

**Exceptions and Revisions to the 2018 ICC Codes Adopted by The City of Watertown**

1. Building Permits and Application Required. See Title 21, Chapter 2, and Sections [21.0205](#) and [21.0206](#).
2. There is hereby adopted by the City Council for the purpose of establishing rules and regulations governing building, that certain building code known as the **International Residential Code 2018 Edition**, Chapters 1-23 and 43, and Appendices H and J, subject to the following modifications (Ord 18-27; Rev 12-28-18):
  - a. **Section R101.1 Title.** Change [NAME OF JURISDICTION] to City Of Watertown.
  - b. **Section R103 DEPARTMENT OF BUILDING SAFETY** is hereby deleted in its entirety.
  - c. **Section R105.2 Work exempt from permit.** Delete items 1, 2, 7, and 10 under “**Building:**” and replace with the following (Ord 18-27; Rev 12-28-18):
    1. Replacement of siding, gutters, downspouts, storm windows, storm doors, or similar type roofing materials.
    2. (Reserved)
    7. Seasonal above ground prefabricated swimming pools. (Ord 18-27; Rev 12-28-18)
    10. (Reserved)
  - d. **Section R105.5 Expiration.** Modify the maximum incremental time period the Building Official may grant written extensions of permit expiration date from one hundred eighty (180) days to one (1) year.”
  - e. **Section R106.3.1 Approval of construction documents** is hereby amended to read as follows: Upon the Building Official’s completed review of construction documents, a permit shall be issued. One set of construction documents so reviewed shall be retained by the Building Official. **Section R106.3.2 Previous approvals** is hereby amended by revising the section title to **Section R106.3.2 Previous reviews**.
  - f. **Section R106.3.3 Phased approval** is hereby amended by revising the section title to **Section R106.3.3 Phased review**.
  - g. **Section R106.3 Examination of documents** is hereby amended by adding the following: **R106.3.4 Applicant’s responsibility for compliance.** Neither examination nor review of construction and/or construction documents by the Building Official, nor the issuance of a building permit by the Building Official, shall relieve the permit applicant of the responsibility and duty to comply with this code and any other applicable local, state and federal rules, regulations, and ordinances.
  - h. **Section R106.4 Amended construction documents** is hereby amended to read as follows: Work shall be installed in accordance with the reviewed construction documents, and any changes made during construction that are not in compliance with the reviewed construction documents shall be resubmitted for review as an amended set of construction documents.
  - i. **Section R106.5 Retention of construction documents** is hereby amended to read as follows: One set of reviewed construction documents shall be retained by the Building Official for a period of not less

than one hundred eighty (180) days from the date of completions of the permitted work, or as required by state or local laws.

- j. **Section R107 Temporary Structures and Uses** is hereby deleted in its entirety.
- k. **Section R108.3 Building Permit Valuations** is hereby amended to read as follows: The determination of value or valuation under any of the provisions of this code shall be made by the Building Official in accordance with valuation schedules established by the applicable governing body. Building permit valuation shall represent the total value of the work for which a permit is being issued including material costs and labor for electrical, gas, mechanical, plumbing and other permanent systems, as well as interior and exterior finish work, painting, roofing, elevators, and fire extinguishing equipment.
- l. **Section R108.6 Investigation fees for work without a permit** is hereby amended by adding the following: Whenever any work for which a permit is required by this code has been commenced prior to the issuance of said permit, the Building Official shall conduct an investigation before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the greater of a minimum fee amount established by resolution of the governing body or the amount of the permit fee required by this code. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.
- m. **Section R109.0 General** is hereby amended by adding the following: All construction or work for which a permit is required shall be subject to inspection by the Building Official. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes until approved by the Building Official. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.  

Approval of the construction or work as a result of an inspection shall not be construed to be an approval of a violation of any local, state, or federal rules, regulations, ordinances, or codes.

