

Title 15

BUILDINGS AND CONSTRUCTION

Chapters:

Article I. Uniform Codes

15.04 Building Code

15.05 International Energy Conservation Code

15.06 Code for the Abatement of Dangerous Buildings

15.07 International Existing Building Code

15.08 Housing Code

15.09 Locatable Address Code

15.10 Fire Code

15.12 Sign Code

15.14 Mechanical Code

15.15 International Fuel Code

15.16 Plumbing Code

15.18 Electrical Code

15.20 Violation--Penalty

Article II. Other Codes

15.36 Moving Code

15.40 Demolition Code

15.44 Federal Accessibility Standards

Article I.

Uniform Codes*

Chapter 15.04

BUILDING CODE**

Sections:

15.04.010 Adoption.

15.04.012 Administrative code.

15.04.015 Applicability.

15.04.020 Definitions.

15.04.030 Amendments.

15.04.040 Section 106.2 amended--Permit exemptions.

15.04.050 Section 107.2 amended--Permit fees.

15.04.060 Table No. 1-A amended--Building permit fee.

15.04.070 Section 107.3 amended--Plan review fees.

15.04.075 International Residential Code amended.

15.04.080 Mobile home installation requirements.

15.04.090 Code required.

* Prior ordinance history: Ordinances 6, 102 and 124.

** Prior ordinance history: Ordinance 102.

15.04.010 Adoption.

There is adopted by the council of commissioners for the purpose of establishing rules and regulations within the city and county of Butte-Silver Bow for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, location on property, fire resistance, safety and maintenance of buildings or structures, including permits and penalties, that certain building code known as the International Building Code, 2006 Edition, with Appendix B (Board of Appeals), Appendix C (Group U - Agricultural Buildings), as amended by ARM 24.301.146(1) through (37) and ARM 24.301.131(1) through (33), and the whole thereof, of which no less than three copies have been filed in the office of the clerk and recorder of the city and county of Butte-Silver Bow and the same is adopted and incorporated with the following amendments thereto as set forth in this chapter.

(Ord. 07-4 § 1, 2007: Ord. 06-9 § 1, 2006: Ord. 04-5 § 1, 2004: Ord. 02-25 § 1, 2003: Ord. 02-4 § 1, 2002: Ord. 00-3 § 1, 2000: Ord. 99-2 § 1, 1999: Ord. 549 § 1, 1996: Ord. 475 § 1, 1994: Ord. 438 § 3, 1992: Ord. 398 § 1, 1991: Ord. 356 § 4, 1989: Ord. 297 § 2, 1987: Ord. 266 § 1.00, 1986: Ord. 195 § 1.00, 1983)

15.04.012 Administrative code.

The policies necessary to accommodate the procedure, technical requirements and internal control structures, and administrative and recordkeeping practices referred to in the ordinance codified in this chapter, as well as such other policies, procedures and controls deemed necessary for an adequate and efficient building code system, shall be further described in detail in the Butte-Silver Bow Administrative Code.

(Ord. 99-2 § 2, 1999)

15.04.015 Applicability.

The codes set forth in Title 15 are applicable to all buildings within the building code enforcement area of Butte-Silver Bow County which is the entire area of the city-county, including that area within the town of Walkerville, including, but not limited to, residential buildings containing less than five dwellings units or their attached structures, any farm or ranch building, and any private garage or private storage structure used only for the owner's use as provided in Section 50-60-102(l)(a), MCA.

(Ord. 04-5 § 2, 2004: Ord. 99-2 § 3, 1999)

15.04.020 Definitions.

Wherever words or terms are used in the Uniform Building Code, they shall have the following meanings:

A. "City," "municipality" or "jurisdiction" means the city and county of Butte-Silver Bow, state of Montana, and includes that area contained within its territorial limits, including that area within the territorial limits of the town of Walkerville.

B. "Chief of the fire department" means the fire chief of Butte-Silver Bow.
(Ord. 04-5 § 3, 2004; Ord. 579 § 1, 1997; Ord. 519 § 2, 1995; Ord. 438 § 4, 1992, Ord. 266 § 1.10, 1986; Ord. 195 § 1.10, 1983)

15.04.030 Amendments.

The following sections of the 2003 Edition of the International Building Code adopted in Section 15.04.010 are amended as set forth in Sections 15.04.040 through 15.04.090.
(Ord. 04-5 § 4, 2004; Ord. 99-2 § 4, 1999; Ord. 549 § 2, 1996; Ord. 438 § 5, 1992; Ord. 356 § 5, 1989; Ord. 266 § 1.20 (part), 1986; Ord. 195 § 1.20 (part), 1983)

15.04.040 Section 106.2 amended--Permit exemptions.

The following is added to Section 106.2:

12. Re-siding on existing residential units.

13. Interior residential remodel as long as no structural alterations.

In items 12 and 13, the Building and Code Enforcement Department would offer service inspections if a permit is secured before the actual construction commenced.
(Ord. 99-2 § 5, 1999; Ord. 549 § 3, 1996; Ord. 266 § 1.20(A), 1986; Ord. 195 § 1.20(A), 1983)

15.04.050 Section 107.2 amended--Permit fees.

Section 107.2 is amended as follows:

Permit Fees: The fee for each permit shall be as set forth in Table No. 1-A as set out in subsection (C) herein. The determination of value or valuation under any of the provisions of this code shall be made by the building office. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permit equipment. In determining the value or valuation of a building or structure under any of the provisions of this code, the building official may use the cost per square foot method of valuation and the cost per square foot figures for the type and quality of construction listed in the most current "Building Valuation Data" table published by "International Conference of Building Officials Building Standards" magazine, the trade magazine published by the International Conference of Building Officials, as modified by the regional modifiers set forth in said "Building Valuation Data"

table.

(Ord. 99-2 § 6, 1999; Ord. 549 § 4, 1996; Ord. 266 § 1.20(B), 1986; Ord. 195 § 1.20(B), 1983)

15.04.060 Table No. 1-A amended--Building permit fee.

Table No. 1-A, Building Permit Fees, is amended to read as follows:

TABLE NO. 1-A. BUILDING PERMIT FEES:

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$12.50
\$501.00 to \$2,000.00	\$12.50 for the first \$500.00 plus \$1.75 for each additional \$100.00 or fraction thereof, to and including \$2,000.00.
\$2,001.01 to \$25,000.00	\$38.75 for the first \$2,000.00 plus \$7.50 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00.
\$25,001.00 to \$50,000.00	\$211.25 for the first \$25,000.00 plus \$5.50 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00.
\$50,001.00 to \$100,000.00	\$348.75 for the first \$50,000.00 plus \$3.75 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00.
\$100,001.00 and up	\$536.25 for the first \$100,000.00 plus \$2.50 for each additional \$1,000.00 or fraction thereof.

(Ord. 99-2 § 7, 1999; Ord. 549 § 5, 1996; Ord. 356 § 6, 1989; Ord. 266 § 1.20(C), 1986; Ord. 195 § 1.20(C), 1983)

15.04.070 Section 107.3 amended--Plan review fees.

Section 107.3 is amended as follows:

Plan Review Fees: When a plan or other data is required to be submitted by Section 106.3.2, a plan review fee shall be paid at the time of submitting plans and specifications for review.

1. Said plan review fee shall be fifty (50) percent of the building permit fee for commercial and industrial work and twenty-five (25) percent of the building permit fee for single-family residential work all as shown in Table No. 1-A.

2. When a plan or other data is required to be submitted by Section 106.3.2 and it is determined by the building official that the review of said plan or other data will be performed by a reviewing agency or organization other than the Department, said plan review fee shall be sixty-five (65) percent of the

building permit fee as shown in Table 1-A (unamended) of the 1997 Uniform Building Code. (Ord. 99-2 § 8, 1999; Ord. 549 § 6, 1996; Ord. 438 § 6, 1992; Ord. 356 § 7, 1989; Ord. 266 § 1.20(D), 1986; Ord. 195 § 1.20(D), 1983)

15.04.075 International Residential Code amended.

There is adopted by the council of commissioners for the purpose of establishing rules and regulations for the erection, construction, enlargement, alteration, repair, safety and maintenance of residential structures, including permits and penalties, that certain code known as the International Residential Code 2006 Edition as amended by ARM 24.301.145(1) through (9), and the whole thereof, of which no less than three copies have been filed and now are filed in the office of the clerk and recorder of Butte-Silver Bow, and the same is adopted and incorporated as fully as if set out in length in this chapter.

(Ord. 07-4 § 2, 2007; Ord. 04-5 § 5, 2004; Ord. 02-25 § 2, 2003; Ord. 99-2 § 9, 1999; Ord. 549 § 7, 1996; Ord. 398 § 2, 1991; Ord. 356 § 8, 1989; Ord. 297 § 3, 1987; Ord. 266 § 1.20(E), 1986)

15.04.080 Mobile home installation requirements.

The following minimum installation standards shall be required for all mobile home units not placed in an approved mobile home park:

- A. Permanent foundation shall constitute all load bearing foundations and footings placed under the frame rails of the mobile home unit. Footings shall be constructed of reinforced concrete with minimum dimensions of six inches in depth, sixteen inches in width and shall run continuous across the width of the mobile home to within twelve inches of the exterior walls except for the end footings, which shall span the entire width of the unit. Spacing of the footings shall be in accordance with the manufacturer's specifications as required by the U.S. Department of Housing and Urban Development Mobile Home Construction and Safety Standards. The top of the footing shall be flush with the surrounding finished grade and must rest on undisturbed or compacted soil. End footings will include one-half inch eye bolts with a plate of a ninety degree bend embedded in the concrete.

Piers (blocking) shall be placed on the concrete footings and shall be standard eight inch by eight inch by sixteen inch concrete block with the core of the block running vertical.

