CHAPTER 4-1
ADOPTION OF NATIONAL CODE

4-1-1 BUILDING CODES

There is hereby adopted by the City of Brandon for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures including permits and penalties, the certain codes known as the: 2024 International Residential Code (and amendments); 2024 International Existing Building Code (and amendments); 2024 International Building Code (and amendments); 2024 Property Maintenance Code, (and amendments), 2024 International Pool and Spa Code (and amendments), 2024 Uniform Plumbing Code (and amendments).

The following will be adopted in their entirety without amendments: 2023 National Electrical Code, 2024 International Mechanical Code, 2024 International Fuel/Gas Code 2024 International Fire Code.

A copy the above listed Codes (and amendments) are filed in the office of the Brandon Building Inspector of the City of Brandon and the same is hereby adopted and incorporated as fully as if set out at length herein, and from the date of which this ordinance shall take effect, the provisions thereof shall be controlling in the construction of all buildings and other structures within the corporate limits of the City of Brandon.

Legislative History:
1990 Revisions.
Ordinance #442, 5/19/09
Ordinance #482, 3/8/11
Ordinance #513, 7/1/14
Ordinance #520, 9/17/14
Ordinance #536, 10/11/16
Ordinance #579, 6/19/19
Ordinance #653, 2/2/22
Ordinance #760, 7/01/26

Authority:
SDCL §§, 11, 11-10-5
Compare SDCL Ch. 9-42 and 9-54 generally.

4-1-2 DEMOLITION OF BUILDINGS

The 2012 International Building Code is hereby amended as follows: No person shall demolish or wreck a building or structure unless such person shall first have obtained a permit for said wrecking from the City's Building Inspector and has complied with the following:

A. **BOND.** Any person filing an application for a wrecking permit may be required by Building Inspector, subject to approval by the City Council, to file a bond, approved as to form by the City attorney, executed by a bonding or surety company authorized to do business in the state in the amount of five thousand ($5,000.00) dollars damage to property, twenty thousand ($20,000.00) dollars injury to a person, sixty thousand ($60,000.00) dollars injury to persons, conditioned on the assurance that this ordinance and other applicable ordinances and laws will be complied with. Such bond shall run to the City for the use and benefit of any person or persons intended to be protected thereby and shall be conditioned on the payment of any damage to public or private property and the payment for any damages or losses resulting from any malfeasance, misfeasance, nonfeasance or negligence in connection with any of the activities or conditions upon which the permit applied for is granted.

B. **INSURANCE POLICY IN LIEU OF BOND.** Any person filing an application hereby under may, in lieu of the bond provided above, file with the Building Inspector a liability insurance policy, issued by an insurance company authorized to do business in the state,

and approved as to form by the City attorney, in the same amount and providing the same protection as would be required for a bond hereunder.

C. **UTILITIES.** Before a wrecking permit can be issued, the applicant must furnish approval from the City of Brandon that the sewer service lines have been properly disconnected as per the City's specifications. In addition, the applicant must furnish approval from the City of Brandon that the water service lines have been properly disconnected as per the City's specifications. The applicant shall also be responsible for notifying other service companies of such anticipated demolition.

D. **FEES.** Fees shall be paid as established by Resolution of the City Council.

E. **DUTIES OF PERMITTEE**. Every person applying for and receiving a wrecking permit shall be subject to the following regulations and non-compliance shall be reason to revoke said permits.

1. Every permittee under this section shall advise the Building Inspector of the demolition time. He shall notify the Building Inspector in writing of any desired change in time or date of demolition.
2. He shall notify the Building Inspector in writing of any and all damage or injury to persons or property within twenty four (24) hours after the permittee knows that the damage or injury has occurred.
3. He shall at all times during demolition and removal of debris, erect and maintain barricades or other safety devices so as to protect the public from damage or injury to persons or property by reason of the demolition and removal of the building.
4. He shall comply with all applicable ordinances of the City and the laws of the state.
5. He shall within the period for which the permit is issued, remove all debris, materials and rubbish and fill all examinations to existing grade at the building site so that the premises are left in a safe and sanitary condition.

F. **DEMOLITION PROJECT ABANDONED.** When a demolition or wrecking project has been abandoned or is found to be unsafe by its neglected or unprotected condition, the Building Inspector may order the unsafe conditions corrected. Upon failure of the owner or his agent to comply with the order of the Building Inspector within five (5) days, the Building Inspector may order said building or structure to be demolished to the extent of the work covered by the wrecking permit, the premises cleaned and suitable drainage grades established, the cost of such demolition, cleaning and grading to be assessed to the property as provided by law.

Legislative History:
1990 Revisions.
Ordinance #442, 5/19/09
Ordinance #482, 3/8/11
Ordinance #513, 7/1/14
Ordinance #520, 9/17/14

Authority:
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