

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 9 (BUILDINGS AND HOUSING), ARTICLE I (BUILDING CODES), DIVISION 1 (INTERNATIONAL BUILDING CODE), SECTIONS 9-1 AND 9-2 INCLUSIVE; ADDING DIVISION 1.1 (INTERNATIONAL EXISTING BUILDING CODE), SECTIONS 9-3 AND 9-4; AMENDING DIVISION 2 (INTERNATIONAL RESIDENTIAL CODE), SECTIONS 9-5 AND 9-6; AMENDING DIVISION 2.1 (INTERNATIONAL ENERGY CONSERVATION CODE), SECTION 9-7; AMENDING CHAPTER 15 (GAS CODE), ARTICLE VI (INTERNATIONAL FUEL GAS CODE), SECTIONS 15-301 AND 15-302; AND AMENDING CHAPTER 17 (HEATING, VENTILATING AND AIR CONDITIONING), ARTICLE I (IN GENERAL), SECTION 17-1 OF THE MINOT CODE OF ORDINANCES

WHEREAS, The City of Minot previously incorporated the 2015 International Building Code Edition into its Code of Ordinances,

WHEREAS, The City of Minot wishes to update its current Code of Ordinances to incorporate the 2018 Edition of the International Building Code,

WHEREAS, The City of Minot wishes to create Division 1.1 of Chapter 9, Article I of Code of Ordinances to incorporate the 2018 Edition of the International Existing Building Code,

WHEREAS, The City of Minot previously incorporated the 2015 International Residential Code Edition into its Code of Ordinances,

WHEREAS, The City of Minot wishes to update its current Code of Ordinances to incorporate the 2018 Edition of the International Residential Code,

WHEREAS, The City of Minot previously incorporated the 2015 International Energy Conservation Code Edition into its Code of Ordinances,

WHEREAS, The City of Minot wishes it update its current Code of Ordinances to incorporate the 2018 Edition of the International Energy Conservation Code,

WHEREAS, The City of Minot previously incorporated the 2015 International Fuel Gas Code Edition into its Code of Ordinances,

WHEREAS, The City of Minot wishes it update its current Code of Ordinances to incorporate the 2018 Edition of the International Fuel Gas Code,

WHEREAS, The City of Minot previously incorporated the 2015 International Mechanical Code Edition into its Code of Ordinances,

WHEREAS, The City of Minot wishes it update its current Code of Ordinances to incorporate the 2018 Edition of the International Mechanical Code,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MINOT:

§1. Sections 9-1 through 9-2, inclusive, of Chapter 9 (Buildings and Housing), Article I (Building Codes), Division 1 (International Building Code), are hereby amended to read as follows:

Sec. 9-1. - International Building Code adopted.

The International Building Code, ~~2015~~2018 Edition published by the International Code Council, Inc., and as amended by the State of North Dakota), is by reference thereto incorporated herein as fully as though set out at length hereafter (except and to the extent that the provisions thereof are amended as provided in section 9-2 below). The International Building Code, as amended by section 9-2, shall apply for use and application in the city of Minot, and within the extraterritorial jurisdiction of the city of Minot. This enactment by reference with the modifications set forth in section 9-2 shall become effective upon final passage and approval of this section. References in the Code of Ordinances to the International Building Code, ~~2015~~2018 Edition, shall be by (a) the full title thereof, (b) the words "the building code," or (c) the abbreviation "IBC." One (1) copy of the IBC shall be maintained at all times in the office of the building official for public inspection.

Sec. 9-2. - Amendments to the building code.

The IBC referenced in section 9-1 hereby amended as set forth in the following subsections:

(a) IBC 105.1.3 is enacted to read as follows:

105.1.3 Demolition Permit Surety Bond.

When a demolition permit is issued a surety bond of \$5,000.00 will be required prior to issuance of said permit.

(b) IBC 105.2 shall remain as provided in the IBC, with the only exception being Paragraph 14 which is enacted to read as follows:

14. Ordinary repairs or alterations which do not involve the structural (i.e., weight-bearing) elements of the building being altered, ~~or alter the use or space~~ and which do not affect the means of ingress to or egress from the building.

(c) Section 105.3 shall remain as provided in the IBC, with the only exceptions being Paragraph 8 and Paragraph 9 which are enacted to read as follows:

8. A code study or architectural code review shall be required for projects that fall within the following occupancies: A, B, E, F, H, I, M, and S, pursuant to the ~~2015~~2018 IBC, which was incorporated into the City of Minot Code of Ordinances.

