



NORTH DAKOTA STATE BUILDING CODE

EFFECTIVE JANUARY 1, 2026

**ALTERNATIVE FORMATS FOR DISABLED PERSONS
AVAILABLE UPON REQUEST**



1600 E Century Avenue, Suite 6 | P.O. Box 2057 | Bismarck, ND 58502

PHONE: 701-328-5300 | TOLL FREE: 1-866-4DAKOTA | ND RELAY TTY: 1-800-366-6888 | VOICE: 1-800-366-6889 | NDCommerce.com

TABLE OF CONTENTS

Section 1: Acknowledgments	1
Section 2: Introduction... ..	2
Section 3: History of the North Dakota Building Code	3
Section 4: Current North Dakota State Building Code.....	4
Section 5: Requirement to Adopt the North Dakota State Building Code.....	6
Section 6: North Dakota Century Code Chapter 54-21.3-036... ..	7
Section 7: Scope of the State Building Code	13
Section 8: How to Use the North Dakota State Building Code and the 2024 International Energy Conservation Code.....	14
Section 9: Chapter 1 of Each International Code and Fee Schedule	15
Section 10: Identification of Amendments	16
Section 11: 2024 International Building Code Amendments.....	21
Section 12: 2024 International Residential Code Amendments.....	30
Section 13: 2024 International Mechanical Code Amendments	41
Section 14: 2024 International Fuel Gas Code Amendments.....	46
Section 15: 2024 International Energy Conservation Code Amendments	51
Section 16: 2024 International Existing Building Code Amendments	53
Section 17: Americans with Disabilities Act Accessibility Guidelines (ADAAG).....	54
Section 18: ADAAG Conformance Statement.....	55
Section 19: Sample Ordinance to Adopt the State Building Code.....	56
Section 20: Code Enforcing Jurisdictions in North Dakota	57
Section 21: Administrative Rule (Article 108, Chapter 108-01)	60
Section 22: Other Code Enforcing Programs of North Dakota	67

ACKNOWLEDGMENTS

The updating of the North Dakota State Building Code would not have been possible without the assistance of the Building Code Advisory Committee and the cities, counties, and organizations that were deemed eligible under the Administrative Rule (Article 108-01) and N.D.C.C. 54-21.3-03 were available to vote during the updating process. Their interest and expertise have resulted in a state building code that not only consists of the most up-to-date codes (the 2024 International Codes) but also reflects the needs and concerns of the jurisdictions of the state in amendments to those codes.

BUILDING CODE ADVISORY COMMITTEE

(Members who participated)

Shawn Ouradnik

North Dakota Building Officials Association

Mitch Okeson

Society of Professional Engineers

Doug Nelson

State Fire Marshal's Office

Todd Johnson

North Dakota Building Officials Association

Eric Nelson

North Dakota Association of Mechanical Contractors

James Schmidt

State Electrical Board

Jared Jenson

North Dakota Chapter of the American Institute of Architects

John Gunkelman

North Dakota Association of Builders

Eric Brenden

Associated General Contractors of ND

Ben Faul

Department of Commerce

INTRODUCTION

The purpose of this document is to identify the building and related codes and state amendments to those codes that together make up the North Dakota State Building Code. Also included in this document are a brief history of the state building code; information on how to obtain copies of the six codes that make up the state building code; the state law (N.D.C.C. 54-21.3) that provides for state building code; the American with Disabilities Act Accessibility Guidelines (ADAAG) Conformance Statement; and a sample ordinance for local adoption of the state building code.

HISTORY OF THE NORTH DAKOTA STATE BUILDING CODE

In 1979, the 46th North Dakota Legislative Assembly created the North Dakota State Building Code. At the same time, the Legislature amended N.D.C.C. Sections 11-33-01, 40-47-01, and 58-03-11 relating to the authority of cities, townships, and counties to zone to reflect compliance with the state building code. The Legislature directed that the state building code would consist of the Uniform Building Code published by the International Conference of Building Officials. In 1985, the 49th Legislative Assembly added the Uniform Mechanical Code, also published by the International Conference of Building Officials.

Until 1991, the Legislature maintained the authority to update the state building code, but this process did not permit the state to update the state building code in a timely manner as new editions of the Uniform Building Code and Uniform Mechanical Code were published. In 1991, the Legislature provided for the state building code to be updated as new editions of the codes are published. This procedure, however, was later declared unconstitutional. As a result, in 1993 the Legislative Assembly shifted the responsibility for updating the state building code to the Office of Management and Budget, which then designated the Office of Intergovernmental Assistance (now the Division of Community Services) to adopt rules to implement and periodically update and to amend the code. The Legislative Assembly also directed in 1993, that effective August 1, 1994, any city, township, or county that elects to administer and enforce a building code shall adopt and enforce the state building code. However, the Legislative Assembly also provided for the ability for a city, county, or township to amend the state building code to conform to local needs. The first Administrative Rule (Article 4-08-01) for updating the state building code became effective December 1, 1994.

In 2001, the 57th Legislative Assembly amended N.D.C.C. 54-21.3-03, deleting the reference to the Uniform Building Code and Uniform Mechanical Code because they were no longer being published. In their place, the Legislative Assembly designated the International Building Code, International Residential Code, International Mechanical Code, and International Fuel Gas Code as the codes that would make up the state building code. The first version of these codes to be adopted was the 2000 edition. The Legislative Assembly also created a Building Code Advisory Committee to help write administrative rules and to develop recommendations on proposed code amendments. A new Administrative Rule (Article 108, Chapter 108-01) to implement, amend, and periodically update the state building code became effective July 22, 2002.

In 2004 the Building Code Advisory Committee and the eligible local jurisdictions adopted the 2003 edition of the International Building Code, International Residential Code, International Mechanical Code, and International Fuel Gas Code with amendments.

In 2007 the Building Code Advisory Committee and the eligible local jurisdictions adopted the 2006 edition of the International Building Code, International Residential Code, International Mechanical Code, and International Fuel Gas Code with amendments.

In 2009 the Building Code Advisory Committee and the eligible local jurisdictions made additional amendments to the State Building Codes.

In 2010 the Advisory Committee and eligible jurisdictions adopted the 2009 versions of the IBC, IRC, IMC and IFGC with amendments. In addition, in accordance with the State Legislature, the energy conservation provisions of the IBC (Chapter 13) and IRC (Chapter 11) were retained with minor amendments.

In 2013 the Advisory Committee and eligible jurisdictions adopted the 2012 versions of the IBC, IRC, IMC and IFGC with amendments. In addition, in accordance with the State Legislature, the energy conservation provisions of the IBC (Chapter 13) and IRC (Chapter 11) were retained with minor amendments.

In 2016 the Advisory Committee and eligible jurisdictions adopted the 2015 versions of the IBC, IRC, IMC, IFGC, and the 2015 IECC with amendments. In addition, in accordance with the State Legislature, the energy conservation provisions of the IBC (Chapter 13) and IRC (Chapter 11) were retained with minor amendments.

In 2019 the Advisory Committee and eligible jurisdictions adopted the 2018 versions of the IBC, IRC, IMC, IFGC, IECC, and IEBC with amendments. In addition, in accordance with the State Legislature, the energy conservation provisions of the IRC (Chapter 11) were retained with minor amendments.

In 2022 the Advisory Committee and eligible jurisdictions adopted the 2021 versions of the IBC, IRC, IMC, IFGC, IECC, and IEBC with amendments. In addition, in accordance with the State Legislature, the energy conservation provisions of the IRC (Chapter 11) were retained with minor amendments.

In 2025 the Advisory Committee and eligible jurisdictions adopted the 2024 versions of the IBC, IRC, IMC, IFGC, IECC, and IEBC with amendments. In addition, in accordance with State Legislature, the energy conservation provisions of the IRC (Chapter 11) were retained with minor amendments.

CURRENT NORTH DAKOTA STATE BUILDING CODE

Effective January 1, 2026, the North Dakota State Building Code consists of the 2024 International Building Code (IBC), International Residential Code (IRC), International Mechanical Code (IMC), International Fuel Gas Code (IFGC), International Energy Conservation Code, and the International Existing Building Code as published by the International Code Council (ICC).

NO APPENDICES ARE ADOPTED

Also note that the State Building Code does not include the International Property Maintenance Code, or the International Fire Code. These codes, to be in effect, must be adopted separately by each city, county, or township.

To obtain copies of these codes, contact:

International Code Council 4051 W Flossmoor Road

Country Club Hills, IL 60478-5771

[P] 1-888-ICC-SAFE (422-7233); [F] 1-800-214-7167

Additionally, the 2024 International Residential Code (IRC) is available from the North Dakota State Library; it can be borrowed at no charge for up to four weeks.

North Dakota State Library 604 East Boulevard Avenue Bismarck, ND 58505

[P] 1-701-328-4622; [P] 1-800-472-2104

We encourage each city, township, and county that has elected or elects to enforce building codes to contact the International Code Council to become a member. This will entitle the jurisdiction to certain free publications, member rates for books and materials, and free technical assistance.

REQUIREMENT TO ADOPT THE NORTH DAKOTA STATE BUILDING CODE

Effective August 1, 1994, N.D.C.C. 54-21.3-03 cities, townships, and counties that elect to enforce a building code are responsible for adopting and enforcing the state building code but may amend the code to conform to local needs.

State agencies are responsible for assuring that plans and specifications for alterations and new construction of their buildings comply with the state building code, and that all work is inspected for compliance with the state building code. Schools located in jurisdictions that have not elected to adopt and enforce the state building code are responsible for assuring that plans and specifications for alterations and new construction comply with the state building code.

Local governments that have not elected to adopt and enforce the state building code are responsible for assuring that plans and specifications for alterations and new construction of their buildings comply with the state building code.

NORTH DAKOTA CENTURY CODE CHAPTER 54-21.3 STATE BUILDING CODE

54-21.3-01. Purposes of Chapter. The purposes of this chapter are to:

1. Provide the citizens of this state with nationally recognized standards and requirements for construction and construction materials.
2. Eliminate restrictive, obsolete, conflicting, and unnecessary construction regulations that tend to increase construction costs unnecessarily or restrict the use of new materials, products, or methods of construction or provide preferential treatment to types or classes of materials or products or methods of construction.
3. Ensure adequate construction of buildings throughout the state and to adequately protect the health, safety, and welfare of the people of this state.

54-21.3-02. Definitions. As used in this chapter, unless the context requires otherwise:

1. "Agricultural purposes" includes purposes related to agriculture, farming, ranching, dairying, pasturage, horticulture, floriculture, viticulture, and animal and poultry husbandry.
2. "Building" means a combination of any materials fixed to form a structure and the related facilities for the use or occupancy by persons, or property. The word "building" shall be construed as though followed by the words "or part or parts thereof".
3. "City" means any city organized under the laws of this state.
4. "Construction" means the construction, erection, reconstruction, alteration, conversion, or repair of buildings.
5. "Jurisdictional area" means the area within which a city or township has zoning jurisdiction.
6. "State building code" means the state building code provided for in this chapter.
7. "Temporary work camp housing" includes a modular residential structure used to house workers on a temporary basis for a maximum period of five years.
8. "Code enforcement agency" means an agency of the state or local government with authority to inspect buildings and enforce the law, ordinances, and regulations which establish standards and requirements applicable to the construction, installation, alteration, repair, or relocation of buildings.

54-21.3-03. State Building Code.

