

CITY OF HARRISBURG
TITLE 9.03, NON-RESIDENTIAL BUILDING CODE REGULATIONS

Chapter 9.03 Non-Residential Building Code

9.03.01. Adopted.

The City Council hereby adopts the International Building Code, 2018 Edition, including Appendices C and I, as published by the International Code Council, Inc. as the building code of the City for regulating the erection, construction, enlargement, alteration, movement, repair, conversion, equipment, use, occupancy, location, removal, demolition, height, area, and maintenance of all buildings and structures, one- and two-family dwellings and town houses not more than three stories in height with a separate means of egress and their accessory structures, and provides for the issuance of permits and the collection of fees therefore. The minimum building standards in the 2018 edition of the International Building Code and amendments thereto shall be applied to any building permit issued after June 30, 2018. A copy of this Code shall be kept on file in the office of the Building Official.

9.03.02. Local amendments, additions, and deletions to the 2018 International Building Code.

The following sections and subsections of the building code adopted in this Ordinance shall be amended, added, or deleted as follows. All other sections or subsections of the 2018 International Building Code shall remain as originally published.

101.1 Title. These regulations shall be known as the Building Code of the City of Harrisburg, and shall be referred to herein as “this code”.

101.2 Scope. The provisions of this code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exceptions:

1. Detached one- and two-family dwellings and multiple single-family dwellings (town houses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the International Residential Code.
2. Existing buildings undergoing repair, alterations, or additions and change of occupancy shall be permitted to comply with the International Existing Building Code.

101.4.3 Plumbing. The provisions of the current plumbing code adopted by the South Dakota State Plumbing Commission, with revisions, shall apply to the installation, alteration, repair, and replacement of plumbing systems, including equipment, appliances, fixtures, fittings, and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

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101.4.6 Energy. Not adopted by the City.

101.4.8 Electrical. The provisions of the current electrical code adopted by the State of South Dakota shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances thereto.

103.1 Creation of enforcement agency. Building services is hereby created and the official in charge thereof shall be known as the Building Official.

103.2 Appointment. Not adopted by the City.

104.8 Liability. The Building Official, member of the board of appeals, or employee charged with the enforcement of this code, while acting for the City in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be afforded all the protection provided by the City's insurance pool and any immunities and defenses provided by other applicable state and federal law and defended by legal representative of the City until the final termination of the proceedings. The Building Official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

This code shall not be construed to relieve or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the City, or its officers and employees, be held as assuming any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any gas or mechanical system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit. The Building Official may exempt permits for minor work.

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. Oil derricks.

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2. Retaining walls that are not over 4 feet in height measured from the bottom grade elevation to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
3. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons and the ratio of height to diameter or width is not greater than 2:1.
4. Sidewalks and driveways not more than 30 inches above adjacent grade, and not over any basement or story below and not part of an accessible route.
5. Painting, papering, tiling, carpeting, cabinets, countertops, and similar finish work.
6. Temporary motion picture, television, and theater stage sets and scenery.
7. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 18 inches deep.
8. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
9. Swings and other playground equipment accessory to detached one- and two-family dwellings.
10. Window awnings in Group R-3 and U occupancies supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.
11. Nonfixed and movable fixtures, cases, racks, counters, and partitions not over 5 feet 9 inches in height.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds or less of refrigerant and actuated by motors of 1 horsepower or less.

107.1 General. Submittal documents, consisting of two complete sets of hard copy plans and an electronic submittal in PDF format along with other construction documents, such as a statement of special inspections, geotechnical report, and other data, shall be submitted with each permit application. The construction documents shall be prepared by a registered design professional where required by the State of South Dakota. Where special conditions exist, the Building Official is authorized to

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require additional construction documents to be prepared by a registered design professional.

Exception: The Building Official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

107.3.1 Approval of construction documents. When a Building Official issues a permit, the construction documents shall be reviewed and marked, in writing or by stamp, as "Reviewed for Code Compliance." One set of construction documents so reviewed shall be retained by the Building Official. The other set shall be returned to the applicant, shall be kept at the site of work, and shall be open to inspection by the Building Official or a duly authorized representative.

107.3.2 Previous reviews. This code shall not require changes in the construction documents, construction, or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within one hundred and eighty days after the effective date of this code and has not been abandoned.

107.3.3 Phased review. The Building Official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

108.1 General. The Building Official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 365 days.

108.3 Temporary power. The Building Official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat, or power in the current electrical code adopted by the State of South Dakota.

109.1 Payment of fees. A permit shall not be valid until all permit fees have been paid nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

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109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems, or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the fee schedule adopted by resolution by the City Council.

109.7 Plan review fees. When submittal documents for plan review are required, a plan review fee shall be paid with the building permit application. Said plan review fee shall be twenty-five percent of the building permit fee. Said plan review fees are separate fees from the permit fees specified in Section 109.1 and are in addition to the permit fees.

109.8 Delinquent accounts. The City may refuse to issue permits or conduct inspections for any person or business who is financially delinquent to the City.

