

ORDINANCE NO. 98-5073

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY REVISING SECTION 6-201 OF SAID CODE; UPDATING BUILDING RELATED TECHNICAL CODES; CLARIFYING THAT SAID CODES APPLY TO ALL BUILDINGS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1. That Section 6-201 of the Billings, Montana, City Code be amended so that such section shall read as follows:

**"Sec. 6-201. Adoption of model technical codes and administrative regulations.**

(a) The current editions of the following listed model technical codes and all accompanying appendices, amendments and modifications adopted by the Building Codes Bureau Division, Montana Department of Commerce (or its successor), as set out in the Administrative Rules of Montana, as amended from time to time by the Building Codes Bureau Division, are adopted by reference and incorporated in this article as if set forth in full, except for any exceptions noted in this chapter or any regulations not applicable to local government jurisdictions. These codes are applicable to all buildings within the building code enforcement area of the City of Billings, Montana, including but not limited to, residential buildings containing less than five dwelling units or their attached-to structures, any farm or ranch building, and any private garage or private storage structure used only for the owner's own use as provided by Section 50-6-102(1)(a), MCA.

The CABO One- and Two-Family Dwelling code published by the Council of American Building Officials. The provisions of this code shall regulate minimum standards and requirements for the construction, prefabrication, alteration, repair, use, occupancy and maintenance of detached one- or two-family dwellings not more than three (3) stories in height and their accessory structures.

The Model Energy Code published by the Council of American Building Officials. The provisions of this code provide minimum requirements for the design of new buildings and structures, and additions to existing buildings, regulating their exterior envelopes and selection of their heating, ventilation, air

conditioning, service water heating, electrical distribution, and illuminating systems and equipment for effective use of energy.

The National Electrical Code published by the National Fire Protection Association. The provisions of this code shall serve as minimum standards and requirements for electrical installations.

~~The Uniform Administrative Code published by the International Conference of building Officials. The provisions of this code shall serve as the administrative, organizational and enforcement rules and regulations for the model technical codes adopted herein which regulate the site preparation and construction, alteration, moving, demolition, repair, use and occupancy of buildings, structures and building service equipment within the city and its jurisdictional area.~~

The Uniform Building Code and the Uniform Building Code Standards published by the International Conference of Building Officials. The provisions of this code shall regulate the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and/or structures in the city and its jurisdictional area providing for issuance of permits and collection of fees therefor.

The Uniform Code for the Abatement of Dangerous Buildings published by the International Conference of Building Officials. The provisions of this code provide a just, equitable and practicable method, to be cumulative with and in addition to, any other remedy provided by the building code, housing code or otherwise available at law whereby buildings or structures in the city or its jurisdictional area which from any cause endanger the life, limb, health, morals, property, safety, or welfare of the general public or their occupants, may be required to be repaired, vacated, or demolished.

The Uniform Code for Building Conservation published by the International Conference of Building Officials, which encourages the continued use or reuse of legally existing ~~historic~~ buildings and structures.

The Uniform Housing Code published by the International Conference of Building Officials, which

regulates and controls the use and occupancy, location and maintenance of all residential buildings and structures within the city and its jurisdictional area.

~~The Part II of the Uniform Federal Accessibility Standards published by the General Services Administration, Washington, D.C., which establishes and provides minimum standards for facility accessibility by physically handicapped persons.~~

The Uniform Mechanical Code published by the International Conference of Building Officials, which shall establish and provide minimum standards to safeguard life or controlling the design, construction, installation, quality or materials, location, operation, and maintenance of use of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat producing appliances within the city and its jurisdictional area; providing for issuance of permits and collections of fees; and penalties.

The Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials. The provisions of this code regulate all plumbing and gas piping systems within the city and its jurisdictional area.

(b) One (1) copy of each code shall be on file in the office of the city clerk.

(c) Any codes or amendments adopted by the Building Codes Bureau Division which apply to local government jurisdictions, including the adoption of the latest editions of the model technical codes or applicable Administrative Rules of Montana, shall become effective in the city ninety (90) days after the date that the Bureau Division notifies the city of said amendments."

Section 2. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 3. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 4. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid

provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 9<sup>th</sup> day of NOV, 1998.

PASSED, ADOPTED and APPROVED on second reading this 23 day of NOV, 1998.

CITY OF BILLINGS

By Charles F. Tracy  
Mayor

ATTEST:

By Marita Nerved  
City Clerk