1. The department of commerce, in cooperation with the state building code advisory committee, shall adopt rules to implement, amend, and periodically update the state building code, which must consist of the International Building, Residential, Mechanical, and Fuel Gas Codes.
2. The state building code advisory committee consists of:
 - a. Two representatives appointed by the North Dakota Building Officials Association, one of whom must be from a jurisdiction of fewer than ten thousand people.
 - b. One representative appointed by the North Dakota chapter of the American Institute of Architects.
 - c. One representative appointed by the North Dakota Society of Professional Engineers.
 - d. One representative appointed by the North Dakota Association of Builders.
 - e. One representative appointed by the North Dakota Association of Mechanical Contractors.
 - f. One representative appointed by the Associated General Contractors.
 - g. A fire marshal appointed by the State Fire Marshal.
 - h. One individual appointed by the State Electrical Board.
3. The state building code advisory committee shall meet with the department of commerce or a designee of the commissioner of commerce at least once each calendar year to address proposed amendments to the state building code. The department of commerce may not adopt an amendment to the state building code unless the amendment is approved by a majority vote of:
 - a. One representative appointed by the North Dakota chapter of the American Institute of Architects;
 - b. One representative appointed by the North Dakota Society of Professional Engineers;
 - c. One representative appointed by the North Dakota Association of Builders;
 - d. One representative appointed by the North Dakota Association of Mechanical Contractors;
 - e. One representative appointed by the Associated General Contractors; and
 - f. Representatives of eligible jurisdictions as established by administrative rule.

4.
 - a. The state building code or a building code adopted by a city, township, or county may not include a requirement that fire sprinklers be installed in a single-family dwelling or a residential building that contains no more than two dwelling units.
 - b. The state building code, plumbing code, electrical code, or an equivalent code adopted by political subdivision must provide that a building designed for and used as a school portable classroom may be constructed and inspected as a temporary structure as defined by the state building code or may be permitted as a permanent school portable classroom. The foundation system of such a structure must comply with the recommendations of the manufacturer's engineering report for a pre-engineered unit or a structural engineer's report. Frost - free footings may not be required for a temporary structure that meets the requirements of the state building code unless required by an engineering report. Temporary electrical and plumbing installations may be allowed for any structure by the governmental entities governing those areas of construction or the applicable codes.
5. For the purposes of manufactured homes, the state building code consists of the manufactured homes construction and safety standards under 24 CFR 3280 adopted pursuant to the Manufactured Housing Construction and Safety Standards Act [42 U.S.C. 5401 et seq.].
6. The governing body of a city, township, or county that elects to administer and enforce a building code shall adopt and enforce the state building code. However, the state building code may be amended by cities, townships, and counties to conform to local needs.
7. A modular residential structure or a prebuilt home placed in the state must be constructed in compliance with the state building code. A modular residential structure or a prebuilt home placed in a jurisdiction that has amended the state building code must be constructed in compliance with the state building code and the amendments adopted by that jurisdiction.

54-21.3-04. Exemptions.

1. Except as specifically provided in this chapter, the following statewide codes are exempt from this chapter:
 - a. The Standards for Electrical Wiring and Equipment, as contained in North Dakota Administrative Code article 24-02.
 - b. The State Plumbing Code, as contained in North Dakota Administrative Code Article 62-03.
 - c. The State Fire Code, as contained in the rules of the state fire marshal as provided in section 18-01-04.
2. The following buildings are exempt from this chapter:

- a. Buildings which are neither heated nor cooled.
 - b. Buildings used whose peak design rate of energy usage is less than one watt per square foot [929.0304 square centimeters] or three and four-tenths British thermal units an hour per square foot [929.0304 square centimeters] of floor area.
 - c. Restored or reconstructed buildings deliberately preserved beyond their normal term of use because of historical associations, architectural interests, or public policy, or buildings otherwise qualified as a pioneer building, historical site, state monument, or other similar designation pursuant to state or local law.
3. Any building used for agricultural purposes, unless a place of human habitation or for use by the public, is exempt from this chapter.

54-21.3-04.1. Accessibility Standards.

1. Notwithstanding section 54-21.3-04, every building or facility subject to the federal Americans with Disabilities Act of 1990 [Pub. L. 101-336; 104 Stat. 327] must conform to the 2010 Americans with Disabilities Act standards for accessible design as contained in title 28, Code of Federal Regulations, parts 35 and 36 [28 CFR 35 and 36].
2. A state agency or the governing body of a political subdivision shall require from any individual preparing plans and specifications for a building or facility subject to the Americans with Disabilities Act of 1990 [Pub. L. 101-336; 104 Stat. 327], a statement that the plans and specifications are, in the professional judgment of that individual, in conformance with the Americans with Disabilities Act standards for accessible design as provided under subsection 1. A statement of conformance must be submitted to the department of commerce division of community services for recording.
3. After July 31, 2013, a newly designed and constructed building in excess of seven thousand five hundred square feet [696.77 square meters] which is classified within the state building code as assembly, business, educational, institutional, or mercantile occupancy and required by the state building code to be accessible must include at the primary exterior public entrance an automatic door or power-assisted manual door that complies with the requirements of the Americans with Disabilities Act of 1990, revised 2010. If a multiple unit building does not have a primary exterior public entrance, an individual unit within that building is not required to include an automatic door or power-assisted manual door unless that individual unit is in excess of seven thousand five hundred square feet [696.77 square meters].

54-21.3-04.2. Notice of Federal Accessibility Guidelines Required.

A building permit issued under section 11-33-18, subsection 6 of section 40-05-02, or other similar grant of authority must contain the following statement:

Federal law may require this construction project to conform with the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities.

54-21.3-05. Enforcement of Code by City, Township, or County - Relinquishment.

A city or township may administer and enforce the state building code only within its jurisdictional area.

A county may administer and enforce the state building code within those areas of the county in which the state building code is not administered by a city or township. Cities and townships may relinquish their authority to administer and enforce the state building code to the county in which they are located in the manner provided by section 11-33-20. The governing body of a city, township, or county electing to administer and enforce the state building code may designate an enforcement agency. Cities, townships, and counties may provide by agreement for joint administration and enforcement and may contract for private enforcement of the state building code.

54-21.3-06. Continuing Education - Responsibility. Repealed by S.L. 1983, Ch. 511, § 8.

54-21.3-07. Modular Residential and Commercial Structures - Third-party Inspections - Rules.

The manufacturer of a modular residential or commercial structure that is built in a factory shall contract with a third party for the inspection of the structure for compliance with all applicable building, electrical, fire, and plumbing codes and standards during the manufacturing process in the factory. A third party that conducts inspections and certifies compliance with all applicable codes and standards must be approved as a certified third-party inspector by the division of community services. The department of commerce shall adopt rules for the certification of inspectors and for the procedures to be followed in conducting inspections of modular residential and commercial structures. When a manufacturer of modular residential or commercial structures contracts with a certified third-party inspector to monitor compliance with all applicable building, electrical, fire, and plumbing codes and standards for a modular residential or commercial structure, no further inspection by state or local building, electrical, fire, or plumbing inspectors may be required for that structure during the manufacturing process in the factory. This section does not apply to a factory manufacturing fewer than two residential or commercial structures per year.

54-21.3-08. Adoption of an Installation Program - Penalty.

The Department of Commerce shall adopt rules establishing a manufactured home installation program for all manufactured homes built in accordance with the manufactured homes construction and safety standards under 24 CFR 3280 adopted pursuant to the Manufactured Housing Construction and Safety Standards Act [42 U.S.C. 5401 et seq.]. The rules must establish minimum installation standards. The rules may include standards, fees, and requirements for certification and training of installers, inspections of installations, dispute resolution, penalties for noncompliance, and costs of processing complaints. The standards do not apply to manufactured homes installed before the original effective date of the rules. Manufactured homes may be installed in accordance with either standards adopted in the rules or the manufacturer's instructions. The rules must include provisions for the enforcement of these standards. Any person who violates this section or any rule adopted under this section is guilty of a class A misdemeanor.

54-21.3-09 Used Temporary Work Camp Housing - Exemption.

State or local government code enforcement agencies may allow exemptions or accept alternate methods for construction and placement of temporary work camp housing that has been previously used as housing or temporary work camp housing in a different location, provided that the waiver does not substantially compromise the health or safety of workers. This authority is granted to code enforcement agencies enforcing the State Building Code, the State Electrical Code, and the State Plumbing Code when acting within their existing jurisdiction. This section does not apply to newly constructed temporary work camp housing.

1. State or local government code enforcement agencies, acting within their existing jurisdiction, may conduct a nondestructive walkthrough inspection of previously used temporary work camp housing to ensure compliance with applicable codes, including the State Building Code, State Electrical Code, and State Plumbing Code. If the housing is found to be compliant with these codes, or to not substantially compromise the health or safety of workers pursuant to a waiver under this section, the code enforcement agency may issue a limited certificate of inspection, which is effective for a period of five years. Residents may not be permitted to move into or live in temporary work camp housing unless the housing has a current limited certificate of inspection or has been found to meet all applicable codes and requirements by any code enforcement agency having jurisdiction.
2. The applicable codes, including the State Building Code, the State Electrical Code, and the State Plumbing Code, are applicable as a standard for liability in legal actions against owners or operators of temporary work camp housing if exemptions are granted.
3. An owner of temporary work camp housing has the duty to remove that housing and all related above-grade and below-grade infrastructure within one hundred twenty days after the temporary work camp housing is vacated. Any city or county may abate any public nuisance caused by vacated temporary work camp housing within its jurisdiction. An owner of temporary work camp housing shall provide the city or county where the temporary work camp housing is installed with a surety bond, letter of credit, or other security instrument in the form and in an amount specified by the city or county. These funds must be used to cover actual expenses that may be incurred by the city or county in removal of the temporary work camp housing, including any above - grade or below grade infrastructure. The owner is liable for any expenses that are reasonably incurred by the city or county which exceed the amount of the security.

SCOPE OF THE STATE BUILDING CODE

Administrative Rule Article 108, Chapter 108-01, provides for the following scope for the state building code:

1. It supplements all laws defined within the North Dakota Century Code relating to construction, alterations, improvements, and siting of buildings unless specifically exempted.
2. It applies to all cities, townships, and counties that elect to adopt and enforce building codes within their jurisdictional boundaries.
3. It applies to all state and local government buildings.
4. It applies to all public and private schools.

HOW TO USE THE NORTH DAKOTA STATE BUILDING CODE

FIRST: You must obtain the 2024 editions of the IBC, IRC, IMC, IFGC, IECC, and the IEBC. See page 4 for obtaining these codes.

SECOND: Wherever the International Plumbing Code and International Electrical Code are referenced, you must substitute the reference with the North Dakota State Plumbing Code and the Wiring Standards of North Dakota. Also note that the State Building Code does not include the International Property Maintenance Code or the International Fire Code. These codes, to be in effect, must be adopted separately by each city, county, or township.

THIRD: When using the IBC, IRC, IMC, IFGC, IECC, and IEBC you should first identify if a section or chapter is amended by the state. State agencies, local governments, and schools must use the state building code and may only use less restrictive code provisions contained in the state amendments. Local jurisdictions may not impose more restrictive code provisions on state buildings unless they are included in the state amendments.

FOURTH: In chapter 11 of the IRC you have the choice of meeting the 2024 IRC requirements as amended or meeting the 2024 International Energy Conservation Code (IECC) requirements as amended.