Buildings or structures built without one or more of the inspections required by Section R109 of this Code, or others as deemed necessary by the Building Official, may be classed as an unsafe building or structure and action taken as specified by *Section 108 Unsafe Structures and Equipment* of the currently adopted *International Property Maintenance Code*. (Ord 18-27; Rev 12-28-18)

Buildings or structures wired, plumbed, provided with mechanical equipment, vents, connectors, chimneys, or other similar appurtenances without required inspections, as specified by the currently adopted Electrical Code, as amended; the currently adopted Plumbing Code, as amended; and the currently adopted Mechanical Code, as amended; may be classed as an unsafe building or structure and action taken as specified by Section 108 *Unsafe Structures and Equipment* of the currently adopted *International Property Maintenance Code*. (Ord 18-27; Rev 12-28-18)

A person shall not occupy as owner-occupant, or permit another person to occupy, any structure or premise which does not comply with the requirements of this code.
- n. **Section R110 CERTIFICATE OF OCCUPANCY** is hereby deleted in its entirety.
- o. **Section R112 BOARD OF APPEALS** is hereby amended such that all references to Board of Appeals shall mean Board of Adjustment.
- p. **Section R112.1 General** is hereby amended to read as follows: The Board of Adjustment shall hear and decide appeals of orders, decisions and determinations made by the Building Official relative to the application and interpretation of this code.
- q. **Section R112.3 Qualifications** is hereby deleted in its entirety.
- r. **Table R301.2(1) Climatic and geographic design criteria** is hereby amended by inserting applicable information into the table as follows: Ground Snow Load – 50 psf; Wind speed – 90 mph; Seismic Design Category – A; Weathering – Severe; Frost line depth – 48” to bottom of footing; Termite – Slight to moderate; Decay – None to slight; Winter Design Temp – 17; Ice Shield Underlayment Required – Yes; Flood Hazards – 7-4-89; Air Freezing Index -3033; Mean Annual Temperature – 42.1. (Ord 18-27; Rev 12-28-18)
- s. **Section R302.5.1 Opening protection.** Delete “equipped with a self-closing or automatic-closing device.”
- t. **Section R302.13 Fire protection of floors.** Not adopted by City. (Ord 18-27; Add 12-28-18)
- u. **Section R303.4 Mechanical ventilation.** Not adopted by City.

- v. **Section R303.5.1 Intake openings.** Add “**Exception:** For equipment replacement on existing structures, gravity outdoor intake openings for combustion air shall be located a minimum of 3 feet from any hazardous or noxious contaminant.” (Ord 18-27; Rev 12-28-18)
- w. **Section R304 MINIMUM ROOM AREAS.** Change “**Exception**” to “**Exceptions**” Change “Kitchen” to “1. Kitchen” Add “2. Studio apartments/single family dwelling shall have a floor area of not less than 160 square feet.” (Ord 18-27; Add 12-28-18)
- x. **Section R309.5 Fire sprinkler.** Delete private garages.
- y. **Section R310.2.1 Minimum opening area.** Change “5.7 square feet” to “4.6 square feet” (Ord 18-27; Rev 12-28-18)
- z. **Section R310.2.1 Exception.** Change “5.0 square feet” to “4.6 square feet”
- aa. **Section R310.2.2 Window sill height.** Change “44 inches” to “48 inches” (Ord 18-27; Rev 12-28-18)
- bb. **Section R310.2.3.1 Ladder and steps.** Change “44 inches” to “48 inches” (Ord 18-27; Rev 12-28-18)
- cc. **Section R311 MEANS OF EGRESS.** Change all “7 ¾ inches” riser height to “8 inches”
- dd. **Section R311.7.5.1 Risers. Exceptions: 1.** Add “and exterior decks” (Ord 18-27; Rev 12-28-18)
- ee. **Section R311.7.8.5 Grip size.** Add “**Exception:** Exterior stairs are allowed to have a horizontal 2x member to form a 1 ½ inch graspable dimension in lieu of the above-referenced perimeter dimensions.”
- ff. **Section R312.1.3 Opening limitations.** Change “4 inches” to “5 inches”
- gg. **Section R312.1.3 Exceptions: 2.** Change “4 3/8 inches” to “5 inches”
- hh. **Section R313 Automatic fire sprinkler systems.** Not required by state, follow code when installed.
- ii. **Section R315.2.2 Alterations, repairs and additions.** Not adopted by City. (Ord 18-27; Rev 12-28-18)
- jj. **Section R326 SWIMMING POOLS, SPAS AND HOT TUBS.** Not adopted by City. (Ord 18-27; Rev 12-28-18)
- kk. **Section R403.1.4.1 Frost protection. 1.** Add “or 48 inches whichever is greater.”
- ll. **Section R403.1.4.1 Exceptions: 1.** Change “600 square feet” to “1300 square feet.” **Exceptions: 2.** Change “400 square feet” to “1300 square feet” and “an eave height of 10 feet to 12 feet. **Exceptions: 3.** Amend to read “Decks not supported by a dwelling or are 30 inches or less above grade need not be provided with footings that extend below the frost line.” (Ord 18-27; Rev 12-28-18)
- mm. **Section R404.4 Retaining walls.** Change “24 inches” to “48 inches”
- nn. **Section R602.12 Simplified wall bracing. 3.** Change “10 feet” to “12 feet” **4.** Change “15 feet to 20 feet”
- oo. **Section R905.1.2 Ice Barrier.** Amend “24 inches (610 mm) inside the exterior wall line of the building” to “36 inches” (Ord 18-27; Rev 12-28-18)
- pp. **Section 1102.2.9 Basement walls.** Add “**Exception:** Exterior basement walls of enclosed mechanical rooms.” (Ord 18-27; Rev 12-28-18)
- qq. **Section N1102.4.1.2 (R402.4.1.2) Testing.** Not adopted by City
- rr. **Section N1103.3.2 (R403.2.2) Sealing (Mandatory).** Not adopted by City. Duct tightness shall be verified by either of the following: 1. Post-construction test, 2. Rough-in test. (Ord 18-27; Rev 12-28-18)
- ss. **Section N1103.3.2.1 (R403.2.2.1) Sealed air handler.** Not adopted by City (Ord 18-27; Rev 12-28-18)
- tt. **Section N1103.2.3 (R403.2.3) Building cavities (Mandatory).** Add “**Exception:** Stud spaces for floor joist cavities may be used for return air plenums.”
- uu. **Section N1103.3.3 Duct Testing.** Not adopted by City (Ord 18-27; Add 12-28-18)
- vv. **Section N1103.3.4 Duct Leakage.** Not adopted by City (Ord 18-27; Add 12-28-18)
- ww. **Section N1103.5 (R403.4) Service hot water systems.** Energy conservation measures for service hot water systems shall be in accordance with the *Plumbing Code*. (Ord 18-27; Rev 12-28-18)
- xx. **Section N1104 (R404) ELECTRICAL POWER AND LIGHTING SYSTEMS (MANDATORY).** Not adopted by City



