

BCAC Meeting #10

Date: 12-8-2020

Work Group	Item	Vote
Occupancy	Item 5 Appendix Q temporary emergency use	
Occupancy	Item 17 Labs	
Egress	Item 11-1 Lodging houses/R-1 IBC Chapter 11	
Egress	Item 11-2 Lodging houses/R-1 IBC 310	
Egress	Item 11-3 Lodging houses/R-1 IBC 310.1	
Egress	Item 20-1 Automatic doors mixed use buildings	
Egress	Item 20-2 Automatic doors strip malls	
Egress	Item 20-3 Automatic doors definitions	
Egress	Item 20-4 Automatic doors terminology	
Egress	Item 23 pool gates	
Egress	Item 29 exit from elevator lobbies	
Egress	Item 31 coordination with single exits	
Egress	Item 32 man traps/control vestibules	
General	Item 13A – ICC 500 maintenance in IPMC	
Administrative	Item 13-1 – Coordination of scoping in IRC and IBC (Group B)	
Administrative	Item 13-2 – Coordination of scoping in IRC and IBC (Group A)	
Administrative	Item 13-3 – Coordination of scoping in IRC and IBC (Group A)	
Administrative	Item 13-4 – Coordination of scoping in IRC and IBC (Group A)	
Administrative	Item 13-5 – Coordination of scoping in IRC and IBC (Group A)	

There are also multiple Administrative proposals that are ready for review. BCAC needs to look at these to see if we can send to the other CACs for their co-sponsorship where needed.

Item	ADM Proposals	BCAC	FCAC	PMGCAC	SEHPCAC	Needs discussion
2	Fees (IECC R & C, IRC; see also Item 19)				X	
4	Temporary structures	X	X	X		
5	Enforcement agency (IRC)	X				
6	Means of Appeals	X	X	X	X	
9	Property protection (IRC) – returned by BCAC	X				
10	Service utilities (see also Item 18)	X				
18	duplicate text ADM 39 (see also Item 10)			X		

	- ISPSC, IPSDC, IFGC, IMC, IPC)					
19	coordination with ADM 27 and 33 (see also Item 2)	X		X		
20	duplicate of Board of Appeals (ISPSC, IPSDC, IFGC)			X		

# BCAC OCC Item 5 Temporary Use

Draft for 11-10-2020; 12-4-2020

IBC

## APPENDIX Q

### TEMPORARY STRUCTURES AND USES TO SERVE EMERGENCIES

*The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.*

**User notes:**

**About this appendix:** Appendix Q provides jurisdictions with a means of incorporating guidelines for temporary structures and uses into their building code adoption process.

**Code development reminder:** Code change proposals to this appendix will be considered by the IBC—TBD Development Committee during the 2021 (Group TBD) Code Development Cycle. See explanation on page iv.

## SECTION Q101 GENERAL

**Q101.1 Scope.** The provisions of this appendix shall apply to the use, construction, installation, alteration, relocation and location of emergency need based temporary structures and any service utilities or systems that serve such temporary structures.

**Q101.1.1 Objectives.** The objective of this Appendix is intended to provide flexibility to permit the use of innovative approaches and techniques to establish temporary structures and uses in a timely fashion while encountering unusual circumstances and maintain the level of safety intended by the code.

**Q101.1.2 Temporary use.** Temporary use during emergencies may exceed 180 days. Judgement shall be used by the code official to allow for temporary uses and conditions to continue for the duration of the emergency based on the needs of the emergency. The *building official* is authorized to grant extensions for demonstrated cause.

## SECTION Q102 DEFINITIONS

**Q102.1 Definitions.** The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of this code for general definitions.

**EMERGENCY.** Any event declared by local, state, or federal entities that temporarily overwhelms response capabilities, and may require the suspension or modification of regulations, codes, or standards to facilitate response to such an event.

**TEMPORARY STRUCTURES.** That which is built, constructed or erected for a period of less than 180 days.

**TEMPORARY USE.** An activity or practice that is established at designated location for a period of less than 180 days. Uses include, but are not limited to, those functional designations listed within the occupancy group descriptions in Section 302.1 of this code.

## SECTION 103 SUBMITTAL DOCUMENTS

**Q103.1 General.** *Submittal documents* shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the *code official*.

## SECTION 104 CONFORMANCE

**Q104.1 Conformance.** Temporary structures and uses shall conform to the structural strength, fire safety, *means of egress*, accessibility, light, ventilation and sanitary requirements of this section as necessary to provide a reasonable level of safety, health and general welfare.

**Q104.2 Changes over time.** As an emergency evolves, and more resources become available, plans should be made to bring structures and temporary uses in line with the main body of the code.

## SECTION P105 PERMITS.

**Q105.1 Required permits.** Temporary structures other than tents and other membrane structures that occupy an area greater than 120 square feet (11.16 m<sup>2</sup>), shall not be erected, operated or maintained for any purpose without obtaining a *permit* from the *code official*. Tents and membrane structures should be permitted in accordance with the *International Fire Code*.

## SECTION 106 GENERAL STANDARDS FOR EMERGENCY STRUCTURES

**Q106.1.1 Scope.** The provisions of Sections 106.2 through 106.7 shall apply to all structures constructed, erected or relocated during emergencies.

**Q106.2 Intent.** The intent of this section is to provide a base level of safety in a structure built or repurposed for emergency use.

**Q106.3 Change of occupancy.** Existing buildings used in a way that was not originally intended by occupancy class or use shall be allowed without formally changing the occupancy class. The previous occupancy class shall be restored upon the conclusion of the emergency.

**Q106.4 Structural provisions.** The provisions of Chapter 16 shall apply to all structures built during an *emergency*.

### Exceptions:

1. Tents and membrane structures erected in accordance with Chapter 31 of the *International Fire Code*
2. Structures intended to be constructed under the *International Residential Code* shall comply with the provisions of the *International Residential Code*.

**Q106.5 Fire Safety Provisions.** Determine fire safety requirements in accordance with Section Q106.3.1 through Q106.3.5 in order to make determinations of safe conditions rather than strict adherence to the provisions of *International Fire Code*.

**Q106.5.1 Fire safety and evacuation plans.** Fire Safety and evacuation plans shall be provided in accordance with Section 403 and 404 of the *International Fire Code*. Plans should be updated where there are any physical changes to the layout of the structure.

**Q106.5.2 Training and practice drills.** Training of staff and practice drills shall comply with Section 405 and 406 of the IFC. Structures in place for longer than 30 days shall

conduct evacuation drill in accordance with Section 405.2 of the *International Fire Code* based on the temporary use.

**Q106.5.3 Fire Protection.** An evaluation shall be performed to decide on fire protection needed utilizing NFPA 550.

**Q106.5.4 Emergency Access.** Emergency vehicle access roads shall be approved by the *fire code official*.

**Q106.5.5 Fire Watch.** A fire watch in accordance with IFC Section 403.12.1 shall be permitted to be provided in lieu of other fire protection system.

**Q106.6 Means of Egress.** Means of Egress shall comply with Sections 1004, 1005, 1006, 1007, 1008 and 1010 in addition to Sections Q106.4.1 through Q106.4.3.

**Q106.6.1 Exit Discharge.** Exits shall provide access to a public way, or to a safe dispersal area in accordance with 1028.5.

**Q106.6.2 Means of Egress Lighting.** The means of egress shall be illuminated when the space is occupied.

**Exception:** Sleeping areas.

**Q106.6.3 Exit Signs.** Exit signs shall be provided where the means of egress is not readily identifiable. Exit signs shall be permitted to be illuminated by the lighting provided in the structure.

**Q106.7 Accessibility.** A facility that is constructed to be accessible shall be maintained accessible during occupancy.

**Q106.8 Temporary connection.** The *code official* shall have the authority to authorize the temporary connection of the building or system to the utility, the source of energy, fuel, or power, or the water system or sewer system in accordance with Section 112. Water closets and lavatories shall be either permanent plumbing fixtures installed within the structure, or temporary water closets or lavatories, such as chemical toilets or other means approved by the code official.

**Q106.8.1 Portable heating and cooling equipment.** Portable heating and cooling equipment shall be used in accordance with their listing, and manufacturer's instructions.

## SECTION Q107 Use Specific Standards

**Q107.1 Increased occupant load.** Temporary waivers for allowing for additional occupants in existing building shall comply with Section Q107.1.1 through Q107.1.3.

**Q107.1.1 Authorization.** The code official is authorized to allow for an increase in the number of occupants or a change of use in a building or portion of a building during an emergency.

**Q107.1.2 Maintenance of the means of egress.** The existing a means of egress shall be maintained.

**Q107.1.3 Sleeping areas.** Where a space is used for sleeping purposes, the space shall be equipped with smoke alarms in accordance with Section 907.2.10 or be provided with a fire watch in accordance with Section 403.12.1 of the IFC. Carbon monoxide detectors shall be installed in accordance with Section 915 where the structure uses any fossil fuel or wood burning appliances.

**Q107.2 Temporary healthcare facilities.** Temporary health care facilities shall comply with Section Q107.2.1 and Q107.2.2.

**Q107.2.1 General.** Temporary health care facilities shall be erected, maintained and operated to minimize the possibility of a fire emergency requiring the evacuation of occupants.

**Q107.2.2 Membrane structures under projections.** Membrane structures of less than 100 square feet may be placed under projections of a permanent building provided the permanent building is protected with an automatic sprinkler system installed in accordance with Section 903.3.1.1.

**Q107.3 Use of tiny houses or manufactured housing.** Tiny houses or manufactured housing used for temporary housing for facilities such as alternate care facilities, emergency responders or homeless shelters shall comply with Section Q107.3.1 through Q107.3.5.

