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ARTICLE 61:15

FIRE SAFETY

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**FIRE SAFETY**

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**CHAPTER 61:15:01**

**FIRE SAFETY STANDARDS**

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**61:15:01:01.  Conformity with national standards.** The standards of fire safety set forth in the **International Building Code**, 2015 edition; **International Fire Code**, 2015 edition; and the **International Mechanical Code**, 2015 edition; and referenced standards, except as modified, amended, or deleted in this chapter, are the rules of the South Dakota Department of Public Safety authorized by SDCL 34-29B-2.

**Source:** 7 SDR 83, effective March 12, 1981; 8 SDR 87, 8 SDR 134, effective July 1, 1982; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 13 SDR 125, effective March 15, 1987; 16 SDR 85, effective November 9, 1989; 18 SDR 50 effective September 16, 1991; 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 30 SDR 48, effective October 16, 2003; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2, 34-29B-10.

**References: International Building Code**, 2015 edition, International Code Council.Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $114.00 for members and $152.00 for nonmembers. Telephone: 1-888-422-7233.

**International Fire Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $92.00 for members and $123.00 for nonmembers. Telephone: 1-888-422-7233.

**International Mechanical Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $72.00 for members and $96.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:01:02.  Deletions from the International Fire Code.** Sections 102.5, 103 to 106.4, inclusive, sections 903.2.6 are deleted from the **International Fire Code**, 2015 edition.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2, 34-29B-10.

**Reference:** **International Fire Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $92.00 for members and $123.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:01:03.  Deletions from the International Building Code.** Sections 101.4 to 101.4.5, inclusive, 103 to 106.3, inclusive, 109 to 113.3, inclusive, and 903.2.6 are deleted from the **International Building Code**, 2015 edition.

**Source:** 18 SDR 107, effective January 1, 1992; 18 SDR 224, effective July 13, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2, 34-29B-10.

**Reference:** **International Building Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $114.00 for members and $152.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:01:04.  Amendments to the International Fire Code.** Amendments to the **International Fire Code**, 2015 edition, are as follows:

(1)  Where the International Fire Code references NFPA 10, "Standards for Portable Fire Extinguishers," the 2013 edition is the standard to be used;

(2)  Where the International Fire Code references NFPA 72, "National Fire Alarm Code," the 2013 edition is the standard to be used;

(3)  Where International Fire Code references NFPA 407, "Standards for Aircraft Fuel Servicing," the 2012 edition is the standard to be used;

(4)  Where the International Fire Code references NFPA 52, "Vehicular Fuel Systems Code," the 2013 edition is the standard to be used;

(5)  Where the International Fire Code references NFPA 86, "Standards for Ovens and Furnaces," the 2015 edition is the standard to be used;

(6)  Repealed;

(7)  Where the International Fire Code references NFPA 11, "Standards for Low-, Medium-, and High- Expansion Foam," the 2010 edition is the standard to be used;

(8)  Where the International Fire Code references NFPA 15, "Standard for Water Spray Fixed Systems for Fire Protection," the 2012 edition is the standard to be used;

(9)  Where the International Fire Code references NFPA 704, "Standard System for the Identification of the Hazards of Materials for Emergency Response," the 2012 edition is the standard to be used;

(10)  Where the International Fire Code references NFPA 385, "Standard for Tank Vehicles for Flammable and Combustible Liquids," the 2012 edition is the standard to be used; and

(11)  Where the International Fire Code references NFPA 58, "Liquefied Petroleum Gas Code," the 2014 edition is the standard to be used.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2, 34-29B-10.

**References:** **International** **Fire Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $92.00 for members and $123.00 for nonmembers. Telephone: 1-888-422-7233.

NFPA 10, "Standards For Portable Fire Extinguishers," 2013 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $45.45 for members and $50.50 for nonmembers.

NFPA 72, "National Fire Alarm Code," 2013 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $86.85 for members and $96.50 for nonmembers.

NFPA 407, "Standards for Aircraft Fuel Servicing," 2012 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $35.55 for members and $39.50 for nonmembers.

NFPA 52, "Vehicular Fuel Systems Code," 2013 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $45.45 for members and $50.50 for nonmembers;

NFPA 86, "Standards for Ovens and Furnaces," 2015 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $53.55 for members and $59.50 for nonmembers.

NFPA 11, "Standards for Low-, Medium-, and High- Expansion Foam," 2010 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $45.45 for members and $50.50 for nonmembers.

NFPA 15, "Standard for Water Spray Fixed Systems for Fire Protection," 2012 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $45.45 for members and $50.50 for nonmembers.

NFPA 704, "Standard System for the Identification of the Hazards of Materials for Emergency Response," 2012 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $41.40 for members and $46.00 for nonmembers.

NFPA 385, "Standard for Tank Vehicles for Flammable and Combustible Liquids," 2012 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $41.40 for members and $46.00 for nonmembers;

NFPA 58, "Liquefied Petroleum Gas Code," 2014 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $53.55 for members and $59.50 for nonmembers.

**61:15:01:05.  Amendments to the International Building Code.** Amendments to the **International Building Code**, 2015 edition, are as follows:

(1)  Where the International Building Code references NFPA 13, "Standard for the Installation of Sprinkler Systems," the 2013 edition is the standard to be used;

(2)  Where the International Building Code references NFPA 14, "Standard for the Installation of Standpipe and Hose Systems," the 2013 edition is the standard to be used;

(3)  Where the International Building Code references NFPA 13R, "Standard for the Installation of Sprinkler Systems in Residential Occupancies Up to and Including Four Stories in Height," the 2013 edition is the standard to be used; and

(4)  Where the International Building Code references the "International Energy Conservation Code" the 2009 edition is the standard to be used.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2, 34-29B-10.

**References:** **International Building Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $114.00 for members and $152.00 for nonmembers. Telephone: 1-888-422-7233.

NFPA 13, "Standard for the Installation of Sprinkler Systems," 2013 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $92.70 for members and $103.00 for nonmembers.

NFPA 14, "Standard for the Installation of Standpipe and Hose Systems," 2013 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $41.40 for members and $46.00 for nonmembers.

NFPA 13R, "Standard for the Installation of Sprinkler Systems in Residential Occupancies Up to and Including Four Stories in Height," 2013 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $41.40 for members and $46.00 for nonmembers.

**International Energy Conservation Code**, 2009 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $32.00 for members and $42.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:01:06.  Fire safety for flammable liquids and liquefied petroleum gases.** The manufacture, transportation, storage, and use of combustible and flammable liquids and liquefied petroleum gases shall conform to the requirements specified in chapter 61:15:03 and in chapter 57 and chapter 61 of the **International Fire Code**, 2015 edition.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2, 34-29B-10.

**Reference:** **International Fire Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $92.00 for members and $123.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:01:07.  Deletions from Uniform Mechanical Code.** Repealed.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; repealed, 33 SDR 113, effective January 2, 2007.

**61:15:01:08.  Residential flammable liquid storage tanks and liquefied petroleum gas installations.** Residential combustible liquid storage tanks and liquefied petroleum gas installations of less than 2,000 gallons water capacity are not required to submit plans for review by the Department of Public Safety. This does not relieve the installer from meeting the requirements for installation as specified by the **International Mechanical Code**, 2015 edition, the **International Fire Code**, 2015 edition, or more stringent local requirements.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 30 SDR 48, effective October 16, 2003; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2, 34-29B-10.

**References:** **International Mechanical Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $72.00 for members and $96.00 for nonmembers. Telephone: 1-888-422-7233.

**International Fire Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $92.00 for members and $123.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:01:09.  Maintenance of exits and emergency escapes.** The number of required exits for a building or each level of a building shall meet the requirements of section 1031 of the International Fire Code, 2015 edition. Each exit conforming to the requirements of the building code under the exit was constructed may be considered as a complying exit if, in the opinion of the authority having jurisdiction, the exit does not constitute a distinct hazard to life. The fire-resistive rating of any wall, ceiling, or opening that is part of an exit shall meet the minimum requirements of this chapter. No obstruction, including storage, may be placed in the required width of an exit. No exit may be obstructed in any manner. Each exit shall remain free of any material or matter whose presence would make the exit hazardous.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2, 34-29B-10.

**Reference:** **International Fire Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $92.00 for members and $123.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:01:10.  Exit requirements for existing buildings other than high-rise buildings.** Every floor above the first story used for human occupancy in existing buildings other than high-rise buildings shall have access to at least two separate exits, one of which may be an exterior fire escape complying with this chapter. In all occupancies, except day care, second stories with an occupant load of 10 or less may have one exit. All required stairs shall have a minimum run of 9 inches and a maximum rise of 8 inches and shall have a minimum width of 30 inches exclusive of handrails. Every stairway shall have at least one handrail. A landing having a minimum 30-inch run in the direction of travel shall be provided at each point of access to the stairway. Fire escape stairs shall be of noncombustible construction.