- yy. **Section M1301.1 Scope** is hereby amended to read as follows: The provisions of this chapter shall govern the installation of mechanical systems not specifically covered in other chapters of this code or by other provisions of the City’s Revised Ordinances applicable to mechanical systems. Installations of mechanical appliances, equipment and systems not addressed by this code shall comply with the applicable provisions of the *International Mechanical Code* and the current *National Fuel Gas Code* adopted by the City.
3. There is hereby adopted by the City Council, for the purpose of establishing rules and regulations governing building, that certain building code known as the **International Building Code 2018 Edition**, Chapters 1-26, 30-35, and Appendices C and I, is subject to the following modifications (Ord 18-27; Rev 12-28-18):
- a. **Section [A]101.1 Title.** Change [NAME OF JURISDICTION] to City Of Watertown.
  - b. **Section [A]101.4.1 Gas** is hereby amended by replacing “*the International Fuel Gas Code*” with “*the most current edition of codes adopted by the City governing the installation and approval of gas burning equipment as set forth in Title 20 of the City’s Revised Ordinances.*”
  - c. **Section [A]101.4.3 Plumbing** is hereby amended by replacing “*the International Plumbing Code*” with “*the current plumbing code adopted by the South Dakota State Plumbing Commission along with local revisions set forth in Title 15 of the City’s Revised Ordinances.*” It is further amended by deleting the sentence: “*The provisions of the International Private Sewage Disposal Code shall apply to private sewage disposal systems.*”
  - d. **Section [A]101.4.5 Fire Prevention** is hereby amended by replacing “*the International Fire Code*” with “*the provisions of the current fire prevention code adopted by the City in Title 10 of the City’s Revised Ordinances.*”
  - e. **Section [A]101.4.6 Energy** is hereby deleted in its entirety.
  - f. **Section 103 Department of Building Safety** is hereby deleted in its entirety.
  - g. **Section [A]105.2 Work exempt from permit.** Delete items 1, 2, 3, and 4 under “Building:” and replace with the following: 1. Replacement of siding, gutters, downspouts, storm windows, or similar type roofing materials. 2. (Reserved)
  - h. **Section [A] 105.5 Expiration.** Modify the maximum incremental time period the Building Official may grant written extensions of permit expiration date from “*one hundred eighty (180) days*” to “*one (1) year.*” (Ord 09-17; Add 09-11-09)
  - i. **Section 107 SUBMITTAL DOCUMENTS** is hereby amended to read as follows:  
**[A] 107.2.2 Fire protection system shop drawings.** Shop drawings for the fire protection system(s) shall be submitted to indicate conformance to this code and the construction documents and shall be reviewed prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.
  - j. **Section [A] 107.3.1 Review of construction documents.** *The Building Official’s review of construction documents shall be indicated by issuance of a permit.* One set of construction documents so reviewed shall be retained by the Building Official.
  - k. **Section [A] 107.3.2 Previous approvals** is hereby amended by revising the section title to **Section [A] 107.3.2 Previous reviews.**
  - l. **Section [A] 107.3.3 Phased approval** is hereby amended by revising the section title to **Section [A] 107.3.3 Phased review.**
  - m. **Section [A] 107.3.4.1 Deferred submittals.** For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the Building Official within a specified period.  
 Deferral of any submittal items shall have the prior review of the Building Official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the Building Official.  
 Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the Building Official with a notation indicating that the deferred submittal documents have been reviewed and found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal document have been reviewed by the Building Official.
  - n. **Section [A]107.4 Amended construction documents.** Work shall be installed in accordance with the reviewed construction documents, and any changes made during construction that are not in