CHAPTER 1 OF EACH INTERNATIONAL CODE AND FEE SCHEDULE

Chapter 1 of each of the six International Codes that make up the state building code is entitled Administration. The provisions in the Chapter provide for the administration and enforcement of each code by the enforcing jurisdiction.

It is up to each jurisdiction that elects to adopt the building code, to determine how it will administer and enforce the state building code.

One area no longer included in the International Codes is the suggested permit fee schedule. For your reference, included on the next two pages is a sample of one of the jurisdictions fee schedules.

**COMMERCIAL BUILDING PERMIT AND
PLAN REVIEW FEES**

TOTAL VALUATION	FEE
Up to and including \$1,000.00	\$40.00
\$1,001.00 to \$25,000.00	\$40.00 for the first \$1,000.00 plus \$11.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$304.00 for the first \$25,000.00 plus \$7.50 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$491.50 for the first \$50,000.00 plus \$5.30 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$756.50 for the first \$100,000.00 plus \$4.30 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2476.50 for the first \$500,000.00 plus \$4.20 for each additional \$1,000.00 or fraction thereof to and including \$1,000,000.00
\$1,000,001.00 and up	\$4576.50 for the first \$1,000,000.00 plus \$4.00 for each additional \$1,000.00 or fraction thereof

Demolition Permit:	\$100.00 / \$40.00 for buildings under 400 SF and buildings without utility services.
House Moving Permit:	\$300.00 / \$40.00 for buildings under 400 SF and buildings without utility services. \$150.00 / \$40.00 for moves within extraterritorial area.
Board of Appeals:	\$150.00 filing fee
Plan Review: All projects when a plan review is required.	Twenty (20) percent of the attributable building permit fee. Minimum fee \$40.

Other Inspections and Fees:	
1. Inspections outside of normal business hours (minimum charge -- two hours)	\$70.00 per hour*
2. Reinspection fees assessed under provisions of Section 108 and 109 of the International Building Code	\$70.00 per hour*
3. Inspections for which no fee is specifically indicated (minimum charge -- one-half hour)	\$70.00 per hour*
4. Additional plan review required by changes, additions or revision to plans (minimum charge -- one-half hour)	\$70.00 per hour*
5. For use of outside consultants for plan checking and inspections, or both.	Actual Cost **

* Or the total hourly cost to the jurisdiction, whichever is the greater. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

** Actual costs include administrative and overhead cost.

Should work begin prior the issuance of necessary permits, the following fees will apply:

VALUATION OF WORK	FEE
\$0-\$50,000	Permit fee is doubled Second offence within 180 days - \$200 minimum \$100 for each additional violation subsequent
\$50,001-\$500,000	50% of permit fee (Minimum fee of \$980)
Over \$500,000	25% of the permit fee (Minimum fee of \$2,500)

RESIDENTIAL BUILDING PERMIT FEES

(one- and two-family dwellings)

TOTAL VALUATION	FEE
Up to and including \$1,000.00	\$35.00
\$1,001.00 to \$100,000.00	\$35.00 for the first \$1,000.00 plus \$4.80 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 and up	\$510.20 for the first \$100,000.00 plus \$2.65 for each additional \$1,000.00 or fraction thereof.

Demolition Permit:	\$100.00 / \$35.00 for buildings under 400 SF and buildings without utility services.
House Moving Permit:	\$300.00 / \$35.00 for buildings under 400 SF and buildings without utility services. \$150.00 / \$35.00 for moves within extraterritorial area.
Board of Appeals	\$150.00

Other Inspections and Fees:	2018
1. Inspections outside of normal business hours (minimum charge -- two hours)	\$70.00 per hour*
2. Re-inspection fees assessed under provisions of Section 108 of the International Residential Code	\$70.00 per hour*
3. Inspections for which no fee is specifically indicated (minimum charge -- one-half hour)	\$70.00 per hour*
4. Additional plan review required by changes, additions or revision to plans (minimum charge -- one-half hour)	\$70.00 per hour*
5. For use of outside consultants for plan checking and inspections, or both.	Actual Cost **

* Or the total hourly cost to the jurisdiction, whichever is the greater. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

** Actual costs include administrative and overhead cost.

Should work begin prior the issuance of necessary permits, the following fees will apply:

VALUATION OF WORK	FEE
\$0-\$50,000	Permit fee is doubled Second offence within 180 days - \$200 minimum \$100 for each additional violation subsequent
\$50,001-\$500,000	50% of permit fee (Minimum fee of \$550)
Over \$500,000	25% of the permit fee (Minimum fee of \$2,000)

IDENTIFICATION OF AMENDMENTS

This section presents the adopted state amendments to the 2024 editions of the International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, and the International Existing Building Code. These amendments were approved through the voting procedures in Article 108- 01 of the North Dakota Administrative Code on September 11, 2025. The amendments to each code are presented separately, with each Chapter and section containing an amendment highlighted in bold letters and numbers. The type of amendment made to the section, table, or figure is indicated by the terms revise, add, or delete underneath the section, table, or figure number. Wherever a new section is added, the notice to add appears in bold letters above the new section designation. The following describes what each designation means:

- Revise - indicates that a chapter, section, table, or figure has been changed due to a deletion or substitution. Substituted language or specifications are underlined, and new tables or figures are identified
- Add - indicates new language or specifications have been added, without changing existing language or specifications.
- Delete - indicates complete deletion of a chapter, section, table, or figure or reassignment as an Appendix.

AMENDMENTS FOR THE 2024 INTERNATIONAL BUILDING CODE

NOTE: Wherever the International Plumbing Code and International Electrical Code referenced, substitute the reference with the North Dakota State Plumbing Code and Wiring Standards of North Dakota.

CHAPTER 1 SCOPE AND ADMINISTRATION

Section R101.4.3 Plumbing.

Revise as follows:

The provisions of the North Dakota State Plumbing Code shall apply to the installation, alteration, repair and replace of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system. The provisions of the North Dakota State Plumbing Code shall apply to private sewage disposal systems.

Section R104.8 Liability.

Revise as follows:

The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act or omission performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be afforded all the protection provided by the jurisdiction's insurance pool and immunities and defenses provided by other applicable state and federal laws and shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost.

Section R105.2 Work Exempt from Permit.

Revise as follows:

Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Permits shall not be required for the following:

Building:

2. Fences not over 8.5 feet high.
6. Sidewalks and driveways

- 11. Swings and other playground equipment
- 12. Window awnings
- 14. Reroofing

Section 107.3.1 Approval of construction documents.

Revise as follows:

When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance." One set of construction documents so reviewed shall be retained by the building official. One set of construction documents shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

Section 109.2 Schedule of permit fees

Revise as follows:

Where a permit is required, a fee for each permit and plan review shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The plan review fees specified in this subsection are separate from, and in addition to, permit fees.

CHAPTER 2 DEFINITIONS

Section R201.3 Terms Defined in Other Codes.

Add as follows:

Whenever electrical codes are referenced by the ICC in the International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, International Energy Code, Existing Building Code, it shall mean the most recent versions of the National Electrical Code and the North Dakota State Wiring Standards adopted by the North Dakota State Electrical Board and the most recent versions of the Uniform Plumbing Code and Laws, Rules and Plumbing Installations Standards of North Dakota adopted by the North Dakota State Plumbing Board.

CHAPTER 3

Occupancy Classification and Use

Section 305.2 Group E, Day Care Facilities

Revise as follows:

This group includes buildings and structures, or portions thereof occupied by more than twelve children older than 2 1/2 years of age who receive educational supervision or personal care services for fewer than 24 hours per day.

Section 305.2.2 Twelve of Fewer Children

Revise as follows:

A facility having five or fewer children receiving such day care shall be classified as part of the primary occupancy.

Section 305.2.3 Twelve of Fewer Children in a Dwelling Unit.

Revise as follows:

A facility such as the above within a dwelling unit and having twelve or fewer children receiving such day care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code.

Section 308.5 Institutional Group I-4, Day Care Facilities.

Revise as follows:

Institutional Group I-4 occupancy shall include buildings and structures occupied by more than twelve persons of any age who receive custodial care for fewer than 24 hours per day by persons other than parents or guardians;...

Section 308.5.1 Classification as Group E.

Revise as follows:

A child day care facility that provides care for more than twelve but not more than 100 children 2 1/2 years or less of age, where the rooms in which the children are cared for are located on a level of exit discharge serving such rooms and each of these child care rooms has an exit door directly to the exterior, shall be classified as Group E.

Section 308.5.3 Twelve or Fewer Persons Receiving Care.

Revise as follows: A facility having twelve or fewer persons receiving custodial care shall be classified as part of the primary occupancy.

Section 308.5.4 Twelve or Fewer Persons Receiving Care in a Dwelling Unit.

Revise as follows:

A facility such as the above within a dwelling unit and having twelve or fewer persons receiving custodial care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code.

Chapter 7 Fire and Smoke Protection Features

Section 706.6 Vertical Continuity

Revise as follows:

Fire walls shall extend from the foundation to a termination point not less than 30 inches (762 mm) above both adjacent roofs.

Exceptions:

7. Fire walls installed within detached structures of Group U or Group S-2 occupancies may terminate at the underside of the roof sheathing provided such walls are not required to be fire-resistive construction due to proximity to property lines.

Chapter 9 Fire Protection and Life Safety Systems

Section 901.1 Scope.

Add as follows:

The provisions of this chapter shall specify where fire protection and life safety systems are required and shall apply to the design, installation and operation of fire protection and life safety systems. The state building code or a building code adopted by a city, township, or county may not include a requirement that fire sprinklers be installed in a single-family dwelling or a residential building that contains no more than two dwelling units.

Section 905.1. General.

Add as follows:

Exception: The installation of fire hose on standpipes may be omitted when approved by the fire code official. Approved standpipe hose valves and connection shall be provided where required.

Section 907.2.3 Group E.

Add as follows:

A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E occupancies. Where automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. Where approved by the fire code official, a building's emergency communication system interfaced with the fire alarm system in accordance with NFPA 72 is acceptable.

Section 907.2.11.2 Groups R-2, R-3, R-4 and I-1.

Add as follows:

Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1 regardless of occupant load at all of the following locations:

4. In dwelling units where the ceiling height of a room open to the hallway serving the sleeping rooms exceeds that of the hallway by 24 inches (610 mm) or more, smoke detectors shall be installed in the hallway and the adjacent room.

CHAPTER 10

Means of Egress

Section 1011.1 General

Add as follows:

Stairways serving occupied portions of a building shall comply with the requirements of Sections 1011.2 through 1011.13. Alternating tread devices shall comply with Section 1011.14. Ship's ladders shall comply with Section 1011.15. Ladders shall comply with Section 1011.16.

Exception 2. Stairways used only to attend equipment or private stairways serving an occupant load of 10 or fewer persons and which are not accessible to the public need not comply with sections 1011.2 through 1011.13.

Section 1011.2 Width and Capacity.

Add as follows:

The required capacity of stairways shall be determined as specified in Section 1005.1, but the minimum width shall be not less than 44 inches (1118 mm). The minimum width for stairways that serve as part of the accessible means of egress shall comply with Section 1009.3.

Exception 4. Stairways used only to attend equipment or private stairways serving an occupant load of 10 or fewer persons and which are not accessible to the public.

Section 1011.5.2 Riser Height and Tread Depth.

Revise and Add as follows:

Exceptions:

3. In Group R-3 occupancies; within dwelling units in Group R-2 occupancies; and in Group U occupancies that are accessory to a Group R-3 occupancy or accessory to individual dwelling units in Group R-2 occupancies; the maximum riser height shall be 8 inches; the minimum tread depth shall be 9 inches; the minimum tread depth at the walk line shall be 10 inches (254 mm); ...