- B. Anchoring devices shall be required to secure the mobile home unit to the supporting footings. Anchoring or tie-downs shall be required at the four corners of the unit between the frame and footing. Such devices shall be a minimum one-half inch round rod with turnbuckles running from the eye bolt in the footing to the frame at an angle no greater than sixty degrees to the horizontal or vertical and shall be placed in a manner to withstand lateral loads from longitudinal and latitudinal forces. Commercial anchors substituted if approved by the building official.
- C. Perimeter foundations shall be required around the exterior of the mobile home unit, enclosing the area between the bottom of the unit and the ground. Perimeter foundations shall be constructed of concrete, masonry or treated wood and shall be placed on footings twelve inches in width, six inches in depth with the bottom of the footing twelve inches below the surrounding finished grade. Footings shall be placed on undisturbed or compacted soil. Perimeter foundation

walls shall be insulated, including any expansion joints between the bottom of the unit and top of the perimeter wall, so as to create a minimum value of R-11 when added to the insulation factor of the wall. Perimeter foundations shall provide ventilation and crawl spaces in accordance with Section 1203 of the International Building Code.

- D. Permanent steps and landings shall be required for all entrances of the mobile home unit. Landings or porches shall have minimum dimensions three feet six inches by three feet six inches, with railings and stairs constructed in accordance with Section 1009 of the International Building Code.
- E. Nothing in these installation requirements shall be deemed to prohibit the employment of alternate methods of support, reinforcing, anchoring or insulating when submitted with property substantiated or engineering calculations.

(Ord. 04-5 § 6, 2004: Ord. 266 § 1.30, 1986: Ord. 195 § 1.30, 1983)

15.04.090 Code required.

It shall be mandatory for every general contractor to obtain the current edition of the International Building Code and have at least one copy of the code at their place of business. There shall be a two-dollar fine levied for each day when the code book is not at their place of business after the effective date of the ordinance codified in this title unless proof is provided the book has been ordered.

(Ord. 04-5 § 7, 2004: Ord. 99-2 § 10, 1999: Ord. 549 § 8, 1996: Ord. 438 § 7, 1992: Ord. 356 § 9, 1989: Ord. 266 § 1.40, 1986: Ord. 195 § 1.40, 1983)

Chapter 15.05

INTERNATIONAL ENERGY CONSERVATION CODE

Sections:

15.05.010 Adoption of International Energy Conservation Code.

15.05.012 Administrative code.

15.05.015 Definitions.

15.05.020 Plans and specifications--General--Section 1.104.1 of the International Energy Conservation Code amended.

15.05.030 Building envelope requirements amended.

15.05.010 Adoption of International Energy Conservation Code.

There is adopted by the council of commissioners for the purpose of providing minimum requirements for the design of new buildings and structures and additions to existing buildings, regulating their exterior envelopes and selection of their heating, ventilating, air conditioning, service water heating, electrical distribution and eliminating systems and equipment for effective energy, that certain International Energy Conservation Code (IECC) as copyrighted by The International Code Council, being the 2003 Edition, as amended by ARM 24.301.161 and Section 50-60-803, MCA thereof, and the whole thereof, of which no less than three copies have been and now are filed in the office of the clerk and recorder of Butte-Silver Bow, and the same is adopted and incorporated as fully as if set out in length in this chapter.

(Ord. 04-8 § 1, 2004: Ord. 04-5 § 8, 2004: Ord. 02-4 § 2, 2002: Ord. 99-2 § 11, 1999: Ord. 549 § 9, 1996: Ord. 475 § 2, 1994: Ord. 438 § 8, 1992: Ord. 377 § 1, 1990)

15.05.012 Administrative code.

The policies necessary to accommodate the procedure, technical requirements and internal control structures, and administrative and recordkeeping practices referred to in the ordinance codified in this chapter, as well as such other policies, procedures and controls deemed necessary for an adequate and efficient energy code system, shall be further described in detail in the Butte-Silver Bow Administrative Code.
(Ord. 99-2 § 12, 1999)

15.05.015 Definitions.

Wherever the following words or terms are used in the International Energy Conservation Code, they shall have the following meaning: "city," "municipality" or "jurisdiction" means the city and county of Butte-Silver Bow, state of Montana, including that area within the territorial limits of the town of Walkerville.
(Ord. 04-8 § 2, 2004; Ord. 04-5 § 9, 2004; Ord. 579 § 2, 1997; Ord. 519 § 3, 1995)

15.05.020 Plans and specifications--General--Section 1.104.1 of the International Energy Conservation Code amended.

Section 1.104.1 of the International Energy Conservation Code, which was adopted by Section 15.05.010 is amended to read as follows:

With each application for a building permit, and when required by the building official, plans and specifications shall be submitted. The building official may require plans and specifications be prepared by an engineer or architect licensed to practice by the State, except for owner-occupied, single-family dwelling houses. All designs submitted under the provisions of Section 4 of the International Energy Conservation Code shall be prepared by an engineer or architect licensed to practice by the State.

Exceptions:

1. The code official is authorized to waive the submission of construction documents and other supporting data not required to be prepared by an engineer or architect licensed to practices by the State if it is found the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.
2. For residential buildings having a conditioned floor area of 5,000 square feet (465M²) or less, designs submitted under the provisions of Chapter 4 shall be prepared by anyone having qualifications acceptable to the code official.

(Ord. 04-8 § 9, 2004; Ord. 377 § 2, 1990)

15.05.030 Building envelope requirements amended.

Section 502.2.3.6 of the 2003 Edition of the International Energy Conservation Code is amended by adding: Basement wall insulation below insulated floors, except for rim joists and perimeter cripple walls, may be delayed until such time as the basement is actually finished for occupancy. Section 502.2.4.1 of the 2003 Edition of the International Energy Conservation Code is amended by addition the following: Lesser R value may be allowed for log building walls.

(Ord. 04-8 § 10, 2004: Ord. 99-2 § 13, 1999: Ord. 549 § 10, 1996: Ord. 475 § 3, 1994: Ord. 377 § 3, 1990)

Chapter 15.06

CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

Sections:

15.06.010 Adoption.

15.06.012 Administrative code.

15.06.015 Definitions.

15.06.010 Adoption.

There is adopted by the council of commissioners to provide a just, equitable and practical method, to be cumulative with and in addition to the Uniform Building Code, 1997 Edition, whereby buildings or structures which from any cause endanger life, limb, health, property, safety or welfare of the general public, that certain code known as the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, as published by the International Conference of Building Officials, and the whole thereof, of which no less than three copies have been and now are filed in the office of the clerk and recorder of Butte-Silver Bow, and the same is adopted and incorporated as fully as if set out in length in this chapter.

(Ord. 99-2 § 14, 1999: Ord. 549 § 11, 1996: Ord. 438 § 9, 1992: Ord. 356 § 10, 1989: Ord. 266 § 3.00, 1986: Ord. 195 § 3.00, 1983)

15.06.012 Administrative code.

The policies necessary to accommodate the procedure, technical requirements and internal control structures, and administrative and recordkeeping practices referred to in the ordinance codified in this chapter, as well as such other policies, procedures and controls deemed necessary for an adequate and efficient abatement of dangerous building code system, shall be further described in detail in the Butte-Silver Bow Administrative Code.

(Ord. 99-2 § 15, 1999)

15.06.015 Definitions.

Wherever the following words or terms are used in the Uniform Code for the Abatement of Dangerous Buildings, they shall have the following meaning: "city," "municipality" or "jurisdiction" means the city and county of Butte-Silver Bow, state of Montana, excluding that area within the territorial limits of the town of Walkerville.

(Ord. 579 § 3, 1997: Ord. 519 § 4, 1995)

Chapter 15.07

INTERNATIONAL EXISTING BUILDING CODE

Sections:

15.07.010 Adoption of International Existing Building Code.

15.07.012 Administrative code.

15.07.015 Definitions.

15.07.020 (Reserved)

15.07.010 Adoption of International Existing Building Code.

There is adopted by the council of commissioners for the purpose of encouraging the continued use or reuse of legally existing historic buildings and structures, that certain International Existing Building Code, as copyrighted by International Code Council, being the 2006 Edition thereof, and the whole thereof, of which no less than three copies have been and now are filed in the office of the clerk and recorder of Butte-silver Bow, and the same is adopted and incorporated as fully as if set out in length in this chapter.

(Ord. 07-4 § 3, 2007: Ord. 04-5 § 10, 2004: Ord. 99-2 § 16, 1999: Ord. 549 § 12, 1996: Ord. 438 § 10, 1992: Ord. 398 § 3, 1991)

15.07.012 Administrative code.

The policies necessary to accommodate the procedure, technical requirements and internal control structures, and administrative and recordkeeping practices referred to in the ordinance codified in this chapter, as well as such other policies, procedures and controls deemed necessary for an adequate and efficient building conservation code system, shall be further described in detail in the Butte-Silver Bow Administrative Code.

(Ord. 99-2 § 17, 1999)

15.07.015 Definitions.

Wherever the following words or terms are used in the Uniform Administrative Code for Building Conservation, they shall have the following meaning: "city," "municipality" or "jurisdiction" means the city and county of Butte-Silver Bow, state of Montana, including that area within the territorial limits of the town of Walkerville.

(Ord. 04-5 § 11, 2004: Ord. 579 § 4, 1997: Ord. 519 § 6, 1995)

15.07.020 (Reserved)

Chapter 15.08

HOUSING CODE

(Reserved)

Chapter 15.09

LOCATABLE ADDRESS CODE

Sections:

15.09.010 Authority.

15.09.020 Purpose.

15.09.030 Applicability.

15.09.040 Definitions.

15.09.050 Administration and enforcement.

15.09.060 Street and road naming system.

15.09.070 Structure numbering system.

15.09.080 Compliance.

15.09.090 New construction and subdivisions.

15.09.100 Exceptions.

15.09.110 Interim effective date.

15.09.120 Inspections--Notice of noncompliance.

15.09.130 Violation--Penalty.

15.09.010 Authority.

This chapter is adopted pursuant to and consistent with local Chapter 1.01 of the Butte-Silver Bow City and County Municipal Code.