**Source:** 18 SDR 107, effective January 1, 1992.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2, 34-29B-10.

**61:15:01:11.  Existing corridor construction.** Repealed.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; repealed, 37 SDR 235, effective June 28, 2011.

**61:15:01:12.  Existing fire escapes.** Existing fire escapes which, in the opinion of the fire official, comply with the intent of this chapter, may be used as one of the required exits. Fire escapes shall comply with the following:

(1)  All openings in the exterior wall below and within 10 feet of a fire escape stair serving a building over two stories high shall be protected by a self-closing fire assembly having a 3/4-hour fire protection rating;

(2)  Egress from the building shall be by a clear opening of not less than 20 inches wide, 24 inches high, and 5.7 square feet in area. The bottom of the opening shall be not more than 44 inches above the floor of the building or balcony;

(3)  Fire escape stairways and balconies shall support the dead load plus a live load of not less than 100 pounds per square foot and shall be provided with a top and intermediate handrail on each side. The pitch of the stairway may not exceed 60 degrees with a minimum width of 18 inches. Treads may not be less than 4 inches wide and the rise between treads may not exceed 10 inches. All stair and balcony railings shall support a horizontal force of not less than 50 pounds per lineal foot of railing;

(4)  Balconies shall be not less than 44 inches wide with no floor openings other than the stairway opening greater than 5/8 inch wide. Stairway openings in such balconies shall be at least 22 inches by 44 inches. The balustrade of each balcony shall be not less than 36 inches high with not more than 9 inches between balusters;

(5)  Fire escapes shall extend to the roof or provide an approved gooseneck ladder between the top floor landing and the roof when serving buildings four or more stories high having roofs with less than 4:12 slope. Fire escape ladders shall be designed and connected to the building to withstand a horizontal force of 100 pounds per lineal foot; each rung shall support a concentrated load of 500 pounds placed anywhere on the rung. All ladders shall be at least 15 inches wide, located within 12 inches of the building, and shall be placed flat to the face of the building. Ladder rungs shall be 3/4 inch in diameter and shall be located 12 inches on center. Openings for roof access ladders through cornices and similar projections shall have minimum dimensions of 30 inches by 33 inches;

(6)  The lowest balcony shall be not more than 18 feet from the ground. Fire escapes shall extend to the ground or be provided with counterbalanced stairs reaching to the ground;

(7)  Fire escapes may not take the place of stairways required by the codes under which the building was constructed;

(8)  Fire escapes shall be kept clear and unobstructed at all times and maintained in good working order.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2, 34-29B-10.

**61:15:01:13.  The abatement of unsafe buildings or structures.** The abatement of unsafe buildings or structures covered by this chapter shall be in accordance with section 116 of the **International Building Code**, 2015 edition. Local jurisdictions may make inspections and take actions as required to enforce the provisions of this section. The Department of Public Safety may provide technical assistance as required to enforce the provisions of this section.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 30 SDR 48, effective October 16, 2003; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-10, 34-29B-11.

**Reference:** **International Building Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $114.00 for members and $152.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:01:14.  Smoke detectors required.** Each sleeping room of a lodging establishment, as defined in subdivision (7) of SDCL 34-18-1, shall contain smoke detectors installed in accordance with the manufacturer's instructions. In new construction, smoke detectors shall receive their primary power from the building wiring and shall be equipped with a battery backup. The detector shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. Smoke detectors may be solely battery-operated when installed in existing lodging establishments.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**61:15:01:15.  Smoke detectors required in multifamily residences.** Each family living unit of a multifamily residence which houses six or more families shall contain at least one smoke detector installed in accordance with the manufacturer's instructions and this section. A smoke detector shall be located on the ceiling or wall of the main room or sleeping room in each dwelling unit of an existing multifamily residence. In new construction each smoke detector shall receive primary power from the building wiring and shall be equipped with a battery backup. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection. If a violation of this section is found, a written notice confirming such findings shall be issued and served upon the owner, operator, or other person responsible for the violation. Any notice or order issued pursuant to this section shall require compliance within 30 days of the date of notice. However, in an existing lodging establishment, each smoke detector may be solely battery-operated.

**Source:** 18 SDR 107, effective January 1, 1992; 18 SDR 224, effective July 13, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 37 SDR 235, effective June 28, 2011.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**61:15:01:16.  Municipal conformity.** Nothing in this chapter prohibits municipalities or local fire officials from adopting alternative requirements for **International Fire Code**, 2015 edition, chapters 20, 21, 24 to 27, inclusive, 29, 32, and 51, provided that the alternative requirement meets the intent and spirit of the code.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**Reference:** **International Fire Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $92.00 for members and $123.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:01:17.  Egress requirements.** Exits for new hotels, motels, multifamily residences which house six or more families, and congregate residences shall be as specified in chapter 10 of the **International Building Code**, 2015 edition. Access to and egress from buildings required to be accessible to persons with disabilities shall be provided as specified in chapter 11 of the **International Building Code**, 2015 edition. Emergency escape and rescue openings shall be provided as specified in section 1030 of the **International Building Code**, 2015 edition.

**Source:** 18 SDR 224, effective July 13, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2, 34-29B-10.

**Reference:** **International** **Building Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $114.00 for members and $152.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:01:18.  Required draft stops.** Draft stops shall be installed in the attics, mansards, overhangs, false fronts set out from walls, and similar concealed spaces of new multifamily residences housing six or more families, hotels, motels, and congregate residences. Such draft stops shall meet the requirements outlined in section 718.4.2 of the **International Building Code**, 2015 edition.

**Source:** 18 SDR 224, effective July 13, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2, 34-29B-10.

**Reference:** **International Building Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club, Hills, IL 60478; $114.00 for members and $152.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:01:19.  Automatic sprinkler system requirements**. An automatic sprinkler system shall be installed throughout any new hotel, motel, and multi-family residence housing six or more families as specified in section 903 of the International Building Code, 2015 edition.

**Source:** 18 SDR 224, effective July 13, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2, 34-29B-10.

**Reference: International Building Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club, Hills, IL 60478; $114.00 for members and $152.00 for nonmembers. Telephone: 1-888-422-7233.

**CHAPTER 61:15:02**

**SCHOOL CONSTRUCTION REQUIREMENTS**

Section

61:15:02:01 Responsibility of governing boards.

61:15:02:02 Approval of proposed construction required.

61:15:02:03 Requirements for plans and specifications -- New construction.

61:15:02:04 Requirements for plans and specifications -- Remodeling -- Unsafe conditions.

61:15:02:05 Deletions from the **International Building Code**.

61:15:02:06 Deletions from the **International Fire Code**.

61:15:02:07 Amendments to the **International Fire Code**.

61:15:02:08 Amendments to the **International Building Code**.

**61:15:02:01.  Responsibility of governing boards.** The governing board of a school covered by SDCL chapter 13-25 shall inform the Department of Public Safety of its intention to alter or remodel existing structures or to build new facilities to be used for school purposes.

**Source:** SL 1975, ch 16, § 1; transferred from § 61:13:03:05, 8 SDR 87, 8 SDR 134, effective July 1, 1982; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 18 SDR 107, effective January 1, 1992; 27 SDR 75, effective February 7, 2001; 30 SDR 48, effective October 16, 2003.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-1.

**61:15:02:02.  Approval of proposed construction required.** The governing body shall advertise no plans and specifications for proposed construction or alteration of school buildings until the plans and specifications have been reviewed by a representative of the Department of Public Safety and approved in writing. Drawings shall be drawn to scale and shall clearly show plot plan sections, elevations, structural details, floor plan, electrical, mechanical, and any other details the department requires.

**Source:** SL 1975, ch 16, § 1; transferred from § 61:13:03:06, 8 SDR 87, 8 SDR 134, effective July 1, 1982; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 18 SDR 107, effective January 1, 1992; 27 SDR 75, effective February 7, 2001; 30 SDR 48, effective October 16, 2003.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-1.

**61:15:02:03.  Requirements for plans and specifications -- New construction.** All plans and specifications for new construction shall be in accordance with the **International Building Code**, 2015 edition; the **International Fire Code**, 2015 edition; the **International Mechanical Code**, 2015 edition, and referenced standards, except as modified, amended, or deleted in this chapter. The cover sheet shall clearly state the occupancy group, division, and building type. Failure to designate these is cause for rejection of the plans.

**Source:** SL 1975, ch 16, § 1; 5 SDR 40, effective November 20, 1978; transferred from § 61:13:03:08, 8 SDR 87, 8 SDR 134, effective July 1, 1982; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-1.

**References:** **International Building Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $114.00 for members and $152.00 nonmembers. Telephone: 1-888-422-7233.

**International Fire Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $92.00 for members and $123.00 for nonmembers. Telephone: 1-888-422-7233.