6. Stairways used only to attend equipment or private stairways serving an occupant load of 10 or fewer persons and which are not accessible to the public are permitted to have a maximum 8-inch riser height and minimum 9-inch tread depth.

Section 1011.11 Handrails

Add as follows:

Exceptions:

6. Stairways used only to attend equipment or private stairways serving an occupant load of 10 or fewer persons and which are not accessible to the public. Handrail will be required on one side.

7. Vehicle service pit stairways are exempt from the rules for stairway railings and guards if they would prevent a vehicle from moving into a position over the pit.

Section 1015.2

Revise as follows:

Guards shall be located along open-sided walking surfaces, including mezzanines, equipment platforms, stairs, ramps and landings, that are located more than 30 inches (762mm) above the floor or grade below or if within 36 inches (914mm) horizontally to the edge of the open side the vertical measurement to the floor or grade below is greater than 48 inches. Guards shall be adequate in strength and attachment in accordance with section 1607.9.

CHAPTER 11

Accessibility

Section 1102.1 Design

Add as follows:

Buildings and facilities shall be designed and constructed to be accessible in accordance with this code and ICC A 117.1. After July 31, 2013, a newly designed and constructed building in excess of seven thousand five hundred square feet [696.77 square meters] which is classified within the state building code as assembly, business, educational, institutional, or mercantile occupancy and required by the state building code to be accessible must include at the primary exterior public entrance an automatic door or power-assisted manual door that complies with the requirements of the Americans with Disabilities Act of 1990, revised 2010. If a multiple unit building does not have a primary exterior public entrance, an individual unit within that building is not required to include an automatic door or power-assisted manual door unless that individual unit is in excess of seven thousand five hundred square feet [696.77 square meters].

CHAPTER 16

Structural Design

Section 1610.1 Lateral Pressures

Revise as follows:

Exception: Foundation walls extending not more than 9 feet below grade and laterally supported at the top by flexible diaphragms shall be permitted to be designed for active pressure.

CHAPTER 18

Soils and Foundations

Section 1801.1

Add as follows:

There shall be a concrete encased rebar stubbed out near the electrical service for grounding of the electrical system located within the footing or foundation as per the requirements of the most recently adopted version of the National Electrical Code and the North Dakota State Wiring Standards. Coordinate with the Electrical Contractor.

Section 1804.4 Site Grading

Delete and Substitute as follows:

Surface drainage shall be diverted to a storm sewer conveyance or other approved point of collection. Lots shall be graded to drain surface water away from foundation walls.

The procedure used to establish the final ground level adjacent to the foundation shall account for additional settlement of the backfill.

Section 1809.5 Frost Protection

Add as follows:

Except where otherwise protected from frost, foundations and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

Exception: Free-standing buildings used as Group U occupancies and Groups S occupancies used for self-service storage with no water utilities connected to the building need not be frost protected.

CHAPTER 29 Plumbing Systems.

Section 2901.1 Scope

Revise as follows:

The provisions of this chapter and the North Dakota State Plumbing Code shall govern the erection, installation, alteration, repairs, relocations, replacement, addition to, use or maintenance of plumbing equipment and systems. Toilet and bathing rooms shall be constructed in accordance with Section 1210. Plumbing systems and equipment shall be constructed, installed and maintained in accordance with the North Dakota State Plumbing Code. Private sewage disposal systems shall conform to the North Dakota State Plumbing Code. The International Fire Code, the International Property Maintenance Code and the North Dakota State Plumbing Code shall govern the use and maintenance of plumbing components, appliances, equipment and systems. The International Existing Building Code and the North Dakota State Plumbing Code shall govern the alteration, repair, and relocation. Replacement and addition of plumbing components, appliances, equipment and systems.

Section 2902.2 Separate Facilities

Revise as follows:

Exceptions:

2. Separate toilet facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 25 or fewer.

Section 2902.6 Small Occupancies

Revise as follows: Drinking fountains shall not be required for an occupant load of 30 or fewer.

AMENDMENTS FOR THE 2024 INTERNATIONAL RESIDENTIAL CODE

CHAPTER 1 SCOPE AND ADMINISTRATION

Section 104.8 Liability.

Add as follows:

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or the city be held as assuming any such liability by reason of the inspection authorized by this code or any permits or certificates issued under this code.

Section 105.2 Work Exempt from Permit.

Add as follows:

- 2. Fences not over 8.5 feet high.
- 7. Swimming pools.
- 10. Decks not exceeding 120 square feet in area, that are not more than 7 inches above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R318.4.

Section 108.3 Building Permit Valuations.

Add as follows:

If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the building official.

CHAPTER 2 DEFINITIONS

Section 201.3 Terms Defined in Other Codes.

Add as follows:

Whenever electrical codes are referenced by the ICC in the International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, International Energy Code, Existing Building Code, it shall mean the most recent versions of the National Electrical Code and the North Dakota State Wiring Standards adopted by the North Dakota State Electrical Board and the most recent versions of the Uniform Plumbing Code and Laws, Rules and Plumbing Installations Standards of North Dakota adopted by the North Dakota State Plumbing Board.

CHAPTER 3 BUILDING PLANNING

Section R301.1.3 Engineering Design

Revise as follows:

Where a building of otherwise conventional construction contains structural elements exceeding the limits of Section R301 or otherwise not conforming to this code, these elements shall be designed in accordance with accepted engineering practice.

The building official is authorized to require the construction documents to be prepared and sealed by a registered design professional.

The extent of such design need only demonstrate compliance of nonconventional elements with other applicable provisions and shall be compatible with the performance of the conventional framed system. Engineered design in accordance with the International Building Code is permitted for buildings and structures, and parts thereof, included in the scope of this code.

Section 302.3 Two-Family Dwellings

Revise as follows:

Dwelling units in two-family dwellings located on the same lot, shall be separated from each other in accordance with Sections 302.3.1 through 302.3.5.

Where dwelling units within a two-family dwelling are separated by a lot line, the walls separating dwelling units shall be constructed in accordance with Section R302.2.1 or R302.2.2 and shall comply with Sections R302.2.3 through R302.2.6.

Section 302.3.5 Fire Protection of Dwelling Units

Revise as follows:

Where an automatic sprinkler system complying with Section P2904 is not provided in both dwelling units, both of the following shall apply:

1. Horizontal and vertical assemblies separating the dwelling units, including an interior stairway serving as the means of egress for the upper dwelling unit, shall be constructed in a manner than limits the transfer of smoke.
2. A notification appliance connected to smoke alarms in the other dwelling unit shall be provided each dwelling unit.

Section 309.1.1 Design and Installation

Revise as follows:

Automatic sprinkler systems for townhouses shall be designed and installed in accordance with Section P2904, NFPA 13D, NFPA 13R. or NFPA13.

Section 311.3 Carbon Monoxide Alarms

Add as follows:

A carbon monoxide alarm shall be installed on every habitable level of a dwelling unit and be interconnected to activate all alarms in the individual dwelling unit if one alarm is activated.

Section 318.3.1 Floor Elevations at the Required Egress Doors

Revise as follows:

Landings or finished floors at the required egress door shall be not more than 11/ 2 inches (38 mm) lower than the top of the threshold.

Exception: The landing or floor on the exterior side shall be not more than 8 inches below the top of the threshold provided that the door does not swing over the landing or floor.

Section 318.3.2 Floor Elevations at Other Exterior Doors.

Revise as follows:

Exterior doors other than the required egress door shall be provided with landings or floors not more than 8 inches below the top of the threshold.

Section 318.7.5.1 Risers

Revise as follows:

The riser height shall be not more than 8 inches. The riser height shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). Risers shall be vertical or sloped from the underside of the nosing of the tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. At open risers, openings located more than 30 inches (762 mm), as measured vertically, to the floor or grade below shall not permit the passage of a 4-inch-diameter (102 mm) sphere.

Section 318.7.5.2 Treads

Revise as follows:

The tread depth shall be not less than 9 inches. The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

Exception: Where a landing is not provided or required by section R318.3.2 or R318.7.6, the top tread of a stair serving exterior doors other than the required exit door, and in-swinging doors opening into an attached garage, shall be permitted to exceed the smallest tread by more than 3/8 inch (9.5mm). Such a tread shall be at least 18 inches (457mm) measured in the direction of travel.

Section 318.7.5.2.1 Winder Treads

Revise as follows:

Winder treads shall have a tread depth of not less than 9 inches measured between the vertical planes of the foremost projection of adjacent treads at the intersections with the walkline. Winder treads shall have a tread depth of not less than 6 inches (152 mm) at any point within the clear width of the stair. Within any flight of stairs, the largest winder tread depth at the walkline shall not exceed the smallest winder tread by more than 3/8 inch (9.5 mm). Consistently shaped winders at the walkline shall be allowed within the same flight of stairs as rectangular treads and shall not be required to be within 3/ 8 inch (9.5 mm) of the rectangular tread depth.

Section 318.7.6 Landings for Stairways

Revise as follows:

Exceptions:

2. At an enclosed garage, the top landing at the stair shall be permitted to be not more than 8 inches below the top of the threshold.
3. At exterior doors, a top landing is not required for an exterior stairway of not more than 30 inches, provided that the door does not swing over the stairway.

Section 319.2.3 Maximum height from floor.

Add as follows:

Exception: Below grade emergency escape and rescue windows may have a maximum sill height of 48 inches.

Section 319.4.2 Ladder and Steps

Revise as follows:

Area wells with a vertical depth greater than 44 inches (1118 mm) shall be equipped with an approved, permanently affixed ladder or steps or shall be equipped with a permanently-attached platform at least 30 inches by 16 inches. The ladder or steps shall not be obstructed by the emergency escape and rescue opening where the window or door is in the open position. The maximum distance between the top of the window well and a platform shall be 42 inches and shall not impede the operation of the window. Ladders or steps required by this section shall not be required to comply with Section R318.7.

Exception: Terraced window wells with a maximum of 24 inches per vertical rise and minimum of 12 inches per horizontal projection on each level shall also be allowed.

Section 327.1 Space Required

Revise as follows:

Fixtures shall be spaced in accordance with the requirements of North Dakota State Plumbing Code and per Figure R327.1, with the exception of the clearance in front of water closets and bidets which shall be at least 24 inches.

CHAPTER 4 FOUNDATIONS

Section 401.3 Drainage

Revise as follows:

Surface drainage shall be diverted to a storm sewer conveyance or other approved point of collection that does not create a hazard. Lots shall be graded to drain surface water away from foundation walls.

Section 403.1 Drainage

Add as follows:

There shall be a concrete encased rebar stubbed out near the electrical service for grounding of the electrical system located within the footing or foundation as per the requirements of the most recently adopted version of the National Electrical Code and the North Dakota State Wiring Standards. Coordinate with the Electrical Contractor.

Section 403.1.4.1 Frost Protection

Revise and Add as follows:

Exceptions:

1. Protection of free-standing accessory structures shall not be required.
2. Protection of free-standing accessory structures with an area of 400 square feet (37 m²) or less, of other than light-frame construction less shall not be required.
3. Decks need not be provided with footings that extend below the frost line.

Section 404.1 Foundation and Retaining Walls

Add as follows:

There shall be a concrete encased rebar stubbed out near the electrical service for grounding of the electrical system located within the footing or foundation as per the requirements of the most recent adopted version of the National Electrical Code and the North Dakota State Wiring Standards. Coordinate with the Electrical Contractor.