(Ord. 99-8 § 2, 1999)

15.09.020 Purpose.

The purpose of this chapter is to enhance the easy and rapid location of properties by law enforcement, fire, rescue and emergency medical services personnel in the city and county of Butte-Silver Bow; and to reduce the chance that response time for enhanced 9-1-1 calls to police, fire and ambulance services may be delayed if a location is not readily identifiable by the caller, dispatcher or emergency service personnel; and to define a system to assign street and road names and address numbers, and to place street and road intersection signs, which will assist in locating individual streets, roads, buildings and places in a logical manner, for the protection of public health and safety of all persons living, working, or visiting in the city-county.

(Ord. 99-8 § 3, 1999)

15.09.030 Applicability.

This chapter applies to all streets and roads and structures within the boundaries of Butte-Silver Bow County, Montana.

(Ord. 99-8 § 4, 1999)

15.09.040 Definitions.

As used in this chapter:

- A. "Enforcing officer" refers to the zoning enforcement officer for the city and county of Butte-Silver Bow.
- B. "Enhanced 9-1-1" is an improved system which displays the exact location of a 9-1-1 call on the dispatcher's screen. It requires a locatable address for such structure from which a 9-1-1 call could originate.
- C. "NENA" refers to the National Emergency Number Association, a nonprofit corporation, established in 1982 to foster the technological advancement, availability and implementation of a universal emergency telephone number system.
- D. "New structure" is defined as a newly constructed commercial building, residential house or apartment, being occupied by the owner or applicant for the first time and that will require an installation visit to obtain utility service.

- E. "Property" refers to any property on which a more or less permanent structure has been erected of could be placed.
- F. "Road" refers to any highway, road, street, avenue, lane, private way, or similar paved, gravel or dirt thoroughfare.
- G. "Road type" refers to the suffix portion of a road name (e.g., road, lane, street, avenue, etc.).
(Ord. 99-8 § 5, 1999)

15.09.050 Administration and enforcement.

This chapter shall be administered and enforced by the Butte-Silver Bow planning department, which is authorized to and shall assign street and road names and numbers to all properties, both on existing and proposed streets and roads, in accordance with the criteria described in this chapter. The Butte-Silver Bow planning department, in cooperation with the land records division of the Butte-Silver Bow clerk and recorder's office, shall also be responsible for maintaining the following official records required by this chapter as follows:

- A. A Butte-Silver Bow city-county map or map set for official use showing street and road names and numbers;
 - B. An alphabetic list of all property owners by last name as identified by current assessment records showing the assigned numbers;
 - C. An alphabetic list of all streets and roads with property owners listed in order of their assigned numbers;
 - D. A list of the valid street and road types as written by the National Emergency Number Association (NENA).
- (Ord. 99-8 § 6, 1999)

15.09.060 Street and road naming system.

All streets and roads that serve two or more properties shall be named regardless of whether the ownership is public or private. A street and road name assigned by the city and county of Butte-Silver Bow shall not constitute or imply acceptance of the street and road as a public way nor as dedicated for maintenance or any other purpose. The following criteria shall govern the naming system:

- A. No two streets or roads shall be given the same name within a community (e.g., no Pine Road and Pine Lane).
- B. No two streets or roads should have similar-sounding names (e.g., Beech Street and Peach Street).
- C. Each street and road shall have the same name throughout its entire length.

- D. Streets and roads shall not be named after names of family members, living persons, prominent public officials or private individuals.
- E. Street and road names shall not use special characters such as hyphens, apostrophes or dashes.
- F. Each street and road name shall include one street or road type indicator as defined by NENA (i.e., street, avenue, way, loop, boulevard, etc.).
- G. No street or road name shall contain more than one street or road type as defined by NENA (e.g., Crescent Loop Road).

(Ord. 99-8 § 7, 1999)

15.09.070 Structure numbering system.

Numbers shall be assigned every five point two eight feet (5.28') along both sides of the street or road, with even numbers appearing on the south or east side of the street or road and odd numbers appearing on the north or west sides of the street or road. The following criteria shall govern the numbering system:

- A. For urban Butte street and roads, all numbering origins shall begin from the intersection of Park Street and Main Street. For dead end and rural street and roads, numbering shall originate at the intersection of the first adjacent street or road or the county boundary and terminate at the dead end.
- B. The number assigned to such structure shall be that of the numbered interval falling closest to the front door. If the front door cannot be seen from the main street or road, the number shall be that of the interval falling closest to the driveway of such structure.
- C. Every structure with more than one principal use or occupancy shall have a separate number for each use or occupancy (i.e. duplexes will have two separate numbers; apartments will have one road or street number with an apartment number, such as 235 Maple Street, Apt. 2).

(Ord. 99-8 § 8, 1999)

15.09.080 Compliance.

All property owners and owners of structures shall, by the date stipulated in Section 15.09.100, display and maintain in a conspicuous place on such structure, the assigned numbers in the following manner:

- A. Number on the Structure or Residence. Where the residence or structure is within fifty feet of the edge of the street or road right-of-way, the assigned number shall be displayed on the front of the residence or structure near the front door or entry.
- B. Number at the Street Line. Where the residence or structure is more than fifty feet from the edge of the street or road right-of-way, the assigned number shall be displayed on a post, fence, wall, mailbox, or on some other structure at the property line next to the walk or access drive to the residence or structure.

- C. Size, Color, and Location of Numbers. Street and road address numbers for residences and commercial buildings shall not be less than four inches (six inches recommended) in height and shall be made of a durable and clearly visible material. A second and third set of property numbers must be placed on both sides of a curbside mailbox. Address numbers shall be of a contrasting color to the background on which they are mounted.
- D. Every property owner shall remove any different number that might be mistaken for, or confused with, the number assigned in conformance with this chapter.
- E. Interior Location. All residents and other occupants are requested to post the assigned number and street or road name next to their telephone for emergency reference.
- F. No utility company licensed to operate in the city and county of Butte-Silver Bow, Montana shall furnish its utility services to any new structure or mobile home, including a mobile home that is moved from one location to another, until such structure has been assigned a valid address and either issued an address notification form or provided with the serial number from the address notification form as issued by the Butte-Silver Bow planning department. The property owner will be required to provide proof that an address notification form has been obtained or that a proper address has been issued. Proof shall consist of providing the assigned street or road and structure number and the serial number of the address notification form as issued by the Butte-Silver Bow planning office.

(Ord. 99-8 § 9, 1999)

15.09.090 New construction and subdivisions.

All new construction and subdivisions shall be named and numbered in accordance with the provisions of this chapter and as follows:

- A. New Construction. Whenever any residence or other structure is constructed or developed, it shall be the duty of the property owner to obtain an assigned number from the Butte-Silver Bow planning department. This shall be done prior to the issuance of the building permit. New construction shall display numbers as described in Section 15.09.080 before initial occupancy of the structure.
- B. New Subdivisions. A prospective developer of a subdivision shall show a proposed street or road name and lot numbering system on the preliminary plat application submitted to the planning board. Approval of the final plat of any new subdivision by the planning board shall constitute the official assignment of street or road names and numbers to the lots in the subdivision. On the final plat showing proposed streets or roads, the applicant shall provide markings (lines or dots) in the center of the streets or roads every five point two eight feet (5.28') to aid in assignment of numbers to structures subsequently constructed.
- C. Prior to the construction of a new structure on any lot created, the developer of a subdivision shall provide and install signage in accordance with the standards of the Butte-Silver Bow public works department for all streets and roads created within the new subdivision.

(Ord. 99-8 § 10, 1999)

15.09.100 Exceptions.

Street and road naming and addressing already in place after the effective date of the ordinance codified in this chapter which does not meet the intent of the chapter will be evaluated on a case-by-case basis by a committee of emergency service providers. The committee will make a recommendation to the governing body whether to grandfather or compel a change in each case. The Butte-Silver Bow planning department shall publish a detailed list of such exceptions and distribute the information to all emergency service providers. (Ord. 99-8 § 11, 1999)

15.09.110 Interim effective date.

It shall be the duty of the Butte-Silver Bow planning department to notify by mail each property owner and the post office of a new address at least thirty days before the effective date of its use. It shall be the duty of each property owner to comply with this chapter, including the posting of new property numbers, within thirty days, following notification. On new structures, numbering will be installed before final inspection or when the structure is first used or occupied, whichever comes first. (Ord. 99-8 § 12, 1999)

15.09.120 Inspections--Notice of noncompliance.

If, on any inspection, the addressing of the premises is found not to conform to the requirements of this title, the enforcing officer shall at once issue written notice to the owner specifying the manner in which the addressing of the premises fails to conform. The owner shall have thirty days to take steps to make it conform as directed by the enforcing officer. (Ord. 99-8 § 13, 1999)

15.09.130 Violation--Penalty.

Any person, firm, or corporation owning, controlling or managing any building or premises whereupon there exists any violation of the provisions of this title who omits, neglects or refuses to do any act required in these provisions shall be subject to a fine of not more than twenty-five dollars. Each day during which a violation exists shall constitute a separate offense punishable hereunder. Any person violating any section of this chapter shall be guilty of a misdemeanor and jurisdiction for such violations shall be in the city court of Butte-Silver Bow. (Ord. 99-8 § 14, 1999)

Chapter 15.10

FIRE CODE

Sections:

15.10.010 Adoption.

15.10.012 Administrative code.

15.10.020 Definitions.

15.10.030 Establishment and duties of bureau of fire preventions.

15.10.040 Amendments.

15.10.060 Article 78 amended--Sale of fireworks.

15.10.070 Permits and certificates--Article 4 permits amended.

15.10.080 Reference to other codes.

15.10.090 Establishment of limits of districts in which storage of flammable or combustible liquids in outside aboveground tanks is to be prohibited.