110.3.1 Footing and foundation inspection. Footing inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. If an inspection is required for concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

111.2 Certificate issued. After the Building Official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety, the Building Official shall issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner or the owner's authorized agent.
4. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
5. The name of the Building Official.
6. The edition of the code under which the permit was issued.
7. The use and occupancy in accordance with the provisions of Chapter 3.
8. The type of construction as defined in Chapter 6.
9. The design occupant load in assembly occupancies only.
10. If an automatic sprinkler system is provided, whether the sprinkler system is required.
11. Any special stipulations and conditions of the building permit.

113.1 Designation of Board of Appeals. In order to hear and decide appeals of orders, decisions, or determinations made by the Building Official relative to the application and interpretation of this code, the City Council hereby assumes the responsibilities of the Board of Appeals for this code. All decisions and findings of the

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Board shall be final and shall be rendered in writing to the appellant with a duplicate copy to the Building Official.

113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. If the appeal is based on a claim that an equally good or better form of construction was improperly denied, the appellant must submit the alternate material, design, or method of construction they are proposing. The appellant also has the burden to demonstrate to the Board that the alternative method or material that they are proposing is an equally good or better form of construction. The Board shall have no authority to waive the requirements of the International Building Code as adopted by the City.

113.3 Qualifications. Not adopted by the City.

113.3 Submission of appeals. All appeals must be submitted in writing to the Building Official within ten days of the order, decision, or determination of the Building Official that is being appealed. Once the appeal is received by the Building Official, he shall place the appeal on the City Council's next regular meeting agenda that is more than seven days (inclusive) from the date of receipt of the appeal.

113.3.1 Appeal hearings. All hearings before the Board shall be open to the public. The appellant, the appellant's representative, the Building Official, any member of the City's staff, or any person whose interests are affected shall be given an opportunity to be heard.

SECTION 202 DEFINITIONS All definitions will remain the same except for those specifically changed as follows:

APPROVED AGENCY. An established and recognized agency or design professional regularly engaged in conducting tests or furnishing inspection services, when such agency has been approved.

CERTIFICATE OF COMPLIANCE. A certificate stating that materials and products meet specified standards or that work was done in compliance with reviewed construction documents.

FIRE AREA. The aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls, or horizontal assemblies of a building.

SPECIAL INSPECTION. Inspection as herein required of the materials, installation, fabrication, erection, or placement of components and connections requiring special expertise to ensure compliance with reviewed construction documents and referenced standards (see Section 1704).

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STRUCTURAL OBSERVATION. The visual observation of the structural system by a registered design professional for general conformance to the reviewed construction documents at significant construction stages and at completion of the structural system. Structural observation does not include or waive the responsibility for the inspection required by Section 110, 1704, or other sections of this code.

SWIMMING POOL. Any structure intended for swimming, recreational bathing, or wading that contains water over 18 inches deep. This includes in-ground, aboveground, and on-ground pools; hot tubs; spas; and fixed-in place wading pools.

TOWNHOUSE. A single-family dwelling unit constructed in a group of two or more attached units, with each unit located on a separate lot, in which each unit extends from foundation to roof and with open space on at least two sides. Also known as single-family attached dwellings or zero lot line homes.

305.2.3 Twelve or fewer children in a dwelling unit. A facility such as the above within a dwelling unit and having twelve or fewer children receiving such day care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code.

308.5.4 Twelve or fewer persons receiving care in a dwelling unit. A facility such as the above within a dwelling unit and having twelve or fewer persons receiving custodial care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code.

502.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address identification characters shall be Arabic numbers or alphabetical letters which shall be a minimum of 4 inches high with a minimum stroke width of 1/2 inch. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure and be located at the edge of said public way. Multi-building campus/complex developments addressed on private or public streets shall be provided with signage at the entrance to the campus/complex indicative of the address ranges within. Address identification shall be maintained.

507.1.2 Property lines. Portions of an unlimited area building may be divided by platted property lines without requiring the construction of party walls if the whole building has:

1. Permanent open space on all sides as required by Sections 507.2, 507.3, 507.4, or 507.5; and
2. Proper legal agreements are submitted and approved by the Building Official and are recorded with the deed for each of the separate properties. These

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recorded agreements shall require that the buildings, as divided by property lines, be in conformance with the applicable provisions of the building and fire codes, as if the buildings were a single building on a single piece of property. In addition, the agreement must state that no individual building or property owner may modify any portion of the building in any way that would not be in compliance with the building and fire codes.

714.4.1.2 Through-penetration fire-stop system. Through penetrations of the fire-resistive membrane shall be protected by an approved through-penetration fire-stop system installed and tested in accordance with ASTM E 814 or UL 1479, with a minimum positive pressure differential of 0.01 inch of water. The system shall have an F rating/T rating of not less than 1 hour, but not less than the required rating of the floor penetrated.