A code study or architectural code review shall be required for R occupancies that are not constructed to IRC standards.

9. Submitted documents shall be prepared by a Registered Design Professional when documents are required for the following type of projects:

- (a) Projects that fall under the IBC occupancy class of A, B E, F, H, I, M, or S;
- (b) Any residential occupancy project that is not constructed to IRC standards;
- (c) Any project in which the building or structure exceeds 2 stories;
- (d) Projects which require the design of structural components, as determined by the Building Official;
- (e) Any addition or renovation to an existing structure that exceeds 2 stories in height and/or 3,000 square feet;
- (f) Any addition or renovation projects classified as A, E H, or I occupancy; and
- (g) Any project in which the valuation of the structure is over \$250,000.

(d) IBC 107.3.1 is hereby amended to read as follows:

107.3.1 Approval of construction documents.

When the building official issues a permit, the construction documents shall be approved, 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.

(e) IBC 109.4 is amended to read as follows:

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 a fee that shall be double the amount of the original permit fee required for completing the work.

(f) IBC 109.5 is amended to read as follows:

109.5 Related fees.

The payment of the fee for construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

The following fees are some, but not necessarily all, of the mandatory fees to be paid by the applicant or holder of the permit:

- (a) The fee for a permit, and other related services, shall be set forth by a resolution adopted by the governing body ~~Plan Review for Commercial Construction. For construction that is required to comply with IBC standards, the plan review fee shall be seventy dollars(\$70.00) per hour.~~

~~(b) Re-Inspection Fee as a Select Inspection. If any building permit requires a re-inspection, as directed by the Building Official, the fee shall be in the amount of seventy dollars (\$70.00) per hour.~~

(g) IBC 110.3.8 is amended to read as follows:

110.3.7110.3.8 Energy efficiency inspections.

Energy efficiency inspections shall be made in conjunction with other inspections required by this section.

(h) IBC 111.3 is amended to reads as follows:

111.3 Temporary occupancy.

The Building Official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.

The fee for a temporary certificate of occupancy fee for commercial and residential construction shall be five hundred dollars (\$500.00).

(i) IBC Section 113 is amended to read as follows:

SECTION 113 APPEALS

113.1 General Rule.

Any interested person who is adversely affected by a decision of the building official regarding any adopted building or trade code may appeal that decision in accordance with this section. If the appeal is with respect to a technical issue, the appeal shall be to the board of appeals. If the appeal is with respect to a question of public policy, the appeal shall be to the city council.

113.1.1 Technical Issues.

A technical issue includes the following issues which are given by way of example and which are not intended to be all-inclusive.

1. Whether the true intent of the building code or its proper legal interpretation has been misapplied by the building official;
2. Whether a modification ought to be granted pursuant to Subsection 104.10 of this code; or
3. Whether alternate materials or methods of construction ought to be allowed under 104.11.

113.1.2 Policy Issues.

A question of public policy includes the following questions which are given by way of example and which are not intended to be all inclusive:

1. Whether a person owning an interest in property with respect to which there has been issued a notice of violation pursuant to Article II of Chapter 9 of the Code of Ordinances

(pertaining to dangerous buildings) ought to be given additional time in order to take the remedial action required by the building official; or

2. The amount of a refund, if any, to which a person is entitled to under 108.10 of this code by virtue of a building permit not being used.

113.2 113.3 Qualifications.

The board of appeals shall consist of five (5) members appointed by the mayor and approved by the city council whose terms of office shall be so arranged that one (1) term expires each calendar year, provided that, however, each member shall serve until his successor has been appointed and qualified.

113.2.1 113.3.1 Alternate Members.

The chief appointing authority shall appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the same qualifications for board membership and shall be appointed for 5 years, or until a successor has been appointed.

113.2.2 113.3.2 Additional Qualifications.

No person shall be appointed to the board of appeals except:

1. A registered design professional with architectural experience, or
2. A builder or superintendent of building construction with at least ten years experience including five years of having been in responsible charge of work; or
3. A registered design professional with structural engineering experience, or
4. A registered design professional with fire protection experience or a fire protection contractor with at least ten years' experience including five years of having been in responsible charge.
5. A registered design professional with plumbing or mechanical experience.

113.2.3 Chairperson.

The board shall annually select one of its members to serve as chairperson.

113.2.4 Conflict of interest.

No member of the board shall vote on any matter in which he has a substantial, direct, personal, or financial interest.