15.10.100 Establishment of limits in which bulk storage of liquefied petroleum gases is to be restricted.

15.10.110 Establishment of limits of districts in which storage of explosives and blasting agents is to be prohibited.

15.10.120 Appeals.

15.10.130 New materials, processes or occupancies.

15.10.010 Adoption.

There is adopted by the council of commissioners for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion, that certain code known as the NFPA 1 Uniform Fire Code together with Appendices recommended by the Western Fire Chiefs Association, the National Fire Protection Association (NFPA) and the Comprehensive Consensus Codes being particular the 2003 Edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended by Sections 15.10.040 through 15.10.070, of which code not less than three copies have been and are now filed in the office of the clerk and recorder and the same are adopted and incorporated as fully as if set out at length in this chapter, and from the date on which the ordinance codified in this chapter takes effect, the provisions thereof shall be controlling within the limits of the city and county of Butte-Silver Bow excluding that area within the territorial limits of the town of Walkerville.

(Ord. 07-4 § 4, 2007; Ord. 438 § 33, 1992; Ord. 266 § 5.00, 1986; Ord. 195 § 5.00, 1983)

15.10.012 Administrative code.

The policies necessary to accommodate the procedure, technical requirements and internal control structures, and administrative and recordkeeping practices referred to in the ordinance codified in this chapter, as well as such other policies, procedures and controls deemed necessary for an adequate and efficient fire code system, shall be further described in detail in the Butte-Silver Bow Administrative Code.

(Ord. 99-2 § 21, 1999)

15.10.020 Definitions.

Wherever the following words or terms are used in the Uniform Fire Code, they shall have the following meanings:

- A. "Building official" means the department head of building and code enforcement department of Butte-Silver Bow.
- B. "Chief" means the director of fire services of Butte-Silver Bow or his designee.
- C. "Chief of the bureau of fire prevention" means "fire marshall of Butte-Silver Bow."
- D. "Corporation counsel" means the county attorney for the city and county of Butte-Silver Bow.
- E. "Jurisdiction," "city" or "municipality" means the city and county of Butte-Silver Bow, excluding that area within the territorial limits of the town of Walkerville.

(Ord. 07-11 § 1, 2007; Ord. 579 § 6, 1997; Ord. 519 § 8, 1995; Ord. 438 § 34, 1992; Ord. 266 § 5.30, 1986:

Ord. 195 § 5.30, 1983)

15.10.030 Establishment and duties of bureau of fire preventions.

A. The Uniform Fire Code shall be enforced by the bureau of fire prevention in the fire department of Butte-Silver Bow which is established and which shall be operated under the supervision of the fire chief.

B. The fire marshal in charge of the bureau of fire prevention shall be appointed by the chief executive.

C. The director of fire services may detail such members of the fire department as inspectors as shall from time to time be necessary.
(Ord. 07-11 § 2, 2007; Ord. 438 § 35, 1992; Ord. 266 § 5.10, 1986; Ord. 195 § 5.10, 1983)

15.10.040 Amendments.

The Uniform Fire Code is amended and changed as set forth in Sections 15.10.060 and 15.10.070.
(Ord. 438 § 36, 1992; Ord. 266 § 5.20 (part), 1986; Ord. 195 § 5.20, 1983)

15.10.060 Article 78 amended--Sale of fireworks.

Add the following section to Article 78, page 202:

Sale of Fireworks:

Section 78.107.

(a) The Director of Fire Services may approve the sale of fireworks according to the laws of the State of Montana.

(b) Fireworks may only be sold at a site approved by the Director of Fire Services. No site for the sale of fireworks shall be within 150 feet of any other building or structure. Fireworks shall not be sold in any area zoned Residential, Commercial C-1 or Commercial C-3. All premises where fireworks are offered for sale shall be inspected by the Director of Fire Services concerning construction, entrance, exits, fire extinguishers and other fire preventive measures as prescribed by the Director of Fire Services.

(c) Sale of Fireworks Restricted to Certain Dates. A person, firm or corporation may offer permissible fireworks, as defined in Section 50-37-105, MCA of any kind for sale at retail only during the following periods:

(i) June 24 through July 5; and

(ii) December 29 through December 31.

(d) Exception for Special Events. Discharge of fireworks for special events may be allowed outside of those periods set forth in Subsection (c) above upon written request to the Council of Commissioners,

and subsequent approval of the Council, prior to the event.

(e) Use of Fireworks restricted to Certain Dates. It is unlawful to use any fireworks within the City and County of Butte-Silver Bow except during those periods set forth in subsection (c) above.

(f) Unlawful Sale, Transportation or Discharge of Fireworks. Pursuant to that authority set forth in Section 7-33-4206, MCA, it is unlawful to possess, sell, transport or use any fireworks within the City and County of Butte-Silver Bow except as provided in Chapter 37 of Title 50, MCA.

(Ord. 08-1 § 1, 2008: Ord. 07-11 § 3, 2007: Ord. 438 § 38, 1992: Ord. 266 § 5.20(B), 1986: Ord. 195 § 5.20(B), 1983)

15.10.070 Permits and certificates--Article 4 permits amended.

Section 4.108, Permit Required, is amended to read:

b.1 Bonfire or rubbish fires.

b.3 Burning in public places.

f.1 Fireworks.

All other paragraphs pertaining to permits and certificates shall be considered void and are not adopted as part of these regulations.

(Ord. 438 § 39, 1992: Ord. 266 § 5.40, 1986: Ord. 195 § 5.40, 1983)

15.10.080 Reference to other codes.

It is the intent of the council of commissioners that the Uniform Fire Code shall be used in conjunction with the Uniform Building Code as adopted in Section 15.04.010.

(Ord. 266 § 5.50, 1986: Ord. 195 § 5.50, 1983)

15.10.090 Establishment of limits of districts in which storage of flammable or combustible liquids in outside aboveground tanks is to be prohibited.

A. The limits referred to in Section 79.401 of the Uniform Fire Code in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited, are established as follows: any area zoned residential or commercial C-1 and commercial C-3.

B. The limits referred to in Division XIV of the Uniform Fire Code, in which new bulk plants for flammable or combustible liquids are prohibited, are established as follows: any area zoned residential or commercial.

(Ord. 266 § 5.60, 1986: Ord. 195 § 5.60, 1983)

15.10.100 Establishment of limits in which bulk storage of liquefied petroleum gases is to be restricted.

The limits referred to in Section 82.104(a) of the Uniform Fire Code, in which bulk storage of liquefied

petroleum gas is restricted, are established as follows: any area zoned residential or commercial.
(Ord. 438 § 40, 1992: Ord. 266 § 5.65, 1986: Ord. 195 § 5.65, 1983)

15.10.110 Establishment of limits of districts in which storage of explosives and blasting agents is to be prohibited.

The limits referred to in Section 77.106(b) of the Uniform Fire Code, in which storage of explosives and blasting agents is prohibited, are established as follows: any area zoned residential or commercial.
(Ord. 266 § 5.70, 1986: Ord. 195 § 5.70, 1983)

15.10.120 Appeals.

Whenever the director of fire services disapproves an application or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the director of fire services to the Butte-Silver Bow building board of appeals within thirty days from the date of the decision appealed.
(Ord. 266 § 5.80, 1986: Ord. 195 § 5.80, 1983)

15.10.130 New materials, processes or occupancies.

The chief executive, the director of fire services, the building official and the fire marshal, or their designees shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any additional requirements pertaining to any new materials, processes or occupancies. The fire marshal shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.
(Ord. 266 § 5.90, 1986: Ord. 195 § 5.90, 1983)

Chapter 15.12

SIGN CODE

Sections:

15.12.010 Adoption.

15.12.012 Administrative code.

15.12.015 Definitions.

15.12.020 Fees.

15.12.030 Amendments.

15.12.040 Section 1401 amended--Temporary signs.

15.12.010 Adoption.

There is adopted by the council of commissioners for the purpose of providing minimum standards to safeguard life, health, property and public welfare by regulating and controlling the design, quality of materials, maintenance, location, electrification and construction of all signs and sign structures, that certain sign code known as the 1991 Edition of the Uniform Sign Code as published by the International Conference of Building Officials, and the whole thereof, of which not less than three copies have been filed and now are on file in the office of the clerk and recorder, Butte-Silver Bow, and the same is adopted and incorporated as fully as if set out at length in this chapter.

(Ord. 438 § 12, 1992: Ord. 356 § 12, 1989: Ord. 266 § 6.00, 1986: Ord. 195 § 6.00, 1983)

15.12.012 Administrative code.

The policies necessary to accommodate the procedure, technical requirements and internal control structures, and administrative and recordkeeping practices referred to in the ordinance codified in this chapter, as well as such other policies, procedures and controls deemed necessary for an adequate and efficient sign code system, shall be further described in detail in the Butte-Silver Bow Administrative Code.
(Ord. 99-2 § 22, 1999)

15.12.015 Definitions.

Wherever the following terms are used in the Uniform Sign Code, they shall have the following meaning: "city," "municipality" or "jurisdiction" means the city and county of Butte-Silver Bow, state of Montana, excluding that area contained within the territorial limits of the town of Walkerville.
(Ord. 579 § 7, 1997: Ord. 519 § 9, 1995)

15.12.020 Fees.

Each application for a sign permit shall be charged a base fee of fifteen dollars plus a variable fee according to the following schedule:

- A. For off-premises signs, billboards and on-premises freestanding signs forty feet high or less the variable fee shall be one dollar per lineal foot of height plus forty cents per square foot of sign area measured on both sides.
- B. For off-premises signs, billboards and on-premises freestanding signs over forty feet high the variable fee shall be ten dollars per linear foot of height plus four dollars per square foot of sign area measured on both sides.
- C. For all signs, banner signs and portable signs the variable fee shall be forty cents per square foot of sign area.