CHAPTER 5 FLOORS

Section 507.3 Footings

Revise and follows:

Decks shall be supported on concrete footings or other approved structural systems designed to accommodate all loads in accordance with Section R301. Deck footings shall be sized to carry the imposed loads from the deck structure to the ground as shown in Figure R507.3.

Exception:

Decks not supported by a frost protected structure need not be provided with footings that extend below the frost line.

CHAPTER 6 WALL CONSTRUCTION

Section 602.7.2 Rim Board Headers

Revise as follows:

Rim board header size, material and span shall be in accordance with Table R602.7(1). Rim board headers shall be constructed in accordance with Figure R602. 7 .2 and shall be supported at each end by full-height studs. Rim board headers supporting concentrated loads shall be designed in accordance with accepted engineering practice.

Section 602.7.5 Supports for Headers.

Revise as follows:

Headers shall be supported on each end with one or more jack studs or with approved framing anchors in accordance with Table R602.7(1) or R602.7(2). The full-height stud adjacent to each end of the header shall be end nailed to each end of the header with four-16d nails (3.5 inches x 0.135 inches).

CHAPTER 11

(RE) Energy Efficiency

This chapter should also contain this law from the North Dakota Century Code (54-21.3-03):

After July 31, 2013, a newly designed and constructed building in excess of seven thousand five hundred square feet [696.77 square meters] which is classified within the state building code as assembly, business, educational, institutional, or mercantile occupancy and required by the state building code to be accessible must include at the primary exterior public entrance an automatic door or power-assisted manual door that complies with the requirements of the Americans with Disabilities Act of 1990, revised 2010. If a multiple unit building does not have a primary exterior public entrance, an individual unit within that building is not required to include an automatic door or power-assisted manual door unless that individual unit is in excess of seven thousand five hundred square feet [696.77 square meters].

Section Table N1102.1.2 (R402.1.2) Maximum Assembly U-Factors and Fenestration Requirements:

Revise as follows:

TABLE N1102.1.2 (R402.1.2)

MAXIMUM ASSEMBLY U-FACTORS AND FENESTRATION REQUIREMENTS

Is hereby amended to read as follows:

Maximum Assembly U-Factors and Fenestration Requirements			
Climate Zone	###	6	###
Vertical Fenestration U-Factor	###	0.28 <u>0.32</u>	###
###	###	###	###
Wood-Framed Wall U-Factor	###	0.045 <u>0.057</u>	###
###	###	###	###
Basement Wall U-Factor	###	0.050 <u>0.059</u>	###
Unheated Slab U-Factor	###	0.66	###

(balance of table remains the same.)

Section Table N1102.1.3 (R402.1.3) Insulation Minimum R-Values and Fenestration Requirements by Component:

Revise as follows:

Table N1102.1.3 (R402.1.3)

Insulation Minimum R-Values and Fenestration Requirements by Component			
Climate Zone	###	6	###
Vertical Fenestration U-Factor	###	0.30 <u>0.32</u>	###
###	###	###	###
Wood-Framed Wall R-Value ^{e, h}	###	30 or 20 & 5 ci or 13 & 10 ci or 0 & 20 ci <u>21 or 13 & 5 ci</u>	###
###	###	###	###
Basement Wall R-Value ^{b, e}	###	15 ci or 19 or 13 & 5 ci <u>15 or 10 ci</u>	###
Unheated Slab R-Value & Depth ^e	###	10ci, 3 ft	###

(balance of table remains unchanged)

Section N1102.5.1.4 Visual Inspection Option

Add as follows:

Building envelope tightness and insulation shall be considered acceptable when installed in accordance with Table N1102.5.1.1 (R402.5.1.1) - "Air Barrier and Insulation" and has been field verified.

Section N1103.3.9 Building Cavities (Mandatory)

Add as follows:

Building framing cavities shall not be used as supply ducts.

Section N1105.4.2(1) Specifications for the Standards Reference and Proposed Design.

Revise as follows:

Building Component	Standard Reference Design	Proposed Design
Air exchange rate	Air leakage rate of 5 air changes per hour in Climate Zones 1 through 8 at a pressure of 0.2 inches w.g (50 Pa). (Balance is unchanged.)	For residences that are not tested, the same air leakage rate as the standard reference design. For tested residences, the measured air exchange rate. The mechanical ventilation rated shall be in addition to the air leakage rate and shall be as proposed.

CHAPTER 21

Hydronic Piping

Section 2101.10 Tests

Revise as follows:

New hydronic piping shall be isolated and tested hydrostatically at a pressure of not less than 100-pounds per square inch (psi) (689 kPa). The duration of each test shall be not less than 15 minutes and not more than 20 minutes.

Section 2103.3 Piping Joints

Revise as follows:

2. Copper tubing shall be joined by brazing complying with the North Dakota State Plumbing Code.

AMENDMENTS FOR THE 2024 INTERNATIONAL MECHANICAL CODE

CHAPTER 1 SCOPE AND APPLICATION

Section 101.1 Title.

Revise as follows:

Section 101.1 Title. These regulations shall be known as the *Mechanical Code* of the local jurisdiction herein after referred to as "this code."

Section 104.8 Liability.

Add as follows:

This code shall not be construed to relive from or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or the jurisdiction be held as assuming any such liability by reason of the inspection authorized by this code or any permits or certificates issued under this code.

CHAPTER 2 DEFINITIONS

Section 201.3 Terms Defined in Other Codes.

Add as follows:

Whenever electrical codes are referenced by the International Code Council (ICC) in the International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Existing Building Code, it shall mean the most recent versions of the National Electrical Code and the North Dakota State Wiring Standards adopted by the North Dakota State Electrical Board and the most recent versions of the Uniform Plumbing Code and the Laws, Rules and Plumbing Installation Standards of North Dakota adopted by the North Dakota State Plumbing Board.

CHAPTER 3 GENERAL REGULATIONS

Section 305.4 Interval of Support.

Add as follows:

Piping shall be supported at distances not exceeding the spacing specified in Table 305.4, or in accordance with ANSI/MSS SP-58. In addition to the requirements of Table 305.4, piping and tubing shall be supported within 2 feet (610 mm) of every bend or angle.

Section 307.2.2 Drain Pipe Materials and Sizes.

Revise as follows:

Components of the condensate disposal system shall be ABS, cast iron, copper and copper alloy, CPVC, cross-linked polyethylene, galvanized steel, PE-RT, polyethylene, polypropylene, PVC or PVDF pipe or tubing. Components shall be selected for the pressure and temperature rating of the installation. Joints and connections shall be made in accordance with the applicable provisions of the North Dakota State Plumbing Code relative to the material type. Condensate waste and drain line size shall be not less than 3/4-inch pipe size and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with Table 307.2.2.

CHAPTER 5 EXHAUST SYSTEMS

Section 508.2 Compensating Hoods.

Revise as follows:

Manufacturers of compensating hoods shall provide a label indicating the minimum exhaust flow, the maximum makeup airflow or both that provides capture and containment of the exhaust effluent. Short circuit compensating hoods are prohibited. Compensating hoods shall extract at least 40% of the required exhaust air flow from the kitchen area.

CHAPTER 9

SPECIFIC APPLIANCES, FIREPLACES AND SOLID FUEL-BURNING EQUIPMENT

Section 908.5 Water Supply.

Revise as follows:

Cooling towers, evaporative coolers and fluid coolers shall be provided with an approved water supply, sized for peak demand. The quality of water shall be provided in accordance with the equipment manufacturer's recommendations. The piping system and protection of the potable water supply system shall be installed as required by the North Dakota State Plumbing Code.

CHAPTER 10

BOILERS, WATER HEATERS AND PRESSURE VESSELS

Section 1008.2 Discharge.

Revise as follows:

Blowoff valves shall discharge to a safe place of disposal. Where discharging to the drainage system, the installation shall conform to the North Dakota State Plumbing Code.

CHAPTER 11

REFRIGERATION

Section 1104.2 Machinery Rooms.

Add as follows:

Section 1104.2 Machinery rooms is hereby amended to add the following new third exception:

3. If an existing refrigerating system is replaced or if an existing refrigeration plant is increased by not more than 50% of its original capacity, but not more than 100 tons per system using a non-flammable class A1 or B1 refrigerant and the refrigeration machinery room was not provided in the original installation prior to 1994, a refrigeration machinery room shall not be required. If the existing refrigeration is not located in general machinery room separated from occupied spaces, a refrigeration machinery room shall be provided. The space containing the refrigeration machinery shall meet the requirement of Section 1104.3.4, protection room refrigerant decomposition, and Section 1105.3 requiring refrigerant detection. If the requirements of 1104.3.4 and 1105.3 cannot be met, a refrigeration machinery room shall be provided.

Section 1109.2.5 Refrigerant Pipe Shafts

Revise as follows:

Refrigerant piping that penetrates two or more floor/ceiling assemblies shall be enclosed in a fire-resistance-rated shaft enclosure. The fire-resistance-rated shaft enclosure shall comply with Section 713 of the International Building Code.

Exceptions:

1. Refrigeration systems using R-718 refrigerant (water).
2. Piping in a direct refrigeration system where the refrigerant quantity does not exceed the limits of Table 1103.1 for the smallest occupied space through which the piping passes.
3. Piping located on the exterior of the building where vented to the outdoors.

Section 1109.3.2 Shaft Ventilation

Revise as follows:

Required refrigerant pipe shafts with systems using Group A2L or B2L refrigerant shall be naturally or mechanically ventilated. Refrigerant pipe shafts with one or more systems using any Group A2, A3, B2 or B3 refrigerant shall be continuously mechanically ventilated and shall include a refrigerant detector. The shaft ventilation exhaust outlet shall comply with Section 501.3.1. Naturally ventilated shafts shall have a pipe, duct or conduit not less than 4 inches (102 mm) in diameter that connects to the lowest point of the shaft and extends to the outdoors. The pipe, duct or conduit shall be level or pitched downward to the outdoors. Mechanically ventilated shafts shall have a minimum airflow velocity in accordance with Table 1109.3.2. The mechanical ventilation shall be continuously operated or activated by a refrigerant detector. Systems utilizing a refrigerant detector shall activate the mechanical ventilation at a maximum refrigerant concentration of 25 percent of the lower flammable limit of the refrigerant. The detector, or a sampling tube that draws air to the detector, shall be located in an area where refrigerant from a leak will concentrate. The shaft shall not be required to be ventilated for double-wall refrigerant pipe where the interstitial space of the double-wall pipe is vented to the outdoors.

For refrigeration systems used in residential occupancies serving only a single dwelling unit or sleeping unit, shaft ventilation shall not be required where the pipe or tube is continuous without fittings in the shaft.

CHAPTER 15

REFERENCED STANDARDS

CSA – Add as follows:

CSA C22.2 No. 60335-2-40:2019 Household And Similar Electrical Appliances - Safety - Part 2-40: Particular Requirements for Electrical Heat Pumps, Air-Conditioners and Dehumidifiers
908.1, 916.1, 918.1, 918.2, 1101.2

UL – Revise as follows:

60335-2-40 2019: Household and Similar Electrical Appliances—Safety—Part 2-40:
Particular Requirements for Electrical Heat Pumps, Air-Conditioners and Dehumidifiers
908.1, 916.1, 918.1, 918.2, 1101.2

AMENDMENTS FOR 2024 INTERNATIONAL FUEL GAS CODE

CHAPTER 1 and 2 Administration and Definitions

Section 101.1 Title.