Exceptions:

1. Floor penetrations contained and located within the cavity of a wall above the floor or below the floor do not require a T rating.
2. Floor penetrations by floor drains, tub drains or shower drains contained and located within the concealed space of a horizontal assembly do not require a T rating.

716.2.6.1 Door closing. Fire doors shall be self- or automatic-closing in accordance with this section. Self-closing chute intake doors shall not fail in a "door open" position in the event of a closer failure.

Exceptions:

1. Fire doors located in common walls separating sleeping units in Group R-1 shall be permitted without automatic or self-closing devices.
2. The elevator car doors and the associated hoistway enclosure doors at the floor level designated for recall in accordance with Section 3003.2 shall be permitted to remain open during Phase I emergency recall operation.
3. Interior doors located in exit enclosures, smokeproof enclosures, and exit passageways in Group R and I-1 occupancies shall be automatic closing fire door assemblies in accordance with NFPA 80 and controlled in accordance with NFPA 72.

903.2.6 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I fire area.

Exceptions:

1. An automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be permitted in Group I-1 facilities.
2. An automatic sprinkler system is not required where day care facilities are at the level of exit discharge and where every room where care is provided has at least one exterior exit door.

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3. In buildings where Group I-4 day care is provided on levels other than the level of exit discharge, an automatic sprinkler system in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided and all floors between the level of care and the level of exit discharge, all floors below the level of exit discharge, other than areas classified as an open parking garage.

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with Groups R-1 and R-4 fire areas. An automatic fire-extinguishing system shall be provided throughout all buildings with a Group R-2 fire area more than two stories in height, including basements, or having more than 4 dwelling units.

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

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents when approved by the Building 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 and machinery 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.

907.2.1.1 System initiation in Group A occupancies with an occupant load of 1,000 or more. Activation of the fire alarm in Group A occupancies with an occupant load of 1,000 or more shall initiate a signal using an emergency voice/alarm communications system in accordance with Section 907.5.2.2.

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Exceptions:

1. Group A-3 occupancies used for religious worship.
2. Where approved, the prerecorded announcement is allowed to be manually deactivated for a period of time, not to exceed 3 minutes, for the sole purpose of allowing a live voice announcement from an approved, constantly attended location.

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

1. 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 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 waterflow.

907.2.6.2 Group I-2. An automatic smoke detection system shall be installed in corridors in nursing homes, long-term care facilities, detoxification facilities, and spaces permitted to be open to the corridors by Section 407.2. The system shall be activated in accordance with Section 907.5. Hospitals shall be equipped with smoke detection as required in Section 407.

Exception: Corridor smoke detection is not required in smoke compartments that contain sleeping units where such units are provided with smoke detectors that comply with UL 268. Such detectors shall provide a visual display on the corridor side of each sleeping unit and shall provide an audible and visual alarm at the care provider station attending each unit. Smoke detectors installed as part of an intelligent or addressable fire alarm system capable of annunciation of room origin at a constantly attended location shall be acceptable.

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 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.

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907.2.8.4 Heat detectors. Heat detectors shall be installed in each attic subdivision or similar areas not otherwise covered by an automatic fire-extinguishing system.

Exceptions:

1. Heat detection is not required in areas protected by an automatic fire-extinguishing system installed in accordance with Section 903.3.1.1 or in addition to the requirements of Section 903.3.1.2.
2. Heat detectors are not required where the fire partitions extend into and through the interstitial attic space.

907.2.9 Group R-2. Fire alarm systems and smoke alarms shall be installed in Group R-2 occupancies as required in Sections 907.2.9.1 through 907.2.9.5.

907.2.9.1 Manual fire alarm system. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-2 occupancies where:

1. Any dwelling unit or sleeping unit is located three or more stories above the lowest level of exit discharge.
2. Any dwelling unit or sleeping unit is located more than one story below the highest level of exit discharge of exits serving the dwelling unit or sleeping unit; or
3. The building contains more than 16 dwelling units or sleeping units; or
4. The building contains four or more dwelling units or sleeping units above the level of exit discharge.

Exceptions:

1. A fire alarm system is not required in buildings not more than two stories in height where all dwelling units or sleeping units and contiguous attic and crawl spaces are separated from each other and public or common areas by at least 1-hour fire partitions and each dwelling unit or sleeping unit has an exit directly to a public way, egress court, or yard.
2. 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 or 903.3.1.2 and the occupant notification appliances will automatically activate throughout the notification zones upon a sprinkler waterflow.
3. A fire alarm system is not required in buildings that do not have interior corridors serving dwelling units and are protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, provided that dwelling units either have a means of egress door opening directly to an exterior exit access that leads directly to the exits or are served by open-ended corridors designed in accordance with Section 1026.6, Exception 4.

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907.2.9.4 Smoke detectors. System smoke detection shall be provided in each stairway and all exit corridors.

907.2.9.5 Heat detectors. Heat detectors shall be installed in each attic subdivision, any attached garages and similar areas not otherwise covered by an automatic fire-extinguishing system.