(Ord. 446 § 1, 1993: Ord. 266 § 6.10, 1986: Ord. 195 § 6.10, 1983)

15.12.030 Amendments.

The Uniform Sign Code is amended and changed as set out in Section 15.12.040.
(Ord. 266 § 6.20 (part), 1986: Ord. 195 § 6.20 (part), 1983)

15.12.040 Section 1401 amended--Temporary signs.

The following sentences are added to Section 1401:

Temporary signs may remain in place for a period not exceeding sixty (60) days in any one six (6) month period. Temporary signs may be used intermittently for a period not to exceed sixty (60) days in any one six (6) month period.

(Ord. 266 § 6.20(A), 1986: Ord. 195 § 6.20(A), 1983)

Chapter 15.14

MECHANICAL CODE

Sections:

15.14.010 Adoption.

15.14.012 Administrative code.

15.14.020 Definitions.

15.14.030 Amendments.

15.14.040 (Reserved)

15.14.045 Section 115.2 UMC amended--Permit fees.

15.14.050 Code required.

15.14.010 Adoption.

There is adopted by the council of commissioners for the protection of the public health and safety and for the purpose of establishing rules and regulations for the use, design, installation and maintenance of heating, ventilating, cooling and refrigeration systems that certain code known as the 2006 Edition of the International Mechanical Code, as published by the International Code Council, and as amended by ARM 24.301.170 172(1) through (6), and the whole thereof, of which no less than three copies have been and now are filed in the office of the clerk and recorder of Butte-Silver Bow, and the same is adopted by incorporated as fully as if set out in length in this chapter.

(Ord. 07-4 § 5, 2007: Ord. 04-5 § 14, 2004: Ord. 02-4 § 3, 2002: Ord. 00-3 § 2, 2000; Ord. 99-2 § 23, 1999: Ord. 549 § 15, 1996: Ord. 438 § 13, 1992: Ord. 356 § 13, 1989: Ord. 266 § 7.00 1986: Ord. 195 § 7.00, 1983)

15.14.012 Administrative code.

The policies necessary to accommodate the procedure, technical requirements and internal control structures, and administrative and recordkeeping practices referred to in the ordinance codified in this chapter, as well as such other policies, procedures and controls deemed necessary for an adequate and efficient mechanical code system, shall be further described in detail in the Butte-Silver Bow Administrative Code. (Ord. 99-2 § 24, 1999)

15.14.020 Definitions.

Wherever the words "city," "municipality" or "jurisdiction" are used in the Uniform Mechanical Code, they mean the city and county of Butte-Silver Bow, excluding that area within the territorial limits of the town of Walkerville.

(Ord. 579 § 8, 1997: Ord. 519 § 10, 1995: Ord. 266 § 7.10, 1986: Ord. 195 § 7.10, 1983)

15.14.030 Amendments.

The International Mechanical Code is amended and changed as set forth in Section 15.14.045 of this chapter.

(Ord. 04-5 § 15, 2004: Ord. 266 § 7.20 (part), 1986: Ord. 195 § 7.20 (part), 1983)

15.14.040 (Reserved)

15.14.045 Section 115.2 UMC amended--Permit fees.

Section 115.2 of the Uniform Mechanical Code is amended to read as follows:

The fee for each permit shall be as set forth in Table 3-A of the 1991 Edition of the Uniform Mechanical Code as published jointly by the International Conference of Building Officials and International Association of Plumbing and Mechanical Officials in place of Table 1-A of the 1997 Edition.

(Ord. 99-2 § 26, 1999; Ord. 549 § 17, 1996)

15.14.050 Code required.

It shall be mandatory for every mechanical contractor to obtain the current edition of the International Mechanical Code and have at least one copy of the code at their place of business. There shall be a two dollar fine levied for each day when the code book is not at their place of business.

(Ord. 04-5 § 17, 2004; Ord. 99-2 § 27, 1999; Ord. 549 § 18, 1996; Ord. 356 § 14, 1989; Ord. 266 § 7.30, 1986; Ord. 195 § 7.30, 1983)

Chapter 15.15

INTERNATIONAL FUEL CODE

Sections:

15.15.010 Adoption.

15.15.020 Administrative Code.

15.15.030 Definitions.

15.15.040 Code required.

15.15.010 Adoption.

There is adopted by the council of commissioners for the protection of the public health and safety and for the purpose of establishing rules and regulations for the use, design, installation and maintenance of fuel gas systems and gas-fired appliances that certain code known as the 2006 Edition of the International Fuel Gas Code, as published by the International Code Council and as provided by ARM 24.301.173, and the whole thereof, of which no less than three copies have been and now are filed in the office of the clerk and recorder of Butte-Silver Bow, and the same is adopted and incorporated as fully as if set out in length in this chapter.

(Ord. 07-4 § 6, 2007; Ord. 04-5 § 18, 2004)

15.15.020 Administrative Code.

The policies necessary to accommodate the procedure, technical requirements and internal control structures, and administrative and record keeping practices referred to in the ordinance codified in this chapter, as well as such other policies, procedures and controls deemed necessary for an adequate and efficient plumbing code system, shall be further described in detail in the Butte-Silver Bow Administrative Code.

(Ord. 04-5 § 19, 2004)

15.15.030 Definitions.

Wherever the following terms are used in the International Fuel Gas Code, they shall have the following meaning: "city," "municipality" or "jurisdiction" means the city and county of Butte-Silver Bow, state of Montana, including that area contained within the territorial limits of the town of Walkerville.
(Ord. 04-5 § 20, 2004)

15.15.040 Code required.

It shall be mandatory for every mechanical contractor to obtain the current edition of the International Fuel Gas Code and have one copy of the code at their place of business. There shall be a two dollar fine levied for each day when the code book is not at their place of business.
(Ord. 04-5 § 21, 2004)

Chapter 15.16

PLUMBING CODE*

Sections:

15.16.010 Adoption.

15.16.012 Administrative code.

15.16.030 Definitions.

15.16.040 Amendments.

15.16.050 Section 30.4 amended--Permit fees.

15.16.210 License required.

15.16.220 Code required.

* Prior ordinance history: Ord. 195.

15.16.010 Adoption.

There is adopted by the council of commissioners for the purpose of providing minimum standards for the protection of health, safety and welfare concerning erection, alteration, installation, addition, repair, replacement or use of any plumbing system, that certain plumbing code known as the 2006 Edition of the Uniform Plumbing Code including fees and penalties, together with Appendix A, Recommended Rules for Sizing the Water Supply System, Appendix B, Explanatory Notes on Combination Waste and Vent Systems, Appendix D, Sizing Stormwater Draining Systems, as published by the International Association of Plumbing and Mechanical Officials, and as amended by ARM 24.301.301(1) and (2), and the whole thereof, of which not less than three copies have been filed and are now on file in the office of the clerk and recorder, Butte-Silver Bow County, and the same is adopted and incorporated as fully as if set at length in this chapter.
(Ord. 07-4 § 7, 2007: Ord. 04-5 § 22, 2004: Ord. 02-4 § 4, 2002: Ord. 00-17 § 1, 2000: Ord. 99-2 § 28, 1999: Ord. 438 § 15, 1992: Ord. 356 § 15, 1989: Ord. 266 § 8.00, 1986)

15.16.012 Administrative code.

The policies necessary to accommodate the procedure, technical requirements and internal control structures, and administrative and recordkeeping practices referred to in the ordinance codified in this chapter, as well as such other policies, procedures and controls deemed necessary for an adequate and efficient plumbing code system, shall be further described in detail in the Butte-Silver Bow Administrative Code.
(Ord. 99-2 § 29, 1999)

15.16.030 Definitions.

Wherever the following terms or words are used in the International Plumbing Code, they shall have the following meanings:

- A. "Administrative authority" means the department head of the building and code enforcement department of Butte-Silver Bow.
- B. "Board of appeals" means the Butte-Silver Bow plumbing and mechanical board of appeals.
- C. "City," "municipality" or "jurisdiction" means the city and county of Butte-Silver Bow, state of Montana, including that area within the territorial limits of the town of Walkerville.
- D. "Department" means the building and code enforcement of Butte-Silver Bow.
- E. "Field of plumbing" means the business, trade or work having to do with the installation, removal, alteration or repair of plumbing and drainage systems or parts thereof.
- F. "Journeyman plumber" means a person who is authorized to make installations of all sanitary plumbing and potable water supply piping and appliances connected thereto.
- G. "Master plumber" means a person who is authorized by this chapter to plan, estimate, bid, contract for, and supervise plumbing work; and has the necessary qualifications, experience, and training to do such work.
- H. "Plumbing contractor" means a person, firm, copartnership, corporation, or association or combination of these who undertake for another the planning, laying out, supervising and installing of any plumbing work.

(Ord. 04-5 § 23, 2004; Ord. 579 § 10, 1997; Ord. 519 § 11, 1995; Ord. 266 § 8.20, 1986)

15.16.040 Amendments.

The International Plumbing Code is amended and changed as set forth in Section 15.16.050 of this chapter.

(Ord. 04-5 § 24, 2004; Ord. 266 § 8.30 (part), 1986)

15.16.050 Section 30.4 amended--Permit fees.

Section 30.4, Permit fees. Schedule of fees is amended as follows:

Schedule of fees as in Table No. 3-D (Plumbing Permit fees) of the 1991 Edition of the Uniform Administrative Code.

(Ord. 438 § 16, 1992; Ord. 266 § 8.30(A), 1986)

15.16.210 License required.

Each plumbing contractor shall before February 1st of each year obtain a contractor's license which also will act as a general business license within Butte-Silver Bow. A license may not be issued until the applicant has provided to the satisfaction of the department that he is a capable contractor and carries adequate insurance and bonding for specific work. The license fee shall be one hundred fifty dollars. Failure to obtain a contractor's license by February 1st shall result in the cost of the license increasing to two hundred dollars. In the event of violation, the plumbing inspector shall issue a compliance order stating the amount of time allowed to secure a license.

(Ord. 438 § 31, 1992: Ord. 266 § 8.40, 1986)

15.16.220 Code required.

It shall be mandatory for every plumbing contractor to obtain a copy of the current edition of the Uniform Plumbing Code and have at least one copy at their place of business. There shall be a two dollar fine levied each day when the code book is not at their place of business unless proof is provided the book has been ordered.