Revise as follows:

These regulations shall be known as the Fuel Gas Code of the local jurisdiction hereinafter referred to as "this code."

Section 104.8 Liability.

Add as follows:

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or the city be held as assuming any such liability by reason of the inspection authorized by this code or any permits or certificates issued under this code.

Section 201.3 Terms defined in Other Codes.

Revise as follows:

Whenever electrical or plumbing codes are referenced by the International Code Council (ICC) in the International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Existing Building Code, it shall mean the most recent versions of the National Electrical Code and the North Dakota State Wiring Standards adopted by the North Dakota State Electrical Board and the most recent versions of the Uniform Plumbing Code and the Laws, Rules and Plumbing Installation Standards of North Dakota adopted by the North Dakota State Plumbing Board.

CHAPTER 3

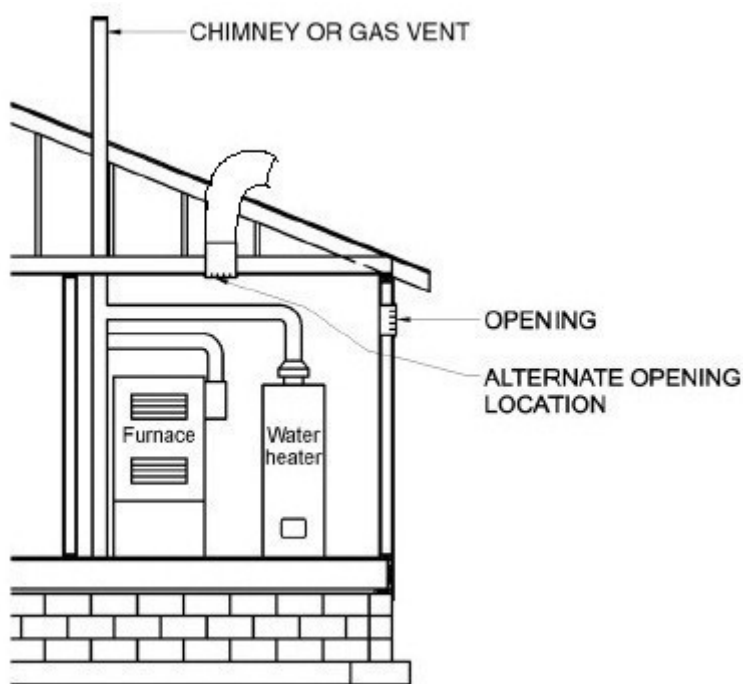
GENERAL REGULATIONS

Section 304.6.2 One Permanent Opening Method.

Figure 304.6.2

Revise as follows:

Figure 304.6.2 is hereby amended as shown below:



Section 304.11 Combustion Air Ducts.

Revise as follows:

5.Ducts shall not terminate in an attic space.

CHAPTER 4

GAS PIPING INSTALLATIONS

Section 403.13 Other Materials.

Add as follows:

Material not covered by the standards specifications listed herein shall be investigated and tested to determine that it is safe and suitable for the proposed service, and, in addition, shall be recommended for that service by the manufacturer and shall be approved by the code official. Listed LPG hose may be used with natural gas when used for temporary heating at a maximum length of 50 feet.

Section 406.4 Test Pressure Measurement.

Revise as follows:

Test pressure shall be measured with a manometer or with a pressure-measuring device designed and calibrated to read, record or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. Mechanical gauges used to measure test pressures shall be performed with gauges of 2 psi increments or less and have a range not exceeding 100 psi unless otherwise approved.

Section 406.4.1 Test Pressure.

Revise as follows:

The test pressure to be used shall be no less than 1 1/2 times the proposed maximum working pressure, but not less than 25 psig irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

Section 408.2 Drips.

Revise as follows:

Where wet gas exists, a drip shall be provided at any point in the line of pipe where condensate could collect.

Section 411.2 Manufactured Home Connections.

Revise as follows:

Manufactured homes shall be connected to the distribution piping system by listed and labeled connectors in compliance with ANSI Z21.75/CSA 6.27 and installed in accordance with the manufacturer's installation instructions.

Section 415.1 Interval of Support.

Add as follows:

Piping shall be supported at intervals not exceeding the spacing specified in Table 415.1. Spacing of supports for CSST shall be in accordance with the CSST manufacturer's instructions. In addition to the requirements of Table 415.1, piping and tubing shall be supported within 2 feet of every bend or angle.

CHAPTER 5 CHIMNEYS AND VENTS

Section 501.12 Residential and Low-heat Appliances Flue Lining Systems.

Revise as follows:

Section 501.12 Residential and low-heat appliances flue lining systems. Flue lining systems for use with residential-type and low-heat appliances shall be limited to the following:

1. Clay flue lining complying with the requirements of ASTM C 315 or equivalent when each appliance connected into the masonry chimney has a minimum input rating greater than 400,000 Btu/h. Clay flue lining shall be installed in accordance with the *International Building Code*.
2. *Listed* chimney lining systems complying with UL1777.
3. Other *approved* materials that will resist, without cracking, softening or corrosion, flue gases and condensate at temperatures up to 1,800°F (982°C).
4. Aluminum (1100 or 3003 alloy or equivalent) not less than 0.032 inches thick to 8 inches diameter.
5. Stainless steel (304 or 430 alloy or equivalent) not less than 26 gauge (0.018 inches thick) to 8 inches diameter or not less than 24 gauge (0.024 inches thick) 8 inches diameter and larger.

When a metal liner is used other than a listed chimney liner a condensation drip tee shall be installed and supported in an approved manner.

Section 503.5.3 Masonry Chimneys.

Revise as follows:

Masonry chimneys shall be built and installed in accordance with NFPA 211 and shall be lined as per Section 501.12.

Section 503.5.6.1 Chimney Lining.

Revise as follows:

Section 503.5.6.1 Chimneys shall be lined in accordance with NFPA 211 and Section 501.12.

Exception: Where an existing chimney complies with Sections 503.5.6 through 503.5.6.3 and its sizing is in accordance with Section 503.5.5, its continued use shall be allowed when, in more than one appliance venting system the secondary appliance, such as a water heater, is replaced and the primary heating appliance remains.

AMENDMENTS FOR THE 2024 INTERNATIONAL ENERGY CONSERVATION CODE

CHAPTER 1 & 2 ADMINISTRATION AND DEFINITIONS

Section 101.1 Title

Revise and Add as follows:

This code shall be known as the Energy Conservation Code of local jurisdiction and shall be cited as such. It is referred to herein as "this code."

Section 103.1 Creation of Enforcement Agency

Revise and Add as follows:

The local jurisdiction is hereby created and the official in charge thereof shall be known as the authority having jurisdiction (AHJ). The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Section 201.3 Terms Defined in Other Codes.

Add as follows:

Whenever electrical or plumbing codes are referenced by the International Code Council (ICC) in the International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Existing Building Code, it shall mean the most recent versions of the National Electrical Code and the North Dakota State Wiring Standards adopted by the North Dakota State Electrical Board and the most recent versions of the Uniform Plumbing Code and the Laws, Rules and Plumbing Installation Standards of North Dakota adopted by the North Dakota State Plumbing Board.

CHAPTER 4

RESIDENTIAL ENERGY EFFICIENCY

Section R402.5 Air Leakage.

Add as follows:

The building thermal envelope shall be constructed to limit air leakage in accordance with the requirements of Sections R402.5.1 through R402.5.4.

Exception: Dwelling units of R-2 occupancies and multiple single-family dwellings shall be permitted to comply with IECC Section C402.6.

Section R402.5.1.2 Air Leakage Testing

Revise as follows:

The building or dwelling unit shall be tested and verified as having an air leakage rate not exceeding five air changes per hour in Climate Zones 1 through 8.

Section R402.5.1.3 Maximum Air Leakage Rate

Delete and Substitute as follows:

The building or dwelling unit shall be tested and verified as having an air leakage rate not exceeding five air changes per hour in Climate Zones 1 through 8.

Section R402.5.1.4 Visual Inspection Option

Add as follows:

Building envelope tightness and insulation shall be considered acceptable when installed in accordance with Table R402.5.1.1 - "Air Barrier and Insulation" and has been field verified.

Section R403.3.2 Building Cavities

Revise as follows:

Building framing cavities shall not be used as supply ducts.

Section R403.6 Mechanical Ventilation.

Revise as follows:

Buildings and dwelling units shall be provided with ventilation that complies with the requirements of the International Residential Code or International Mechanical Code, as applicable, or with other approved means of ventilation. Outdoor air intakes and exhausts shall have automatic or gravity dampers that close when the ventilation system is not operating.

AMENDMENTS FOR THE 2024 INTERNATIONAL EXISTING BUILDING CODE

CHAPTER 1 & 2 ADMINISTRATIVE REQUIREMENTS AND DEFINITIONS

Section 101.1 Title.

Revise as follows:

These regulations shall be known as the Existing Building Code of the local jurisdiction hereinafter referred to as "this code."

Section 104.8 Liability.

Add as follows:

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or the city be held as assuming any such liability by reason of the inspection authorized by this code or any permits or certificates issued under this code.

Section 201.3 Terms Defined in Other Codes.

Add as follows:

Whenever electrical or plumbing codes are referenced by the International Code Council (ICC) in the International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Existing Building Code, it shall mean the most recent versions of the National Electrical Code and the North Dakota State Wiring Standards adopted by the North Dakota State Electrical Board and the most recent versions of the Uniform Plumbing Code and the Laws, Rules and Plumbing Installation Standards of North Dakota adopted by the North Dakota State Plumbing Board.

Section 1401.2 Conformance.

Revise as follows:

The building shall be safe for human occupancy as determined by the North Dakota State Fire Code and the North Dakota State Building Code. Any repair, alteration or change of occupancy undertaken within the moved structure shall comply with the requirements of this code applicable to the work being performed. Any field-fabricated elements shall comply with the requirements of the International Building Code or the International Residential Code, as applicable.

AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADAAG)

N.D.C.C 54-21.3-04.1 requires that every building or facility subject to the federal Americans with Disabilities Act must conform to the accessibility standards of the Americans with Disabilities Act Accessibility Guidelines (ADAAG). The law also requires a state agency or the governing body of a political subdivision to obtain from any person preparing plans and specifications for a building or facility subject to the Americans with Disabilities Act, a statement that the plans and specifications are, in the professional judgment of that person, in conformance with the ADAAG. This form must then be submitted to the Division of Community Services. The next page of this document contains the ADAAG Conformance Statement that is required.

AMERICAN WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADAAG) CONFORMANCE STATEMENT

NORTH DAKOTA DEPARTMENT OF COMMERCE
DIVISION OF COMMUNITY SERVICES
SFN 19701 (01/2021)

This form must be submitted for new construction, alternations and additions to buildings and facilities subject to the Americans with Disabilities Act.

