1265 IN REVISION OF THE ORDINANCES OF THE CITY OF PIERRE, HUGHES COUNTY, SOUTH DAKOTA, RELATING TO THE ADOPTION OF THE 2018 EDITION OF THE INTERNATIONAL FUEL GAS CODE.

Section 11-8-1-1 Adoption of International Fuel Gas Code

An ordinance of the City of Pierre adopting the 2018 edition of the *International Fuel Gas Code*, regulating and governing fuel gas systems and gas-fired appliances in the City of Pierre; providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. 1701 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 Fuel Gas Code*, 2018 edition as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the City of Pierre, in the State of South Dakota for regulating and governing fuel gas systems and gas-fired appliances 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 Fuel Gas 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:

The following sections and subsections of the 2018 International Fuel Gas Code adopted in this article shall be amended, added, or not adopted by the city as follows. All other sections or subsections of the 2018 International Fuel Gas Code as published shall remain the same.

2018 International Fuel Gas Code

[A] **101.1 Title.** Inset “City of Pierre”

[A] **106.6.2 Fee schedule.** Inset “Schedule of fees”

[A] **106.6.3 Fee refunds.** Inset “100%” and “100%”

[A] **108.4 Violation penalties.** Inset “Misdemeanor”, “\$300.00”, and “Thirty (30) days”

[A] **108.5 Stop work orders.** Inset “\$100.00”, “\$500.00”

[A] **109.1 Application for appeal.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of this code, there shall be provided and is hereby created a Mechanical Board of Appeals, consisting of three (3) members who are qualified by experience and training to pass upon matters pertaining to mechanical design, construction and maintenance and the public health aspects of mechanical systems and who are

not employees of the jurisdiction. The Building Official shall be an ex-officio member and shall act as secretary to said board but shall have no vote upon any matter before the board. The members of the Mechanical Board of Appeals shall be appointed by the building official and shall hold office for a three year term, or until a successor is appointed. The Board shall adopt rules of procedure for conduction its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official. Members shall receive twenty-five dollars (\$25) for each meeting attended as expense reimbursement.

[A] 109.2 Membership of Board. Deleted.

[A] 109.2.1 Qualifications. Deleted.

[A] 109.2.5 Secretary. Deleted.

[A] 109.2.6 Compensation of Members. Deleted.

[A] 109.5 Postponed Hearing. When three members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

Section 3. That Ordinance No. 1701 of City of Pierre entitled Section 1, Adoption of International Fuel Gas 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 Fuel Gas 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 its 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