(Ord. 99-2 § 36, 1999: Ord. 549 § 25, 1996: Ord. 438 § 32, 1992: Ord. 356 § 16, 1989: Ord. 266 § 8.50, 1986)

Chapter 15.18

ELECTRICAL CODE

Sections:

15.18.010 Adoption.

15.18.012 Administrative code.

15.18.015 Administration.

15.18.020 Definitions.

15.18.030 Electrical wiring permit--Required.

15.18.040 Electrical wiring permit--Suspension--Revocation.

15.18.043 Section 304 Table No. 3-A amended--Electrical permit fees.

15.18.045 Supplementary--Wiring standards.

15.18.050 Code required.

15.18.010 Adoption.

There is adopted by the council of commissioners for the purpose of establishing minimum standards, rules and regulations governing the use of electricity within the city and county of Butte-Silver Bow, the 2005 Edition of the National Electrical Code as copyrighted, by the National Fire Protection Association, as amended by Section 24.301.411, ARM, of which not less than three copies have been and now are filed in the office of the clerk and recorder of the city and county of Butte-silver Bow, and the same is adopted and incorporated as fully as if set out in length in this chapter.

(Ord. 06-9 § 2, 2007: Ord. 03-1 § 1, 2003: Ord. 02-3 § 1, 2002: Ord. 99-12 § 1, 2000: Ord. 579 § 11, 1997: Ord. 475 § 6, 1994: Ord. 398 § 6, 1991: Ord. 356 § 17, 1989: Ord. 266 § 9.00, 1986: Ord. 195 § 9.00, 1983)

15.18.012 Administrative code.

The policies necessary to accommodate the procedure, technical requirements and internal control structures, and administrative and record-keeping practices referred to in the ordinance codified in this chapter, as well as such other policies, procedures and controls deemed necessary for an adequate and efficient electrical

code system, shall be further de- scribed in detail in the Butte-Silver Bow Administrative Code.
(Ord. 99-2 § 37, 1999)

15.18.015 Administration.

For the purpose administering the National Electrical Code, the Uniform Administrative Code Provisions for the National Electrical Code, 1993 Edition, as published by the International Conference of Building Officials are adopted by the council of commissioners.
(Ord. 549 § 26, 1996)

15.18.020 Definitions.

Unless the context requires otherwise in this chapter, the following words and terms as used in the National Electrical Code have the following meanings:

- A. "Board" means the electrical board of appeals of Butte-Silver Bow.
- B. "City," "municipality" or "jurisdiction" means the city and county of Butte-Silver Bow, including that area within the territorial limits of the town of Walkerville.
- C. "Department" means the building and code enforcement department of Butte-Silver Bow.
(Ord. 04-5 § 26, 2004; Ord. 579 § 12, 1997; Ord. 519 § 12, 1995; Ord. 266 § 9.10, 1986; Ord. 195 § 9.10, 1983)

15.18.030 Electrical wiring permit-Required.

Each electrical contractor shall each year obtain a contractor's electrical wiring permit which also will act as a general business license within Butte-Silver Bow. A permit may not be issued until the applicant has provided to the satisfaction of the department that he has a Montana State Electrical Contractors' License and is a capable contractor and carries adequate insurance and bonding for specific work and has paid the department a permit fee of one hundred fifty dollars. Failure to obtain a contractor's electrical wiring permit shall result in the cost of the license increasing to two hundred dollars. In the event of violation the electrical inspector shall issue a compliance order stating the amount of time allowed to secure an electrical wiring permit. Electrical contractors shall have their electrical wiring permit posted at their place of business.
(Ord. 766 § 9.15, 1986; Ord. 195 § 9.15, 1983)

15.18.040 Electrical wiring permit--Suspension--Revocation.

The board may suspend or revoke any electrical wiring permit issued under the provisions of this chapter for any one of the following reasons:

- A. Violation of any of the provisions of the National Electrical Code as may be amended from time to time, or the rules and regulations of the board;
- B. Any cause for which the issuance of the electrical wiring permit could have been refused had it then existed and been known to the board;

C. Commitment of any act of gross negligence, incompetency or misconduct as may be determined by the board in the practice of the business of an electrical contractor.
 (Ord. 266 § 9.20, 1986: Ord. 195 § 9.20, 1983)

15.18.043 Section 304 Table No. 3-A amended--Electrical permit fees.

The Permit Issuance and System Fee Schedule and Unit Fee Schedule in Section 304 Table No. 3-A, Electrical Permit Fees, of the Uniform Administrative Code Provisions for the National Electrical Code, 1996 Edition, shall be deleted and replaced with the following:

ELECTRICAL INSPECTION FEES:	
Temporary construction service residential	\$ 10.00
Single-family dwelling includes garage wired at same time as house	
Up to 100 amp service	80.00
101 to 300 amp service	100.00
301 to more amp service	125.00
Private property accessory buildings (garage, barns, sheds, etc.)	
Up to 200 amp panel	30.00
201 to 300 amp panel	75.00
301 or more amp panel	100.00
Multi-family dwellings (duplex through 12 units) \$100.00 per building, plus \$30.00 per dwelling unit (for buildings containing more than 12 units use commercial schedule that follows)	
Interior rewire or new addition to home	35.00
Change of service	30.00
Mobile home installation	20.00
Modular Homes	
No basement	30.00
With basement and/or garage	50.00
Mobile home courts and/or recreational vehicle parks and mobile homes private (new, rewire or additional spaces)	
Per space	30.00

New service only (livestock, well, irrigation well, etc.)	30.00
Irrigation pumps or machines per unit (one pump and/or one pivot)	30.00
All other installations (commercial, industrial, institutional or public use.	
COST OF ELECTRICAL INSTALLATION	
FEE	
\$0 - \$1,000.00	\$30.00
\$1,001.00 - \$10,000.00	\$30.00 for 1st \$1,000.00 plus 1.5% of balance of construction
\$10,001.00 - \$50,000.00	\$165.00 for 1st \$10,000.00 plus .5% of balance of construction cost
\$50,000.00 or more	\$365.00 for 1st \$50,000.00 plus .3% of balance of construction
Temporary construction service (for commercial, industrial, institutional or public use work).	25.00Note: This additional \$25.00 is required in addition to the above inspection fee if a temporary service will be used, and is to be paid for at the time with the regular permit fee before construction begins.
OTHER INSPECTION AND FEES	
1. Inspections outside of normal business hours (minimum charge -- two hours)	\$30.00 per hour
2. Inspections for which no fee is specifically indicated (minimum charge -- one-half hour)	30.00 per hour

(Ord. 99-2 § 38, 1999; Ord. 549 § 27, 1996; Ord. 266 § 9.16, 1986)

15.18.045 Supplementary--Wiring standards.

The following rules supplement or modify sections of the National Electrical Code:

A. NEC ARTICLE 110-2 (Supplementary). When requested, complete wiring diagrams shall be provided.

B. NEC ARTICLE 230-28 (Supplementary). A perpendicular mast used for the support of service drop conductors shall not be less than 2 inch rigid conduit.

C. NEC ARTICLE 760-1 (Supplementary). Smoke detectors shall be installed in any building or

structure as required under the currently adopted Uniform Building Code or CABO One and Two Family Dwelling Code whichever applies, regardless or not the building or structure is exempt by Section 50-60-102, Montana Code Annotated.

D. NEC Article 550-23(a) Exception No. 2: Delete and replace with the following:

The manufactured (mobile) home is of a construction type that is comparable to conventional frame construction for single-family dwellings and is placed on a permanent perimeter foundation wall with the footings placed below frost line or the service entrance equipment is completely installed at the factory by the manufacturer of the structure.

E. NEC Article 210.23(A). Exempt 15 ampere branch circuits from residential constructions. (Ord. 06-9 § 3, 2006; Ord. 579 § 13, 1997; Ord. 475 § 8, 1994; Ord. 356 §§ 18, 19, 1989; Ord. 297 § 6, 1987; Ord. 266 § 9.17, 1986)

15.18.050 Code required.

It shall be mandatory for every electrical contractor to obtain a copy of the current edition of the National Electrical Code and have at least one copy at their place of business. There shall be a fifteen dollar fine levied each day when the code book is not at their place of business. (Ord. 356 § 20, 1989; Ord. 266 § 9.25, 1986; Ord. 195 § 9.25, 1983)

Chapter 15.20

VIOLATION--PENALTY

Sections:

15.20.010 Designated.

15.20.010 Designated.

A. Any person who violates any of the provisions of this article or of any of the codes adopted in this article or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications of plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by the building board of appeals, the plumbing and mechanical board of appeals, or the electrical board of appeals by a court of competent jurisdiction, within the time fixed in this article, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, and jurisdiction for such violations shall be in the city court of Butte-Silver Bow. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

B. The application of the penalty in subsection A of this section shall not be held to prevent the enforced removal of prohibited conditions. (Ord. 266 § 11.00, 1986; Ord. 195 § 10.00, 1983)

Article II.

Other Codes

Chapter 15.36

MOVING CODE

Sections:

- 15.36.010 Title.**
- 15.36.012 Administrative code.**
- 15.36.020 Purpose and scope.**
- 15.36.030 Definitions.**
- 15.36.040 License--Required--Fee--Nontransferable.**
- 15.36.050 License--Payable in advance.**
- 15.36.060 Indemnifying Butte-Silver Bow City-County against damages.**
- 15.36.070 Permit--Required.**
- 15.36.080 Permit--Application.**
- 15.36.090 Permit--Contents.**
- 15.36.100 Permit--Issuance.**
- 15.36.110 Permit--Fee.**
- 15.36.120 Permit--Issuance restrictions.**
- 15.36.130 Duties of permittee.**
- 15.36.140 Permit--Revocation.**
- 15.36.150 Enforcement authority.**
- 15.36.160 Violation--Penalty.**

15.36.010 Title.

The ordinance codified in this chapter shall be known as the "moving code," may be cited as such, and will be referred to in this chapter as "this code."