Exceptions:

1. Heat detection is not required in areas protected by an automatic fire-extinguishing system installed in accordance with Section 903.3.1.1 or in addition to the requirements of Section 903.3.1.2.
2. Heat detectors are not required where the fire partitions extend into and through the interstitial attic space.

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. 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 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.

912.2.1 Visible location. Fire department connections shall be located on the street side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise approved by the Building Official. 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.

1005.3.1 Stairways. The capacity, in inches, of means of egress stairways shall be calculated by multiplying the occupant load served by such stairway by a means of egress capacity factor of 0.3 inch per occupant. Where stairways serve more than one story, only the occupant load of each story considered individually shall be used in calculating the required capacity of the stairways serving that story.

1005.3.2 Other egress components. The capacity, in inches, of means of egress components other than stairways shall be calculated by multiplying the occupant

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load served by such component by a means of egress capacity factor of 0.2 inch per occupant.

1010.1.7 Thresholds. Thresholds at doorways shall not exceed 3/4 inch in height above the finished floor or landing for sliding doors serving dwelling units or 1/2 inch above the finished floor or landing for other doors. Raised thresholds and floor level changes greater than 1/4 inch at doorways shall be beveled with a slope not greater than one unit vertical in two units horizontal (50 percent slope).

Exception: In occupancy Group R-2 or R-3, threshold height for sliding and side-hinged exterior doors shall be permitted to be up to 8 inches in height if all of the following apply:

1. The door is not part of the required means of egress.
2. The door is not part of an accessible route as required by Chapter 11.
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 exists:

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 exterior 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 BUILDING IS OCCUPIED. The sign shall be in letters 1 inch 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 has no 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.

1011.5.2 Riser height and tread depth. Stair riser heights shall be 7 inches maximum and 4 inches minimum. The riser height shall be measured vertically between the nosings of adjacent treads. Rectangular tread depths shall be 11 inches 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

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treads shall have a minimum tread depth of 11 inches between the vertical planes of the foremost projection of adjacent treads at the intersections with the walk line and a minimum tread depth of 10 inches within the clear width of the stair.

Exceptions:

1. Alternating tread devices in accordance with Section 1009.13.
2. Ship ladders in accordance with Section 1009.14.
3. Spiral stairways in accordance with Section 1009.12.
4. Aisle stairs in assembly seating areas where the stair pitch or slope is set, for sightline reasons, by the slope of the adjacent seating area in accordance with Section 1028.11.2.
5. 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; the minimum tread depth shall be 10 inches; the minimum winder tread depth at the walk line shall be 10 inches; and the minimum winder tread depth shall be 6 inches. A nosing projection not less than 3/4 inch but not more than 1 1/4 inches, shall be provided on stairways with solid risers where the tread depth is less than 11 inches.
6. See Section 3404.1 or the International Existing Building Code for the replacement of existing stairways.
7. In Group I-3 facilities, stairways providing access to guard towers, observation stations, and control rooms not more than 250 square feet in area shall be permitted to have a maximum riser height of 8 inches and a minimum tread depth of 9 inches.

1011.5.5.3 Solid risers. Not adopted by the city.

1011.14 Alternating tread devices. Alternating tread devices are limited to an element of a means of egress in buildings of Groups F, H, and S from a mezzanine not more than 250 square feet in area and which serve not more than five occupants; in buildings of Group I-3 from a guard tower, observation station or control room not more than 250 square feet in area for access to unoccupied roofs, penthouses, equipment platforms, and mechanical rooms.

1011.15 Ship ladders. Ship ladders are permitted to be used as a component of a means of egress to and from control rooms or elevated facility observation stations not more than 250 square feet with not more than three occupants for access to unoccupied roofs and penthouses, mechanical rooms, and equipment platforms. Ship ladders shall have a minimum tread depth of 5 inches. The tread shall be projected such that the total of the tread depth plus the nosing projection is no less than 8 1/2 inches. The maximum riser height shall be 9 1/2 inches. The minimum clear width at and below the handrails shall be 20 inches.

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Exception. Equipment and appliances on roofs and elevated structures are allowed to be accessed by ladders in accordance with the mechanical code.

1015.4 Opening limitations. Required guards shall not have openings which allow passage of a sphere 5 inches in diameter from the walking surface to the required guard height.

Exceptions:

1. The triangular openings at the open sides of a stair formed by the riser, tread, and bottom rail shall not allow passage of a sphere 6 inches in diameter.
2. At elevated walking surfaces for access to and use of electrical, mechanical, or plumbing systems or equipment, guards shall not have openings which allow passage of a sphere 21 inches in diameter.
3. In areas that are not open to the public within occupancies in Group B, I-3, F, H, M, or S, and for alternating tread devices and ship ladders, guards shall not have openings which allow passage of a sphere 21 inches in diameter.
4. In assembly seating areas, guards at the end of aisles where they terminate at a fascia of boxes, balconies and galleries shall not have openings which allow passage of a sphere 5 inches in diameter up to a height of 26 inches. From a height of 26 inches to 42 inches above the adjacent walking surfaces, guards shall not have openings which allow passage of a sphere 8 inches in diameter.
5. Within individual dwelling units and sleeping units in Group R-2 and R-3 occupancies, guards on the open sides of stairs shall not have openings which allow passage of a sphere 5 inches in diameter.

