

TRIBAL CODE
CHAPTER 61
BUILDING CODE ORDINANCE

CONTENTS:

61.101 Purpose.

61.102 Application.

61.103 Administration and Enforcement.

61.104 Lot Size and Location of Dwelling Units.

61.105 Construction and Alteration Standards.

61.106 Non-Dwelling Units.

61.107 Maintenance.

61.108 Designation of Alternative Code.

History Note:

Current Ordinance:

Adopted March 27, 1967, Resolution No. 24(67), effective immediately.

Amendments:

Section 61.108, April 20, 1998, Resolution No. 156(98).

TRIBAL CODE

CHAPTER 61

BUILDING CODE ORDINANCE

61.101 Purpose.

The purpose of this building code is to establish minimum standards for the construction and maintenance to buildings on the reservation. The objective of these regulations is to protect life and limb from fire and accidents resulting from unsafe buildings, and to insure that buildings have sufficient ventilation, light, heat and other facilities to provide a healthy environment in which to live and work.

61.102 Application.

(1) This code shall apply to the construction and major alteration of:

(a) Any building leased for the purpose of human habitation.

(b) Any building units located in a community improvement area, as defined in section 501.2 of the community improvement ordinance, Tribal Code Ch. 63.

(c) Any building located in an area designated in Section 62.102(2) of the zoning ordinance, Tribal Code Ch. 62.

(d) Any non-dwelling unit other than a barn, farm shed or related farm structure.

(2) While modernization of existing buildings and dwellings, other than rental units, is not required by this code, it is expected that buildings which do not meet the standards herein prescribed will be made to comply at the earliest possible time.

61.103 Administration and Enforcement.

This code shall be administered and enforced in accordance with the Code Compliance Ordinance, Tribal Code Ch. 64, governing the administration and enforcement of codes generally.

61.104 Lot Size and Location of Dwelling Units.

All newly constructed dwellings shall be situated upon lots meeting the requirements of the Zoning code, Tribal Code Ch. 62.

61.105 Construction and Alteration Standards.

Every building subject to this code which is constructed or subjected to a major alteration, shall be built or altered in a neat, safe and workmanlike manner. Every reasonable effort shall be made, consistent with the amount of money which is spent upon the building, to produce a structure environment for human use and habitation.

61.106 Non-dwelling Units.

(1) All buildings which are open to the public, including all commercial buildings, stores, hotels, motels, filling stations, and all industrial and public buildings, hereafter constructed or subject to a major alteration shall be constructed or altered in a sound and workmanlike manner, which shall accord with current practices in other communities for the construction of buildings of like size and character. Matters of construction and design shall, to the extent possible, be governed by the National Building Code.

(2) All buildings open to the public shall be maintained in a safe and sound condition.

61.107 Maintenance.

All structures subject to this code shall be maintained in a safe and sound condition.

61.108 Designation of Alternative Code.

(1) In place of the standards set out above, the Tribe, or its tribally-designated housing entity ("TDHE"), may elect to designate, adopt and enforce the standards of the Uniform Building Code ("UBC") or Council of American Building Officials ("CABO Codes") with respect to a housing construction project or existing housing that is owned, manages or operated by the Tribe or the TDHE, provided:

(a) The Tribe or the TDHE makes the designation identifying the construction project or existing housing to be governed by the UBC or CABO Codes; and

(b) Provides written notice of the alternative designation to all interested parties, including, as applicable, contractors, lenders and government agencies.

(2) With respect to any construction or existing housing governed by the UBC or CABO Codes pursuant to a designation under this section, inspections may be performed only by inspectors licensed by the Tribe under Chapter 57 of the Tribal Code.

(3) For purposes of this Chapter, “UBC” means the Uniform Building Code as published by the International Conference of Building Officials as of the date of inspection.

(4) For purposes of this Chapter, “CABO Codes” means the Codes of the Council of American Building Inspectors in effect as of the date of inspection.