(Ord. 43 § 1, 1977)

15.36.012 Administrative code.

The policies necessary to accommodate the procedure, technical requirements and internal control structures, and administrative and recordkeeping practices referred to in the ordinance codified in this chapter, as well as such other policies, procedures and controls deemed necessary for an adequate and efficient moving code system, shall be further described in detail in the Butte-Silver Bow Administrative Code.

(Ord. 99-2 § 39, 1999)

15.36.020 Purpose and scope.

The purpose of this code is to provide minimum standard to safeguard life, health, property and public welfare by regulating and controlling the moving or relocating of buildings and structures over, along or across highways, streets and alleys in the jurisdictional area of Butte-Silver Bow.

Exception: Buildings or structures less than two hundred fifty cubic feet in size shall be exempt from the provisions of this code.

(Ord. 43 § 2, 1977)

15.36.030 Definitions.

For the purpose of this code, certain abbreviations, terms, phrases, words and their derivations shall be construed as follows:

- A. Words used in the singular include the plural, and the plural the singular. Words used in the masculine gender include the feminine, and the feminine the masculine.
- B. "Building official" means the officer or other person charged by the department of public works with the administration and enforcement of this code, or his duly authorized deputy.
- C. Wherever the words "government," "Butte-Silver Bow" or "city-county" are used in the code adopted by this chapter, it means the government of the city and county of Butte-Silver Bow, state of Montana.

(Ord. 02-23§ 1, 2002; Ord. 43 §§ 4, 5, 6, 1977)

15.36.040 License--Required--Fee--Nontransferable.

Any person, firm or corporation who engages in the business of moving or relocating buildings or structures within, or into the jurisdictional area of the city and county of Butte-Silver Bow, Montana (city-county) shall first obtain a house movers' license. The fee for the house movers' license shall be forty dollars. The license is not transferable or assignable to other persons, firms or corporations.

(Ord. 02-23 § 2, 2002; Ord. 114 § 1, 1980; Ord. 43 § 3(b), 1977)

15.36.050 License--Payable in advance.

All licenses shall be payable yearly, in advance and on or before January 1st. Any license issued after July 1st of each year shall be issued at one-half the yearly rate. All licenses shall expire on December 31st of each year.

(Ord. 43 § 3(c), 1977)

15.36.060 Indemnifying Butte-Silver Bow against damages.

A. Surety Bond. An applicant for a house movers license shall file with the government of the city-county a surety bond in the sum of twenty-thousand dollars for a single-family residence house movers' license and in the case of a movers' license for a structure larger than a single-family residence, the council of commissioners shall set the bond amount on a case-by-case basis. Such bond shall be conditioned so that the mover will in good faith perform all work required by this code and other applicable ordinances of the city-county, and indemnify and save and hold harmless the city-county from any and all claims, demands, actions and damages which may arise on account of injuries to persons or properties caused by or related to the work authorized to be done or failure to perform or complete work authorized pursuant to this chapter. The bond shall be filed with the clerk and recorder after having been approved as to form by the county attorney. Each bond must be approved by the council of commissioners. After the approval of the bond, the appropriate movers' license shall be issued in accordance with the procedures for issuance of licenses set forth in Chapter 5.04. B. Cash Deposit in Lieu of Bond. Any person filing an application under this chapter may, in lieu of the movers' bond required in subsection A of this section, file with the building official a cash deposit in the sum of

ten thousand dollars to move a single-family residence. In the case of an application for a movers' license to move a structure larger than a single-family residence, the council of commissioners shall set the bond amount on a case-by-case basis, as an indemnity for any damage which the city-county may sustain by reason of damage or injury to any highway, street, or alley, sidewalk, traffic signal or other property of the city-county which may be caused by or be incidental to the removal of any building over, along or across any street within the city-county or against any claim or damages to persons or private property and to satisfy any claims by private individuals arising out of, caused by, or incidental to, the moving (including the failure to complete a move) of any building over, along or across any street in the city-county.

C. Forfeit of Bond for Failure to Complete Move. The bond provided in for subsections A and B of this section shall be forfeited unless the structure being moved is placed on a permanent foundation (and the site is cleaned) within six months after the permit is issued and the building official approves the move as completed.

(Ord. 02-23 § 3, 2002; Ord. 43 § 3(d), 1977)

15.36.070 Permit--Required.

No building or structure shall be moved, removed or relocated within or into Butte-Silver Bow without first having obtained a moving permit from the building official.

(Ord. 43 § 7, 1977)

15.36.080 Permit--Application.

A. Any person, firm or corporation seeking issuance of a permit under this chapter shall file an application for such permit with the building official.

B. All applications for moving, removing or relocating of any buildings or structures in Butte-Silver Bow shall be made to the building official in writing upon forms furnished by the building department and shall set forth the following information:

1. Address of present location; if there is no street address, list the place of origin;
2. Address of new location;
3. Type of construction (frame, masonry, masonry veneer, etc.);
4. Length, width and height of building or structure;
5. Specific route over which the building or structure is to be moved;
6. Type of occupancy (dwelling, garage, office, etc.) for both the old and new location;
7. Proposed moving date and time of day;
8. Any additional information which the building official finds necessary to make a fair determination of whether a permit should be issued.

(Ord. 43 § 8, 1977)

15.36.090 Permit--Contents.

The permit required by this chapter shall state the name of the person authorized to move the structure, shall describe the location from which and the location to which the structure is to be moved, and the route to be followed.

(Ord. 43 § 9, 1977)

15.36.100 Permit--Issuance.

If the applicant for a permit under this chapter is qualified and has the license and bond required elsewhere in this code and, in the judgment of the building official, the building or structure can be moved as contemplated, the building official shall issue a permit for the moving except as provided in Section 15.36.120.

(Ord. 43 § 10, 1977)

15.36.110 Permit--Fee.

A. The base fee for a moving permit shall be as follows:

1. For Residential Buildings.

Building	Fee
House	\$10.00
Garage	5.00

2. For other than residential buildings

Volume in Square Feet	Fee
100 to 300	\$ 5.00
300 to 500	10.00
500 to 1000	20.00
1000 to 1500	30.00
1500 to 2000	50.00
Over 2000	100.00

Note: In the event a building is to be moved as two or more units, the fee shall be based upon a combination of the above rates.

B. The base fee established in subsection A of this section shall be modified in accordance with the following:

1. If the moving distance is one-quarter mile or less, the fee shall be twenty-five percent of the base as determined in subsection A of this section.
2. If the moving distance is over one-quarter mile but not more than one-half mile, the fee shall be fifty percent of the base fee determined in subsection A of this section.

3. If the moving distance is over one-half mile but not more than three-quarter mile, the fee shall be seventy-five percent of the base as determined in subsection A of this section.
4. If the moving distance is more than three-quarter mile, the fee shall be one hundred percent of the base as determined in subsection A of this section.

(Ord. 114 § 2, 1980; Ord. 43 § 11, 1977)

15.36.120 Permit--Issuance restrictions.

The following restrictions shall be observed before the issuance of a permit as required by this chapter:

- A. No permit shall be issued to any person, firm or corporation to move or relocate any building or structure upon another building site unless such use, building or proposed conversion thereof conforms to the zoning ordinances and resolutions of Butte-Silver Bow.
- B. No permit shall be issued to any person, firm or corporation to move, remove or locate any building or structure which is so constructed or in such condition as to be dangerous or unsafe, or which is infested with pests or is unsanitary or which, if it is a dwelling or habitation, is unfit for human habitation, or which is so dilapidated, defective, or in such a condition of deterioration or disrepair that its relocation at the proposed site would create a safety or health hazard or would cause substantial damage or material detriment to the property in the immediate vicinity of the proposed site.
- C. Every such application shall be accompanied by the written consent of the sheriff and the director of fire services of Butte-Silver Bow, who shall be notified of the route to be taken and when the removal or relocation shall be made.
- D. The building official shall specify in the permit the route to be taken in the moving of a building, such means to be used to prevent the street pavement from being subjected to abnormal stresses as may be deemed necessary by the department of public works, and the limit of time which such building or structure shall be upon the streets and alleys.
- E. No circuit or box of the Butte-Silver Bow fire alarm shall be disturbed in any manner except with the permission of the director of fire services.
- F. No building or structure which is being moved upon or over any street, alley or property of Butte-Silver Bow shall be occupied as living quarters while such building or structure is in transit.
- G. No permits required by this chapter shall be issued unless the applicant shows that he has adequate machinery, appliances and equipment to safely complete the proposed moving.

(Ord. 571 § 31, 1996; Ord. 551 § 14 (part), 1996; Ord. 43 § 12, 1977)

15.36.130 Duties of permittee.

Every permittee under this chapter shall:

- A. Move a building only over streets designated for such use in the written permit;
- B. Notify the building official in writing of a desired change in moving date and hours as proposed in the application;
- C. Notify the building official in writing of any and all damage done to property belonging to Butte-Silver Bow within two business days after the damage or injury has occurred;
- D. Cause warning lights to be displayed during the hours of darkness on every side of the building, while standing on a street, in such manner as to warn the public of the obstruction, and shall at all times erect and maintain barricades across the streets in such manner as to protect the public from damage or injury by reason of the moving or removal of the building;
- E. Remove the building from the streets of Butte-Silver Bow after four days of such occupancy, unless an extension is granted by the building official;
- F. Within fifteen days after removal of the structure, the owner of the real property shall remove all rubbish and materials and fill all excavations to existing grade at the original building site so that the premises are left in a safe and sanitary condition. It is further provided that the owner of the real property shall provide a bond in the amount of five hundred dollars to the government of Butte-Silver Bow to insure the clean-up of the area;
- G. Prior to removal of the structure, properly disconnect all utilities, plug the sanitary sewer with a concrete plug and have the Butte water company disconnect the water service.