1020.4 Dead ends. Where more than one exit or exit access doorway is required, the exit access shall be arranged such that there are no dead ends in corridors more than 20 feet in length.

Exceptions:

1. In occupancies in Group I-3 of Occupancy Condition 2, 3 or 4 (see Section 308.5), the dead end in a corridor shall not exceed 50 feet.
2. In occupancies in Groups B, E, F, M, R-1, R-2, S and U, where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, the length of the dead-end corridors shall not exceed 50 feet.
3. A dead-end corridor shall not be limited in length where the length of the dead-end corridor is less than 2.5 times the least width of the dead-end corridor.

1023.8 Discharge identification. An interior exit stairway and ramp shall not continue below its level of exit discharge unless an approved barrier or a directional exit sign is provided at the level of exit discharge to prevent persons from unintentionally continuing into levels below. Directional exit signs shall be provided as specified in Section 1013.

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1030.2 Minimum size. Emergency escape and rescue openings shall have a minimum net clear opening of 5.0 square feet.

1030.3 Maximum height from floor. Emergency escape and rescue openings shall have the bottom of the clear opening not greater than 48 inches measured from the floor.

1030.4.2 Ladders or steps. Window wells with a vertical depth of more than 48 inches shall be equipped with an approved permanently affixed ladder or steps. Ladders or rungs shall have an inside width of at least 12 inches, shall project at least 3 inches from the wall and shall be spaced not more than 18 inches on center vertically for the full height of the window well. The ladder or steps shall not encroach into the required dimensions of the window well by more than 6 inches. The ladder or steps shall not be obstructed by the emergency escape and rescue opening. Ladders or steps required by this section are exempt from the stairway requirements of Section 1011.

1102.1 Design. Buildings and facilities shall be designed and constructed to be accessible in accordance with this code and ICC A117.1. The scoping provision of ANSI shall be per section 1103.

1104.4 Multilevel buildings and facilities. At least one accessible route shall connect each accessible level, including mezzanines, in multilevel buildings and facilities.

Exceptions:

1. An accessible route from an accessible level is not required in facilities that are less than three stories in height or have less than 3,000 square feet per story. This exception shall not apply to:
 - 1.1 Multiple tenant facilities of Group M occupancies containing five or more tenant spaces;
 - 1.2 Levels containing offices of health care providers (Group B or I); or
 - 1.3 Passenger transportation facilities and airports (Group A-3 or B).
2. Levels that do not contain accessible elements or other spaces as determined by Section 1107 or 1108 are not required to be serviced by an accessible route from an accessible level.
3. In air traffic control towers, an accessible route is not required to serve the cab and the floor immediately below the cab.
4. Where a two-story building or facility has one story with an occupant load of five or fewer persons that does not contain public use space, that story shall not be required to be connected by an accessible route to the story above or below.
5. Vertical access to elevated employee work stations within a courtroom is not required at the time of initial construction, provided a ramp, lift, or elevator complying with ICC A117.1 can be installed without requiring reconfiguration or extension of the courtroom or extension of the electrical system.

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1106.8 Signage. Accessible parking spaces and access aisles are required to be identified by signs. Signs shall be located at the head of accessible parking stalls and access aisles. The bottom of the lowest signs shall be located at least 60 inches above the pavement.

As referenced below, standard and van accessible parking space signs shall state, "RESERVED PARKING" and include the International Symbol of Accessibility; supplemental signage must additionally state, "STATE PERMIT OR LICENSE REQUIRED. \$100 MINIMUM FINE AND CLASS 2 MISDEMEANOR FOR VIOLATORS." A van accessible parking space must have additional signage stating, "VAN ACCESSIBLE." A van accessible access aisle must be provided with signage including the International Symbol of Accessibility which states, "WHEELCHAIR ACCESS AISLE. ABSOLUTELY NO PARKING."

1106.9 Access aisles and markings. Each access that is part of an accessible route shall extend the full length of the parking space it serves. The aisle must have diagonally striped markings spaced every 4 feet. Boundaries of the access aisle must be marked. The end may be a squared or curved shape. Two parking spaces may share an access aisle.

Access aisles shall be placed on a level surface with a slope not to exceed 1:48.

Where an access aisle is located immediately adjacent to a sidewalk that provides the closest accessible route, the sidewalk must be provided with a curb ramp access to serve the access aisle.

1107.6.2.2.1 Type A units. In Group R-2 occupancies containing more than 20 dwelling units or sleeping units, at least 2 percent but not less than one of the units shall be a Type A unit. All Group R-2 units on a site shall be considered to determine the total number of units and the required number of Type A units. Type A units shall be dispersed among the various classes of units.