113.2.5 Quorum.

A majority of the board shall constitute a quorum and a simple majority vote of the members present shall determine appeals; provided that, however, a tie vote shall have the effect of affirming the decision of the building official being appealed irrespective of the exact wording of the proposal voted upon.

113.2.6 Rules of Procedure.

The board shall, by way of written rules or custom, its own rules of procedure, except that these shall provide at a minimum that:

1. All meetings shall be public;
2. Prior notice of a meeting shall be posted at least three (3) days previously thereto in the office of the building official and the office of the city clerk; and
3. A written notice of appeal shall be required to be filed with the building official accompanied by a nonrefundable twenty-five dollars appeal fee. (Any number of issues can be joined in one appeal.)

113.3 Appeals to the City Council.

The city council by way of resolution or custom shall establish its own rules of procedure with respect to appeals to it under this section provided that, however, appeals must be in writing, must be filed with the building official; and no appeal fee is required. (Any number of issues can be joined in one appeal.)

113.4 Stay of Order.

In order to give the appellant time to perfect his appeal the filing of a notice of appeal with the building official shall operate as an automatic fifteen-day stay of the order of decision being appealed from, running from the date of filing, unless the building official shall certify in writing that an emergency condition exists which imperils health and safety. The automatic stay will run from the date of filing of the notice of appeal and the stay may be extended to the city manager for a period of time not to exceed twenty-one (21) additional days provided that, however, if the appeal is heard while the stay is in effect the stay shall expire at the end of the second business day following the day on which the appeal is heard unless the body hearing the appeal by its own order extends the stay.

113.5 Decision Final.

The body hearing the appeal shall have the right to affirm, reverse or modify the decision or order of the building official in question. The decision by the body hearing the appeal shall be final for purposes of the doctrine which requires the exhaustion of administrative remedies as a precondition to judicial review.

113.6 Civil Remedies.

The City may bring appropriate judicial proceedings to enforce the building code in a civil action notwithstanding the availability or use of the sanctions provided in section 1-8 of the City of Minot Code of Ordinances.

(j) Paragraph 114.4 is amended to read as follows:

114.4 Violation penalties.

Persons shall not violate any provision of this code; fail to comply with any of the requirements thereof; or erect, construct, alter, repair or do work in violation of the approved construction documents or directive of the building official, or of a permit or certificate used under provisions of this code. Violations shall be punishable pursuant to section 1-8 of the City of Minot Code of Ordinances. Each violation shall constitute a separate violation. Each day any person violates any provision of this code shall constitute a separate offense.

(k) IBC Section 116 is amended to read as follows:

SECTION 116 UNSAFE STRUCTURES AND EQUIPMENT

116.1 Conditions.

Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or that constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

116.2 Abatement.

The abatement of dangers or hazards presented by unsafe buildings or equipment under the provisions of this code or any provision of the City of Minot Code of Ordinances shall be accomplished in accordance with Chapter 9 or Chapter 22 of the City of Minot Code of Ordinances.

(l) IBC Section 202 Definitions. The following definitions are amended as follows:

COMMERCIAL MOTOR VEHICLE. A motor vehicle used to transport passengers or property or motorized equipment where the motor vehicle or equipment:

1. Has a gross vehicle weight rating of 10,000 pounds (4540 kg) or more; or
2. Have a combined fleet weight greater than 26,000 pounds or more; or
3. Is designed to transport 16 or more passengers, including the driver.

(m) IBC 406.3.4 is amended to read as follows:

406.3.4 Separation.

~~For other than private garages adjacent to dwelling units, the separation of private garages from other occupancies shall comply with Section 508. Separation of private garages from dwelling units shall comply with Sections 406.3.4.1 through 406.3.4.3.~~

(nn) IBC 903.3.1.1 is amended to read as follows:

903.3.1.1 NFPA 13 sprinkler systems.

Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in Sections 903.3.1.1.1 and 903.1.1.2.