**Q107.3.1 Fire separation distances.** Tiny houses or manufactured housing shall be separated by not less than 5 feet between structures.

**Q107.3.2 Fire breaks.** Tiny houses and manufactured housing shall not be located in groups of more than 20 units. Fire breaks of at least 20 feet shall be provided between each group.

**Q107.3.3 Smoke alarms.** Tiny houses and manufactured housing used for sleeping purposes shall be equipped with a smoke alarm complying with Section 907.2.10. Smoke detectors are not required to be hard wired.

**Q107.3.4 Carbon monoxide detectors.** Carbon monoxide detectors shall be installed in accordance with Section 915, where the tiny house or manufactured housing uses any fossil fuel or wood burning appliances.

**Q107.3.5 Structures located in a wildland urban interface zone.** Tiny houses and manufactured housing that are located in a wildland urban interface area shall be provided with defensible space in accordance with the Section 603 of the *International Wildland Urban Interface Code*.

**Q107.4 Tents and membrane structures used as sleeping accommodations.** Tents or membrane structures used as sleeping accommodations shall comply with the same requirements as tiny homes in Section Q107.3.1 through Q107.3.5 and Chapter 31 of the *International Fire Code*.

**Q107.5 Temporary emergency shelters during/after a natural disaster – wildfire, tornado, flood.** Where emergency shelters are planned, the process of organizing, planning,

implementing, and evaluating a program for mass evacuation, sheltering, and re-entry shall comply with NFPA 1660.

## SECTION Q108 REFERENCED STANDARDS

**Q108.1 General.** See Table Q108.1 for standards that are referenced in various sections of this appendix. Standards are listed by the standard identification with the effective date, standard title, and the section or sections of this appendix referenced in the standard.

**TABLE Q108.1  
REFERENCED STANDARDS**

<b>STANDARD ACRONYM</b>	<b>STANDARD NAME</b>	<b>SECTIONS HEREIN REFERENCED</b>
NFPA 550-2017	Guide to the Fire Safety Concepts Tree	Q106.5.3
NFPA 1660 - 2022	<i>Standard on Community Risk Assessment, Pre-Incident Planning, Mass Evacuation, Sheltering, and Re-entry Programs.</i>	Q107.5

**Reason:** The purpose of the proposed Appendix is to provide regulatory options to users based on trends that don't fit squarely in the IBC. Code users are facing diverse challenges never encountered before. Examples include setting up medical facilities in gymnasiums, or in tents in a park or parking lot. With the wild fires in the Western United States, emergency temporary housing is needed for displaced residents, as well as First Responders from other areas who are providing assistance. The Appendix format allows for Jurisdictional adoption with or without amendments, creating solutions for these types of uses, providing the AHJ with wide flexibility while ensuring public health, safety and general welfare for the end users

**Cost Impact:** The code change proposal will not increase the cost of construction. These options mirror established ICC codes sections and standards.

**BCAC Occupancy Item 9 Accessory Dwelling Units**

**Work Group** – Andrew Kollar, Allison Cook, Chris Jensen (UL), Yu-Ngok Lo, Andy Benson, Truongh Huynh, Carl Wren (FCAC)

2018 International Zoning Code

**Chapter 2 DEFINITIONS  
Section 202 GENERAL DEFINITIONS**

**ACCESSORY DWELLING UNIT (ADU).** A secondary unit on the same lot as a *dwelling unit* also providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. Units may be configured as either accessory suites attached to the primary *Dwelling Unit* or as a detached structure.

**ACCESSORY LIVING QUARTERS (ALQ).** An accessory building used solely as the temporary dwelling of guests of the occupants of the premises; such dwelling having no *kitchen* facilities and not rented or otherwise used as a separate *sleeping unit*.

**[BG] DWELLING UNIT.** A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

**KITCHEN.** Any room or portion of a room within a building designed and intended to be used for the cooking or preparation of food.

**[BG] SLEEPING UNIT.** A room of space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or *kitchen* facilities, but not both. Such rooms and spaces that are also part of a *dwelling unit* are not sleeping units.

**Chapter 5 RESIDENTIAL ZONES  
Section 501 RESIDENTIAL ZONES DEFINED**

**501.1 Residential zone.**

Allowable residential (R) zone uses shall be:

**Division 1.** The following uses are permitted in an R, Division 1 zone:

Single-family dwellings, publicly owned and operated parks, recreation centers, swimming pools and playgrounds, police and fire department stations, public and governmental services, public libraries, schools and colleges (excluding colleges or trade schools operated for profit), public parking lots, private garages, buildings accessory to the above permitted uses (including private garages, **accessory dwelling units** and accessory living quarters), and temporary buildings.

**Chapter 8 GENERAL PROVISIONS  
Section 801 OFF-STREET PARKING**

<b>TABLE 801.2.1 OFF-STREET PARKING SCHEDULE</b>	
Assembly	1 per 300 gross square feet
Accessory dwelling unit (ADU)	1 per accessory dwelling unit
Dwelling unit	2 per dwelling unit



Health club	1 per 100 gross square feet
Hotel/motel	1 per sleeping unit plus 1 per 500 square feet of common area
Industry	1 per 500 gross square feet
Medical office	1 per 200 gross square feet
Office	1 per 300 gross square feet
Restaurant	1 per 100 gross square feet
Retail	1 per 200 gross square feet
School	1 per 3.5 seats in assembly rooms plus 1 per faculty member
Warehouse	1 per 500 gross square feet

**801.2.3 Location of on lot.**

The parking spaces required by this code shall be provided on the same lot as the use or where the exclusive use of such is provided on another lot not more than 500 feet (152 m) radially from the subject lot within the same or less-restrictive zoning district.

**801.2.3.1 Accessory dwelling unit parking.**

Vehicular access to the required parking space shall not be obstructed by the occupants of the primary dwelling unit, nor shall an additional curb cut be permitted.

**Chapter 9 SPECIAL REGULATIONS**  
**Section 903 ACCESSORY DWELLING UNITS**

**903.1 General.**

Accessory dwelling units shall be permitted in residential zones.

903.1.1 Approval.

Applications for an accessory dwelling unit are subject to the requirements for a *conditional use* permit as per Chapter 12 and shall meet the following criteria:

- a. The applicant must demonstrate that the accessory dwelling unit complies with all development and design standards of this Section.
- b. The applicant must demonstrate that the proposed new construction or modifications to existing construction comply with the applicable building and fire safety codes.

903.1.2 Occupancy permit, control.

No occupancy of the accessory dwelling unit shall take place without an occupancy permit issued by the code official appointed by the authority having jurisdiction. The initial occupancy permit shall remain in force for a period of two (2) years from the date of issue, provided that there is continued ownership. Thereafter, succeeding permits may be issued by the code official for each succeeding two-year period, provided that the structure and use continue to comply with the relevant provisions of Section 903, the building and fire safety codes, and the conditional use special permit. Occupancy permits shall not be transferable upon new ownership or a change in occupancy.

**903.2 Conditions.**

1. One accessory dwelling unit is permitted per residentially zoned lot.

2. Accessory dwelling units shall be secondary in size and function to the principal dwelling unit and be consistent with that principal dwelling unit in appearance, design, colors and materials.
3. The owner of a property containing an accessory dwelling unit shall reside in either the principal dwelling unit or the accessory dwelling unit, as of the date of permit approval.
4. An accessory dwelling unit shall have a separate house number from the principal dwelling unit.
5. An accessory dwelling unit shall have an area of
  - a. An *accessory dwelling* unit shall not be less than 150 square feet (14 m<sup>2</sup>) in area.
  - b. An *accessory dwelling* unit shall not be greater than 50 percent of the area of the primary *dwelling unit*.
  - c. An *accessory dwelling* unit shall not be greater than 1,200 square feet (111 m<sup>2</sup>) in area.
6. An accessory dwelling unit shall be provided with a separate entrance than that serving the primary dwelling unit.
7. An accessory dwelling unit shall have a maximum number of two bedrooms.
8. Off-street parking shall comply with Section 801.
9. The location of a detached accessory dwelling unit shall comply with Section 803.
10. An accessible dwelling unit shall be provided with adequate provisions for water supply and sewage disposal. Separate utility connections are not required.

BCAC Item 17 Labs  
Joint proposal with BCAC, Healthcare and FCAC

## IBC and IFC

### 202 GENERAL DEFINITIONS

Delete and replace:

~~**[F] HIGHER EDUCATION LABORATORY.** Laboratories in Group B occupancies used for educational purposes above the 12th grade. Storage, use and handling of chemicals in such laboratories shall be limited to purposes related to testing, analysis, teaching, research or developmental activities on a nonproduction basis.~~

~~**NON-PRODUCTION LABORATORY.** A room, space or building that provides controlled conditions in which testing, analysis, teaching (above the 12<sup>th</sup> grade), research or developmental activities occur that are not part of a production process, nor in any way simulate a production process, including diagnostic, clinical, hospital, and higher education research or and higher education laboratories~~

Revise as follows:

~~**LABORATORY SUITE.** A fire-rated enclosed laboratory area~~ Spaces within a building where quantities of hazardous materials not exceeding the *maximum allowable quantities per laboratory suite* are stored, dispensed, used or handled. ~~A room that is separated from other spaces within a non-production laboratory by fire-resistance-rated construction and opening protectives, that will provide one or more laboratory spaces, within a Group B educational occupancy,~~ that are permitted to include ancillary uses such as offices, bathrooms and corridors that are contiguous with the laboratory area, and are constructed in accordance with Chapter 38.