- compliance with the *reviewed* construction documents shall be resubmitted for *review* as an amended set of construction documents.
- o. **Section [A]107.5 Retention of construction documents.** One set of *reviewed* construction documents shall be retained by the Building Official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.
  - p. **Section 107 SUBMITTAL DOCUMENTS** is hereby *further* amended by adding the following:  
**[A] 107.6 Applicant’s responsibility for compliance.** Neither examination nor review of construction and/or construction documents by the Building Official, nor the issuance of a building permit by the Building Official, shall relieve the permit applicant of the responsibility and duty to comply with this code and any other applicable local, state and federal rules, regulations, and ordinances.
  - q. **Section [A] 108 TEMPORARY STRUCTURES AND USES** is hereby deleted in its entirety.
  - r. **Section [A] 109.4 Work commencing before permit issuance** is hereby amended to read as follows:  
**Section [A] 109.4 Work commencing before permit issuance.** Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an investigation fee in addition to the required permit fees. *The investigation fee shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the greater of a minimum fee amount established by resolution of the governing body or the amount of the permit fee required by this code. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.*
  - s. **Section [A] 113.1 General** is hereby amended to read as follows: *The Board of Adjustment shall hear and decide appeals of orders, decisions and determinations made by the Building Official relative to the application and interpretation of this code.*
  - t. **Section [A] 113.3 Qualifications** is hereby deleted in its entirety.
  - u. **Section [F] 903.2.8 Group R.** Add “**Exception:** *Apartments or multifamily occupancies that are four dwelling units or less and two levels or less in height.*” (Ord 18-27; Rev 12-28-18)
  - v. **Section 1010.1.7 Thresholds.** Change all “*7 ¾ inches*” to “*8 inches*” (Ord 18-27; Rev 12-28-18)
  - x. **Section 1011.5.2 Riser height and tread depth. Exceptions: 5.** Change “*7.75 inches*” to “*8 inches*” (Ord 18-27; Rev 12-28-18)
  - y. **Section 1015.4 Opening limitations.** Change “*4 inches in diameter*” to “*5 inches in diameter*” (Ord 18-27; Rev 12-28-18)
  - z. **Section 1015.4 Opening limitations. Exceptions: 5.** Change “*4 3/8 inches in diameter*” to “*5 inches in diameter*” (Ord 18-27; Rev 12-28-18)
  - aa. **Section 1030.2 Minimum size.** Change “*5.7 square feet.*” to “*4.6 square feet*” (Ord 18-27; Rev 12-28-18)
  - bb. **Section 1030.2 Exception.** Change “*5.0 square feet*” to “*4.6 square feet*” (Ord 18-27; Rev 12-28-18)
  - cc. **Section 1030.3 Maximum height from floor.** Change “*44 inches*” to “*48 inches*” (Ord 18-27; Rev 12-28-18)
  - dd. **Section 1030.4.2 Ladder or steps.** Change “*44 inches*” to “*48 inches*” (Ord 18-27; Rev 12-28-18)
  - ee. **Section 1601.1 Scope** is hereby amended as follows: 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.
  - ff. **Section 1612.3 Establishment of flood hazard areas** is hereby amended as follows: To establish flood hazard areas, the applicable governing authority shall adopt 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 the City of Watertown,*” dated *January 16, 2009*, 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 between the provisions of this code and the city’s floodplain management ordinance, the provisions of the floodplain management ordinance shall prevail.*
  - gg. **Section 1703.1 Approved agency** is hereby amended as follows: 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.
  - hh. **Section 1809.5 Frost protection. 1.** Add “*48 inches*” after “*locality.*”
  - ii. **Section 1809.5 Exceptions: 2.** Change “*600 square feet and 400 square feet*” to “*1300 square feet*”  
**Exceptions: 3.** Change “*10 feet*” to “*10 feet 2 inches*” (Ord 18-27; Rev 12-28-18)