**International Mechanical Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $72.00 for members and $96.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:02:04.  Requirements for plans and specifications -- Remodeling -- Unsafe conditions.** Any addition, alteration, or repair may be made to any building or structure without requiring the existing building or structure to comply with all the requirements of the **International Building Code**, 2015 edition, if the addition, alteration, or repair conforms to that required for a new building or structure. Any addition or alteration that will cause the existing building or structure to become unsafe may not be made to an existing building or structure. An unsafe condition is considered to have been created if the addition or alteration causes the building or structure to become structurally unsafe or overloaded, will not provide sufficient egress or will obstruct existing exits, will create a fire hazard, will reduce required fire resistance, or will otherwise create conditions dangerous to human life.

**Source:** 5 SDR 40, effective November 20, 1978; transferred from § 61:13:03:09, 8 SDR 87, 8 SDR 134, effective July 1, 1982; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 14 SDR 14, effective July 30, 1987; 16 SDR 85, effective November 9, 1989; 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-1.

**Reference:** **International Building Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $114.00 for members and $152.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:02:05.  Deletions from International Building Code.** Sections 101.4 to 101.4.6, inclusive, 103 to 106.3, inclusive, 109 to 113.3, inclusive, and 903.2.6 are deleted from the **International** **Building Code**, 2015 edition.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-1.

**Reference:** **International Building Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $114.00 for members and $152.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:02:06.  Deletions from the International Fire Code.** Sections 102.5, 103 to 106.4, inclusive, and 903.2.6 are deleted from the **International Fire Code**, 2015 edition.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-1.

**Reference:** **International Fire Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $92.00 for members and $123.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:02:07.  Amendments to the International Fire Code.** Amendments to the **International Fire Code**, 2015 edition, are as follows:

(1)  Where the International Fire Code references NFPA 10, "Standards for Portable Fire Extinguishers," the 2013 edition is the standard to be used;

(2)  Where the International Fire Code references NFPA 72, "National Fire Alarm Code," the 2013 edition is the standard to be used;

(3)  Where the International Fire Code references, NFPA 407, "Standards for Aircraft Fuel Servicing," the 2012 edition is the standard to be used;

(4)  Where the International Fire Code references NFPA 52, "Vehicular Fuel Systems Code," the 2013 edition is the standard to be used;

(5)  Where the International Fire Code references NFPA 86, "Standards for Ovens and Furnaces," the 2015 edition is the standard to be used;

(6)  Repealed;

(7)  Where the International Fire Code references NFPA 11, "Standards for Low-, Medium-, and High- Expansion Foam," the 2010 edition is the standard to be used;

(8)  Where the International Fire Code references NFPA 15, "Standard for Water Spray Fixed Systems for Fire Protection," the 2012 edition is the standard to be used;

(9)  Where the International Fire Code references NFPA 704, "Standard System for the Identification of the Hazards of Materials for Emergency Response," the 2012 edition is the standard to be used;

(10)  Where the International Fire Code references, NFPA 385, "Standard for Tank Vehicles for Flammable and Combustible Liquids," the 2012 edition is the standard to be used; and

(11)  Where the International Fire Code references NFPA 58, "Liquefied Petroleum Gas Code," the 2014 edition is the standard to be used.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-1.

**References:** **International Fire Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $92.00 for members and $123.00 for nonmembers. Telephone: 1-888-422-7233.

NFPA 10, "Standards For Portable Fire Extinguishers," 2013 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $45.45 for members and $50.50 for nonmembers.

NFPA 72, "National Fire Alarm Code," 2013 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $86.85 for members and $96.50 for nonmembers.

NFPA 407, "Standards for Aircraft Fuel Servicing," 2012 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $35.55 for members and $39.50 for nonmembers.

NFPA 52, "Vehicular Fuel Systems Code," 2013 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $45.45 for members and $50.50 for nonmembers.

NFPA 86, "Standards for Ovens and Furnaces," 2015 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, Quincy, Massachusetts 02169-9101; $53.55 for members and $59.50 for nonmembers.

NFPA 11, "Standards for Low-, Medium-, and High- Expansion Foam," 2010 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $45.45 for members and $50.50 for nonmembers.

NFPA 15, "Standard for Water Spray Fixed Systems for Fire Protection," 2012 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $45.45 for members and $50.50 for nonmembers.

NFPA 704, "Standard System for the Identification of the Hazards of Materials for Emergency Response," 2012 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $41.40 for members and $46.00 for nonmembers.

NFPA 385, "Standard for Tank Vehicles for Flammable and Combustible Liquids," 2012 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $41.40 for members and $46.00 for nonmembers.

NFPA 58, "Liquefied Petroleum Gas Code," 2014 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $53.55 for members and $59.50 for nonmembers.

**61:15:02:08.  Amendments to the International Building Code.** Amendments to the **International Building Code**, 2015 edition, are as follows:

(1)  Where the International Building Code references NFPA 13, "Standard for the Installation of Sprinkler Systems," the 2013 edition is the standard to be used;

(2)  Where the International Building Code references NFPA 14, "Standard for the Installation of Standpipe and Hose Systems," the 2013 edition is the standard to be used; and

(3)  Where the International Building Code references NFPA 13R, "Standard for the Installation of Sprinkler Systems in Residential Occupancies Up to and Including Four Stories in Height," the 2013 edition is the standard to be used.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-1.

**References:** **International Building Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $114.00 for members and $152.00 for nonmembers. Telephone: 1-888-422-7233.

NFPA 13, "Standard for the Installation of Sprinkler Systems," 2013 edition, National Fire Protection Association. Copies may be obtained from the National Fire Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $92.70 for members and $103.00 for nonmembers.

NFPA 14, "Standard for the Installation of Standpipe and Hose Systems," 2013 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $41.40 for members and $46.00 for nonmembers.

NFPA 13R, "Standard for the Installation of Sprinkler Systems in Residential Occupancies Up to and Including Four Stories in Height," 2013 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $41.40 for members and $46.00 for nonmembers.

**CHAPTER 61:15:03**

**FLAMMABLE GASES AND LIQUIDS BLUEPRINTS**

Section

61:15:03:01 Blueprints of installations required.

61:15:03:02 Information required on blueprint.

61:15:03:03 Drawing requirements for aboveground storage.

61:15:03:04 Drawing requirements for underground storage.

61:15:03:05 Detail required on drawings and blueprints.

61:15:03:06 Role of local jurisdictions.

61:15:03:07 Reasons for denial.

61:15:03:08 Delegation of authority to grant uncontested variance.

61:15:03:09 Deadline to file petitions.

**61:15:03:01.  Blueprints of installations required.** Except as provided in § 61:15:03:06, duplicate copies of drawings or blueprints for any construction or installation for the storage, handling, or use of flammable or combustible liquids or liquefied petroleum gas shall be submitted to the Department of Public Safety for approval. The drawings or blueprints must be drawn to scale and include structural, electrical, plumbing, and mechanical features. Approval is required before any construction or installation may be undertaken in aboveground storage for retail sales, bulk plants, service stations, and processing plants. Within 20 days after receipt of the application with drawings or blueprints, a representative of the Department of Public Safety shall examine them. If the drawings or blueprints conform to the applicable requirements of this chapter, the representative shall approve the application, retain one copy for the files, and return the other copy to the applicant, plus any additional copies submitted by the applicant. If the drawings or blueprints do not conform to the applicable requirements, the representative shall notify the applicant.

**Source:** SL 1975, ch 16, § 1; transferred from § 61:10:03:01, 8 SDR 87, 8 SDR 134, effective July 1, 1982; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 18 SDR 50, effective September 16, 1991; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 30 SDR 48, effective October 16, 2003; 33 SDR 113, effective January 2, 2007.

**General Authority:** SDCL 34-29B-2, 34-38-35.

**Law Implemented:** SDCL 34-29B-2, 34-38-24, 34-38-25, 34-38-26.

**61:15:03:02.  Information required on blueprint.** Blueprints or drawings shall show the name of the person, firm, or corporation proposing the installation, the location of the installation, and the adjacent streets or highways.

**Source:** SL 1975, ch 16, § 1; transferred from § 61:10:03:02, 8 SDR 87, 8 SDR 134, effective July 1, 1982; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 23 SDR 32, effective September 11, 1996.

**General Authority:** SDCL 34-29B-2, 34-38-35.

**Law Implemented:** SDCL 34-29B-2, 34-38-25.

**61:15:03:03.  Drawing requirements for aboveground storage.** For aboveground storage, the drawings shall show:

(1)  The capacity of each tank;

(2)  The dimensions of each tank;

(3)  The class of liquid to be stored in each tank;

(4)  The type of tank supports;

(5)  The clearances between tanks;

(6)  The type of venting and pressure relief used and the combined capacity of all venting and pressure relief valves on each tank;

(7)  The tank control valves;

(8)  The location and type of pump;

(9)  Electrical schematic;

(10)  Vehicle access;

(11)  Method of storage and dispensing; and

(12)  Distances from tanks and dispensers to property lines and buildings, fire appliances, collision barriers, and emergency controls.