(n) IBC 903.2.9 is amended to read as follows:

~~(o) IBC 1608.1 is amended to read as follows:~~

~~**1608.1 General.**~~

~~Design snow loads shall be determined in accordance with Chapter 7 of ASCE 7, but the design roof load shall not be less than that determined by Section 1607. Regardless of any other provisions, the minimum roof snow load shall be 30 lbs per square foot.~~

~~(l) IBC Section 202 Definitions. The following definitions are amended as follows: _____~~

~~COMMERCIAL MOTOR VEHICLE. A motor vehicle used to transport passengers or property or motorized equipment where the motor vehicle or equipment:~~

- ~~1. Has a gross vehicle weight rating of 10,000 pounds (4540 kg) or more; or~~
- ~~2. have a combined fleet weight greater than 26,000 pounds or more; or~~
- ~~3. Is designed to transport 16 or more passengers, including the driver.~~

~~(qn) IBC 903.2.9 is amended to read as follows:~~

~~**903.2.9 Group S-1.**~~

~~An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:~~

- ~~1. A Group S-1 fire area exceeds 12,000 square feet (1115 m²).~~
- ~~2. A Group S-1 fire area is located more than three stories above grade plane.~~
- ~~3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).~~
- ~~4. A Group S-1 fire area used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet (464 m²).~~
- ~~5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).~~
- ~~6. A group S-1 fire area where the usage is not determined at the time of the building permit.~~

(o) IBC 1608.1 is amended to read as follows:

1608.1 General.

Design snow loads shall be determined in accordance with Chapter 7 of ASCE 7, but the design roof load shall not be less than that determined by Section 1607. Regardless of any other provisions, the minimum roof snow load shall be 30 lbs per square foot.

(p) IBC 3103.1.2 is amended to read as follows:

3103.1.2 Permit Required:

Temporary structures that cover an area greater than 750 square feet including connecting areas or spaces with a common means of egress or entrance which are used or intended to be used for the gathering together of 75 or more persons shall not be erected, operated or maintained for any purpose without obtaining a permit from the Building Official.

§2. That the Code of Ordinances, City of Minot, North Dakota, is hereby amended by adding to Chapter 9 (Buildings and Housing), Article I (Building Codes), a Division to be numbered 1.1, and sections to be numbered 9-3 and 9-4 which Division and Sections shall read as follows:

DIVISION 1.1 – INTERNATIONAL EXISTING BUILDING CODE

Sec. 9-3. International Existing Building Code adopted.

The International Existing Building Code, 2018 Edition (published by the International Code Council, Inc. and as amended by the State of North Dakota), is by reference thereto incorporated herein as fully as though set out at length hereafter. The International Existing Building Code shall apply for use and application in the city of Minot, and within the extraterritorial jurisdiction of the city of Minot. This enactment by reference shall become effective upon final passage and approval of this section. References in the Code of Ordinances to the International Existing Building Code 2018 Edition shall be by (a) the full title thereof, (b) the words “the existing building code” or (c) the abbreviation “IEBC”. One (1) copy of the IEBC shall be maintained at all times in the office of the Building Official for public inspection.

Sec. 9-4. Amendments to the International Existing Building Code – Reserved.

§3. Section 9-5 and 9-6 of Chapter 9 (Buildings and Housing), Article I (Building Codes), Division 2 (International Residential Code), is hereby amended to read as follows:

Sec. 9-5. International Residential Code adopted.

The International Residential Code, ~~2015~~2018 Edition (published by the International Code Council, Inc. and as amended by the State of North Dakota), is by reference thereto incorporated herein as fully as though set out at length hereafter (except and to the extent that the provisions thereof are amended as provided in section 9-6). The International Residential Code, as amended by section 9-6, shall apply for use and application in the city of Minot, and within the extraterritorial jurisdiction of the city of Minot. This enactment by reference with modifications set forth in section 9-6 shall become effective upon final passage and approval of this section. References in the Code of Ordinances to the International Residential Code, ~~2015~~2018 Edition, shall be by (a) the full title thereof, (b) the words “the residential code” or (c) the abbreviation “IRC”. One (1) copy of the IRC shall be maintained at all times in the office of the Building Official for public inspection.

Sec. 9-6. - Amendments to the Residential Code.

The IRC referenced in is hereby amended as set forth in the following subsections.

(a) **IRC 101.1 Title.** These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of the City of Minot, and shall be cited as such and will be referred to herein as "this code".

(b) **IRC 101.2** is amended to include the following language:

When there is a conflict between this code and the City of Minot Zoning Ordinance, the more restrictive shall prevail.

(c) **IRC 105.2**, "Building", item 2, is amended to read as follows:

2. Fences not over 8' high.

(d) **IRC 105.2**, "Building", items 11, 12, and 13 are enacted to read as follows:

11. Re-roofing.

12. Re-siding

13. Ordinary repairs or alterations which do not involve the structural (i.e., weight-bearing) elements of the building being altered and which do not affect the means of ingress to or egress from the building.

(e) **IRC 105.3.1.1** is deleted.