## IFC

Revise as follows:

**OCCUPANCY CLASSIFICATION.** For the purposes of this code, certain occupancies are defined as follows:

**High-hazard Group H.** High-hazard Group H occupancy includes, among others, the use of a building or structure, or a portion thereof, that involves the manufacturing, processing, generation or storage of materials that constitute a physical or *health hazard* in quantities in excess of those allowed in *control areas* complying with Section 5003.8.3, based on the maximum allowable quantity limits for *control areas* set forth in Tables 5003.1.1(1) and 5003.1.1(2). Hazardous occupancies are classified in Groups H-1, H-2, H-3, H-4 and H-5 and shall be in accordance with this code and the requirements of Section 415 of the *International Building Code*. Hazardous materials stored or used on top of roofs or canopies shall be classified as outdoor storage or use and shall comply with this code.

**Uses other than Group H.** The storage, use or handling of hazardous materials as described in one or more of the following items shall not cause the occupancy to be classified as Group H, but it shall be classified as the occupancy that it most nearly resembles:

1. – 16 [UNCHANGED]

17. ~~Group B higher education~~ Non-production laboratory occupancies complying with Section 428 and Chapter 38 of the *International Fire Code*.

### Chapter 38 ~~HIGHER EDUCATION~~ NON-PRODUCTION LABORATORIES

**3801.1 Scope.** ~~Higher education Non-production~~ laboratories complying with the requirements of this chapter shall be permitted to exceed the maximum allowable quantities of hazardous materials in *control areas* set forth in Chapter 50 without requiring classification as a Group H occupancy. Except as specified in this chapter, such laboratories shall comply with all applicable provisions of this code and the *International Building Code*.

## SECTION 3802 DEFINITIONS

**3802.1 Definitions.** The following terms are defined in Chapter 2:

~~HIGHER EDUCATION NONPRODUCTION~~ LABORATORY.  
LABORATORY SUITE.

**3804.1.1.6 Standby or emergency power.** ~~Higher education Non-production~~ laboratory suites shall be provided with emergency or standby power in accordance with Section 1203.2.13.

**5003.8.3 Control areas.** *Control areas* shall comply with Sections 5003.8.3.1 through 5003.8.3.5.3.

**Exception:** ~~Higher education Non-production~~ laboratories in accordance with Chapter 38 of this code and Section 428 of the *International Building Code*.

## IBC

Revise as follows:

**[F] 307.1.1 Uses other than Group H.** An occupancy that stores, uses or handles hazardous materials as described in one or more of the following items shall not be classified as Group H, but shall be classified as the occupancy that it most nearly resembles.

1. – 16 [UNCHANGED]

17. ~~Group B higher education Non-production~~ laboratory occupancies complying with Section 428 and Chapter 38 of the *International Fire Code*.

**[F] 414.2 Control areas.** *Control areas* shall comply with Sections 414.2.1 through 414.2.5 and the *International Fire Code*.

**Exception:** ~~Higher education Non-production~~ laboratories in accordance with Section 428 and Chapter 38 of the *International Fire Code*.

## IBC SECTION 428

### ~~HIGHER EDUCATION NON-PRODUCTION~~ LABORATORIES

**[F] 428.1 Scope.** ~~Higher education Non-production~~ laboratories complying with the requirements of Sections 428.1 through 428.4 shall be permitted to exceed the maximum allowable quantities of hazardous materials in control areas set forth in Tables 307.1(1) and 307.1(2) without requiring classification as a Group H occupancy. Except as specified in Section 428, such laboratories shall comply with all applicable provisions of this code and the *International Fire Code*.

#### Reason Statement:

**Add to reason about the importance of the allowable quantity tables. Fire performance data for hospital and clinical labs?**

Kudos to the Fire Code Action Committee (FCAC) and the people who worked to put together the original code change that introduced “higher education laboratories” in F340-16. That effect successfully put in place much needed regulations to address the use of hazardous materials in what are highly monitored conditions without production – laboratories in higher education institutions, by providing enhanced safety requirements.

But as was the situation prior to the approval of F340-16 and the introduction of regulations for higher education laboratories in what is now Chapter 38 in the IFC and Section 428 in the IBC, the I-Codes still do not do not specifically provide or address how to regulate those laboratories that by all accounts operate the same as a “higher education laboratory” but cannot be classified as a “higher education laboratories” because they are not used for educational purposes above the 12th grade.” Because of this, users must try to apply general hazardous materials provisions, which oftentimes are not appropriate for clinical, diagnostic or research laboratory settings.

After being in the 2018 and 2021 codes, users have had a chance to really review and come to understand the provisions that are found in Chapter 38 of the IFC and Section 428 in the IBC. And although we do not disagree with any of the logic that the FCAC gave in the Reason statement for F340-16 for the key parameters that must be present, we do not see any technical reasons for why those provisions are should be limited to only higher education laboratories. This code change seeks to expand the application of the provisions in Chapter 38 of the IFC and Section 428 in the IBC to not just higher education laboratories but to any laboratory that meets the criteria contained in those sections – what we are proposing be categorized as “non-production laboratories

As was stated in the Reason statement to F340-16 “The advance of technologies, science, medicine and our knowledge of the world often relies on having vibrant and successful academic institutions.” But the laboratory settings in which those advances occur are NOT limited to only those that come out of an academic institutions (high-learning institution) – they come out of laboratories found in the private sector and the nationally-funded sectors also. The perfect example is the research that is happening right now with the race to solve the COVID-19 crisis. Most of the work involved is coming out of laboratories in that are not in a higher education sector.

In their Reason statement for F340-15 the FCAC put forth what they saw as the “conditions typically present in academic laboratories that make them unique,” but which when looked at on their own merits are conditions or characteristics also found in non-academic, non-production laboratories in other occupancies including hospitals, clinical, research and diagnostic areas. The FCAC Conditions included:

1. Lower chemical density in individual research laboratories.  
“...there are often many small laboratories within a building that are using small quantities of hazardous materials in each location. Individually, they do not store or use a large quantity of hazardous materials, but together, they may often exceed the maximum allowable quantities for the control area. This lower chemical density often mitigates the overall risk, but the IFC currently has no provisions to recognize this condition.”
2. Ongoing staff oversight from "Special Experts" in laboratory safety.  
“...”have a full cadre of faculty and staff with chemical expertise. These "Special Experts" often include, but are not limited to: Fire Marshals, Industrial Hygienists, Radiation Safety Officers, Biological Safety Officers, Chemical Hygiene Officers and Environmental Health and Safety Officers. These individuals are an integral part of the preparation/review of laboratory safety documentations, as well as regularly scheduled safety audits.”
3. Mixed-use occupancies.  
“...building will house laboratories, office space, storerooms, classrooms and lecture halls. The current limits on hazardous materials are so restrictive on upper floors that many universities are forced to locate classrooms and lecture halls on the upper floors so that they can take full advantage of the hazardous materials quantities allowed on the lower floors. This results in moving large numbers of students through hallways, past laboratories to get to the upper floors. They will also have to exit back down the same routes in the event of an emergency.”

All are valid and important principles and should very much be the litmus test used to establish which the types of laboratories can use the provisions in IFC Chapter 38 and IBC Section 428. These principles are not limited to only higher learning laboratories – a higher learning laboratory is only one type of laboratory that meets the principles. But the points made with each of the conditions are not unique to academic laboratories - the distribution and

density of materials, physical constraints and qualification of on-site personal are also found in non-academic laboratory settings that do not support production or processing.

Regarding the topic of “oversight” from special experts, the logic FCAC present is not unique to higher education laboratories. It is also very true for most non-academic laboratories (such as hospitals and testing organizations) because they are mandated through state and federal agencies.

Regarding the topic of “mixed occupancy,” while most post-secondary academic laboratory do occur in what are deemed to be “mixed occupancy,” so are most non-academic laboratories. A perfect example is that of a hospital – while the primary occupancy is Group I-2, almost every hospital also contains other occupancies such as storage/utility areas, kitchens, dining facilities, office space, and clinical laboratories.

The one condition FCAC included in their Reason statement that when closely examined was a double-edged sword was:

4. **Limited, or "directed", funding streams.** Also unique to academic institutions are the funding sources for research. In a "non-profit" teaching and research environment, the majority of research is funded through grants and endowments. Unfortunately, many grants only support the costs of research personnel and equipment, not structural upgrades to accommodate newer research processes.

While a limited funding stream is portrayed as a justification for implementing new regulations for laboratories associated with academic institutions, a good funding stream is actually a benefit because it allows a non-academic laboratory to be equipped with the newest equipment – both for laboratory experiments and for the protection of the occupants. Logic says that because of good funding non-academic laboratories may operate in a safer environment.

We also assert that there is a fifth condition that was present in the development of the code language in F340-16, and should be acknowledged, one that is fundamental:

5. The activities in a laboratory are not part of a production process, nor in any way simulate a production process.

Without the code change contained herein, jurisdictions will still have to do the same thing for non-academic laboratories as they have been – making state or local amendments to allow for greater numbers of control areas and larger percentages of MAQs in non-production laboratories. Code Change F340-16 brought higher education laboratories into the codes and provides the AHJ with rules but there still are no unique rules for non-academic laboratories. This proposal seeks to build on the work the FCAC did in F340-16 and provide standardized model code language to address this topic for both academic (higher education) and non-academic laboratories.