**Source:** SL 1975, ch 16, § 1; transferred from § 61:10:03:03, 8 SDR 87, 8 SDR 134, effective July 1, 1982; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 18 SDR 50, effective September 16, 1991; 23 SDR 32, effective September 11, 1996.

**General Authority:** SDCL 34-29B-2, 34-38-35.

**Law Implemented:** SDCL 34-29B-2, 34-38-24, 34-38-25, 34-38-26.

**61:15:03:04.  Drawing requirements for underground storage.** For underground systems, the drawings shall show the location and capacity of each tank, and the class of liquid to be stored in the tanks, together with the clearances and requirements and the location of fill, gauge, and vent pipes and other openings.

**Source:** SL 1975, ch 16, § 1; transferred from § 61:10:03:04, 8 SDR 87, 8 SDR 134, effective July 1, 1982; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 23 SDR 32, effective September 11, 1996.

**General Authority:** SDCL 34-29B-2, 34-38-35.

**Law Implemented:** SDCL 34-29B-2, 34-38-24, 34-38-25.

**Cross-Reference:** Conformity with national standards, § 61:15:01:01.

**61:15:03:05.  Detail required on drawings or blueprints.** Drawings or blueprints for installations for storage, handling, or use of flammable liquids within buildings or enclosures at any establishment or occupancy covered by this section shall show in detail whether applicable requirements are met.

**Source:** SL 1975, ch 16, § 1; transferred from § 61:10:03:05, 8 SDR 87, 8 SDR 134, effective July 1, 1982; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 23 SDR 32, effective September 11, 1996.

**General Authority:** SDCL 34-29B-2, 34-38-35.

**Law Implemented:** SDCL 34-29B-2, 34-38-24, 34-38-25.

**61:15:03:06.  Role of local jurisdictions.** Drawings or blueprints of a proposed installation shall be first submitted to the applicable local official or governing body. The local official or governing body shall require compliance with the applicable requirements of this chapter and may require compliance with more stringent local requirements. Local approval must be in writing and signed by the head of the local governing body. After local approval has been given, the applicant shall send the approval letter, plans, and specifications to the Department of Public Safety for approval pursuant to § 61:15:03:01.

**Source:** SL 1975, ch 16, § 1; transferred from § 61:10:03:06, 8 SDR 87, 8 SDR 134, effective July 1, 1982; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 18 SDR 50, effective September 16, 1991; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007.

**General Authority:** SDCL 34-29B-2, 34-38-35.

**Law Implemented:** SDCL 34-29B-2, 34-38-25.

**61:15:03:07.  Reasons for denial.** In addition to failure to meet the applicable provisions provided by statute, failure to meet the applicable provisions in this article, failure to obtain any variance required by statute, or failure to comply with local regulations, the Department of Public Safety may deny approval for use of aboveground storage tanks at retail locations if there is a false statement or misrepresentation of a material fact in the request or plans on which the request was based or the proposed location is in an area where undue hazard to the safety of the general public can be expected.

**Source:** 18 SDR 50, effective September 16, 1991; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007.

**General Authority:** SDCL 34-38-35.

**Law Implemented:** SDCL 34-38-24, 34-38-25, 34-38-35.

**61:15:03:08.  Delegation of authority to grant uncontested variance.** If no petition in opposition is filed pursuant to § 61:15:03:09, the Department of Public Safety may grant a variance pursuant to SDCL 34-38-39. A variance may be granted no sooner than 20 days after publication of the variance notice. Petitions filed in support of a variance may not result in a hearing; however, the petitioner will receive notice if a hearing is to be held.

**Source:** 18 SDR 50, effective September 16, 1991; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007.

**General Authority:** SDCL 34-38-35.

**Law Implemented:** SDCL 34-38-25, 34-38-35, 34-38-39.

**61:15:03:09.  Deadline to file petitions.** Petitions filed to oppose or support a variance request must be served by first class mail or personally delivered to the Department of Public Safety and the variance applicant. Mail must be postmarked or personal delivery must occur at least 10 days before the published date of the hearing. If the 10th day is a Saturday, Sunday, or legal holiday, petitions must be postmarked or personally delivered to the Department of Public Safety by the next working day.

**Source:** 18 SDR 50, effective September 16, 1991; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007.

**General Authority:** SDCL 34-38-35.

**Law Implemented:** SDCL 34-38-25, 34-38-35, 34-38-39.

**CHAPTER 61:15:04**

**AUTOMATIC SCHOOL FIRE ALARM TIE-IN**

Section

61:15:04:01 Requirements for signaling devices for public school attendance centers.

61:15:04:02 Repealed.

61:15:04:03 Alternative requirements for signaling devices for public school attendance centers.

61:15:04:04 Automatic telephone dialing device defined.

**61:15:04:01.  Requirements for signaling devices for public school attendance centers.** Public school attendance centers with fire alarm systems shall be monitored by a central, proprietary, or remote station service or a local alarm which gives audible and visual signals at a constantly attended location.

**Source:** 14 SDR 14, effective July 30, 1987; 23 SDR 32, effective September 11, 1996.

**General Authority:** SDCL 13-25-2, 13-25-13.

**Law Implemented:** SDCL 13-25-11 to 13-25-13.

**61:15:04:02.  Central dispatch station defined.** Repealed.

**Source:** 14 SDR 14, effective July 30, 1987; repealed, 23 SDR 32, effective September 11, 1996.

**61:15:04:03.  Alternative requirements for signaling devices for public school attendance centers.** To comply with SDCL 13-25-11 to 13-25-13, inclusive, public school attendance centers may either install signaling devices that comply with § 61:15:04:01 or automatic telephone dialing devices directly connected to the local fire department dispatch system. Automatic telephone dialing devices used to transmit an emergency alarm may not be connected to any fire department telephone number unless the connection is approved by the fire chief.

**Source:** 14 SDR 14, effective July 30, 1987; 23 SDR 32, effective September 11, 1996.

**General Authority:** SDCL 13-25-2, 13-25-13.

**Law Implemented:** SDCL 13-25-11 to 13-25-13.

**61:15:04:04.  Automatic telephone dialing device defined.** An automatic telephone dialing device is a device located at the protected premise to which initiation devices are connected. When an initiation device activates the dialer, the dialer must seize a telephone line, dial a preselected number, and transmit a voice message over the telephone line.

**Source:** 14 SDR 14, effective July 30, 1987; 23 SDR 32, effective September 11, 1996.

**General Authority:** SDCL 13-25-2, 13-25-13.

**Law Implemented:** SDCL 13-25-11 to 13-25-13.

**CHAPTER 61:15:05**

**DAY CARE CENTER CONSTRUCTION REQUIREMENTS**

Section

61:15:05:01 Definition of day care center.

61:15:05:02 Responsibility of day care proprietors.

61:15:05:03 Approval of proposed construction required.

61:15:05:04 Construction requirements.

61:15:05:05 Exit requirements.

61:15:05:06 Floor covering requirements.

61:15:05:07 Interior finish.

61:15:05:08 Fire alarm requirements.

61:15:05:09 Automatic fire sprinkler requirements.

61:15:05:10 Portable fire extinguishers.

61:15:05:11 Boiler and furnace room protection.

61:15:05:12 Latches and locks.

61:15:05:13 Electrical receptacle protection.

61:15:05:14 Space heaters.

61:15:05:15 Basement requirements.

**61:15:05:01.  Definition of day care center.** A day care center is any facility as defined in SDCL 26-6-14(3) providing group care and supervision for 21 or more children.

**Source:** 18 SDR 107, effective January 1, 1992.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**61:15:05:02.  Responsibility of day care proprietors.** A day care proprietor intending to alter, remodel, or build new facilities to be used for day care purposes shall inform the Office of the State Fire Marshal and the Department of Social Services of that intention.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**61:15:05:03.  Approval of proposed construction required.** A day care proprietor may not begin proposed construction until the plans and specifications have been reviewed locally and by a representative of the Department of Public Safety and approved in writing. Drawings shall be drawn to scale and shall clearly show plot plan sections, elevations, structural details, floor plan, electrical, mechanical, and any other details the department may require.

**Source:** 18 SDR 107, effective January 1, 1992; 27 SDR 75, effective February 7, 2001; 30 SDR 48, effective October 16, 2003; 33 SDR 113, effective January 2, 2007.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**61:15:05:04.  Construction requirements.** New construction of and any addition to a day care center, remodeling of an existing day care center, and remodeling of any existing building to be used as a day care center must be in accordance with this chapter.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**61:15:05:05.  Exit requirements.** A day care center or each level of a day care center where the occupant load exceeds ten must have at least two remote exits that meet the requirements set forth in chapter 10 of the **International** **Building Code**, 2015 edition. The two required exits must discharge directly to the outside and must swing in the direction of exit travel when the occupant load exceeds 50. Exiting for any existing day care center must conform to the provisions of chapter 10 of the **International Fire Code**, 2015 edition. Exit illumination and signs shall be installed and maintained in accordance with sections 1006 and 1008 of the **International Building Code**, 2015 edition.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**References:** **International Building Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $114.00 for members and $152.00 for nonmembers. Telephone: 1-888-422-7233.

