

TITLE 2

BUILDING AND FIRE REGULATION

- Chapter 2-1: National Building Code
- Chapter 2-2: National Electrical Code
- Chapter 2-3: National Plumbing Code
- Chapter 2-4: Fire Limits
- Chapter 2-5: Numbering of Buildings

CHAPTER 2-1: NATIONAL BUILDING CODE

2-1-1: Definitions.

(1) Wherever the word "Municipality" is used in the International Building Code it shall be defined to mean the City of Castlewood, State of South Dakota.

(2) Wherever the term "Corporation Counsel" is used in the International Building Code it shall be defined to mean the City Attorney for the City of Castlewood, State of South Dakota.

2-1-2: Adoption of National Building Code.

The "2003 International Building Code" is hereby adopted by the City for the purpose of establishing regulations and rules for the alteration, construction, demolition, location, maintenance, repair and removal of buildings and structures within the municipality, and includes all permits required and penalties that may be assessed, subject to the City Council modifying same in such manner as it deems in its best interests. A copy of the "2003 International Building Code" has been filed in the office of the Finance Officer and is hereby adopted and incorporated herein as fully as if set out at length herein, and shall take effect from the date of this ordinance. The provisions therein shall be controlling in the construction or repair of all buildings and structures within the City's limits.

2-1-3: Amendments or Changes in National Building Code

If any of the provisions of this chapter are in conflict with the National Building Code herein adopted, then the provisions of this chapter shall take precedence and the National Building Code shall be considered amended and modified.

2-1-4: Conflict

In the event of a conflict between any provision of the National Building Code and this Municipal code, then the latter shall prevail.

2-1-5: Right of Entry.

The Building Inspector shall have the authority to go upon any premises and enter any building or structure at any reasonable hour for inspection purposes and thereby complete their duties.

2-1-6: Persons Regulated

It shall be unlawful for any person to lay, construct, install or cause to be laid, constructed, installed, or done, any building unless said person shall have complied with the provisions of this title. Provided however, a person may do their own work on property belonging to them, without obtaining a license.

CHAPTER 2-2: National Electrical Code and Regulations

2-2-1: Definitions.

- (1) Wherever the word "municipality" is used in the National Electrical Code it shall be defined to mean the City of Castlewood, State of South Dakota.
- (2) Wherever the term "Corporation Counsel" is used in the National Electrical Code it shall be defined to mean the City Attorney for the City of Castlewood, State of South Dakota.

2-2-2: Adoption of National Electrical Code.

The "National Electrical Code" as adopted by the National Fire Protection Association (most recent edition) is hereby adopted by the City for the purpose of establishing regulations and rules for all installations of electrical equipment and all electrical equipment installed or used shall be in conformity with this chapter, and state statutes, and any orders, regulations or rules issued by authority set forth therein. A copy of the "National Electrical Code" has been filed in the office of the Finance Officer and is hereby adopted and incorporated herein as fully as if set out at length herein, and shall take effect from the date of this ordinance.

2-2-3: Amendments or Changes in National Electrical Code

Nothing in this chapter shall be construed to limit the authority of the Council to modify any provisions of the National Electrical Code. If any of the provisions of this chapter are in conflict with the National Electrical Code herein adopted, then the provisions of this chapter shall take precedence and the National Building Code shall be considered amended and modified.

2-2-4: Conflict

In the event of a conflict between any provision of the National Building Code and this Municipal code, then the latter shall prevail.

2-2-5: Right of Entry.

The Building Inspector shall have the authority to go upon any premises and enter any building or structure at any reasonable hour for inspection purposes and thereby complete their duties.

2-2-6: Persons Regulated

It shall be unlawful for any person to lay, construct, install or cause to be laid, constructed, installed, or done, any building unless said person shall have complied with the provisions of this title. Provided however, a person may do their own work on property belonging to them, without obtaining a license.

CHAPTER 2-3: NATIONAL PLUMBING CODE AND REGULATIONS

2-3-1: Definitions.

- (1) Wherever the word "municipality" is used in the National Plumbing Code it shall be defined to mean the City of Castlewood, State of South Dakota.
- (2) Wherever the term "Corporation Counsel" is used in the National Plumbing Code it shall be defined to mean the City Attorney for the City of Castlewood, State of South Dakota.

2-3-2: Adoption of National Plumbing Code.

The "National Plumbing Code" as adopted by the American Standards Association (most recent edition) is hereby adopted by the City for the purpose of establishing regulations and rules for the installation and safety of plumbing and related fixtures, and all plumbing installed or used shall be in conformity with this chapter, and state statutes, and any orders, regulations or rules issued by authority set forth therein. A copy of the "National Plumbing Code" has been filed in the office of the Finance Officer and is hereby adopted and incorporated herein as fully as if set out at length herein, and shall take effect from the date of this ordinance.

2-3-3: Amendments or Changes in National Electrical Code

Nothing in this chapter shall be construed to limit the authority of the Council to modify any provisions of the National Electrical Code. If any of the provisions of this chapter are in conflict with the National Electrical Code herein adopted, then the provisions of this chapter shall take precedence and the National Building Code shall be considered amended and modified.

2-3-4: Conflict

In the event of a conflict between any provision of the National Building Code and this Municipal code, then the latter shall prevail.

2-3-5: Right of Entry.

The Building Inspector shall have the authority to go upon any premises and enter any building or structure at any reasonable hour for inspection purposes and thereby complete their duties.