To allow non-academic laboratories to use these regulations the following revisions are proposed:

- Replace the definition of “higher learning laboratories” with “non-production laboratories;”
- Revise IFC Chapter 38 to use the new designation of “non-production laboratories”
- Revise IBC Section 428 to use the new designation of “non-production laboratories”
- Coordinate the various sections in the IFC and IBC to use the new designation of “non-production laboratories”

For those interested in the history of this topic and Code change F340-16, please visit the ICC Code Development Archives at <https://www.iccsafe.org/products-and-services/i-codes/code-development/2015-2017-code-development-cycle/>

**Cost Impact Statement:** The code change proposal will not increase the cost of construction.

## BCAC General Item 13-A

Joint with ICC 500 Development Committee

Contact: Gary Ehrlich

### IPMPC

#### SECTION 310 STORM SHELTERS

**310.1 General.** Community storm shelters shall be evaluated, maintained and repaired in accordance with this section and ICC 500.

**310.2 Evaluation.** Community storm shelters shall be evaluated annually, and when requested by the authority having jurisdiction, in accordance with ICC 500

**310.3 Maintenance and Repairs.** Storm shelters shall be maintained in an operable condition. All structural and operational elements shall be repaired or replaced in accordance with ICC 500 where damaged or found to be inoperable.

Add standard –

2020 ICC 500 – ICC/NSSA Standard for the Design and Construction of Storm Shelters

**Reason:** The 2020 edition of ICC-500, which was incorporated by reference in the 2021 I-Codes, contains new provisions for the evaluation, maintenance and repair of community storm shelters. The owner or their authorized agent of a storm shelter are required to have the shelter evaluated annually and where requested by the authority having jurisdiction to identify whether any structural elements are damaged or whether any impact-protective systems (including doors, windows and shutters) are damaged or are not operational. Any structural elements or impact-protective systems are found to be damaged or not operational are required to be repaired or replaced in accordance with ICC 500.

The new ICC-500 provision is specific to community storm shelters. Residential storm shelters are excluded so as not to burden homeowners who choose to incorporate a small residential storm shelter into their home or provide one in their yard.

**Cost Impact:** The code change will increase the cost of construction. The cost increase would largely be from the time and labor for the owner (or their agent) to conduct the annual visual inspection and/or hire an engineer or architect if needed for a more detailed evaluation. There would also be a cost to replace an impact-resistant door or window, or other impact-protective system (e.g. hurricane shutter) if deemed necessary.

2020 ICC 500

#### **SECTION 113 EVALUATION, MAINTENANCE AND REPAIRS**

**113.1 General.** Community shelters shall be evaluated and maintained in accordance with Sections 113.2 through 113.4.

**113.2 Evaluation.** The owner or owner's authorized agent shall evaluate the storm shelter annually and when requested by the *authority having jurisdiction*. The evaluation of the storm shelter shall include the following:

1. The *storm shelter envelope* shall be evaluated through visual observation to assess whether the walls and roofs are intact and undamaged.
2. *Impact-protective systems* shall be evaluated for compliance with the manufacturer's operational and maintenance requirements.

**113.3 Maintenance and repairs.** *Storm shelters* shall be maintained in an operable condition at all times. All structural and operational elements shall be repaired or replaced where damaged or found to be inoperable.

**113.3.1 Damaged or missing components.** *Storm shelters* shall be maintained so that walls and roofs are intact and undamaged. Any damage to the storm shelter or its *impact-protective systems* that impair its functionality shall be repaired or replaced. Damaged or missing components shall be replaced with components that are specified within the tested or listed assembly.

**113.3.2 Replacement assemblies and systems.** Where it is necessary to replace certified or listed *impact-protective systems*, replacements shall comply with applicable ICC 500 requirements and shall be tested and installed as required by this standard for new installations or construction.

**113.4 Recordkeeping.** A record of the evaluations shall be maintained by the owner or owner's authorized agent. A record of the evaluations and any other tests, repairs or replacements and other operations and maintenance shall be kept on the premises or other *approved* location and consist of all changes to the original *storm shelter envelope* or *impact-protective systems*. Records shall include the date and person conducting the evaluations and maintenance or repairs.



BCAC ADM Item 13 Scope coordination

Section IBC and IRC

Rep:

Date: 10-5-2020; revised 11-23-2020; Revised 12-3-2020

## Proposal 1

### 2021 IRC

#### 101.2 Scope.

The provisions of this code shall apply to the construction, *alteration*, movement, enlargement, replacement, *repair*, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and *townhouses* not more than three stories above *grade plane* in height with a separate means of egress and their *accessory structures* not more than three stories above *grade plane* in height.

**Exception:** The following shall be permitted to be constructed in accordance with this code where provided with a an automatic sprinkler system complying with Section P2904:

1. Live/work units located in townhouses and complying with the requirements of Section 508.5 of the *International Building Code* for the non-residential portion of the unit.
2. Owner-occupied *lodging houses* with five or fewer guestrooms.
3. A care facility with five or fewer persons receiving custodial care and located within a *dwelling unit*.
4. A care facility with five or fewer persons receiving medical care and located within a *dwelling unit*.
5. A day care facility for five or fewer persons receiving care that are and located within a single-family dwelling unit.

### 2021 IBC

#### [A] 101.2 Scope.

The provisions of this code shall apply to the construction, *alteration*, relocation, enlargement, replacement, *repair*, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

**Exception:** The following shall be permitted to be constructed in accordance with this code or the *International Residential Code*:

1. Detached one- and two-family *dwellings* and *townhouses* not more than three stories above *grade plane* in height with a separate *means of egress*, and their accessory structures not more than three stories above *grade plane* in height, ~~shall comply with this code or the *International Residential Code*.~~
2. Live/work units located in *townhouses* and complying with the requirements of Section 508.5 for the non-residential portion of the unit.
3. Owner-occupied *lodging houses* with five or fewer guestrooms.
4. A care facility with five or fewer persons receiving *custodial care* in accordance with Section 308.2.4 and located within a *dwelling unit*.
5. A care facility with five or fewer persons receiving *medical care* in accordance with Section 308.3.2 and located within a *dwelling unit*.
6. A day care facility for five or fewer persons receiving *personal care services* in accordance with Section 305.2.2 or *custodial care* in accordance with Section 308.5.3 and located within a *dwelling unit*.

Reason: The intent of this proposal is consistent language between the scope of the IBC and the IRC. In Group A, the BCAC committee worked on coordination and clarification in the references back to the IRC currently provided in Chapters 3 and 5 for Group E, I and R.

IRC Section 101.2 – Exception 5 could be read as redundant to Exception 3 and 4 – the difference being ‘within a dwelling unit’ or ‘within a single-family’. However, in reviewing the IBC references, this was intended to be day care offered within a person’s residence. The exception should be specific. Since this can be a single-family, a duplex or townhouses under the IRC, this should be revised to use the defined term ‘dwelling unit.’ The addition of ‘and located’ in exceptions 3, 4 and 5 is clearer and more specific code language.

IBC Section 101.2 –

The current exception does not change technically – the phrase ‘this code or the IRC’ just moved to the top.

Exceptions 2 through 6 match IRC Section 101.2 with the addition of the IBC reference that allows this exception. This will assure that the full description in the code text is needed to allow for the IRC construction.

Cost impact: None. This is basically a coordination item for what facilities can use IRC. This should not change construction requirements.

## Proposal 2

### 2021 IBC

Sections 305.2.2, 305.2.3, 308.4.3 308.5.4, 310.4.1

## SECTION 305 EDUCATIONAL GROUP E

**305.2 Group E, day care facilities.** This group includes buildings and structures or portions thereof occupied by more than five children older than 2½ years of age who receive educational, supervision or *personal care services* for fewer than 24 hours per day.

**305.2.1 Within places of religious worship.** Rooms and spaces within *places of religious worship* providing such day care during religious functions shall be classified as part of the primary occupancy.

**305.2.2 Five or fewer children.** A facility having five or fewer children receiving such day care shall be classified as part of the primary occupancy. Where such a facility is located within a dwelling unit that is within the scope of the *International Residential Code*, the facility shall be permitted to be constructed in accordance with this code or the *International Residential Code*.

~~**305.2.3 Five or fewer children in a dwelling unit.** A facility such as the above within a *dwelling unit* and having five or fewer children receiving such day care shall be classified as a Group R-3 occupancy or shall comply with the *International Residential Code*.~~

### 308.5 Institutional Group I-4, day care facilities....

**308.5.3 Five or fewer persons receiving care.** A facility having five or fewer persons receiving *custodial care* shall be classified as part of the primary occupancy. Where such a facility is located within a dwelling unit that is within the scope of the *International Residential Code*, the facility shall be permitted to be constructed in accordance with this code or the *International Residential Code*.

~~**308.5.4 Five or fewer persons receiving care in a dwelling unit.** A facility such as the above within a *dwelling unit* and having five or fewer persons receiving *custodial care* shall be classified as a Group R-3 occupancy or shall comply with the *International Residential Code*.~~

## SECTION 310 RESIDENTIAL GROUP R

### 310.4.1 Care facilities within a dwelling.

Care facilities for five or fewer persons receiving care or day care that are located within a single-family dwelling unit, ~~are permitted to comply~~ Where such a facility is located within a dwelling unit that is within the scope of the *International Residential Code*, the facility shall be permitted to be constructed in accordance with this code or with the *International Residential Code*. Facilities constructed using the *International Residential Code* shall have provided an automatic sprinkler system ~~is~~ installed in accordance with Section 903.3.1.3 or Section P2904 of the *International Residential Code*.

Reason: The purpose of this change is to group like items together and remove a technical glitch for where townhouses or apartments may also have a small day care facility. Day care facilities can occur in other occupancies, apartments, townhouses and single family homes. Be allowing for 5 or fewer to match the main occupancy, this would still allow for those Group R-3 as a classification in single-family, duplex and townhouses constructed under IBC Group R-3 – which is permitted in the current text. This change will also allow for similar facilities in apartments or Group R-2 townhouses. The literal text in 305.2.3 and 308.5.4 says a day care in a dwelling unit make this an R-3 even though the building may be Group R-2.