**International Fire Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $92.00 for members and $123.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:05:06.  Floor covering requirements.** Interior floor finish materials in a day care center must be a Class 2 material in required exits, exit passageways, or corridors providing exit access. A Class 2 material is any material having a minimum critical radiant flux of 0.22 watts per square centimeter as established by the procedures specified in NFPA-253, "Standard Method of Test for Critical Radiant Flux of Floor Covering Systems Using a Radiant Heat Energy Source," 2015. If an automatic sprinkler system is installed, floor covering materials need not be classified. Floor covering requirements apply to new construction and to replacing of floor covering in existing facilities.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**Reference:** NFPA 253, "Standard Method of Test for Critical Radiant Flux of Floor Covering Systems Using a Radiant Heat Energy Source," 2015 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $35.55 for members and $39.50 for nonmembers. Telephone: 1-617-770-3000.

**61:15:05:07.  Interior finish.** Interior wall and ceiling finish for both new construction and any existing day care facility shall comply with chapter 8 of the **International Building Code**, 2015 edition.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**Reference:** **International** **Building Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $114.00 for members and $152.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:05:08.  Fire alarm requirements.** Each day care center shall be provided with a fire alarm system. Initiation of the fire alarm system shall be by manual pull stations and by operation of any required smoke detector. Smoke detectors shall be placed in each stairwell and in the corridors of all floors containing the day care center. Detectors shall also be installed in lounges, recreation areas, and sleeping rooms. Smoke detectors shall be installed in accordance with the manufacturer's recommendation and NFPA 72, "National Fire Alarm Code," 2013 edition. The alarm shall sound an audible alarm both inside and outside of the center. The requirements of this section apply to both a new and an existing day care facility. The time limit for an existing facility to comply with the requirements of this section shall be determined by the inspector based upon the financial situation of the center and the existing level of life safety. No time limit may exceed 18 months.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**Reference:** NFPA 72, "National Fire Alarm Code," 2013 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $86.85 for members and $96.50 for nonmembers. Telephone: 1-617-770-3000.

**61:15:05:09.  Automatic fire sprinkler requirements.** An automatic sprinkler system must be installed when a basement utilized as a day care center exceeds 1,500 square feet in area. An automatic sprinkler system must be installed throughout the entire structure when a day care use occurs on a second story. An automatic sprinkler system must be installed in each day care center offering 24-hour care. The operation of any required automatic sprinkler system must automatically activate the fire alarm system. This section applies to new construction and any change of use.

**Source:** 18 SDR 107, effective January 1, 1992; 33 SDR 113, effective January 2, 2007.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**61:15:05:10.  Portable fire extinguishers.** Portable fire extinguishers must be provided on each level of a day care center and near food processing equipment. Fire extinguishers must be a minimum of a 2A rating, as identified on the extinguisher label, and may serve no more than 2,000 square feet with a travel distance of not greater than 75 feet to an extinguisher.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**61:15:05:11.  Boiler and furnace room protection.** In new and existing day care facilities, each room containing a boiler, central heating plant, or hot-water supply boiler must be separated from the rest of the building by not less than a one-hour fire-resistive occupancy separation if the equipment exceeds 400,000 Btu per hour input.

**Source:** 18 SDR 107, effective January 1, 1992.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**61:15:05:12.  Latches and locks.** In both new and existing facilities, each closet door latch must be capable of being opened by children from the inside. Each bathroom door lock must be designed to permit opening of the locked door from the outside in an emergency. The opening device must be readily accessible to the staff.

**Source:** 18 SDR 107, effective January 1, 1992.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**61:15:05:13.  Electrical receptacle protection.** Special protective covers for all electrical receptacles not being used must be installed in all areas occupied by children. Self-closing outlet covers that cover outlet holes automatically upon removal of appliance prongs must be provided for new facilities.

**Source:** 18 SDR 107, effective January 1, 1992.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**61:15:05:14.  Space heaters.** Any heating equipment in spaces occupied by children must be provided with noncombustible partitions, screens, or other means to protect the children from hot surfaces and open flame. If solid partitions are used, provisions must be made to assure adequate air for combustion and ventilation for the heating equipment. Unvented fuel-fired room heaters are not permitted.

**Source:** 18 SDR 107, effective January 1, 1992.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**61:15:05:15.  Basement requirements.** Any usable space under the first story of a day care center shall be enclosed. If the construction of the floor joists separating the basement from the first story consists of metal or wood, the framing shall be enclosed on the basement side. Any basement used exclusively for service of the building may have one exit. Storage rooms, laundry rooms, maintenance offices, and similar uses are not considered as providing service to the building. If the basement is used for any purpose, such as storage, two means of exiting from the basement are required.

**Source:** 18 SDR 107, effective January 1, 1992; 37 SDR 235, effective June 28, 2011.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**CHAPTER 61:15:06**

**GROUP FAMILY DAY CARE HOME CONSTRUCTION REQUIREMENTS**

Section

61:15:06:01 Definition of group family day care home.

61:15:06:02 Responsibility of group family day care proprietors.

61:15:06:03 Approval of proposed construction required.

61:15:06:04 Construction requirements.

61:15:06:05 Exit requirements.

61:15:06:06 Floor covering requirements.

61:15:06:07 Interior finish.

61:15:06:08 Fire detection requirements.

61:15:06:09 Portable fire extinguishers.

61:15:06:10 Electrical receptacle protection.

61:15:06:11 Latches and locks.

61:15:06:12 Heating equipment protection.

**61:15:06:01.  Definition of group family day care home.** A group family day care home is any facility as defined in SDCL 26-6-14(5) that provides group care and supervision for 13 to 20 children.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**61:15:06:02.  Responsibility of group family day care proprietors.** A group family day care proprietor intending to alter, remodel, or build new facilities to be used for group family day care purposes shall inform the Office of the State Fire Marshal and the Department of Social Services of that intention.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**61:15:06:03.  Approval of proposed construction required.** A group family day care proprietor may not begin proposed construction until the plans and specifications have been reviewed locally and by a representative of the Department of Public Safety and approved in writing. Drawings must be drawn to scale and must clearly show plot plan sections, elevations, structural details, floor plan, electrical, mechanical, and any other details the department may require.

**Source:** 18 SDR 107, effective January 1, 1992; 27 SDR 75, effective February 7, 2001; 30 SDR 48, effective October 16, 2003.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**61:15:06:04.  Construction requirements.** New construction of and any addition to a group family day care home, remodeling of any existing group family day care home, and remodeling of any existing building for use as a group family day care home must be in accordance with this chapter.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**61:15:06:05.  Exit requirements.** Egress for both a new and an existing group family day care facility shall conform to the following requirements. The first level of a group family day care home is required to have at least two exits that meet the requirements set forth in chapter 10 of the **International Building Code**, 2015 edition. These two required exits shall discharge directly to the outside. If spaces on the floor above the floor of exit discharge are used by clients, at least two remote exits are required on that floor. At least one means of egress shall be an exit discharging directly to the outside. In an existing facility, the exit discharging directly to the outside may be an exit complying with the requirements of § 61:15:01:12. If clients are located in a story below the level of exit discharge, at least two separated exits are required in that story. At least one means of egress shall be an exit discharging directly to the outside, and the vertical travel to ground level may not exceed eight feet. Exit illumination and exit signs shall be provided and maintained in accordance with chapter 10 of the **International Building Code**, 2015 edition.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**Reference:** **International Building Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $114.00 for members and $152.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:06:06.  Floor covering requirements.** Interior floor finish materials in a group family day care home shall be a Class 2 material in required exits, exit passageways, or corridors providing exit access. A Class 2 material is any material having a minimum critical radiant flux of 0.22 watts per square centimeter as established by the procedures specified in NFPA-253, "Standard Method of Test for Critical Radiant Flux of Floor Covering Systems Using a Radiant Heat Energy Source," 2015 edition. If an automatic sprinkler system is installed, floor covering materials need not be classified. Floor covering requirements apply to new construction and to replacing of floor covering in an existing facility.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**Reference:** NFPA 253, "Standard Method of Test for Critical Radiant Flux of Floor Covering Systems Using a Radiant Heat Energy Source," 2015 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $35.55 for members and $39.50 for nonmembers. Telephone: 1-617-770-3000.