(f) **IRC 108.4** is amended to include the following subsections:

(a) The fee for a permit, and other related services, shall be set forth by a resolution adopted by the governing body. ~~For construction that is required to comply with IRC standards, the plan review fee shall be a fee in the amount of \$75.00.~~

(g) **IRC 109.1.5 1** is amended to read:

Fire resistant-rated construction inspections shall be made in conjunction with other inspections required by this section.

(h) **IRC 112.1** is amended to read:

Appeals shall be dealt with as outlined in (i) of the City of Minot Code of Ordinances.

(i) **IRC 301.6** is amended to add:

Minimum snow roof load shall be 30 lbs per square foot.

(j) **IRC 311.7.4.2** is changed to read:

Minimum tread depth shall be 9 inches.

(k) **IRC 403.1.4.1** is amended to read:

R403.1.4.1 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. Extended below the frost line specified in Table R301.2.(1).

2. Constructed in accordance with Section R403.3.
3. Constructed in accordance with ASCE 32.
4. Erected on solid rock. Footings shall not bear on frozen soil unless the frozen condition is permanent.

Exceptions:

1. Protection of freestanding accessory structures with an area of 600 square feet (56 m²) or less, of light-frame construction.
2. Protection of freestanding accessory structures with an area of 400 square feet (37 m²) or less, of other than light-frame construction.
3. Decks not supported by a dwelling need not be provided with footings that extend below the frost line.

§4. Section 9-7 of Chapter 9 (Buildings and Housing), Article I (Building Codes), Division 2.1 (International Energy Conservation Code), is hereby amended to read as follows:

Sec. 9-7. International Energy Conservation Code adopted.

The International Energy Conservation Code, ~~2015~~2018 Edition (published by the International Code Council, Inc. and as amended by the State of North Dakota), is by reference thereto incorporated herein as fully as though set out at length hereafter. The International Energy Conservation Code shall apply for use and application in the city of Minot, and within the extraterritorial jurisdiction of the city of Minot. This enactment by reference shall become effective upon final passage and approval of this section. References in the Code of Ordinances to the International Conservation Code, ~~2015~~2018 Edition, shall be by (a) the full title thereof, (b) the words "the energy conservation code" or (c) the abbreviation "IECC". One (1) copy of the IECC shall be maintained at all times in the office of the Building Official for public inspection.

§5. Sections 15-301 and 15-302, of Chapter 15 (Gas Code), Article VI (International Fuel Gas Code), are hereby amended to read as follows:

Sec. 15-301. International Fuel Gas Code adopted

- (a) The International Fuel Gas Code, ~~2015~~2018 Edition (drafted by the International Code Council and as amended by the State of North Dakota), is by reference thereto incorporated herein as fully as though set out at length hereafter (except and to the extent that the provisions thereof are amended in section 15-302). The International Fuel Gas Code, as amended by section 15-302, shall apply for use and application in the city of Minot, and within the extraterritorial jurisdiction of the city of Minot.
- (b) Notwithstanding anything to the contrary contained therein, the code adopted in subsection (a) may be referenced in the City of Minot Code of Ordinances in any of the following forms:
 - (1) As "this code" (when the context permits);
 - (2) As the "IFGC";
 - (3) As the "Fuel Gas Code of the City of Minot".

- (4) As the "Gas Code"; and
- (5) As the "International Fuel Gas Code".
- (c) One (1) copy of the IFGC shall be maintained in the office of the ~~City Clerk~~ **Building Official** for public inspection.

Sec. 15-302. - Amendments to IFGC.

The provisions of the IFGC are amended as provided in the following subsections, wherein the text being amended is identified by use of the same numbering and indentation system as employed in the IFGC itself, and with the text as amended being set forth verbatim.

- (a) IFGC 103.1 is amended to read as follows:

103.1 General.

The Mechanical Inspector of the City of Minot is authorized and obligated to enforce this code, and for purposes of this code shall be known as the code official.

- (b) IFGC 103.2 is amended to read as follows:

103.2 Appointment.

The code official shall be appointed as provided in Article V of Chapter 24 of the City of Minot Code of Ordinances.

- (c) IFGC 103.3 (Reserved).