REVISED ORDINANCES – CITY OF WATERTOWN, SOUTH DAKOTA

- jj. **Section [P] 2901.1 Scope.** Amend as follows: The provisions of this chapter and the *Plumbing Code* shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems. Toilet and bathing rooms shall be constructed in accordance with Section 1210. Plumbing systems and equipment shall be constructed, installed and maintained in accordance with the *Plumbing Code*. Private sewage disposal systems shall conform to the *Plumbing Code*.
  - kk. **[P] Table 2902.1 MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES.** Change “75 to 120” under “CLASSIFICATION” column and “ASSEMBLY” row under “WATER CLOSETS” column under “Male” column. Change “40” to “60” under “CLASSIFICATION” column and “ASSEMBLY” row under “WATER CLOSETS” column under “Female” (Ord 18-27; Rev 12-28-18)
4. There is hereby adopted by City Council for the purpose of establishing rules and regulations governing building, that certain building code known as the “**International Property Maintenance Code 2018 Edition**” subject to the following modifications (Ord 14-10; Rev 02-21-14) (Ord 18-27; Rev 12-28-18):
- a. **Section [A] 101.1 Title.** Change [NAME OF JURISDICTION] to City Of Watertown.
  - b. **Section 103 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION** is hereby deleted in its entirety.
  - c. **Section [A] 111.2 Membership of board.** Amend to read “The board of appeals shall be the Board of Adjustment.”
  - d. **Section [A] 111.2.1 Alternate members** is hereby deleted in its entirety.
  - e. **Section [A] 111.2.2 Chairman** is hereby deleted in its entirety.
  - f. **Section [A] 111.2.3 Disqualification of member** is hereby deleted in its entirety.
  - g. **Section [A] 111.2.4 Secretary** is hereby deleted in its entirety.
  - h. **Section [A] 111.2.5 Compensation of members** is hereby deleted in its entirety.
  - i. **Section [A] 111.3 Notice of meeting.** Delete “, *within twenty (20) days of the filing of an appeal, or*”
  - j. **Section [A] 111.4.1 Procedure.** Amend to read “*Administrative procedures of the Board of Adjustment per City Ordinance.*”
  - k. **Section [A] 111.6 Board decision** is hereby deleted in its entirety.
  - l. **Section [A] 111.6.1 Records and copies** is hereby deleted in its entirety.
  - m. **Section [A] 111.6.2 Administration** is hereby deleted in its entirety.
  - n. **Section 303 Swimming pools, spas, and hot tubs** is hereby deleted in its entirety.
5. There is hereby adopted by City Council for the purpose of establishing rules and regulations governing building, that certain building code known as the “**International Mechanical Code 2018 Edition**” (Ord 14-01; Rev 02-21-14) (Ord 18-27; Rev 12-28-18)
6. There is hereby adopted by City Council for the purpose of establishing rules and regulations governing existing building, that certain building code known as the “**International Existing Building Code 2018 Edition**” subject to the following modifications (Ord 18-27; Add 12-28-18):
- a. **Section [A] 101.1 Title.** Change [NAME OF JURISDICTION] to City Of Watertown.
  - b. **Section 103 DEPARTMENT OF BUILDING SAFETY** is hereby deleted in its entirety.
  - c. **Section 106 CONSTRUCTION DOCUMENTS [A] 106** replace all references to “*approved or approval*” with “*review or reviewed*”
  - d. **Section [A] 112.1 General** is hereby amended to read as follows: “*The Board of Adjustment shall hear and decide appeals of orders, decisions and determinations made by the Building Official relative to the application and interpretation of this code.*”
  - e. **Section [A] 112.3 Qualifications** is hereby deleted in its entirety.