Exceptions:

1. The number of Type A units is permitted to be reduced in accordance with Section 1107.7.
2. Existing structures on a site shall not contribute to the total number of units on a site.
3. The following provisions of the 2009 ICC/ANSI A117.1-2009 referenced in Section 1003 Type A dwelling are applicable.
 - 3.1 A work surface in the kitchen referenced in Section 1003.12.3 Clear Floor Space of ICC/ANSI A117.1-2009 is not required.
 - 3.2 The reduced work height of the kitchen sink at 34 inches referenced in Section 1003.12.4.2 ICC/ANSI A117.1-2009 is not required.

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3.3 Appliances referenced in Section 1003.12.5 Appliances ICC/ANSI A117.1-2009 and Laundry Equipment requires only the clear floor space referenced in Section 305 Clear Floor Space of ICC/ANSI A117.1-2009.

1202.1 General. Buildings shall be provided with natural ventilation in accordance with Section 1202.5 or mechanical ventilation in accordance with the International Mechanical Code.

Where the air infiltration rate in a dwelling unit is less than 5 air changes per hour when tested with a blower door at a pressure 0.2 inch w.c. in accordance with Section 402.4.1.2 of the International Energy Conservation Code, the dwelling unit shall be considered to be ventilated by mechanical means in accordance with Section 403 of the International Mechanical Code. Ambulatory care facilities and Group I-2 occupancies shall be ventilated by mechanical means in accordance with Section 407 of the International Mechanical Code.

1205.3.3 Court drainage. The bottom of every court shall be properly graded and drained to a public sewer or other approved disposal system complying with the State plumbing code.

1502.1 General. Design and installation of roof drainage systems shall comply with Section 1502 of this code and shall be sized and discharge in accordance with the plumbing code. Unless roofs are sloped to drain over roof edges, roof drains or scuppers shall be installed at each low point of the roof.

Roofs shall be sloped a minimum of 1 unit vertical in 48 units horizontal (2 percent slope) for drainage unless designed for water accumulation in accordance with Section 1611.2 Ponding Instability.

Roof drainage water from a building shall not be allowed to flow over public property.

1502.2 Secondary (emergency overflow) drains or scuppers. Where roof drains are required, secondary (emergency overflow) roof drains or scuppers shall be provided where the roof perimeter construction extends above the roof in such a manner that water will be entrapped if the primary drains allow buildup for any reason. The installation and sizing of secondary emergency overflow drains, leaders, and conductors shall comply with the Plumbing Code.

1507.1.2 Ice barrier. In areas where there has been a history of ice forming along the eaves causing a backup of water, an ice barrier that consists of at least two layers of underlayment cemented together or of a self-adhering, polymer-modified, bitumen sheet shall be used in lieu of normal underlayment and extend from the lowest edges of all roof surfaces to a point at least twenty-four inches inside the exterior wall line of the building.

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Exception: Detached accessory structures that contain no conditioned floor area.

If the ice dam is not inspected, the contractor shall provide an affidavit that the ice dam was installed properly.

1601.1 Scope. The provisions of this chapter shall govern the structural design of buildings, structures, and portions thereof regulated by this code.

It shall not be the responsibility of the Building Official to determine engineering requirements of this code. Exclusive of conventional light-frame wood construction provisions referenced in Section 2308, the method to resist loads as referenced in this chapter is the responsibility of a structural engineer or other qualified design professional.

1603.1 General. Construction documents shall show the size, section, and relative locations of structural members with floor levels, column centers, and offsets dimensioned. The design loads and other information pertinent to the structural design required by Sections 1603.1.1 through 1603.1.8 shall be indicated on the construction documents.

Exception: Construction documents for buildings constructed in accordance with the conventional light-frame construction provisions of Section 2308 shall indicate the following structural design information:

1. Floor and roof live loads.
2. Ground snow load, P_g .
3. Ultimate design wind speed, V_{ult} , (3-second gust), miles per hour (mph) and nominal design wind speed, V_{asd} , as determined in accordance with "Section 1609.3.1 and wind exposure.
4. Seismic design category and site class.
5. Flood design data, if located in flood hazard areas established in Section 1612.3.
6. Design load-bearing values of soils.

Engineer design data shall be provided for roof areas where drifting occurs. The design data shall be shown on the plans.

1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the City Council has adopted a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for Lincoln County, South Dakota," effective April 2, 2008, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section. If there is a conflict

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between the provisions of this code and the city's floodplain management ordinance, the provisions of the floodplain management ordinance shall prevail.

1703.1 Approved agency. An approved agency or the design professional of record shall provide all information as necessary for the Building Official to determine that the agency meets the applicable requirements.

1704.2 Special inspections. Where application is made for construction as described in this section, the owner or the registered design professional in responsible charge acting as the owner's agent shall employ one or more approved agencies to perform inspections during construction on the types of work listed under Section 1705. These inspections are in addition to the inspections identified in Section 110.