Cost impact: None. This is a clarification of requirements, not a change to construction requirements.

## Proposal 3

Sections 308.2.4, 308.3.2, 310.4.1

## SECTION 308 INSTITUTIONAL GROUP I

### 308.2 Institutional Group I-1....

#### 308.2.4 Five or fewer persons receiving custodial care.

A facility with five or fewer persons receiving *custodial care* shall be classified as Group R-2 or Group R-3, based on the primary occupancy of the building. ~~or shall comply~~ Where such a facility is located within a dwelling unit that is within the scope of the *International Residential Code*, the facility shall be permitted to be constructed in accordance with this code or with the *International Residential Code*. Facilities constructed using the *International Residential Code* shall have provided an automatic

sprinkler system ~~is~~ installed in accordance with Section 903.3.1.3 or Section P2904 of the *International Residential Code*.

### 308.3 Institutional Group I-2....

#### 308.3.2 Five or fewer persons receiving *medical care*.

A facility with five or fewer persons receiving *medical care* shall be classified as Group R-2 or Group R-3, based on the primary occupancy of the building.~~or shall comply~~ Where such a facility is located within a dwelling unit that is within the scope of the *International Residential Code*, the facility shall be permitted to be constructed in accordance with this code or with the *International Residential Code*. Facilities constructed using the *International Residential Code* shall have ~~provided~~ an automatic sprinkler system ~~is~~ installed in accordance with Section 903.3.1.3 or Section P2904 of the *International Residential Code*.

## SECTION 310 RESIDENTIAL GROUP R

### 310.4.1 Care facilities within a dwelling.

Care facilities for five or fewer persons receiving ~~care~~ *medical care or custodial care* that are located within a ~~single-family~~ dwelling unit. ~~are permitted to comply~~ Where such a facility is located within a dwelling unit that is within the scope of the *International Residential Code*, the facility shall be permitted to be constructed in accordance with this code or with the *International Residential Code*. Facilities constructed using the *International Residential Code* shall have ~~provided~~ an automatic sprinkler system ~~is~~ installed in accordance with Section 903.3.1.3 or Section P2904 of the *International Residential Code*.

Reason: The intent of this proposal is to clarify the allowance for when a care facility fits into the residential requirements in the IBC IRC

A facility of 5 or fewer persons could be in a detached dwelling, a townhouse or an apartment building. The Fair Housing Act does not allow for family to be defined by blood or marriage. Multiple court cases have confirmed that people have the right to live in a home environment instead of an institutional facility if they so choose. If this is a business, this small group home is most likely operating as a family; and would fall below the licensure rules of most states. However, in most cases, this will be couple with foster children or someone taking care of a friend who needs assistance - not a business. The IBC does not typically go into issues on licensure or who is paying what – we look at the use of the space.

Sticking with the original intent that this is a dwelling, these facilities should be permitted in a home environment – be it detached single family, townhouse or apartment – thus the reference to Group R-3 and R-2. The change to the IRC reference only lets the facility use IRC is the dwelling unit it is in is scoped to the IRC.

Cost impact: None. This is a clarification of requirements, not a change to construction requirements.

## Proposal 4

Sections 310.4, 310.4.2

**[BG] GUESTROOM.** A room used or intended to be used by one or more guests for living or sleeping purposes.

[BG] LODGING HOUSE. A one-family dwelling where one or more occupants are primarily permanent in nature and rent is paid for guest rooms.

## SECTION 310 RESIDENTIAL GROUP R

### 310.3 Residential Group R-2.

Residential Group R-2 occupancies containing *sleeping units* or more than two *dwelling units* where the occupants are primarily permanent in nature, including:

- Apartment houses
- *Congregate living facilities* (nontransient) with more than 16 occupants
  - *Boarding houses* (nontransient)
  - Convents
  - *Dormitories*
  - Fraternities and sororities
  - Monasteries
- Hotels (nontransient)
- *Live/work units*
- Motels (nontransient)
- Vacation timeshare properties.

### 310.4 Residential Group R-3.

Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:

- Buildings that do not contain more than two *dwelling units*
- Care facilities that provide accommodations for five or fewer persons receiving care
- *Congregate living facilities* (nontransient) with 16 or fewer occupants
  - *Boarding houses* (nontransient)
  - Convents
  - *Dormitories*
  - Fraternities and sororities
  - Monasteries
- *Congregate living facilities* (transient) with 10 or fewer occupants
  - *Boarding houses* (transient)
- *Lodging houses* (~~transient~~) with five or fewer *guest rooms* ~~and 10 or fewer occupants~~

#### 310.4.2 Lodging houses.

Owner-occupied *lodging houses* with five or fewer *guest rooms* ~~and 10 or fewer total occupants~~ shall be permitted to be constructed in accordance with ~~this code or~~ the *International Residential Code*. ~~Facilities constructed using the *International Residential Code* shall have provided~~ an automatic sprinkler system ~~is~~ installed in accordance with Section 903.3.1.3 or Section P2904 of the *International Residential Code*.

**Reason:** The intent of this change is to coordinate with IRC scoping for lodging houses. G40-12 added the defined term 'lodging house' and 'guestroom' and Section 310.4.2 for coordination with the scoping in the 2012 IRC. G40-15 added 'transient' and '10 or fewer occupants'. Since the owner or proprietor lives in the lodging house (see the definition), this is not 'transient', so that language should be deleted in Section 310.4. The reason giving for adding "and 10 or fewer occupants" was consistency with the occupancy load for transient boarding houses. However, this does not take into consideration that

owner's family as well as the 10 transient occupants. In addition the IRC does not have occupant load, so this does not match the IRC Scoping in Section 101.2 Exception 2.

If the committee feels that 5 or fewer guestrooms is not a sufficient limitation, a maximum occupant load or either 10 transient occupants, or 16 total occupants could be considered.

The last change to Section 310.4.2 is to allow for a small bed-n-breakfast style hotel to be constructed in accordance with IBC if they so choose.

Cost impact: None. This is a clarification of requirements, not a change to construction requirements. Removal of the 10 occupant load from Lodging house, might allow for some small additional B-n-B facilities to be constructed under the IRC.

## Proposal 5

Sections 508.5

**508.5 Live/work units.** A *live/work unit* shall comply with Sections 508.5.1 through 508.5.11.

**Exceptions:**

1. *Dwelling or sleeping units* that include an office that is less than 10 percent of the area of the *dwelling unit* are permitted to be classified as *dwelling units* with accessory occupancies in accordance with Section 508.2.
2. *Live/work units located in townhouses and complying with the requirements of Section 508.5.1 through 508.5.11 for the non-residential portion of the unit are permitted to be constructed in accordance with the International Residential Code.*

**508.5.1 Limitations.** The following shall apply to live/work areas:

1. The *live/work unit* is permitted to be not greater than 3,000 square feet (279 m<sup>2</sup>) in area.
2. The nonresidential area is permitted to be not more than 50 percent of the area of each *live/work unit*.
3. The nonresidential area function shall be limited to the first or main floor only of the *live/work unit*.
4. Not more than five nonresidential workers or employees are allowed to occupy the nonresidential area at any one time.

**508.5.2 Occupancies.** *Live/work units* shall be classified as a Group R-2 occupancy. Separation requirements found in Sections 420 and 508 shall not apply within the *live/work unit* where the *live/work unit* is in compliance with Section 508.5. Nonresidential uses that would otherwise be classified as either a Group H or S occupancy shall not be permitted in a *live/work unit*.

**Exception:** Storage shall be permitted in the *live/work unit* provided that the aggregate area of storage in the nonresidential portion of the *live/work unit* shall be limited to 10 percent of the space dedicated to nonresidential activities.

**508.5.3 Means of egress.** Except as modified by this section, the *means of egress* components for a *live/work unit* shall be designed in accordance with Chapter 10 for the function served.

**508.5.4 Egress capacity.**

The egress capacity for each element of the *live/work unit* shall be based on the *occupant load* for the function served in accordance with Table 1004.5.

**508.5.5 Spiral stairways.** *Spiral stairways* that conform to the requirements of Section 1011.10 shall be permitted.

**508.5.6 Vertical openings.** Floor openings between floor levels of a *live/work unit* are permitted without enclosure.

**[F] 508.5.7 Fire protection.** The *live/work unit* shall be provided with a monitored *fire alarm* system where required by Section 907.2.9 and an *automatic sprinkler system* in accordance with Section 903.2.8.

**508.5.8 Structural.** Floors within a *live/work unit* shall be designed for the *live loads* in Table 1607.1, based on the function within the space.

**508.5.9 Accessibility.** *Accessibility* shall be designed in accordance with Chapter 11 for the function served.

**508.5.10 Ventilation.** The applicable *ventilation* requirements of the *International Mechanical Code* shall apply to each area within the *live/work unit* for the function within that space.

**508.5.11 Plumbing facilities.** The nonresidential area of the *live/work unit* shall be provided with minimum plumbing facilities as specified by Chapter 29, based on the function of the nonresidential area. Where the nonresidential area of the *live/work unit* is required to be accessible by Section 1108.6.2.1, the plumbing fixtures specified by Chapter 29 shall be accessible.

Reason: The intent of the proposal is to coordinate the IRC and IBC scoping. IRC Section 101.2 Exception 1 allows for *live/work units* to be constructed under the IRC. However, the IBC does not state this option in IBC Section 101.2 or this section.

