

ORDINANCE NO. \_\_\_\_

AN ORDINANCE AMENDING SECTION 11-3-101 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 FIRE CODE.

CHAPTER 11 - CONSTRUCTION AND SPECIAL CODES

ARTICLE 3 – UNIFORM FIRE CODE AND PERMITS

SECTIONS:

Sections 11-3-101 to 199, inclusive. International Fire Code - and permits - general provisions.

Section 11-3-101. Adoption of International Fire Code

Section 11-3-102. Enforcement of International Fire Code by fire chief - modifications - appeals.

Section 11-3-103. Unlawful to violate provisions of International Fire Code - penalties.

Section 11-3-104. Fire lanes required.

Section 11-3-105. No parking in fire lanes.

Section 11-3-106. Fire protection systems required.

Section 11-3-107. Modifications.

Section 11-3-108. Authority to increase widths of fire lane.

Section 11-3-109. Open burning.

Section 11-3-110. Recreational fire discontinuance.

Section 11-3-111. Recreational fire pit and outdoor fireplace.

Section 11-3-112. Recreational fire pit and outdoor fireplace location.

Section 11-3-113. Recreational fire pit and fireplace extinguishing equipment.

Section 11-3-113 to 199, inclusive. Reserved.

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**Sections 11-3-101 to 199, inclusive. International Fire Code and permits - general provisions.**

**Section 11-3-101 Adoption of International Fire Code.**

There is hereby adopted that certain fire code known as the *International Fire Code, 2018 Edition*,

Chapters 1 through 80 and Appendix D, except such portions as have been deleted, modified or amended and as so deleted, modified or amended and filed in the finance office, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion. All other sections of the *International Fire Code* as published shall remain the same.

## FIRE PROTECTION

**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 fire area.

**Exception:** Group R-3. One and Two-family dwellings.

**[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 a room merely because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. A room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. A room or space where sprinklers are considered undesirable because of the nature of the contents, where *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 two 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 two hours.
4. Rooms or areas that are of noncombustible construction with wholly noncombustible contents.
5. Fire service access elevator machine rooms and machinery spaces.
6. Machine rooms, machinery spaces, control rooms and control spaces associated with occupant evacuation elevators designed in accordance with Section 3008.

**904.12.2 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.

**907.2.2. Group B.** A manual fire alarm system shall be installed in Group B occupancies where one of the following conditions exist:

1. Where 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 fire area contains an 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.

**907.2.3 Group E.** – This section is amended by adding the following sentence after the exceptions:

Rooms used for sleeping or napping purposes within a day care use of a Group E occupancy shall be provided with smoke alarms that comply with Section 907.2.11.2.

**907.2.6.2 Group I-2.** 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 shall be equipped with an automatic fire detection system. Hospitals shall be equipped with smoke detection as required in Section 407

**Exceptions:**

1. Corridor smoke detection is not required in smoke compartments that contain patient sleeping rooms where patient sleeping 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 an audible and visual alarm at the nursing station attending each unit.

2 Corridor smoke detection is not required in smoke compartments that contain patient sleeping units where patient sleeping unit doors are equipped with automatic door-closing devices with integral smoke detectors on the unit sides installed in accordance with their listing, provided that the integral detectors perform the required alerting function.

**[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*.

**907.2.9.4 Smoke detectors.** In R-2 occupancies, system smoke detection shall be provided in each enclosed stairway and all exit corridors.

**[M] 907.2.12.1.2 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 m<sup>3</sup>/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 m<sup>3</sup>/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 or facing approved fire apparatus access roads, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise *approved* by the fire chief. 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.

**915.2.1 Dwelling units.** Carbon monoxide detection shall be installed in dwelling units outside each separate sleeping area in the immediate vicinity of bedrooms. Where a fuel-burning appliance is located within a bedroom or its attached bathroom, carbon monoxide detection shall be installed within the bedroom. At least one carbon monoxide detector or alarm shall be installed on each floor level.

## MEANS OF EGRESS

**1010.1.7 Thresholds.** Thresholds at doorways shall not exceed 3/4 inch (19.1 mm) in height above the finished floor or landing for sliding doors serving *dwelling units* or 1/2 inch (12.7 mm) above the finished floor or landing 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).

**Exceptions:** 1. In occupancy Group R-2 or R-3, threshold heights for sliding and side hinged exterior doors shall be permitted to be up to 8 inches (203 mm) in height if all of the following apply:

- 1.1. The door is not part of the required *means of egress*.
- 1.2. The door is not part of an *accessible route* as required by Chapter 11.
- 1.3. The door is not part of an *Accessible unit, Type A unit* or *Type B unit*.