Exceptions:

1. Special inspections are not required for construction of a minor nature or as warranted by conditions in the jurisdiction as approved by the Building Official.
2. Unless otherwise required by the Building Official, special inspections are not required for Group U occupancies that are accessory to a residential occupancy including, but not limited to, those listed in Section 312.1.
3. Special inspections are not required for portions of structures designed and constructed in accordance with the cold-formed steel light-frame construction provisions of Section 2211.7 or the conventional light-frame construction provisions of Section 2308.
4. The frequency and amount of special inspections shall be as determined by the design professional of record. The continuous and periodic inspections referenced in Tables 1705.2.2, 1705.3, 1705.6, 1705.7 and 1705.8 are considered as guidelines.

1705.3 Concrete construction. The special inspections and verifications for concrete construction shall be as required by this section and Table 1705.3.

Exception: Special inspections shall not be required for:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth and rock.
2. Continuous concrete footings and foundation walls supporting walls of buildings three stories or less above grade plane that are fully supported on earth or rock where:
 - 2.1. The footings and foundations support walls of light-frame construction.
 - 2.2. The footings are designed in accordance with Table 1809.7.
 - 2.3. The structural design of the footing and foundations is based on a specified compressive strength, f'_c , no greater than 3000 pounds per square inch, regardless of the compressive strength specified in the construction documents or used in the footing construction.
3. Nonstructural concrete slabs supported directly on the ground, including prestressed slabs on grade, where the effective prestress in the concrete is less than 150 psi.

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4. Concrete foundation walls constructed in accordance with Table 1807.1.6.2.
5. Concrete patios, driveways, and sidewalks on grade.

**SECTION 1710
PREFABRICATION**

1710.1 General.

1710.1.1 Purpose. The purpose of this section is to regulate materials and establish methods of safe construction where any structure or portion thereof is wholly or partially prefabricated.

1710.1.2 Scope. Unless otherwise specifically stated in this section, all prefabricated construction and materials used therein shall conform to all the requirements of this code.

1710.1.3 Definitions.

PREFABRICATED ASSEMBLY. A structural unit, the integral parts of which have been built or assembled prior to incorporation in the building.

PREFABRICATED STRUCTURES. Structures, the parts of which are fabricated and assembled in a central assembly point where on-site building, electrical, plumbing, and mechanical rough-in inspections occur at the assembly location.

1710.2 Tests of materials. Every approval of a material not specifically mentioned in this code shall incorporate as a proviso the kind and number of nationally recognized testes to be made during prefabrication.

1710.3 Tests of assemblies. The Building Official may require special tests to be made on assemblies to determine their durability and weather resistance.

1710.4 Connections. Every device used to connect prefabricated assemblies shall be designed as required by this code and shall be capable of developing the strength of the members connected, except in the case of members forming part of a structural frame as specified in Chapter 16. Connections shall be capable of withstanding uplift forces as specified in this code and in Chapter 16.

1710.5 Pipes and conduits. In structural design, due allowances shall be made for any material to be removed for the installations of pipes, conduit, and other equipment.

1710.6 Permits, materials, plans, fees, certificate, and inspections.

1710.6.1 Materials. Materials and the assembly thereof shall be inspected to determine compliance with this code. Every material shall be graded, marked, or labeled as required elsewhere in this code.

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1710.6.2 Plans. One complete set of plans and specifications shall be submitted to the Building Official for approval prior to issuing a building permit for a prefabricated structure. Plans shall be of sufficient detail and clarity to indicate compliance with all applicable codes (electrical, plumbing, building, mechanical, and zoning).

1710.6.3 Permits and fees. The fee for a building permit shall conform to the permit fee schedule adopted by resolution by the City Council.

1710.6.4 Certificate. A certificate of approval shall be furnished with every prefabricated assembly and prefabricated structure, except where the assembly is readily accessible to inspection at the site. The certificate of approval shall certify that the assembly in question has been inspected and meets all the requirements of this code. When mechanical equipment is installed so that it cannot be inspected at the site, the certificate of approval shall certify that such equipment complies with the laws applying thereto.

1710.6.5 Certifying agency. To be acceptable under this code, every certificate of approval shall be made by the approved agency.

1710.6.6 Field erection. The Building Official shall inspect placement of prefabricated assemblies at the building site to determine compliance with this code. Installation and finishing work at the building site must be performed by locally licensed contractors where required. Final inspections are to be made after the installation and finishing work have been completed and the building is ready for occupancy.

1710.6.7 Continuous inspection. If continuous inspection is required for certain materials where construction takes place on the site, it shall also be required where the same materials are used in prefabricated construction.

Exception: Continuous inspection will not be required during prefabrication if the approved agency certifies to the construction and furnishes evidence of compliance.

1710.6.8 Moving permits. A moving permit, if necessary, shall be obtained for each prefabricated structure being moved within the City.

1804.8 Grading permits required. No person shall excavate or grade without first obtaining a permit. If a building permit is not obtained, a separate grading permit must be obtained for each site and may cover both excavations and fills.