AMERICAN WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADAAG) CONFORMANCE STATEMENT		
Name	Building Address	
City	State	ZIP Code
Owner	City/County	
Date Construction to Start	Projected Completion Date	
Type of Construction New Building ☐ Addition ☐ Alteration ☐ Sq. Ft. _____ Sq. Ft. _____ Sq. Ft. _____		
Describe Alteration:		
Type of Occupancy/Use (Refer to Occupancies and Divisions defined in the International Building Code)		
I certify, to the best of my professional judgment, that the plans and specifications for the above referenced building or facility conforms with the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities as adopted in North Dakota Century Code Section 54-21.3-04.1.		
Name of Design Professional	Firm	
Signature	Telephone Number	Date
Mail or Email To: Division of Community Services 1600 East Century Avenue, Suite 2 PO Box 2057 Bismarck, ND 58502-2057 dcs@nd.gov		

SAMPLE MODEL ORDINANCE

The following is a Sample Model Ordinance for the adoption of the State Building Code for those cities, townships, and counties that elect to administer and enforce a building code.

Adoption of Code

The erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, uses, height, area and maintenance of buildings or structures in the City/Township/County of _____ shall meet with the provisions of the rules and regulations of the North Dakota State Building Code and any future updates and amendments to that code, _____ copies of which are on file with the City Auditor/Township Board/County Auditor and are hereby made a part of this chapter by reference with the exception of the sections hereinafter set forth affecting local conditions in the City/Township/County, which are amended, for use and application in the City/Township/County, and the City/Township/County hereby adopts said code as so modified.

Amendments

Sec.	Shall be revised to read as follows:
Sec.	Shall be added to read as follows:
Sec.	Shall be deleted

Fees

Fees under the Building Code shall be as follows:

NOTE: A suggested Building Permit Fees schedule can be found on page 11 of this document.

CODE ENFORCING JURISDICTIONS AS OF 2022		
COUNTIES	CONTACT PERSON	PHONE NUMBER
Adams	Kim Frank	567-2990
Billings	Stacey Swanson	623-4810
Burleigh	Mitch Flanagan	221-3728
Dunn	Reinhard Hauck	573-4448
Grand Forks	Carole McMahon	780-8421
Hettinger	Mel Zent	873-637
McKenzie	Curt Huus	444-7167
Morton	Tom Liebel	667-3325
Mountrail	Liz Hollowell	628-2909
Stark	Leonard Schwindt	842-2120
Williams	Doug Lalim	577-4567
Ward	Aaron Rust	857-6429
CITIES	CONTACT PERSON	PHONE NUMBER
Abercrombie	Todd Johnson	899-3556
Alexander	Anne Mrachek	828-3461
Amenia	Linda Sell	347-5554
Argusville	Cheri Wetzel	212-3369
Barney	Kevin Youngquist	640-1217
Beach	Kimberly Nunberg	872-4103
Belfield	Mel Zent	260-1867
Beulah	Heidi Hamelton	873-2110
Bismarck	Brady Blaskowski	355-1465
Brinsmade	Michele Ferrell	466-2069
Buchanan	Kim Lees	252-9584
Bucyrus	Dean Larson	853-2490
Burlington	Rod Schwandt	852-5233
Cando	Derrick Childs	351-8476
Carrington	Jason Wolsky	652-2911
Carson	Sharon Ruscheinsky	622-3395
Casselton	Mike Blevins	532-1078
Cavalier	Katie Werner	265-8800
Center	Danielle Butler	794-3650
Christine	Todd Johnson	899-3556
Coleharbor	Jerome Eman	442-3454
Colfax	Todd Johnson	640-3724
DesLacs	Tony Tudahl	725-4998
Devils Lake	Dustin Willey	662-7600
Dickinson	Leonard Schwindt	456-7803
Drake	Sharon Toy	465-3794
Dunn Center	Linda Kittilson	548-8130
Elgin	Quentin Pfutzenreuter	584-3001
Ellendale	James Eberle	349-3252
Enderlin	Cyndee Chesley	437-3476
Fargo	Shawn Ouradnik	476-4147
Fordville	Wendell Pfannsmith	229-3279
Forman	Trish Pearson	724-5673
Gackle/Logan	Linda Zenker	485-3331

CITIES	CONTACT PERSON	PHONE NUMBER
Garrison	Diane Affeldt	463-2600
Gladstone	Mel Zent	260-1867
Glen Ullin	Vicki Horst	348-3683
Glenburn	Donna Zeltinger	362-7544
Glenfield	Iris Johnson	785-2390
Golden Valley	Cindy Helling	983-4488
Goodrich	Debbie Tessmann	884-2695
Grafton	Scott Boura	352-1561
Grand Forks	Brandon Boespflug	787-3721
Granville	Bob Bachmeier	728-6369
Gwinner	Dana Grosgehauer	678-2409
Halliday	Dawn Marquardt	938-4680
Hankinson	Todd Johnson	899-3556
Hannaford	Edwin Everson	769-2176
Harwood	Casey Eggermont	281-0314
Hatton	Lorraine Ness	543-3243
Hazelton	Phyllis Schatz	782-6878
Hazen	Steve Frovarp	748-2550
Hettinger	Mel Zent	260-1867
Hillsboro	Mike Blevins	532-1078
Horace	Keith Ashheim	492-2972
Hunter	Lonnie Nelson	371-2168
Jamestown	Tom Blackmore	252-5900
Kathryn	Dave Majerus	840-2012
Kenmare	Don Siebert	710-240-9863
Killdeer	Ron Fettig	290-4801
Kindred	Mike Blevins	532-1078
Kulm	Emery Lindgren	647-2451
Langdon	Jerry Bimler	256-2155
Larimore	Joe Denault	343-2002
Leonard	George Wendling	645-2254
Lincoln	Mitch Flanagan	221-3728
Lisbon	Donna Gamache	683-4140
Mandan	Jordan Singer	667-3236
Manvel	Joan Sherlock	696-2316
Mapleton	Mike Blevins	532-1078
Mayville	Gary Winger	786-2166
McClusky	Hannelore Davis	363-2345
McVile	Renae Arneson	322-4343
Medina	Joe Diede	801-819-2606
Medora	Dell Beach	872-6722
Milnor	Kristin Lunneborg	427-5272
Minnewaukan	Sherri Thompson	473-5735
Minot	Luke Tillema	857-4104
Mohall	Ken Shobe	756-6464
Mooreton	Dennis Klosterman	274-8838
New Rockford	George Ritzke	947-2461
New Salem	Jim Schultz	843-8204

CITIES	CONTACT PERSON	PHONE NUMBER
New Town	Eileen Zaun	627-4812
North River	Paulette Osborne	232-1103
Northwood	Marcy Douglas	587-5370
Oakes	April Haring	742-2137
Oxbow	Mike Blevins	532-1078
Page	Judy Johnson	668-2240
Pekin	Brenda Bjorlie	296-4404/296-4515
Portal	Carolyn Hill	926-3601
Prairie Rose	Bob Staloch	235-9422
Ray	Rhonda Rustad	568-2204
Reiles Acres	Perry Ronning	281-2639
Reynolds	Ken Ihry	847-2604
Richardton	Duane Rakness	290-0034
Rogers	Mary Engle	646-6292
Ross	Diane Seibel	755-3321
Sentinel Butte	James Muckle, Sr.	872-3205
Sherwood	Kristy Titus	721-1336
Souris	Lana Lindstrom	243-6422
South Heart	Mel Zent	260-1867
St Thomas	Richard Rygg	257-6640
Stanley	Amanda Dennis	628-2225
Stanton	Richard Honeyman	745-3202
Surrey	Karla Schwan	852-4154
Taylor	James Wolf	974-3663
Thompson	Jeremy Aasen	741-1799
Tioga	Dan Larson	664-2807
Tolley	Patty Stavem	386-2466
Underwood	Diane Schell	442-5481
Upham	Ray Badke	768-2849
Valley City	Mike Blevins	532-1078
Wahpeton	Todd Johnson	640-3724
Walhalla	Shirley Robillard	549-3176
Washburn	Milissa Price	842-2533
Watford City	Steve Williams	444-2533
West Fargo	Mark Housh	515-5383
White Earth	Greg Gunderson	755-3498
Williston	Mark Schneider	577-8115
Wilton	Norma Hochhalter	734-6707
Wyndmere	Rochelle Huseh	439-2412
Zap	Clarence Olszewski	948-2256

NOTE: Every effort has been made to ensure the accuracy of the above information. Please contact the Department of Commerce with updates as well as verifying a jurisdiction. Jurisdictions not on this list may have elected to adopt the State Building Code; therefore, we advise contacting the local governing body to confirm building code requirements.

Administrative Rule (Article 108, Chapter 108-01)

ARTICLE 108-01 NORTH DAKOTA STATE BUILDING CODE

Chapter
108-1-1 North Dakota State Building Code

CHAPTER 108-01-01 NORTH DAKOTA STATE BUILDING CODE

Section	
108-1-1-1	History
108-1-1-2	Definitions
108-1-1-3	Intent
108-1-1-4	Scope
108-1-1-5	Implementation
108-1-1-6	Effective Date of Adoption of the State Building Code
108-1-1-7	Inquiries
108-1-1-8	Building Code Advisory Committee
108-1-1-9	Updating and Amending the State Building
108-1-1-10	Voting
108-1-1-11	Voting Procedures
108-1-1-12	Publication of Amendments
108-1-1-13	Limitations
108-1-1-14	Appendix Chapters

108-01-01-01. History.

In 1979, the legislative assembly created the state building code. This code is codified in North Dakota Century Code chapter 54-21.3. At that time, the legislative assembly designated the 1976 uniform building code published by the international conference of building officials as the state building code. In 1983, the code was updated to the 1982 edition of the uniform building code and expanded to include the recognition of the manufactured homes construction and safety standards under 24 CFR 3280 pursuant to the Manufactured Housing Construction and Safety Standards Act [42 U.S.C. 5401 et seq.] as the standard for the construction of manufactured housing. In addition, the responsibility for the state building code was transferred to the office of intergovernmental assistance.

In 1985, the legislative assembly added the 1982 uniform mechanical code published by the international conference of building officials. The state building code was updated in 1987 to the 1985 edition of the uniform building code and uniform mechanical code. In 1989, the legislative assembly added a state amendment to section 504(f) of the uniform mechanical code pertaining to liquefied petroleum gas appliances.

In 1991, the legislative assembly updated the state building code to the 1991 uniform building code and 1991 uniform mechanical code and amended North Dakota Century Code chapter 54-21.3 to permit cities, townships, and counties to amend the code to conform to local needs.

Then in 1993, the legislative assembly provided for the office of management and budget to adopt rules to implement and periodically update the code as well as to adopt rules to amend the code; designated effective August 1, 1994, the state building code as the code to be adopted by jurisdictions electing to adopt and enforce a building code; and added the Americans with Disabilities Act accessibility guidelines as the state's accessibility standards.

The 2001 legislative assembly changed the contents of the state building code to the International Building Code, International Residential Code, International Mechanical Code, and International Fuel Gas Code published by the International Code Council. In addition, the legislative assembly created a state building advisory code committee to help develop the administrative rules and to solicit input on and develop recommendations for amending the state building code. The law also permits the five nongovernmental entities on the advisory committee to vote along with eligible jurisdictions on the recommendations made by the advisory committee.

The first rules developed to update, amend, and implement the state building code became effective in December 1994, as article 4-08, chapter 4-08-01. Those rules were developed by the office of intergovernmental assistance under the authority granted to the office of management and budget. In 1999, the office of intergovernmental assistance became the division of community services.

As a result of legislation in 2001, the Division of Community Services was transferred from the Office of Management and Budget to the Department of Commerce. This change meant the development of new rules for the state building code under the authority given to the department of commerce, and the deletion of the rules for the state building code that became effective in December 1994, article 4-08, chapter 4-08-01.

History: Effective September 1, 2002.