Cost impact: None. This is a coordination of requirements, not a change to construction requirements.

# BCAC Egress Item 11

## Coordination with small B 'n B exception

Three questions:

Coordination between Chapter 3 Group R-3 and Section 1103.2.11  
Coordination with scoping in IBC and IRC Terminology  
What about fire stations? These are Title 2 buildings under ADA.

### Proposal 1 -

IBC

**1103.2.11 Residential Group R-1 or R-3.** Buildings of Group R-1 containing not more than five *sleeping units* for rent or hire that are also occupied as the residence of the proprietor are not required to comply with this chapter. Buildings of Group R-3 congregate living facilities (transient) or boarding houses (transient) containing not more than five *sleeping units* for rent or hire that are also occupied as the residence of the proprietor are not required to comply with this chapter.

**1107.6.3 Group R-3.** *Accessible units* and *Type B units* shall be provided in Group R-3 occupancies in accordance with Sections 1107.6.3.1 and 1107.6.3.2. ~~In Group R-3 occupancies where there are four or more dwelling units or sleeping units intended to be occupied as a residence in a single structure, every dwelling unit and sleeping unit intended to be occupied as a residence shall be a Type B unit.~~ Bedrooms within congregate living facilities, dormitories, sororities, fraternities, and boarding houses shall be counted as *sleeping units* for the purpose of determining the number of units.

~~**Exception:** The number of *Type B units* is permitted to be reduced in accordance with Section 1107.7.~~

**1107.6.3.1 Accessible units.** In Group R-3 congregate living facilities (transient) or boarding houses (transient) Accessible sleeping units shall be provided in accordance with Table 1107.6.1.1.

**Exceptions:**

1. The residence of a proprietor is not required to be an Accessible unit or to be counted towards the total number of units.
2. Facilities as described in Section 1103.2.11 are not required to provide Accessible units.

**1107.6.3.2 Type B units.** In structures with four or more *sleeping units intended to be occupied as a residence, every sleeping unit intended to be occupied as a residence shall be a Type B unit.*

~~**Exception:** The number of *Type B units* is permitted to be reduced in accordance with Section 1107.7.~~

Reason: Group R-3 includes transient facilities with 10 or fewer occupants. The exception for accessibility is facilities with a non-transient proprietor and 5 or fewer guestrooms. Since this is not based on occupant load, the exempted facility could be Group R-1 or R-3. If very small hotels without the residents of the proprietor would be required to include Accessible units. This would align the IBC with the 2010 ADA.

Cost impact: None. This is a clarification for the application of the accessibility requirements, not a change in requirement.

### Proposal 2



## 2021 IRC

**[RB] GUESTROOM.** Any room or rooms used or intended to be used by one or more guests for living or sleeping purposes.

**[RB] LODGING HOUSE.** A one-family dwelling where one or more occupants are primarily permanent in nature, and rent is paid for guestrooms.

**[RB] SLEEPING UNIT.** A single unit that provides rooms or spaces for one or more persons, includes permanent provisions for sleeping and can include provisions for living, eating and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

**R101.2 Scope.** The provisions of this code shall apply to the construction, *alteration*, movement, enlargement, replacement, repair, *equipment*, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and *townhouses* not more than three stories above *grade plane* in height with a separate means of egress and their *accessory structures* not more than three stories above *grade plane* in height.

**Exception:** The following shall be permitted to be constructed in accordance with this code where provided with an automatic sprinkler system complying with Section P2904:

1. Live/work units located in *townhouses* and complying with the requirements of Section 419 of the *International Building Code*.
2. **Owner-occupied lodging houses with five or fewer guestrooms.**
3. A care facility with five or fewer persons receiving custodial care within a dwelling unit.
4. A care facility with five or fewer persons receiving medical care within a dwelling unit.
5. A care facility for five or fewer persons receiving care that are within a single-family dwelling.

## 2021 IBC

**[BG] GUESTROOM.** A room used or intended to be used by one or more guests for living or sleeping purposes.

**[BG] LODGING HOUSE.** A one-family dwelling where one or more occupants are primarily permanent in nature and rent is paid for guest rooms.

**[A] SLEEPING UNIT.** A single unit that provides rooms or spaces for one or more persons, includes permanent provisions for sleeping and can include provisions for living, eating and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

### SECTION 310 RESIDENTIAL GROUP R

**310.1 Residential Group R.** Residential Group R includes, among others, the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as an Institutional Group I or when not regulated by the *International Residential Code*. Group R occupancies not constructed in accordance with the International Residential Code as permitted by Sections 301.4.1 and 301.4.2 shall comply with Section 420.

**310.2 Residential Group R-1.** Residential Group R-1 occupancies containing *sleeping units* where the occupants are primarily *transient* in nature, including:

- Boarding houses (transient)* with more than 10 occupants
- Congregate living facilities (transient)* with more than 10 occupants

Hotels (*transient*)

Motels (*transient*)

Lodging houses with more than 5 guest rooms

**310.3 Residential Group R-2.** Residential Group R-2 occupancies containing *sleeping units* or more than two *dwelling units* where the occupants are primarily permanent in nature, including:

Apartment houses

*Congregate living facilities* (nontransient) with more than 16 occupants

*Boarding houses* (nontransient)

Convents

*Dormitories*

Fraternities and sororities

Monasteries

Hotels (nontransient) with more than 10 occupants

*Live/work units*

Motels (nontransient) with more than 10 occupants

Vacation timeshare properties

**310.4 Residential Group R-3.** Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:

Buildings that do not contain more than two *dwelling units*

Care facilities that provide accommodations for five or fewer persons receiving care

*Congregate living facilities* (nontransient) with 16 or fewer occupants

*Boarding houses* (nontransient)

Convents

*Dormitories*

Fraternities and sororities

Monasteries

*Congregate living facilities* (*transient*) with 10 or fewer occupants

*Boarding houses* (*transient*)

Hotels (nontransient) with 10 or fewer occupants

Motels (nontransient) with 10 or fewer occupants

*Lodging houses* (~~*transient*~~) with five or fewer guest rooms ~~and 10 or fewer occupants~~

**310.4.1 Care facilities within a dwelling.** Care facilities for five or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the *International Residential Code* provided an *automatic sprinkler system* is installed in accordance with Section 903.3.1.3 or Section P2904 of the *International Residential Code*.

**310.4.2 Lodging houses.** Owner-occupied *lodging houses* with five or fewer *guest rooms* ~~and 10 or fewer total occupants~~ shall be permitted to be constructed in accordance with the *International Residential Code* provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3 or Section P2904 of the *International Residential Code*.

**310.5 Residential Group R-4.** Residential Group R-4 occupancy shall include buildings, structures or portions thereof for more than five but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive *custodial care*. Buildings of Group R-4 shall be classified as one of the occupancy conditions specified in Section 310.5.1 or 310.5.2. This group shall include, but not be limited to, the following:

Alcohol and drug centers  
Assisted living facilities  
Congregate care facilities  
*Group homes*  
Halfway houses  
Residential board and care facilities  
Social rehabilitation facilities

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in this code.

**310.5.1 Condition 1.** This occupancy condition shall include buildings in which all persons receiving custodial care, without any assistance, are capable of responding to an emergency situation to complete building evacuation.

**310.5.2 Condition 2.** This occupancy condition shall include buildings in which there are any persons receiving custodial care who require limited verbal or physical assistance while responding to an emergency situation to complete building evacuation.

Reasons: The intent of this proposal is to separate large and small facilities that are transient in nature.

For small hotels and motels, the maximum occupant load of 10 is consistent with the current limitations for transient boarding houses.

The definition for lodging house does not limit the size of the facility. To be consistent with what can use the IRC, the text in IBC cannot use the standard occupant load limitations. In addition, 5 guest rooms and a proprietors family is most likely to be more than 10 occupants, which is currently in the IBC. In addition, the whole lodging house is not transient.

Cost impact: None. This is a clarification of the divisions between R-1 and R-3 for transient lodging and does not add any requirements for these facilities.

## Proposal 3

**310.3 Residential Group R-2.** Residential Group R-2 occupancies containing *sleeping units* or more than two *dwelling units* where the occupants are primarily permanent in nature, including:

Apartment houses  
*Congregate living facilities* (nontransient) with more than 16 occupants  
*Boarding houses* (nontransient)  
Convents  
*Dormitories*  
Fire station living quarters  
Fraternities and sororities  
Monasteries  
Hotels (nontransient)  
*Live/work units*  
Motels (nontransient)  
Vacation timeshare properties

**310.4 Residential Group R-3.** Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:

Buildings that do not contain more than two *dwelling units*  
Care facilities that provide accommodations for five or fewer persons receiving care  
*Congregate living facilities (nontransient)* with 16 or fewer occupants  
    *Boarding houses (nontransient)*  
    Convents  
    Dormitories  
    Fire station living quarters  
    Fraternities and sororities  
    Monasteries  
*Congregate living facilities (transient)* with 10 or fewer occupants  
    *Boarding houses (transient)*  
*Lodging houses (transient)* with five or fewer *guest rooms* and 10 or fewer occupants

Reason: Fire stations are often mixed use facilities, and sometime include living quarters. There is the question if this is a single family residence, Group R-3, regardless of the number of fireman using the living quarters. This proposal will clarify how these spaces should be classified.

Cost impact: None. This is a clarification of the correct classification for fire stations.