Exceptions:

1. A separate Grading Permit is not required where a site plan for a new building, structure, or addition is submitted for plan review where an excavation below

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finished grade for basements, footings, and foundations of a building, retaining wall, or other structure is authorized by a valid Building Permit.

2. Cemetery graves.
3. Excavations for wells, tunnels, or utilities.
4. Exploratory excavations under the direction of soils engineers or engineering geologists.
5. Land disturbance for gardening purposes or for agricultural purposes within the agricultural zoning district.
6. Mining, quarrying, excavating, processing, or stockpiling of rock, sand, gravel, aggregate, or clay where established and provided for by law, provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property.
7. Excavation, removal, or stockpiling of rock, sand, dirt, clay, or other like material as may be required by the state, county, or city authorities in connection with the construction or maintenance of roads and highways. This shall not exempt work for street construction when such work is performed by private developers. When the private developer has obtained a permit to perform site grading, a second permit will not be required for street grading.
8. Land disturbance (grading, excavation, or fill) of an area of less than twenty thousand square feet within a twelve-month period which does not modify or obstruct the existing drainage pattern or is outside of a FEMA-designated Flood Hazard Area.

Exemptions from the permit requirements of this chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this chapter or any other laws or ordinances of the City.

1804.8.1 Grading Permit requirements. Grading shall be performed in accordance with an approved grading plan. Submitted plans shall indicate existing elevation contours, proposed elevation contours, the volume of material to be excavated or filled, and methods of erosion control. The work authorized by a Grading Permit must begin within six months of permit issuance and be completed within twelve months of permit issuance unless otherwise first authorized by the Planning & Zoning Official.

1806.2 Presumptive load-bearing values. The load-bearing values used in design for supporting soils near the surface shall not exceed the values specified in Table 1806.2 unless data to substantiate the use of higher values are submitted and approved. Where the Building Official has reason to doubt the classification, strength, or compressibility of the soil, the requirements of Section 1803.5.2 shall be satisfied.

Presumptive load-bearing values shall apply to materials with similar physical characteristics and dispositions. Where a presumed soil-bearing capacity is in excess of 3,000 psf, data to substantiate the use of the presumed higher value must be submitted from a soils engineer for approval from the Building Official. Mud, organic silt, organic clays, peat, or unprepared fill shall not be assumed to have a presumptive

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load-bearing capacity unless data to substantiate the use of such a value are submitted.

Exception: A presumptive load-bearing capacity shall be permitted to be used where the Building Official deems the load-bearing capacity of mud, organic silt, or unprepared fill is adequate for the support of lightweight or temporary structures.

1809.5 Frost protection. Except where otherwise protected from frost, foundation walls, piers, and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. Extending below the frost line of the locality;
2. Constructing in accordance with ASCE 32; or
3. Erecting on solid rock.

Exception: Freestanding buildings meeting all of the following conditions shall not be required to be protected:

1. Assigned to Risk Category I, in accordance with Section 1604.5.
2. Area of 1,000 square feet (138 m²) or less, with a maximum truss span of twenty-four feet (24'), for light-frame construction or 400 square feet (37 m²) or less for other than light-frame construction.
3. Eave height of 10 feet (3048 mm) or less.

Shallow foundations shall not bear on frozen soil unless such frozen condition is of a permanent character.

2701.1 Scope. This chapter governs the electrical components, equipment, and systems used in buildings and structures covered by this code. Electrical components, equipment, and systems shall be designed and constructed in accordance with the provisions of the current electrical code adopted by the State of South Dakota.

2901.1 Scope. This chapter governs the plumbing components, equipment, and systems used in buildings and structures covered by this code. Plumbing components, equipment, and systems shall be designed and constructed in accordance with the provisions of the current plumbing code adopted by the State of South Dakota. Private sewage disposal systems shall comply with ARSD 74:53:01.

3002.7 Common enclosure with stairway. Elevators shall not be in a common shaft enclosure with a stairway unless allowed as per Section 1022.

Exception: Elevators within open parking garages need not be separated from stairway enclosures.

3303.1 Construction documents. No person shall demolish or wreck a building or structure without first obtaining a demolition permit. Construction documents and a

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schedule for demolition shall be submitted where required by the Building Official. Where such information is required, no work shall be done until such construction documents or schedule, or both, are approved. The applicant shall secure insurance covering any possible liability that could incur during demolition.

3303.6 Utility connections. Service utility connections shall be discontinued and capped in accordance with the approved rules and the requirements of the applicable governing authority.

Before a demolition permit can be issued, the applicant must furnish evidence to the Building Official that applicable permits have been secured to ensure that all utilities will be properly disconnected and inspected. The applicant shall be responsible for notifying affected utilities of such anticipated demolition.

I105.2 Footings. A patio cover shall be permitted to be supported on a concrete slab on grade without footings, provided the slab conforms to the provisions of Chapter 19 of this code, is not less than three and one-half inches (3½") thick, and further provided that the columns do not support loads in excess of seven hundred and fifty (750) pounds per column.