**1010.1.9.4 Locks and latches.** Locks and latches shall be permitted to prevent operation of doors where any of the following exist:

1. Places of detention or restraint.
2. In buildings in occupancy Group A having an *occupant load* of 300 or less, Groups B, F, M and S, in *places of religious worship*, and exterior decks allowed to have one exit where the exit access from the deck extends back into the building, the main door or doors are permitted to be equipped with key-operated locking devices from the egress side provided:
  - 2.1. The locking device is readily distinguishable as locked.
  - 2.2. A readily visible durable sign is posted on the egress side on or adjacent to the door stating: THIS DOOR TO REMAIN UNLOCKED WHEN THIS SPACE IS OCCUPIED. The sign shall be in letters 1 inch (25 mm) high on a contrasting background.
  - 2.3. The use of the key-operated locking device is revocable by the *building official* for due cause.
3. Where egress doors are used in pairs, *approved* automatic flush bolts shall be permitted to be used, provided that the door leaf having the automatic flush bolts does not have a doorknob or surface-mounted hardware.
4. Doors from individual *dwelling* or *sleeping units* of Group R occupancies having an *occupant load* of 10 or less are permitted to be equipped with a night latch, dead bolt or security chain, provided such devices are openable from the inside without the use of a key or tool.
5. *Fire doors* after the minimum elevated temperature has disabled the unlatching mechanism in accordance with *listed fire door* test procedures.
6. Doors serving roofs not intended to be occupied shall be permitted to be locked preventing entry to the building from the roof.

**1011.5.2 Riser height and tread depth.** *Stair* riser heights shall be 7 inches (178 mm) maximum

and 4 inches (102 mm) minimum. The riser height shall be measured vertically between the *nosings* of adjacent treads. Rectangular tread depths shall be 11 inches (279 mm) minimum measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's *nosing*. *Winder* treads shall have a minimum tread depth of 11 inches (279 mm) between the vertical planes of the foremost projection of adjacent treads at the intersections with the walkline and a minimum tread depth of 10 inches (254 mm) within the clear width of the *stair*.

### Exceptions:

1. *Spiral stairways* in accordance with Section 1011.10.
2. *Stairways* connecting stepped *aisles* to cross *aisles* or concourses shall be permitted to use the riser/tread dimension in Section 1029.14.2.
3. In Group R-3 occupancies; within *dwelling units* in Group R-2 occupancies; and in Group U occupancies that are accessory to a Group R-3 occupancy or accessory to individual *dwelling units* in Group R-2 occupancies; the maximum riser height shall be 8 inches (203 mm); the minimum tread depth shall be 10 inches (254 mm); the minimum *winder* tread depth at the walkline shall be 10 inches (254 mm); and the minimum *winder* tread depth shall be 6 inches (152 mm). A *nosing* projection not less than 3/4 inch (19.1 mm) but not more than 1 1/4 inches (32 mm) shall be provided on *stairways* with solid risers where the tread depth is less than 11 inches (279 mm).
4. See Section 503.1 of the *International Existing Building Code* for the replacement of existing *stairways*.
5. In Group I-3 facilities, *stairways* providing access to guard towers, observation stations and control rooms, not more than 250 square feet (23 m<sup>2</sup>) in area, shall be permitted to have a maximum riser height of 8 inches (203 mm) and a minimum tread depth of 9 inches (229 mm).

## EMERGENCY ESCAPE AND RESCUE

**1030.2 Minimum size.** Emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet with no exceptions.

### 2018 International Fire Code, Appendix D - Fire Apparatus Access Roads

The International Fire Code, Appendix D, Sections D101 through D105.

Additional deletions, modifications and amendments may from time to time be made by the City Commission and shall be effective upon their adoption and filing with the finance officer. The finance officer shall keep and maintain a master copy of said code, including all future deletions, modifications or amendments which may be adopted by the City Commission as herein provided, and the same shall be available and subject to public inspection at all reasonable times.

**Source:** R.O. Pierre, 1957, 6.0101, Rev. of Ord., 1990; Ord. No. 1348, 1994; Ord. No. 1512, 2002; Ord. No. 1623, 2008; Ord. No. 1705, 2012.

**Statutory reference:** SDCL 9-19-7, codes incorporated by reference.

**Section 11-3-102 Enforcement of International Fire Code by the building official and/or fire chief - modifications - appeals.**

The *International Fire Code* adopted pursuant to Section 11-3-101 shall be enforced by the building official or the fire chief.

The building official or fire chief shall have power to modify any of the provisions of said code upon application in writing by the owner or lessee of any premises, or his duly authorized agent, whenever there are practical difficulties in the manner of carrying out the strict letter of the code; provided however, that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the fire chief thereon shall be entered upon the records of the fire department and a signed copy shall be furnished the applicant.

Whenever the building official or fire chief shall disapprove an application or refuse to grant a license or permit applied for, or when it is claimed that the provisions of said code do not apply or that the true intent and meaning of said code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the fire chief to the city commission within thirty days from the date of the decision appealed from.