- (d) IFGC 106.6.2 is amended to read as follows:

106.6.2 Fee schedule.

The fee for a permit, and other related services, shall be set forth by a resolution adopted by the governing body. ~~shall be calculated on the basis of \$6.00 10.00 for every outlet in the work authorized thereby, or \$30.00,50.00 whichever is greater.~~

- (e) IFGC 106.6.3 is amended to read as follows:

106.6.3 Fee refunds.

The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than 75% of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 90% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

- (f) IFGC 107.2 is amended to read as follows:

107.2 Required inspections and testing.

The code official, upon notification from the permit holder or the permit holder's agent, shall make the following inspections and other such inspections as necessary, and shall either release that portion of the construction or notify the permit holder of the permit holder's agent of violations that are required to be corrected. The holder of the permit shall be responsible for scheduling such inspections.

1. Underground inspection shall be made after trenches or ditches are excavated and bedded, piping is installed and before backfill is put in place. When excavated soil contains rocks, broken concrete, frozen chunks and other rubble that would damage or break the piping or cause corrosive action, clean backfill shall be on the job site.
2. Rough-in inspection shall be made after the roof, framing, fireblocking and bracing are in place and components to be concealed are complete, and prior to the installation of wall or ceiling membranes.
3. Final inspection shall be made upon completion of the installation.

The requirements of this section shall not be considered to prohibit the operation of any heating equipment installed to replace existing heating serving an occupied portion of a structure in the event a request for inspection of such heating equipment has been filed with the code official not more than 48 hours after replacement work is completed, and before any portion of such equipment is concealed by any permanent portion of the structure.

(g) IFGC 108.4 is amended as follows:

108.4 Violation penalties.

The penalty for a violation of this code shall be as provided in Section 1-8 of the City of Minot Code of Ordinances.

(h) IFGC 108.5 is amended as follows:

108.5 Stop work order.

Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which the work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. No person shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition.

(i) IFGC 109.1 is amended to read as follows:

109.1 Appeals.

A person aggrieved by a decision of the code official may appeal such decision pursuant to Section 112 of the IBC and [and] amended by section 9-2 of the City of Minot Code of

Ordinances, and to that end the "code official" shall be deemed to be the "building official" as that term is employed therein.

(j) IFGC 109.2. Membership of board. (Reserved.)

(k) IFGC 109.2.1 Qualifications. (Reserved.)

(l) IFGC 109.2.2 Alternate members. (Reserved.)

(m) IFGC 109.2.3 Chairman. (Reserved.)

(n) IFGC 109.2.4 Disqualification of member. (Reserved.)

(o) IFGC 109.2.5 Secretary. (Reserved.)

(p) IFGC 109.2.6 Compensation of members. (Reserved.)

(q) IFGC 109.3 Notice of meeting. (Reserved.)

(r) IFGC 109.4 Open hearing. (Reserved.)

(s) IFGC 109.4.1. Procedure. (Reserved.)

(t) IFGC 109.5 Postponed hearing. (Reserved.)

(u) IFGC 109.6 Board decision. (Reserved.)

(v) IFGC 109.6.1 Resolution. (Reserved.)

(w) IFGC 109.6.2 Administration. (Reserved.)

(x) IFGC 109.7 Court review. (Reserved.)

(y) IFGC 301.2 Energy utilization. (Reserved.)

(z) IFGC 301.11 is amended to read as follows:

301.11 Flood hazard.

Chapter 20 of the Zoning Ordinance of the City of Minot sets forth requirements which apply to various aspects of this code, which requirements must likewise be complied with.

§6. Section 17-1 of Chapter 17 (Heating, Ventilation and Air Conditioning), Article I (In General), is hereby amended to read as follows:

Sec. 17-1. - International Mechanical Code adopted.

The International Mechanical Code, 20152018 Edition (drafted by the International Code Council and as amended by the State of North Dakota), is by reference thereto incorporated herein as fully as though set out at length hereafter (except and to the extent that the provisions thereof are amended as provided in section 17-2 below). The International Mechanical Code, as amended by section 17-2, shall apply for use and application in the city of Minot, and within the extraterritorial jurisdiction of the city of Minot. This enactment by reference with the modifications set forth in section 17-2 shall become effective upon final passage and approval of this section. References in the Code of Ordinances to the International Mechanical Code,- 20152018 Edition, shall be by (a) the full title thereof, (b) the words "the mechanical code," (c) the words "this code," or (d) the abbreviation "IMC." One (1) copy of the IMC shall be maintained at all times in the office of the city clerk for public inspection.

§7. This Ordinance shall become effective upon final passage and approval.

Passed 1st Reading:

Passed 2nd Reading:

ATTEST:

APPROVED:

Kelly Matalka, City Clerk

Shaun Sipma, Mayor