2-3-6: Persons Regulated

It shall be unlawful for any person to lay, construct, install or cause to be laid, constructed, installed, or done, any building unless said person shall have complied with the provisions of this title. Provided however, a person may do their own work on property belonging to them, without obtaining a license.

CHAPTER 2-4: FIRE LIMITS

2-4-1: Establishing Fire Limits.

A Fire Limit is hereby established in the City. The Fire Limit shall embrace the whole of the platted portion of this City.

2-4-2: Fire Limits.

It shall be unlawful for any person to erect, build, construct, or place upon or maintain any of the lots or block within the South One-half (S1/2) of Block Three (3), all of Blocks Four (4), Five (5) and the North One-half (N1/2) of Block Six (6) of the Original Plat to the Town, now City, any building or structure of which the walls are not composed entirely of brick, tile, stone or cement or mortar or some other non-combustible material and the roofs of which are not either of metal or some other non-combustible material and the City Council shall not grant any permit to build, erect or construct any building within said limits unless the same shall comply with the specifications above set forth; provided however, that necessary water closets of wood, one to each lot 25 feet in width may be erected within said limits, not less than 25 feet from any of the main buildings, but not to exceed 6 feet by 8 feet in size.

2-4-3: Hazardous Structures

Any building or part of a building hereafter built, erected, constructed or placed upon or maintained upon any of the premises or lots described in the prior section, contrary to the provisions herein, or any building, structure, or part of a building or structure heretofore constructed, built or erected upon any of the said premises and which shall be damaged by fire, flood, decay or other casualty to the extent of fifty (50%) percent or more of its value shall be deemed and the same is hereby declared to be a public nuisance and the same may be prevented, abated and removed by the City by an action instituted in the proper Court for that purpose, or the same may be summarily abated or removed by the City Council, directing the Chief of Police to abate and remove the same with the aid of such help as he can procure, at the expense of the City; provided that the City shall not abate or remove any such nuisance without first giving 24 hours notice in writing to the person in possession of or in chare of said structure, if any, provided further, that the City Council shall be the sole judge to determine the amount of damage done to any building or structure and giving grounds for the same.

2-4-4: Combustibles.

It shall be unlawful for any entity or person to keep anywhere within the platted alleys, streets or public places of the City more than 5 barrels of kerosene, coal oil or gasoline, except in above-ground tanks which meet established U.S. Environmental Production Agency standards without special permission of the City Council by an ordinance duly enacted, and it shall be unlawful for any entity or person to keep anywhere within the city more than one hundred pounds of dynamite, and it shall be kept in a safe place under lock and key and in a place where the same will not likely explode; and it shall be unlawful for any person to either allow the motor

of any motor vehicle to run while filling the gas tank of said motor vehicle, or to smoke within a distance of 25 feet of the gas tank of said motor vehicle while being filled with gas anywhere within the corporate limits of the City.

2-4-5: Industrial Restrictions.

No industry shall produce explosive products containing one pound or more of TNT normal type or the equivalent of one pound or more of TNT. Additionally, there shall be no nuclear or radioactive devices produced on any industrial premises except that testing shall not preclude use of X-ray or other radioactive factors. Furthermore, there shall be no biological or chemical warfare materials used or stored on any industrial premises.

There shall be no toxic waste disposal sites or other permanent waste disposal facilities except a properly regulated sanitary sewage disposal as approved by the South Dakota Environmental Protection Agency. All burn sites shall consist of steel containers located in a permanent concrete structure which shall be designed, and constructed and maintained in accordance with all South Dakota and United States requirements and said burning structure shall be established to not allow refuse ash to leak from the structure. No refuse ash or residue from the burn site shall be disposed of other than being transported to a sanitary landfill or to a toxic waste disposal facility, neither of which shall be located on the said premises. A permit shall be obtained from the Building Inspector for the City prior to the closing or disposal of the materials of any burn site.

CHAPTER 2-5: NUMBERING OF BUILDINGS

2-5-1: Requirement of Numbering.

The buildings of twenty-five (25) foot frontage on Main Street from First Avenue to Third Avenue and the buildings or houses on each fifty (50) foot frontage on the remaining streets and avenues of the City shall be numbered, and the owners of the property shall place upon such buildings or houses the proper numbers.

2-5-2: Numbering on Avenues.

The avenues running north starting from Main Street shall be numbered even on the east side starting with 102 and odd on the west side starting with 101. The avenues running south from Main Street shall be numbered even on the east side starting with 102 and odd on the west side starting with 101.

2-5-3: Numbering on Streets

The streets running east starting from First Avenue shall be numbered even on the north side starting with 102 and odd on the south side starting with 101. The streets running west starting from First Avenue shall be numbered even on the north side starting with 102 and odd on the south side starting with 101.

2-5-4: Finance Officer Duties - Numbering of Buildings.

The Finance Officer, under the supervision of the City Council shall designate upon each application the proper number for each building or house. In the event that the owner of the property shall fail, neglect to, or refuse to place said numbers on said building or house as herein provided, the City may cause the same to be supplied and placed at the expense of the owner thereof and include the same as a special assessment on said property upon the return of said City Finance Officer showing that such numbering has been so done by the City.

2-5-5: Placement of Numbers on Buildings.

The numbers to be placed upon the building or structure shall be legible and of such sufficient size as to be easily read from the street in front of the building or structure. The numbers may be put above, to the right, or to the left of the front entrance of the building or structure, whichever area is the most feasible.

2-5-6: Compliance Dates

On existing buildings or houses all numbers shall be put on by July 1, 2010. On new construction, numbering must be completed within six (6) month after the building permit is issued.