

AN ACT

ENTITLED, An Act to revise certain provisions relating to standards for new construction.
 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 11-10-5 be amended to read as follows:

11-10-5. If the governing body of any local unit of government adopts any ordinance prescribing standards for new construction, the ordinance shall comply with the 2009 edition of the International Building Code as published by the International Code Council, Incorporated. The governing body may amend, modify, or delete any portion of the International Building Code before enacting such an ordinance. Additional deletions, modifications, and amendments to the municipal ordinance may be made by the governing body and are effective upon their adoption and filing with the municipal finance officer. Additional deletions, modifications, and amendments to the county ordinance may be made by the governing body, and are effective upon their adoption and filing with the county auditor. No ordinance may apply to mobile or manufactured homes as defined in chapter 32-7A which are constructed in compliance with the applicable prevailing standards of the United States Department of Housing and Urban Development at the time of construction. No ordinance may require that any fire sprinkler be installed in a single family dwelling. No ordinance may apply to any specialty resort or vacation home establishment as defined in chapter 34-18 that is constructed in compliance with the requirements of Group R-3 of the 2009 edition of the International Building Code.

Section 2. That § 11-10-6 be amended to read as follows:

11-10-6. The design standard for any new construction commenced after July 1, 2009, within the boundaries of any local unit of government that has not adopted an ordinance prescribing standards for new construction pursuant to § 11-10-5 shall be based on the 2009 edition of the International Building Code as published by the International Code Council, Incorporated. Each local unit of

government may adopt an ordinance allowing local administration and enforcement of the design standard. The provisions of this section do not apply to new construction for any one or two family dwelling, mobile or manufactured home, townhouse, or farmstead and any accessory structure or building thereto. For purposes of this section the term, farmstead, means a farm or ranch, including any structure or building located on the land. The provisions of this section do not apply to any mobile or manufactured home as defined in chapter 32-7A which is used for purposes other than residential that is constructed in compliance with the applicable prevailing standards of the United States Department of Housing and Urban Development at the time of construction if the structure complies with applicable accessibility standards for the occupancy intended. The provisions of this section do not apply to any specialty resort or vacation home establishment as defined in chapter 34-18 that is constructed in compliance with the requirements of Group R-3 of the 2009 edition of the International Building Code.

An Act to revise certain provisions relating to standards for new construction.

<p>I certify that the attached Act originated in the</p> <p>SENATE as Bill No. 68</p> <p style="text-align: right;">_____ Secretary of the Senate</p>	<p>Received at this Executive Office this ____ day of _____,</p> <p>20____ at _____ M.</p> <p style="text-align: right;">By _____ for the Governor</p>
---	--

<p>_____</p> <p style="text-align: center;">President of the Senate</p> <p>Attest:</p> <p>_____</p> <p style="text-align: center;">Secretary of the Senate</p> <p>_____</p> <p style="text-align: center;">Speaker of the House</p> <p>Attest:</p> <p>_____</p> <p style="text-align: center;">Chief Clerk</p> <p>Senate Bill No. <u>68</u></p> <p>File No. _____</p> <p>Chapter No. _____</p>	<p>The attached Act is hereby approved this _____ day of _____, A.D., 20____</p> <p style="text-align: right;">_____</p> <p style="text-align: right;">Governor</p> <hr style="border-top: 3px double black;"/> <p>STATE OF SOUTH DAKOTA,</p> <p style="text-align: right;">ss.</p> <p>Office of the Secretary of State</p> <p>Filed _____, 20____</p> <p>at _____ o'clock __ M.</p> <p style="text-align: right;">_____</p> <p style="text-align: right;">Secretary of State</p> <p style="text-align: right;">By _____</p> <p style="text-align: right;">Asst. Secretary of State</p>
--	---