(Ord. 43 § 13, 1977)

15.36.140 Permit--Revocation.

The building official is authorized and empowered to revoke any permit granted under the terms of this chapter if it becomes known to him that the permittee is in any manner failing to comply with the terms of this chapter, or when, in the opinion of the building official, public convenience and safety require such revocation.
(Ord. 43 § 14, 1977)

15.36.150 Enforcement authority.

The building official is authorized and directed to enforce all provisions of this code.
(Ord. 43 § 3(a), 1977)

15.36.160 Violation--Penalty.

It is unlawful for any person, firm or corporation to move, remove or relocate any building or structure within Butte-Silver Bow, or cause or permit the same to be done contrary to or in violation of any of the provisions of this code. Any person, firm or corporation violating or disobeying any of the provisions of this code or who omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions

of this code, shall upon conviction be deemed guilty of a misdemeanor and jurisdiction for all violations of the code shall be in the city court of Butte-Silver Bow. Each day such violation is omitted or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

(Ord. 43 § 3(e), 1977)

Chapter 15.40

DEMOLITION CODE

Sections:

15.40.010 Title.

15.40.012 Administrative code.

15.40.020 Purpose and scope.

15.40.030 Definitions.

15.40.040 License--Required--Fee--Nontransferable.

15.40.050 License--Payable in advance.

15.40.060 Indemnifying Butte-Silver Bow against damages.

15.40.070 Permit--Required.

15.40.080 Permit--Application.

15.40.090 Permit--Contents.

15.40.100 Permit--Issuance.

15.40.110 Permit--Fee.

15.40.120 Regulations.

15.40.130 Supervision of demolition.

15.40.140 Compliance.

15.40.150 Enforcement authority.

15.40.160 Penalty for violation of license regulations.

15.40.170 Violation--Penalty.

15.40.010 Title.

The ordinance codified in this chapter shall be known as the "demolition code," may be cited as such, and will be referred to in this chapter as "this code."

(Ord. 38 § 1, 1977)

15.40.012 Administrative code.

The policies necessary to accommodate the procedure, technical requirements and internal control structures, and administrative and recordkeeping practices referred to in the ordinance codified in this chapter, as well as such other policies, procedures and controls deemed necessary for an adequate and efficient demolition code system, shall be further described in detail in the Butte-Silver Bow Administrative Code.

(Ord. 99-2 § 40, 1999)

15.40.020 Purpose and scope.

The purpose of this code is to provide minimum standard to safeguard life, health, property and demolition of buildings and structures in the jurisdictional area of Butte-Silver Bow. Exception: The demolition of buildings or structures by the government of Butte-Silver Bow shall be exempt from the provisions of this code.

(Ord. 38 § 2, 1977)

15.40.030 Definitions.

For the purpose of this code, certain abbreviations, terms, phrases, words and their derivations shall be construed as follows:

- A. Words used in the singular include the plural, and the plural the singular. Words used in the masculine gender include the feminine, and the feminine the masculine.
- B. "Building official" means the officer or other person charged by the department of public works with the administration and enforcement of this code, or his duty authorized deputy.
- C. Wherever the words "government" or "Butte-Silver Bow" are used in the code adopted by this chapter, it shall mean the government of Butte-Silver Bow, state of Montana.

(Ord. 38 §§ 4, 5, 6, 1977)

15.40.040 License--Required--Fee--Nontransferable.

Any person, firm or corporation who engages in the business of demolition of buildings or structures within the jurisdictional area of Butte-Silver Bow shall first obtain a building demolition license. The fee for the building demolition license shall be one hundred dollars. Said license is not transferable or assignable to other persons, firms or corporations.

(Ord. 38 § 3(B), 1977)

15.40.050 License--Payable in advance.

All licenses shall be payable yearly, in advance and on or before January 1st. Any license issued after July 1st of each year shall be issued at one-half the yearly rate. All licenses shall expire on December 31st of each year.

(Ord. 38 § 3(C), 1977)

15.40.060 Indemnifying Butte-Silver Bow against damages.

A. Bond. An applicant for a building demolition license shall file with the government of Butte-Silver Bow a bond in the sum of five thousand dollars, conditioned that he will in good faith perform all work required by this code and other applicable ordinances of Butte-Silver Bow, and indemnify and save and hold harmless Butte-Silver Bow from any and all claims, demands, actions and damages which may arise on account of injuries to persons or properties caused by or related to the work authorized to be done pursuant to this code. Said bond must be filed with the clerk and recorder and must be approved by the county attorney and the council of commissioners. After the approval of said bond, said license shall be issued in accordance with the procedures for issuance of licenses presented in Chapter 5.04. B. Cash Deposit in Lieu of Bond. Any person filing an application under this chapter may, in lieu of the bond required in subsection A of this section, file with the building official a cash deposit in the sum of twenty times the permit fee as an indemnity for any damage which Butte-Silver Bow may sustain by reason of damage or injury to any highway, street, or alley, sidewalk, traffic signal or other property of Butte-Silver Bow which may be caused by or be incidental to the demolition of any building in Butte-Silver Bow and to indemnify Butte-Silver Bow against any claim or damages to persons or private property and to satisfy any claims by private individuals arising out of, caused by,

or incidental to, the demolition of any building in Butte-Silver Bow.

NOTE: In no case need the cash deposit required in this subsection be more than five thousand dollars.
(Ord. 38 § 3(D), 1977)

15.40.070 Permit--Required.

No building or structure shall be demolished within Butte-Silver Bow without first having obtained a demolition permit from the building official.
(Ord. 38 § 7, 1977)

15.40.080 Permit--Application.

A. Any person, firm or corporation seeking issuance of a permit under this chapter shall file an application for such permit with the building official.

B. All applications for demolition of any buildings or structures in Butte-Silver Bow shall be made to the building official in writing upon forms furnished by the building department and shall set forth the following information:

1. Address and legal description of the building to be demolished;
2. Name and address of the owner of the building to be demolished, including post office address;
3. Names and addresses of all persons directly or indirectly participating in the proposed demolition;
4. Type of construction of building (frame, masonry, masonry veneer, etc.);
5. Length, width and height of building to be demolished;
6. Type of occupancy (dwelling, garage, office, etc.);
7. Proposed beginning date of demolition and estimate of date of completion;
8. Any additional information which the building official finds necessary to make a fair determination of whether a permit should be issued.

(Ord. 38 § 8, 1977)

15.40.090 Permit--Contents.

The permit required by this chapter shall state the name of the person authorized to demolish the structure, shall describe the structure, and shall list the address of the structure.
(Ord. 38 § 9, 1977)

15.40.100 Permit--Issuance.

If the applicant for a permit under this chapter is qualified and has the license and bond required elsewhere in this code, and in the judgment of the building official the building or structure can be demolished as contemplated, the building official shall issue a permit for demolition.

(Ord. 38 § 10, 1977)

15.40.110 Permit--Fee.

The base fee for demolition permit shall be as follows:

Volume in Square Feet	Fee
25 to 150	\$ 5.00
151 to 500	10.00
501 to 1,000	20.00
1,001 to 1,500	30.00
1,501 to 2,000	50.00
Over 2,000	100.00

NOTE: In the event a building is to be demolished as two or more units, the fee shall be based upon a combination of the above rates.

(Ord. 38 § 11, 1977)

15.40.120 Regulations.

The director of public works is directed and authorized to prepare and file with the clerk and recorder, reasonable, necessary and proper regulations for the means and method and mode of performing demolition, and, from time to time, he shall change or modify such regulations as he deems proper.

(Ord. 38 § 12, 1977)

15.40.130 Supervision of demolition.

All demolition allowed and permitted by this code shall be performed under the supervision of the building official.

(Ord. 38 § 13, 1977)

15.40.140 Compliance.

It is unlawful for any person to demolish any building or other structure within the jurisdictional limits of Butte-Silver Bow unless first complying with this chapter and the rules and regulations of the director of public works made and prepared pursuant to this chapter.

(Ord. 38 § 14, 1977)

15.40.150 Enforcement authority.

The building official is authorized and directed to enforce all provisions of this code.

(Ord. 38 § 3(A), 1977)

15.40.160 Penalty for violation of license regulations.

Every person carrying on or engaging in the transaction of any business for which a license is required by this chapter, without first procuring the proper license therefor, and any persons providing misleading information upon application for license, shall be guilty of a misdemeanor and jurisdiction for such violations shall be in the city court of Butte-Silver Bow. Every day business is conducted without a license shall constitute a separate offense. All licenses containing misleading information shall be automatically revoked. (Ord. 38 § 15, 1977)

15.40.170 Violation--Penalty.

It shall be unlawful for any person, firm or corporation to directly or indirectly demolish any building or structure within Butte-Silver Bow, or cause or permit the same to be done contrary to or in violation of any of the provisions of this code. Any person, firm or corporation violating or disobeying any of the provisions of this code or who omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of this code, shall upon conviction be deemed guilty of a misdemeanor and jurisdiction for all violations of the code shall be in the city court of Butte-Silver Bow. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. (Ord. 38 § 3(E), 1977)

Chapter 15.44

FEDERAL ACCESSIBILITY STANDARDS

Sections:

15.44.010 Adoption.

15.44.015 Definitions.

15.44.010 Adoption.

There is adopted by the council of commissioners to ensure that any new buildings constructed with public funds are accessible to and functional for physically handicapped persons that certain standards known as Part II, Uniform Federal Accessibility Standards as it reads in the Federal Registrar dated August 7, 1984. The purpose of this document is to provide nationally recognized minimum design and construction standards for facility accessibility by physically handicapped persons.

(Ord. 297 § 8, 1987; Ord. 266 § 10.00, 1986)

15.44.015 Definitions.

Wherever the following words or terms are used in the Uniform Federal Accessibility Standards, they shall have the following meaning: "city," "municipality" or "jurisdiction" means the city and county of Butte-Silver Bow, state of Montana, and includes that area contained within its territorial limits including the town of Walkerville.

(Ord. 519 § 13, 1995)