# IBC Egress Item 20

Date 11-23-2020; 4 proposals , Revised 12-04-2020, and Revised 12-07-2020

## Proposal 1, Option 1 (clarification of footnote “a” as an exception to 1105.1.1) (E115-18 AMPC 1 & 2)

**1105.1.1 Automatic doors.** In facilities with the occupancies and building occupant loads indicated in Table 1105.1.1, public entrance that are required to be accessible shall have one door be either a full power-operated door or a low-energy power-operated door. Where the public entrance includes a vestibule, at least one door into and one door out of the vestibule shall meet the requirements of this section.

**Exception:** In mixed-use facilities, where the total building occupant load for the occupancies listed in the table is calculated as the sum of the ratios of the actual occupant load of each occupancy divided by the building occupant load threshold of each occupancy in Table 1105.1.1, and the sum of the ratios does not exceed 1, the requirements of Section 1105.1.1 do not apply. Where the sum of the ratios is greater than or equal to 1, the requirements of Section 1105.1.1 are applicable.

(E115-18 AMPC 1 & 2) TABLE 1105.1.1  
PUBLIC ENTRANCE WITH POWER-OPERATED DOOR <sup>a</sup>

OCCUPANCY	BUILDING OCCUPANT LOAD GREATER THAN
A-1, A-2, A-3, A-4	300
B, M, R-1	500

~~a.—In mixed-use facilities, when the total sum of the building occupant load is greater than those listed, the most restrictive building occupant load shall apply.~~

Reason: The intent of this proposal is to replace the footnote (a) to Table 1105.1.1 with an exception to 1105.1.1. Footnote “a” was added to Table 1105.1.1 by E115-18, Public Comment 2. The reason from the proponent for this public comment was that the table did not address mixed occupancies.

The effect of the existing footnote with “most restrictive occupant load shall apply” is that a hotel (Group R-1) that offers breakfast (Group A-2), an exercise room or a swimming pool (Group A-3) as an amenity would be required to provide automatic doors with an occupant load of 300 instead of 500. Another example would be a retail store (Group M) that includes a small coffee shop or fast food establishment (Group A-2).

In addition, the footnote could be read to apply to all mixed use buildings that include one of the occupancies listed and other occupancies not listed in the table. For example: an apartment building (Group R-2) with a one or two-person on-site rental office (Group B), could be required to provide automatic doors.

The proposed exception text is borrowed from 508.4.2 – allowable building area – and revised to be applicable to the application. This would allow for a balanced approach. This would balance the two occupant loads rather than using the most restrictive.

Example:

Hotel with small restaurant, pool or exercise room:

A-3 (75 /300 occupants) + R-1 (350 /500 occupants) =  $.25 + 0.7 = 0.95$

## IBC Section 508.4.2

**508.4.2 Allowable building area.** In each *story*, the *building area* shall be such that the sum of the ratios of the actual *building area* of each separated occupancy divided by the allowable *building area* of each separated occupancy shall not exceed 1.

Cost impact: There may be a reduction in the cost of construction. For mixed-use buildings, the requirement for automatic door openers at doors required to be accessible may be “triggered” at a slightly higher building occupant load depending on how the original footnote “a” is interpreted, applied, and enforced.

## **Proposal 1, Option 2** (clarification of footnote “a”, as a footnote to Table 1105.1.1) (E115-18 AMPC 1 & 2)

**1105.1.1 Automatic doors.** In facilities with the occupancies and building occupant loads indicated in Table 1105.1.1, public entrance that are required to be accessible shall have one door be either a full power-operated door or a low-energy power-operated door. Where the public entrance includes a vestibule, at least one door into and one door out of the vestibule shall meet the requirements of this section.

**(E115-18 AMPC 1 & 2) TABLE 1105.1.1  
PUBLIC ENTRANCE WITH POWER-OPERATED DOOR <sup>a</sup>**

<b>OCCUPANCY</b>	<b>BUILDING OCCUPANT LOAD GREATER THAN</b>
A-1, A-2, A-3, A-4	300
B, M, R-1	500

- ~~b. In mixed-use facilities, when the total sum of the building occupant load is greater than those listed, the most restrictive building occupant load shall apply.~~
- a. In mixed-use facilities, where the total building occupant load for the occupancies listed in the table is calculated as the sum of the ratios of the actual occupant load of each occupancy divided by the building occupant load threshold of each occupancy in Table 1105.1.1, and the sum of the ratios does not exceed 1, the requirements of Section 1105.1.1 do not apply. Where the sum of the ratios is greater than or equal to 1, the requirements of Section 1105.1.1 are applicable.

Reason: The intent of this proposal is to replace the footnote (a) to Table 1105.1.1 with a revised footnote. Footnote “a” was added to Table 1105.1.1 by E115-18, Public Comment 2. The reason from the proponent for this public comment was that the table did not address mixed occupancies.

The effect of the existing footnote with “most restrictive occupant load shall apply” is that a hotel (Group R-1) that offers breakfast (Group A-2), an exercise room or a swimming pool (Group A-3) as an amenity would be required to provide automatic doors with an occupant load of 300 instead of 500. Another example would be a retail store (Group M) that includes a small coffee shop or fast food establishment (Group A-2).

In addition, the footnote could be read to apply to all mixed use buildings that include one of the occupancies listed and other occupancies not listed in the table. For

example: an apartment building (Group R-2) with a one or two-person on-site rental office (Group B), could be required to provide automatic doors.

The proposed footnote text is borrowed from 508.4.2 – allowable building area – and revised to be applicable to the application. This would allow for a balanced approach. This would balance the two occupant loads rather than using the most restrictive.

Example:

Hotel with small restaurant, pool or exercise room:

A-3 (75 /300 occupants) + R-1 (350 /500 occupants) = .0.25 + 0.7 = 0.95

### IBC Section 508.4.2

**508.4.2 Allowable building area.** In each *story*, the *building area* shall be such that the sum of the ratios of the actual *building area* of each separated occupancy divided by the allowable *building area* of each separated occupancy shall not exceed 1.

Cost impact: There may be a reduction in the cost of construction. For mixed-use buildings, the requirement for automatic door openers at doors required to be accessible may be “triggered” at a slightly higher building occupant load depending on how the original footnote “a” is interpreted, applied, and enforced.

## Proposal 2

(E115-18 AMPC 1 & 2)

**1105.1.1 Automatic doors.** In facilities with the occupancies and building occupant loads indicated in Table 1105.1.1, public entrance that are required to be accessible shall have one door be either a full power-operated door or a low-energy power-operated door. Where the public entrance includes a vestibule, at least one door into and one door out of the vestibule shall meet the requirements of this section.

**Exception: Accessible public entrances to individual tenant spaces within a building are not required to be provided with a power-operated door or a low-energy power-operated door provided the occupant load of that tenant space does not exceed the occupant load in Table 1105.1.1.**

(E115-18 AMPC 1 & 2) TABLE 1105.1.1  
PUBLIC ENTRANCE WITH POWER-OPERATED DOOR <sup>a</sup>

OCCUPANCY	BUILDING OCCUPANT LOAD GREATER THAN
A-1, A-2, A-3, A-4	300
B, M, R-1	500

- a. In mixed-use facilities, when the total sum of the building occupant load is greater than those listed, the most restrictive building occupant load shall apply.

Reason statement: For strip malls, mixed use buildings with multiple small restaurants and retail stores, and other buildings with multiple tenant spaces with public entrances on the exterior, the existing code can be interpreted as requiring each of those individual tenants to provide a full power-operated door or a low-energy power-operated door. This exception ensures individual tenants with less than the

occupant load specified in table 1105.1.1 are not required to provide such doors, which have a significant cost.

Cost impact: Decrease. Small stores in a strip mall will not be required to provide automatic doors on each tenant space.

## PROPOSAL 3

Revise definition:

**[BE] PUBLIC ENTRANCE.** An entrance that is not a *service entrance* or a *restricted entrance*. A public entrance may be a door, or two or more doors in one opening such as a pair of doors or a bank of doors.

**[BE] SERVICE ENTRANCE.** An entrance intended primarily for delivery of goods or services. A service entrance may be a door, or two or more doors in one opening such as a pair of doors or a bank of doors.

**[BE] RESTRICTED ENTRANCE.** An entrance that is made available for *common use* on a controlled basis, but not public use, and that is not a *service entrance*. A restricted entrance may be a door, or two or more doors in one opening such as a pair of doors or a bank of doors.

**Reasoning:** The intent of this proposal is to clarify that an entrance may be a door, or may be multiple adjacent doors. This is done by adding to the definitions of public entrance, service entrance, and restricted entrance to address entrances which are a pair of doors or a bank of doors.

**Cost:** No increase in the cost of construction. This is a clarification.

## PROPOSAL 5

Revise as follows (section 1105.1 shown for context only)

**1105.1 Public entrances.** In addition to *accessible* entrances required by Sections 1105.1.1 through 1105.1.8, at least 60 percent of all *public entrances* shall be *accessible*.

**Exceptions:**

1. An *accessible* entrance is not required to areas not required to be *accessible*.
2. Loading and *service entrances* that are not the only entrance to a tenant space.

**1105.1.1 ~~Automatic-Power-operated~~ doors at public entrances.** In facilities with the occupancies and building occupant loads indicated in Table 1105.1.1, each public entrance that are required to be accessible shall have a minimum of one door be either a full a power-operated door or a low-energy power-operated door. Where the accessible public entrance includes a vestibule, at least a minimum of one door into and one door out of the vestibule shall meet the requirements of this section.

**Reasoning:** This proposal is intended to clarify which entrances and the number of doors at each entrance are affected by this requirement. The proposed revisions are intended to be editorial improvements of Section 1105.1.1, and are intended to be consistent with the intent of the E115-18.