General Authority: NDCC 54-21.3-03(1)

Law Implemented: NDCC 18-12-06, 54-21.3-01, 54-21.3-02, 54-21.3-03, 54-21.3-04, 54-21.3-05

108-01-01-02. Definitions.

1. "DCS" means the Division of Community Services.
2. "IBC" means the International Building Code.
3. "ICC" means the International Code Council.
4. "IFGC" means the International Fuel Gas Code.
5. "IMC" means the International Mechanical Code.

6. "IRC" means the International Residential Code.

7. "Qualified appointed representative" means a code-knowledgeable individual designated by an eligible jurisdiction or organization to vote on the proposed published versions of the IBC, IRC, IMC, and IFGC and recommendations on proposed amendments from the building code advisory committee.

History: Effective September 1, 2002.

General Authority: NDCC 54-21.3-03(1)

Law Implemented: NDCC 18-12-06, 54-21.3-01, 54-21.3-02, 54-21.3-03, 54-21.3-04, 54-21.3-05

108-01-01-03. Intent.

It is the intent of this chapter to prescribe the rules for implementing, updating, and amending the nationally recognized standards for construction, alteration, movement, demolition, repair, and use of buildings in the state of North Dakota.

History: Effective September 1, 2002.

General Authority: NDCC 54-21.3-03(1)

Law Implemented: NDCC 18-12-06, 54-21.3-01, 54-21.3-02, 54-21.3-03, 54-21.3-04, 54-21.3-05

108-01-01-04. Scope.

1. This chapter supplements all laws defined within the North Dakota Century Code relating to construction, alterations, improvements, and siting of buildings, unless specifically exempted.
2. This chapter applies to all cities, townships, and counties that elect to adopt and enforce building codes within their jurisdictional boundaries.
3. This chapter applies to all state and local government buildings.
4. This chapter applies to all public and private schools.

History: Effective September 1, 2002.

General Authority: NDCC 54-21.3-03(1)

Law Implemented: NDCC 18-12-06, 54-21.3-01, 54-21.3-02, 54-21.3-03, 54-21.3-04, 54-21.3-05

108-01-01-05. Implementation.

The DCS is responsible for developing and implementing the administrative rules for implementing, updating, and amending the state building code. Cities, townships, and counties that elect to enforce a building code are responsible for adopting and enforcing the state building code but may amend the code to conform to local needs. State agencies are responsible for assuring that plans and specifications for alterations and new construction of their buildings comply with the state building code, and that all work is inspected for

compliance with the state building code. Schools located in jurisdictions that have not elected to adopt and enforce the state building code are responsible for assuring that plans and specifications for alterations and new construction comply with the state building code.

Local governments that have not elected to adopt and enforce the state building code are responsible for assuring that plans and specifications for alterations and new construction of their buildings comply with the state building code.

History: Effective September 1, 2002.

General Authority: NDCC 54-21.3-03(1)

Law Implemented: NDCC 18-12-06, 54-21.3-03(1)(3), 54-21.3-05

108-01-01-06. Effective date of adoption of the state building code.

Effective August 1, 1994, any city, township, or county that has previously elected to adopt and enforce a building code, or any jurisdiction that elects to adopt and enforce a building code, must adopt and enforce the state building code. A city, township, or county may, however, amend the state building code to conform to local needs.

History: Effective September 1, 2002.

General Authority: NDCC 54-21.3-03(1)

Law Implemented: NDCC 18-12-06, 54-21.3-01, 54-21.3-02, 54-21.3-03, 54-21.3-04, 54-21.3-05

108-01-01-07. Inquiries.

Inquiries regarding the state building code may be addressed to:

ADA/Building Code Manager
Division of Community Services

History: Effective September 1, 2002.

General Authority: NDCC 54-21.3-03(1)

Law Implemented: NDCC 54-21.3-03(1)

108-01-01-08. Building code advisory committee.

The building code advisory committee, by law, consists of nine representatives from the following agencies and organizations:

1. Two members from the North Dakota Building Officials Association. One member must be from a jurisdiction of less than ten thousand people. The size of a county will be determined by the population of nonincorporated areas, and jurisdictions that have relinquished their authority to administer and enforce the codes to the county;
2. One member from the North Dakota Chapter of the American Institute of Architects;
3. One member from the North Dakota Society of Professional Engineers.
4. One member from the North Dakota Association of Builders;
5. One member from the North Dakota Association of Mechanical Contractors;
6. One fire marshal nominated by the North Dakota State Fire Marshal;

7. One member nominated from the North Dakota State Electrical Board; and
8. One member from the Associated General Contractors.

The building code advisory committee may meet and vote on recommendations with less than nine members. In the event of a tie vote on a proposed code change, the code change will be presented to the voting jurisdictions as a tie vote.

History: Effective September 1, 2002.

General Authority: NDCC 54-21.3-03(1)

Law Implemented: NDCC 18-12-06, 54-21.3-01, 54-21.3-02, 54-21.3-03, 54-21.3-04, 54-21.3-05

108-01-01-09. Updating and amending the state building code.

The legislative assembly has mandated that the state building code consist of the IBC, IRC, IMC, and IFGC. These are nationally recognized codes published by the ICC and updated nationally every three years, with annual supplements published consisting of approved code changes. The first published version of these codes that will be adopted is the 2000 publication.

Each year, the DCS will meet with the building code advisory committee to either consider amendments to the newly published updated versions of the codes, or to consider amending the state building code with the nationally published interim supplements. To accomplish this, the following procedures will be used:

1. **Review of the newly published updates.** When the codes are updated nationally every three years, the DCS will schedule a meeting with the building code advisory committee to establish a code updating and amendment cycle to begin no earlier than six months from the receipt of the newly published updates. Once the DCS publishes the updating and amendment cycle schedule, any interested party may submit proposals for amendments. The DCS will provide a form for submitting proposals.

All proposed amendments will first be reviewed by the building code advisory committee, and the committee, at that time, may develop amendments. Once all amendments have been reviewed, they will be sent to all voting jurisdictions identified by the DCS; to the organizations represented on the building code advisory committee; and to certain state agencies. They will be made available upon request to any other interested person or entity.

At least one public hearing will be scheduled for the building code advisory committee to receive public comments on the proposed amendments. After each proposed amendment is discussed, the committee will develop a recommendation to adopt the amendment, to adopt with modification, or to reject the amendment.

After the hearing, the DCS will publish and distribute to eligible voting organizations and jurisdictions the proposed amendments and the recommendations, including voting results of the committee on each proposed amendment.

2. **Review of the annual published supplement.** The DCS will meet with the building code advisory committee to discuss the approved changes published in the annual supplement. If the committee determines that these changes are not significant to warrant a code change cycle, no further consideration will be given. If, however, the committee determines that these changes should be considered, a code updating and amendment cycle will be established and the procedures identified in subsection 1 will be followed.

History: Effective September 1, 2002.

General Authority: NDCC 54-21.3-03(1)

Law Implemented: NDCC 54-21.3-03(1)

108-01-01-10. Voting.

Voting on the recommendations for amendments to the codes will be limited to the following:

1. A qualified appointed representative from each city and county identified by the DCS as having adopted the state building code or, in the case of home rule cities, those that have adopted the same published codes used in the state building code. The DCS will be responsible for certifying up to one week prior to the voting meeting those jurisdictions that will be eligible to vote.
2. The qualified appointed representative of each of the following organizations on the building code advisory committee:
 - a. North Dakota Association of Builders;
 - b. North Dakota Association of Mechanical Contractors;
 - c. Associated General Contractors;
 - d. North Dakota Chapter of the American Institute of Architects; and
 - e. North Dakota Society of Professional Engineers.

History: Effective September 1, 2002.

General Authority: NDCC 54-21.3-03(1)

Law Implemented: NDCC 54-21.3-03(1)

108-01-01-11. Voting procedures.

Each jurisdiction and organization eligible and present to vote will be allowed one vote. In the event of a tie or when there is less than a two-thirds majority on a recommendation, cities and counties will receive votes as follows to determine the outcome:

Number of Residents	Number of Votes
1 - 999	1
1,000 - 4,999	2
5,000 - 9,999	3
10,000 - 29,999	4
30,000 - 49,999	5
50,000 +	6

The population for a county will be determined by subtracting the population of eligible cities. The most recent population figures published by the census bureau will be used.

As each recommendation for each proposed amendment is presented, time will be provided for anyone present to indicate support or opposition to each proposed amendment or to propose amending the recommendation. A proposed amendment to a recommendation must be approved by a two-thirds majority of the voting qualified appointed representatives to be considered.

After all proposed amendments have been acted on, a final vote will be taken for the purpose of recognizing the specific publication year of the IBC, IRC, IMC, and IFGC adopted and all of the amendments approved.

History: Effective September 1, 2002.

General Authority: NDCC 54-21.3-03(1)

Law Implemented: NDCC 54-21.3-03(2)

108-01-01-12. Publication of amendments.

The DCS will publish, distribute, and make available a state building code book that identifies the published versions of the IBC, IRC, IMC, and IFGC and amendments adopted that are the current state building code.

History: Effective September 1, 2002.

General Authority: NDCC 54-21.3-03(1)

Law Implemented: NDCC 54-21.3-03(1)

108-01-01-13. Limitations.

Subsection 2 of North Dakota Century Code section 54-21.3-03, pertaining to the construction of manufactured homes, may not be amended. These are federal minimum standards for construction that are the responsibility of the federal department of housing and urban development. Each manufactured home carries a label of inspection indicating compliance with the manufactured home construction and safety standards.

North Dakota Century Code section 54-21.3-04.1 may not be amended because the accessibility standards contained in the Americans with Disabilities Act of 1990 are federal law.

History: Effective September 1, 2002.

General Authority: NDCC 54-21.3-03(1)

Law Implemented: NDCC 54-21.3-03(2)

108-01-01-14. Appendix chapters.

The appendix chapters of the IBC, IRC, IMC, and IFGC are not part of the state building code unless specifically adopted.

History: Effective September 1, 2002.

General Authority: NDCC 54-21.3-03(1)

Law Implemented: NDCC 54-21.3-03(1)

OTHER CODE ENFORCING PROGRAMS OF NORTH DAKOTA

North Dakota State Electrical Board

1929 N Washington St., Suite A-1
P.O. Box 7335
Bismarck, ND 58507-7335
(Phone) 701.328.9522
(FAX) 701.328.9524
www.ndseb.com

North Dakota State Board of Plumbing

1110 College Drive, Suite 210
Bismarck, ND 58501
[P] 701-328-9977
[F] 701-328-9979
www.ndplumb@nd.gov
<https://ndplumbingboard.com/>

The Boiler Inspection Program

1701 South 12th Street
Bismarck, ND 58504
701.328.9609 - phone
701.328.9610 - fax
800.247.0560 - toll free
800.366.6888 - TTY line

The State Fire Marshall

600 E Boulevard Ave, Dept. 401
Bismarck, ND 58505
[P] 701-328-2440
[/www.firemarshal.nd.gov](http://www.firemarshal.nd.gov)

ND Department of Health

Division of Food and Lodging
600 East Boulevard, Dept. 301
Bismarck, ND 58505
Phone: 701-328-1291
FAX: 701-328-1890
www.hhs.nd.gov/health/food-and-lodging

ND Department of Health

Division of Life Safety & Construction
1720 Burlington Drive, Suite A
Bismarck, ND 58504-7736
lsc@nd.gov
Fax 701.328.1890
Office 701.328.4873