**61:15:06:07.  Interior finish.** Interior wall and ceiling finish for both a new and an existing group family day care home shall comply with chapter 8 of the **International Building Code**, 2015 edition.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**Reference:** **International** **Building Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $114.00 for members and $152.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:06:08.  Fire detection requirements.** Every group family day care home shall be provided with a residential fire detection system comprised of interconnected multiple-station smoke detectors. Smoke detectors shall be interconnected so an alarm from any one of the interconnected detectors sounds the alarm in all detectors. Smoke detectors shall be installed in every sleeping room, corridor, stairwell, and activity room in accordance with the manufacturer's recommendations and NFPA 72, "National Fire Alarm Code," 2013 edition. Each smoke detector shall receive primary power from the building wiring. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. The requirements of this section apply to both a new and an existing facility. The time limit for an existing facility to comply shall be determined by the inspector based upon the financial situation of the facility and the existing level of life safety. No time limit may exceed 18 months.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**Reference:** NFPA 72, "National Fire Alarm Code," 2013 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $86.85 for members and $96.50 for nonmembers. Telephone: 1-617-770-3000.

**61:15:06:09.  Portable fire extinguishers.** Portable fire extinguishers must be provided on each level and near food processing equipment. Fire extinguishers must be a minimum of a 2A rating, as identified on the extinguisher label, and may serve no more than 2,000 square feet with a travel distance of not greater than 75 feet to an extinguisher.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**61:15:06:10.  Electrical receptacle protection.** Special protective covers for all electrical receptacles not being used must be installed in all areas occupied by children. Self-closing outlet covers that cover outlet holes automatically upon removal of appliance prongs must be provided for new facilities.

**Source:** 18 SDR 107, effective January 1, 1992.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**61:15:06:11.  Latches and locks.** In both new and existing facilities, each closet door latch must be capable of being opened by children from the inside. Each bathroom door lock must be designed to permit opening of the locked door from the outside in an emergency. The opening device must be readily accessible to the staff.

**Source:** 18 SDR 107, effective January 1, 1992.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**61:15:06:12.  Heating equipment protection.** In new and existing group family day care homes, each room containing a boiler, central heating plant, or hot-water supply boiler must be separated from the rest of the building by not less than a one-hour fire-resistive occupancy separation if the equipment exceeds 400,000 Btu per hour input. Any heating equipment in spaces occupied by children must be provided with noncombustible partitions, screens, or other means to protect the children from hot surfaces and open flame. If solid partitions are used, provisions must be made to assure adequate air for combustion and ventilation for the heating equipment. Unvented fuel-fired room heaters are not permitted.

**Source:** 18 SDR 107, effective January 1, 1992.

**General Authority:** SDCL 34-29B-2.

**Law Implemented:** SDCL 34-29B-2.

**CHAPTER 61:15:07**

**FIRE SAFETY REQUIREMENTS FOR SCHOOL BUILDINGS**

Section

61:15:07:01 Definition of authority having jurisdiction.

61:15:07:02 Applicability.

61:15:07:03 Portable fire extinguishers.

61:15:07:04 Automatic sprinkler system requirements.

61:15:07:05 Ventilating hood and duct systems.

61:15:07:06 Fire-extinguishing equipment for protection of kitchen grease hoods and ducts.

61:15:07:07 Operation and maintenance of hood and duct suppression systems.

61:15:07:08 Fire-resistive construction maintenance.

61:15:07:09 Maintenance of exits and emergency escapes.

61:15:07:10 Exit doors.

61:15:07:11 Repealed.

61:15:07:12 Fire escapes.

61:15:07:13 Enclosure of vertical shafts.

61:15:07:14 Exit signs.

61:15:07:15 Exit sign illumination.

61:15:07:16 Exit illumination.

61:15:07:17 Control of overcrowding and egress obstruction.

61:15:07:18 Flame retardant treatments.

61:15:07:19 Fire alarm requirements.

61:15:07:20 Laboratories and science rooms.

61:15:07:21 Storage, use, and handling of miscellaneous combustibles.

61:15:07:22 Interior finish requirements.

61:15:07:23 Heating and cooking appliances.

61:15:07:24 Electrical equipment and wiring.

61:15:07:25 Use of temporary wiring.

61:15:07:26 Electrical motors.

61:15:07:27 Extension cords.

61:15:07:28 Access to switchboards and panel boards.

61:15:07:29 Flammable and combustible liquids and liquefied petroleum gas.

61:15:07:30 Compressed gases.

61:15:07:31 Protection of gas appurtenances.

61:15:07:32 Special provisions for kindergarten, first, and second grades.

**61:15:07:01.  Definition of authority having jurisdiction.** The authority having jurisdiction is the state or local person or office enforcing the provisions of the **International Building Code**, **International** **Fire Code**, **International Mechanical Code**, 2015 editions, and this chapter.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-2, 13-25-3, 13-25-4.

**References:** **International Building Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $114.00 for members and $152.00 for nonmembers. Telephone: 1-888-422-7233.

**International Fire Code**, 2015 edition, International Code Council. Copies may be obtained from International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $92.00 for members and $123.00 for nonmembers. Telephone: 1-888-422-7233.

**International Mechanical Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $72.00 for members and $96.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:07:02.  Applicability.** Any structure or structures coming within the scope of SDCL chapter 13-25 must conform to the provisions of this chapter.

**Source:** 18 SDR 107, effective January 1, 1992; 33 SDR 113, effective January 2, 2007.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-2, 13-25-3, 13-25-4.

**61:15:07:03.  Portable fire extinguishers.** Portable fire extinguishers must be provided in each school occupancy and shall be inspected and maintained in accordance with NFPA 10, "Standards for Portable Fire Extinguishers," 2013 edition. Vaporizing liquid extinguishers containing carbon tetrachloride or chlorobromomethane may not be installed or used in any location for fire protection. Soda-acid, foam, loaded stream, antifreeze, and water fire extinguishers of the inverting type may not be recharged or placed in service for fire protection. Portable extinguishers shall be installed near food-processing equipment.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**Reference:** NFPA 10, "Standards For Portable Fire Extinguishers," 2013 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $45.45 for members and $50.50 for nonmembers.

**61:15:07:04.  Automatic sprinkler system requirements.** An automatic sprinkler system must be installed in basements of school occupancies when the total area of unseparated uses exceeds 1,500 square feet in floor area. All valves controlling the water supply for automatic sprinkler systems must be electrically supervised when the number of sprinkler heads exceeds 100. All automatic sprinkler systems must have a water-flow switch which activates the building's fire alarm. For uses to be considered as separated, the separation may not be less than as required for a one-hour occupancy separation.

**Source:** 18 SDR 107, effective January 1, 1992.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**61:15:07:05.  Ventilating hood and duct systems.** A ventilating hood and duct system must be provided for commercial food heat-processing equipment that produces grease-laden vapors. For each canopy hood the inside edge must overhang or extend a horizontal distance of not less than six inches beyond the edge of the cooking surface on all open sides, and the vertical distance between the lip of the hood and the cooking surface may not exceed four feet.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**61:15:07:06.  Fire-extinguishing equipment for protection of kitchen grease hoods and ducts.** Fire-suppression systems must be provided for the protection of commercial food heat-processing equipment. The requirement for protection does not include steam kettles and steam tables or equipment which as used does not create grease-laden vapors. The fire-suppression system used to protect ventilating hoods and ducts and cooking appliances must be installed to include cooking surfaces, deep fat fryers, griddles, upright broilers, charbroilers, range tops and grills. Protection must also be provided for the enclosed plenum space within the hood above the filters and the exhaust ducts serving the hood. That portion of the fire-suppression system required for protection of the plenum space within the hood beyond the filter and within the exhaust duct serving the hood may be omitted if grease extractors are installed. Automatic fire-extinguishing systems must be interconnected to the fuel or electrical current supply so that the fuel or current is automatically shut off to all equipment under the hood if the system is actuated. Shutoffs, valves, or switches must be of the type that require manual operation to reset. In addition, carbon dioxide systems must be similarly interconnected to shut off the ventilation fan. A readily accessible, manually activated device must be provided for dry chemical, carbon dioxide, and wet chemical systems at a location approved by the local fire official or a representative of the Department of Public Safety.

**Source:** 18 SDR 107, effective January 1, 1992; 27 SDR 75, effective February 7, 2001; 30 SDR 48, effective October 16, 2003.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**61:15:07:07.  Operation and maintenance of hood and duct suppression systems.** The ventilation system in connection with hoods must be operated at the designed level, and grease filters must be in place when the equipment under a hood is used. If grease extractors are installed, they must be operated when the appliances are used. Extinguishing systems must be serviced at least every six months or after activation of the system. Inspection must be by a trained person who has undergone the instructions necessary to reliably perform maintenance and has the manufacturer's service manual, and an inspection tag must be attached to the system. Fusible links and automatic sprinkler heads must be replaced at least annually, and other protection devices must be serviced or replaced in accordance with the manufacturer's instructions. Frangible bulb sprinkler heads need not be replaced annually. Hoods, grease-removal devices, fans, ducts, and other appurtenances must be cleaned to eliminate grease accumulation.