**Source:** R.O. Pierre, 1957, 6.0102; 6.0106; and, 6.0107; Ord. No. 1348, 1994; Ord. No. 1623, 2008;

**Section 11-3-103 Unlawful to violate provisions of International Fire Code- penalties.**

Any person who shall violate any of the provisions of the *International Fire Code* hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder, and from which no appeal has been taken or who shall fail to comply with such an order as affirmed or modified by the commission or by a court of competent jurisdiction within the time fixed herein, shall severally for each and every such violation and noncompliance, respectively, be punishable by a fine of not more than one hundred dollars (\$100.00) or

by imprisonment for not more than thirty days or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue. All such persons shall be required to correct or remedy such violations or defects within a reasonable time and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

**Source:** R.O. Pierre, 1957, 6.0108; Ord. No. 1348, 1994; Ord. No. 1623, 2008;

**Section 11-3-104 Fire lanes required.**

Except as hereinafter provided, every building in the City of Pierre shall be accessible to fire department apparatus by way of access roadways with all-weather driving surface of not less than 20 feet of unobstructed width, with adequate roadway turning radius capable of supporting the imposed loads of fire apparatus and having a minimum of 13 feet 6 inches of vertical clearance. Provided, however, this shall not apply when there are not more than two Group R, Division 3 or M Occupancies as defined in the Building Code.

**Source:** Ord. No. 1170, 1986, Rev. of Ord., 1990, Ord. No. 1348, 1994.

**Section 11-3-105 No parking in fire lanes.**

The required width of access roadways as herein provided shall not be obstructed in any manner, including parking of vehicles. "NO PARKING FIRE LANE" signs or other appropriate notice prohibiting obstructions shall be required and maintained.

**Source:** Ord. No. 1170, 1986, Rev. of Ord., 1990, Ord. No. 1348, 1994.

**Section 11-3-106 Fire protection systems required.**

The access roadways shall be within 150 feet of all portions of the exterior walls of the first story of any building. Where the access roadway cannot be provided, approved fire protection system or systems shall be provided as required and approved by the fire chief.

**Source:** Ord. No. 1170, 1986, Rev. of Ord., 1990, Ord. No. 1994.

**Section 11-3-107 Modification.**

Where fire protection systems required by the building official or fire chief are provided, the above required clearance may be modified.



**Source:** Ord. No. 1170, 1986, Rev. of Ord., 1990; Ord. No. 1348, 1994.

**Section 11-3-108 Authority to increase widths of fire lane.**

The fire chief shall have the authority to require an increase in the minimum access widths where such width is not adequate for fire or rescue operations.

**Source:** Ord. No. 1170, 1986, Rev. of Ord., 1990, Ord. No. 1348, 1994.

**Section 11-3-109 Open Burning.**

It is unlawful for any person to burn any garbage, refuse, leaves, wood, pallets, shingles, cardboard, paper or similar material within the city. Any person conducting open burning outside of recreational fires shall first request authorization from the fire chief. Recreational fires are permitted under the following conditions.

**Section 11-3-110 Recreational fire discontinuance.**

A recreational fire that is offensive or objectionable because of smoke or odor emissions, or when atmospheric conditions or local circumstances such as high wind and drought conditions make such fires hazardous shall be prohibited. If a law enforcement or fire department officer determine that the fire is not in compliance with this article, or the smoke is offensive to nearby neighbors or the burning is determined to constitute a hazardous condition. Those officers are authorized to order that a recreational fire be immediately extinguished and discontinued.

**Section 11-3-111 Recreational fire pit and outdoor fireplace.**

A fire pit and fireplace includes either a below ground pit or a permanent or portable device intended to contain and control outdoor wood fires. The fuel load capacity of the fire pit container cannot exceed three feet in diameter and two feet in height.

**Section 11-3-112 Recreational fire pit and outdoor fireplace location.**

It is recommended that fire pits and outdoor fireplaces be located a minimum of 10 feet away from any structures or combustibles, such as houses, garages, sheds, and decks when possible. All fire pits and fire places must be located a minimum of 10 feet away from neighboring property lines unless approval is granted by the adjoining property owner.

**Section 11-3-113 Recreational fire pit and fireplace extinguishing equipment.**

A portable fire extinguisher or other approved extinguishing equipment, such as a garden hose, sand, or dirt must be readily available to extinguish a fire pit and fireplace fire. Fire pit and fireplace fires must be constantly attended and supervised until the fire has been completely extinguished.

**Sections 11-3-114 to 199, inclusive. Reserved.**

**Source:** Ord. No. 1170, 1986, Rev. of Ord., 1990, Ord. No. 1348, 1994; Ord. No. 1786, 2018; Ord. No. 1800, 2019.

**Section 3.** That Ordinance No. 1764 of City of Pierre entitled Section 1, Adoption of International Fire 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 Fire 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

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Steve Harding, Mayor

ATTEST:

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Twila Hight, Finance Officer