**Source:** 18 SDR 107, effective January 1, 1992.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**61:15:07:08.  Fire-resistive construction maintenance.** Fire-resistive construction required by the building code in effect at the time of the building's construction or by this chapter, including occupancy separations, area separation walls, shaft enclosures must be maintained as specified in the building code or this chapter. This required fire-resistive construction must be repaired, restored, or replaced when damaged, altered, breached, penetrated, removed, or improperly installed.

**Source:** 18 SDR 107, effective January 1, 1992; 33 SDR 113, effective January 2, 2007.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**61:15:07:09.  Maintenance of exits and emergency escapes.** The number of required exits for a building or each level of a building shall meet the requirements of section 1031 of the **International Fire Code**, 2015 edition. Any building or structure that is not provided with adequate egress is unsafe and may be subjected to the abatement procedures specified in SDCL 13-25-9. Any exit conforming to the requirements of the building code under which the exit was constructed may be considered as complying exits if, in the opinion of the authority having jurisdiction, the exit does not constitute a distinct hazard to life. The fire-resistive rating of any wall, ceiling, or opening that is part of an exit shall meet the minimum requirements of this chapter. No obstruction, including storage, may be placed in the required width of an exit. No exit may be obstructed in any manner. Each exit shall remain free of any material or matter whose presence would make the exit hazardous.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4, 13-25-9.

**Reference:** **International** **Fire Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $92.00 for members and $123.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:07:10.  Exit doors.** Exit doors must be of the pivoted or side-hinged swinging type and must swing in the direction of exit travel when serving any hazardous area or when serving an occupant load of 50 or more. The door latch must release when subjected to a 15-pound force, and the door must be set in motion when subjected to a 30-pound force. The door must swing to full-open position when subjected to a 15-pound force. Forces must be applied to the latch side. Exit doors must be openable from the inside without the use of a key or any special knowledge or effort. Exit doors may not be locked, chained, bolted, barred, latched, or otherwise rendered unusable when the building is occupied. When the occupant load of a building drops to five or less, exit doors may be provided with a night latch, dead bolt, or security chain if such devices are openable from the inside without the use of a key or special tool.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**61:15:07:11.  Existing corridor construction.** Repealed.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; repealed, 37 SDR 235, effective June 28, 2011

**61:15:07:12.  Fire escapes.** An existing fire escape may be used as one of the exits required by § 61:15:07:09. The location and design must comply with the following:

(1)  Access from a corridor may be through an intervening room if the travel distance does not exceed 150 feet from any area of the building to the egress opening and a direct, obvious, and unobstructed path of travel is provided. Such paths of exit travel may not pass through kitchens, storerooms, restrooms, closets, laboratories, industrial shops, or other similar places;

(2)  In buildings over two stories high, all openings within 10 feet of the stair must be protected by 3/4-hour fire assemblies. Adjacent enclosure walls located within a recess or vestibule must be of at least one-hour fire-resistive construction;

(3)  Egress from the building must be by a clear opening at least 20 inches wide, 24 inches high, and 5.7 square feet in area. The bottom of the opening may not be more than 44 inches above the floor;

(4)  Fire escape stairways and balconies must support the dead load plus a live load of not less than 100 pounds per square foot and must be provided with a top and intermediate handrail on each side. The pitch of the stairway may not exceed 60 degrees with a minimum width of 18 inches. Treads may not be less than 4 inches wide and the rise between treads may not exceed 10 inches. All stair and balcony railings must support a horizontal force of not less than 50 pounds per lineal foot of railing;

(5)  Balconies may not be less than 44 inches wide and may have no floor openings other than the stairway opening greater than 5/8 inch wide. Stairway openings in such balconies may not be less than 22 inches by 44 inches. The balustrade of each balcony may not be less than 36 inches high and may not have more than 9 inches between balusters;

(6)  Fire escapes must extend to the roof or provide a gooseneck ladder between the top floor landing and the roof when serving buildings four or more stories high that have roofs with less than 4:12 slope. Fire escape ladders must be designed and connected to the building to withstand a horizontal force of 100 pounds per lineal foot; each rung must support a concentrated load of 500 pounds placed anywhere on the rung. All ladders must be at least 15 inches wide, located within 12 inches of the building, and must be placed flat against the face of the building. Ladder rungs must be 3/4 inch in diameter and must be located 12 inches on center. Openings for roof access ladders through cornices and similar projections must have minimum dimensions of 30 inches by 33 inches;

(7)  The lowest balcony may not be more than 18 feet from the ground. Fire escapes must extend to the ground or be provided with counterbalanced stairs reaching to the ground;

(8)  Fire escapes must not take the place of stairways required by the codes under which the building was constructed. Fire escapes must be kept clear and unobstructed at all times and must be maintained in good working order. All doors or windows providing access to a fire escape must be provided with fire escape signs.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**61:15:07:13.  Enclosure of vertical shafts.** Interior vertical shafts, including stairways, elevator hoistways, service shafts, and utility shafts, must be enclosed by a minimum of one-hour fire-resistive construction. All openings into such shafts must be protected with one-hour fire assemblies which are self-closing or automatic-closing by smoke detection. All other openings must be protected from fire in a manner approved by the authority having jurisdiction. An enclosure is not required for openings serving only one adjacent floor. Vertical openings need not be protected if the building is protected by an automatic sprinkler system throughout.

**Source:** 18 SDR 107, effective January 1, 1992.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**61:15:07:14.  Exit signs.** If two or more exits from a story are required by the **International Building Code**, 2015 edition, exit signs shall be installed at stair enclosure doors, horizontal exits, and other required exits from the story. If two or more exits are required from a room or area, exit signs shall be installed at the exits from the room or area and where otherwise necessary to clearly indicate the direction of egress. If the exitway is not easily identified from any part of a building, regardless of the occupant load, the authority having jurisdiction may require additional signs, lights, or other markings to assure that the exitway meets the intent of this section.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**Reference:** **International** **Building Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $114.00 for members and $152.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:07:15.  Exit sign illumination.** Exit signs required to be illuminated by the **International Building Code**, 2015 edition, shall be maintained in an operable condition.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**Reference:** **International Building Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $114.00 for members and $152.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:07:16.  Exit illumination.** Exit illumination shall be provided and maintained in accordance with the **International Building Code**, 2015 edition. Exits shall be illuminated as required by the **International Building Code** if the building or structure is occupied. Equipment providing emergency power for exit illumination and exit signs shall be maintained in an operable condition.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**Reference:** **International Building Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $114.00 for members and $152.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:07:17.  Control of overcrowding and egress obstruction.** The school governing body is responsible for control of overcrowding and admittance of persons beyond the capacity of a place of assembly. Upon finding overcrowded conditions or obstructions in aisles, passageways, or other means of egress which constitute a serious menace to life, the authority having jurisdiction may, as a last resort, stop the performance, presentation, spectacle, or entertainment until the conditions or obstructions are corrected.

**Source:** 18 SDR 107, effective January 1, 1992.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**61:15:07:18.  Flame retardant treatments.** In buildings or rooms used for assembly purposes, stage curtains, valances, leg drops, Christmas trees, and any decorative material exceeding 10 percent of the wall area that would tend to increase the fire and panic hazard must be made from material which is not flammable or must be treated by means of flame-retardant solution or an equivalent process approved by the authority having jurisdiction. Treatments used to accomplish flame retardation must be renewed as often as necessary to maintain the flame-retardant effect. Exit doors, exit lights, fire alarm stations, hose cabinets, and fire-extinguisher locations may not be concealed or obstructed by decorative material.

**Source:** 18 SDR 107, effective January 1, 1992.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**61:15:07:19.  Fire alarm requirements.** Educational occupancies having an occupant load of 50 or more shall be provided with a manual and automatic fire alarm system. Manual fire alarm boxes shall be located in accordance with NFPA 72, "National Fire Alarm Code," 2013 edition. Fire alarm systems shall be maintained and tested in accordance with the National Fire Alarm Code. Assembly portions of educational occupancies may have alarms as required for the educational occupancy.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**Reference:** NFPA 72, "National Fire Alarm Code," 2013 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $86.85 for members and $96.50 for nonmembers.

**61:15:07:20.  Laboratories and science rooms.** Each laboratory and science work area in which hazardous chemicals are used or stored must conform to the following:

(1)  Each laboratory or science room utilizing hazardous chemicals must be separated from each other and from the rest of the building by a minimum of a one-hour fire-resistive separation. Existing construction may be considered as complying, if in the opinion of the fire official, a distinct hazard to life is not found to exist. No separation is required in fully sprinklered buildings;

(2)  Each laboratory must contain at least one portable fire extinguisher with a minimum rating of 2A-10BC per 1500 square feet of lab area;

(3)  Flammable and combustible liquids and hazardous chemicals must be stored in approved metal storage cabinets or in a storage room constructed of one-hour fire-resistive construction;

(4)  Each laboratory and chemical storage room must be provided with mechanical exhaust;

(5)  A manual shutoff valve must be provided for LP-gas and other bulk compressed gas systems. A valve must be provided at the point of supply and at each point of use. A valve that is located near the instructors workstation or an emergency valve is acceptable for the required valve located at the point of use; and

(6)  The maximum water capacity of individual LP-gas cylinders used for experimentation in educational occupancies shall be 50 lbs. Cylinders not in use may not be stored within the building.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 33 SDR 113, effective January 2, 2007.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**61:15:07:21.  Storage, use, and handling of miscellaneous combustibles.** The storage, use, and handling of miscellaneous combustibles shall be in accordance with the following:

(1)  Storage of combustible materials in buildings or rooms shall be orderly and maintained at least two feet from the ceiling and at least 18 inches below sprinkler head deflectors;

(2)  Combustible materials may not be stored in exits or exit enclosures;

(3)  Combustible material may not be stored in boiler rooms, mechanical rooms, or electrical equipment rooms unless the combustible material is stored at least ten feet from the boiler or the mechanical or electrical equipment;

(4)  Fueled equipment, including motorcycles, lawn-care equipment, and portable cooking equipment, may not be stored, operated, or repaired within a building except if operated in accordance with the equipment's listing, if permitted by other provisions of code, or in buildings or rooms constructed for such use in accordance with section 313 of the **International Fire Code**, 2015 edition. The authority having jurisdiction may require the immediate removal of such equipment from any location when the presence of such equipment is determined to be hazardous;

(5)  Combustible decorative material, including cotton batting, paper, foam plastics, cloth, dried vegetation, moss, straw, hay, vines, split bamboo, leaves, and similar material, shall be flame resistant by procedures approved by the authority having jurisdiction. The authority having jurisdiction may except materials and individual decorative items from the requirements of this subdivision based on size and separation from other combustible materials. The aggregate area of any materials or decorative items may not exceed ten percent of the wall area.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**Reference:** **International Fire Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $92.00 for members and $123.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:07:22.  Interior finish requirements.** Interior wall and ceiling finish shall conform to section 803.1, Table 803.11, chapter 8 of the **International Building Code**, 2015 edition. Exposed floor surfaces, including coverings which are applied over a previously finished floor, shall be a Class 2 material in required exits and passageways and in corridors providing exit access. If an automatic sprinkler system is installed, materials need not be classified. Class 2 materials are any materials having a critical radian flux of 0.22 watt per square centimeter as determined by NFPA 253, "Standard Method of Test for Critical Radiant Flux of Floor Covering Systems Using a Radiant Heat Energy Source," 2015 edition.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**References:** **International Building Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $114.00 for members and $152.00 for nonmembers. Telephone: 1-888-422-7233.

NFPA 253, "Standard Method of Test for Critical Radiant Flux of Floor Covering Systems Using a Radiant Heat Energy Source," 2015 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $35.55 for members and $39.50 for nonmembers.

**61:15:07:23.  Heating and cooking appliances.** Heating appliances shall be installed and maintained in accordance with their listing and the **International Mechanical Code**, 2015 edition. Clearance from combustible material shall be maintained as set forth in the building and mechanical codes. Portable unvented fuel-fired heaters may not be used. Domestic and commercial food processing equipment shall be installed and maintained in accordance with their listing and the **International Mechanical Code**, 2015 edition.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**Reference: International Mechanical Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $72.00 for members and $96.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:07:24.  Electrical equipment and wiring.** Permanent and temporary use of electrical appliances, fixtures, motors, and wiring shall be in accordance with this chapter and the **National Electrical Code**, 2014 edition. This chapter shall be enforced in cooperation with the authority having jurisdiction for the enforcement of the electrical code. If electrical hazards are identified, measures to abate such conditions shall be taken. Identified hazardous electrical conditions in permanent wiring or temporary wiring shall be corrected in cooperation with the authority enforcing the electrical code. Electrical wiring, devices, appliances, and other equipment which are modified or damaged and constitute an electrical shock or fire hazard may not be used.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**Reference:** NFPA 70, **National Electrical Code**, 2014 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $94.50 for members and $105.00 for nonmembers.

**61:15:07:25.  Use of temporary wiring.** Temporary wiring for electrical power and lighting installations is allowed during periods of construction, remodeling, repair, demolition, or similar activities. Temporary wiring is also allowed for not more than 90 days for Christmas decorative lighting, carnivals, and similar purposes and for experimental or developmental work. When temporary wiring is attached to a structure, it must be attached in a manner that may not create a hazard.

**Source:** 18 SDR 107, effective January 1, 1992.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**61:15:07:26.  Electrical motors.** Electrical motors must be maintained in a manner free from accumulations of oil, dirt, waste, and other debris which will interfere with motor ventilation or create a fire hazard.

**Source:** 18 SDR 107, effective January 1, 1992.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**61:15:07:27.  Extension cords.** Extension cords may not be used as a substitute for permanent wiring and must be used in accordance with the following;

(1)  Extension cords are permitted only with portable appliances while such appliances are in immediate use;

(2)  Extension cords must be plugged directly into an electrical receptacle, power tap, or multiplug adapter and may, except for listed multiplug extension cords, serve only one portable appliance;

(3)  The ampacity of an extension cord may not be less than the rated capacity of the portable appliance supplied by the cord;

(4)  Extension cords must be maintained in good condition without splices, deterioration, or damage and must be grounded when serving grounded portable appliances;

(5)  Extension cords and flexible cords may not be affixed to structures; extend through walls, ceilings, or floors or under doors or floor coverings; or be subject to environmental or physical damage.

**Source:** 18 SDR 107, effective January 1, 1992.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**61:15:07:28.  Access to switchboards and panel boards.** Workspace around switchboards and panel boards shall be provided and maintained as required by the **National Electrical Code**, 2014 edition. Such space may not be used for storage. A clear and unobstructed means of access with a minimum width of 36 inches and a minimum height of 78 inches shall be maintained from the operating face of the switchboard or panel board to an aisle or corridor. The disconnecting means for each service, feeder, or branch circuit originating on a switchboard or panel board shall be legibly and durably marked to indicate its purpose unless the purpose is clearly evident.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**Reference:** NFPA 70, **National Electrical Code**, 2014 edition, National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-9101; $94.50 for members and $105.00 for nonmembers.

**61:15:07:29.  Flammable and combustible liquids and liquefied petroleum gas.** The storage, use, dispensing, mixing, and handling of flammable and combustible liquids and liquefied petroleum gas shall be in accordance with chapters 57 and 61 of the **International Fire Code**, 2015 edition. Flammable and combustible liquids are allowed to be used for maintenance purposes, operation of equipment, demonstration, or laboratory work if stored in cabinets which comply with the **International Fire Code**, 2015 edition. Quantities not exceeding 10 gallons may be stored outside a cabinet when in storage containers located in a location approved by the authority having jurisdiction.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**Reference:** **International Fire Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $92.00 for members and $123.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:07:30.  Compressed gases.** Cylinders containing flammable and nonflammable gases shall be stored, used, and handled in accordance with the **International Fire Code**, chapter 53, 2015 edition. Cylinders, pressure vessels, and groups of containers shall be marked with the name of the gas contained and if in service or in storage shall be adequately secured to prevent cylinders from falling or being knocked over.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996; 27 SDR 75, effective February 7, 2001; 33 SDR 113, effective January 2, 2007; 37 SDR 235, effective June 28, 2011; 43 SDR 56, effective October 17, 2016.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**Reference:** **International Fire Code**, 2015 edition, International Code Council. Copies may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478; $92.00 for members and $123.00 for nonmembers. Telephone: 1-888-422-7233.

**61:15:07:31.  Protection of gas appurtenances.** Gas meters, regulators, piping, and liquefied petroleum gas tanks located in an alley, driveway, parking lot, or other area where vehicular damage may occur must be protected by barriers.

**Source:** 18 SDR 107, effective January 1, 1992.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.

**61:15:07:32.  Special provisions for kindergarten, first, and second grades.** Rooms used for kindergarten, first, or second grade pupils may not be located above or below the first story, except in basements or stories that have floor levels located within four feet, measured vertically, from the adjacent ground level at the point of exit, provided the basement or story has exits directly to the exterior at that level. In buildings equipped with an automatic sprinkler system throughout, rooms used for kindergarten, first, and second grade pupils may be located on the second story if there are at least two exits directly to the exterior for the exclusive use of the occupants. The authority having jurisdiction may modify the requirements of this section if exigent circumstances are encountered in a specific case.

**Source:** 18 SDR 107, effective January 1, 1992; 23 SDR 32, effective September 11, 1996.

**General Authority:** SDCL 13-25-2.

**Law Implemented:** SDCL 13-25-3, 13-25-4.