**Cost:** No increase in the cost of construction. This is a clarification.



## BCAC Item 23

Sections 1010.2.3

John Woestman, BHMA, revised Dec. 1, 2020; revised 12-4-2020, revised 12-6-2020 JLW

**1010.2.3 Hardware height.** Door handles, pulls, latches, locks and other operating devices shall be installed 34 inches (864 mm) minimum and 48 inches (1219 mm) maximum above the finished floor.

**Exceptions:**

- 1.** Locks used only for security purposes and not used for normal operation are permitted at any height.
- 2. Exception:** ~~Access doors or gates in barrier walls and fences protecting pools, spas and hot tubs shall be permitted to have operable parts of the latch release on self-latching devices~~ Where the ISPSC requires restricting access to a pool, spa, or hot tub, on the ingress side of the door or gate providing access to a pool, spa, or hot tub, the operable parts of the latch release on self-latching devices shall be permitted to be at 54 inches (1370 mm) maximum above the finished floor or ground, provided that the self-latching ~~devices are~~ device is not ~~also a~~ self-locking devices operated by means of a key, electronic opener or integral combination lock, or similar method available only to authorized personnel.

**Reason:** The last sentence of the charging language is actually an exception to the first sentence.

What was an exception is now the 2<sup>nd</sup> exception with revisions to communicate the context: the access side (ingress side) of doors or gates restricting access to a pool, spa, or hot tub. The context is a big part of the challenge of understanding this “shall be permitted” language allowing the operable devices of non-locking door hardware on doors or gates providing access to pools, spas, or hot tubs to be up to 54” above the floor. Our “code brains” are conditioned to look at door locking provisions from the egress side perspective. BUT, these “shall be permitted” provisions are on the ingress side of the door which provides access to the pool, spa, or hot tub.

The revised exception to 1010.2.3 retains the option of installing non-locking latching hardware on the access side (ingress side) of a door or gate providing access to a pool, spa, or hot tub up to 54” above the finished floor, which may be out of reach to smaller children.

It should be noted this 2<sup>nd</sup> exception – current, and as revised – does not include self-locking hardware operated by a key or similar device on the ingress side of a door or gate providing access to a pool, spa, or hot tub, which are required to comply with the 34” to 48” AFF requirement. Why? Occupants that may be at risk because of the pool, spa, or hot tub (i.e. children) would not have access to the key, magnetic card, code, etc. needed to unlock the door or gate controlling access to a pool, spa, or hot tub.

Cost impact: None. This is a clarification, no technical change is intended.

## BCAC Egress Item 29

Date: 08-21-2020; 9-4-2020

From: Allison Cook, Marc Nard, Mike Nugent

IBC Sections 1006.3.4, 3006.4

### SECTION 1006 NUMBER OF EXITS AND EXIT ACCESS DOORWAYS

**1006.3.3 Egress based on occupant load.** Each *story* and occupied roof shall have the minimum number of separate and distinct *exits*, or access to *exits*, as specified in Table 1006.3.3. A single *exit* or access to a single *exit* shall be permitted in accordance with Section 1006.3.4. The required number of *exits* or *exit access stairways* or *ramps* providing access to *exits*, from any *story* or occupied roof shall be maintained until arrival at the *exit discharge* or a *public way*.

**1006.3.4 Single exits.** A single *exit* or access to a single *exit* shall be permitted from any *story* or occupied roof where one of the following conditions exists:

1. The *occupant load*, number of *dwelling units* and exit access travel distance do not exceed the values in Table 1006.3.4 (1) or 1006.3.4 (2).
2. Rooms, areas and spaces complying with Section 1006.2.1 with *exits* that discharge directly to the exterior at the *level of exit discharge*, are permitted to have one *exit* or access to a single *exit*.
3. Elevator lobbies shall be permitted to have one exit in accordance with Section 3006.4.
3. Parking garages where vehicles are mechanically parked shall be permitted to have one *exit* or access to a single *exit*.
4. Group R-3 and R-4 occupancies shall be permitted to have one *exit* or access to a single *exit*.
5. Individual single-story or multistory *dwelling units* shall be permitted to have a single *exit* or access to a single *exit* from the *dwelling unit* provided that both of the following criteria are met:
  - 5.1. The *dwelling unit* complies with Section 1006.2.1 as a space with one *means of egress*.
  - 5.2. Either the *exit* from the *dwelling unit* discharges directly to the exterior at the *level of exit discharge*, or the *exit access* outside the *dwelling unit's* entrance door provides access to not less than two approved independent *exits*.

### SECTION 1016 EXIT ACCESS

**1016.2 Egress through intervening spaces.** Egress through intervening spaces shall comply with this section.

1. *Exit access* through an enclosed elevator lobby is permitted. Where access to two or more *exits* or *exit access doorways* is required in Section 1006.2.1, access to not less than one of the required *exits* shall be provided without travel through the enclosed elevator lobbies required by Section 3006. Where the path of *exit access* travel passes through an enclosed elevator lobby, the level of protection required for the enclosed elevator lobby is not required to be extended to the *exit* unless direct access to an *exit* is required by other sections of this code.
2. Egress from a room or space shall not pass through adjoining or intervening rooms or areas, except where such adjoining rooms or areas and the area served are accessory to one or the other, are not a Group H occupancy and provide a discernible path of egress travel to an *exit*.

**Exception:** *Means of egress* are not prohibited through adjoining or intervening rooms or spaces in a Group H, S or F occupancy where the adjoining or intervening rooms or spaces are the same or a lesser hazard occupancy group.

3. An *exit access* shall not pass through a room that can be locked to prevent egress.
4. *Means of egress* from *dwelling units* or sleeping areas shall not lead through other sleeping areas, toilet rooms or bathrooms.
5. Egress shall not pass through kitchens, storage rooms, closets or spaces used for similar purposes.

**Exceptions:**

1. *Means of egress* are not prohibited through a kitchen area serving adjoining rooms constituting part of the same *dwelling unit* or *sleeping unit*.
2. *Means of egress* are not prohibited through stockrooms in Group M occupancies where all of the following are met:
  - 2.1. The stock is of the same hazard classification as that found in the main retail area.
  - 2.2. Not more than 50 percent of the *exit access* is through the stockroom.
  - 2.3. The stockroom is not subject to locking from the egress side.
  - 2.4. There is a demarcated, minimum 44-inch-wide (1118 mm) *aisle* defined by full- or partial-height fixed walls or similar construction that will maintain the required width and lead directly from the retail area to the *exit* without obstructions.

## SECTION 3006

### ELEVATOR LOBBIES AND

### HOISTWAY OPENING PROTECTION

**3006.4 Means of egress.** Elevator lobbies shall ~~be provided with not less than one means of egress complying with Chapter 10 and other provisions in this code shall have direct access from the elevator lobby to an enclosure for an interior exit stairway or ramp.~~ Egress through an enclosed elevator lobby shall be permitted in accordance with Item 1 of Section 1016.2.

**Exception:** Access to an interior exit stairway or ramp shall be permitted to be through a protected path of travel enclosed with a smoke barrier having a fire-resistance rating of not less than 1 hour.

## SECTION 3007

### FIRE SERVICE ACCESS ELEVATOR

**3007.6 Fire service access elevator lobby.** The fire service access elevator shall open into an enclosed fire service access elevator lobby in accordance with Sections 3007.6.1 through 3007.6.5. Egress is permitted through the enclosed elevator lobby in accordance with Item 1 of Section 1016.2.

**Exception:** Where a fire service access elevator has two entrances onto a floor, the second entrance shall be permitted to be protected in accordance with Section 3006.3.

**3007.6.1 Access to interior exit stairway or ramp.** The enclosed fire service access elevator lobby shall have direct access from the enclosed elevator lobby to an enclosure for an *interior exit stairway* or *ramp*.

**Exception:** Access to an *interior exit stairway* or *ramp* shall be permitted to be through a protected path of travel that has a level of fire protection not less than the elevator lobby enclosure. The protected path shall be separated from the enclosed elevator lobby through an opening protected by a smoke and draft control assembly in accordance Section 716.2.2.1.

**3007.6.2 Lobby enclosure.** The fire service access elevator lobby shall be enclosed with a *smoke barrier* having a *fire-resistance rating* of not less than 1 hour, except that lobby doorways shall comply with Section 3007.6.3.

**Exception:** Enclosed fire service access elevator lobbies are not required at the *levels of exit discharge*.

Reason: This proposal is intended to be a clarification of current exit requirements for secure elevator lobbies. The allowance for one exit from an elevator lobby is buried in Chapter 30 so it is often missed. The current language in Section 3006.4 can appear to be a conflict with Section 1006.3.

The original intent of the allowance for one exit from an elevator lobby is to address secure lobby situations where the 2<sup>nd</sup> stairway is through a tenant space.

The language in the exception is using the language for fire service access elevators in Section 3007 so that access to the stairway can be from the lobby to the exit stairway via a protected corridor.

Cost impact: None. This is a clarification of requirements, not a change.

**BCAC Egress Item 31**

Coordination between single occupant spaces and stories.

Sections Table 1006.3.4(2)

Rep: Cesar Lujan

Date: 11/13/2020; 11/20/2020 – send to BCAC

**TABLE 1006.3.4 (1)  
STORIES WITH ONE EXIT OR ACCESS TO ONE EXIT FOR R-2 OCCUPANCIES <sup>a</sup>**

STORY	OCCUPANCY	MAXIMUM NUMBER OF DWELLING UNITS	MAXIMUM EXIT ACCESS TRAVEL DISTANCE
Basement, first, <u>or</u> second <del>or third</del> story above grade plane	R-2 <u>consisting of dwelling units</u> <sup>a, b</sup>	4 dwelling units	125 feet
	<u>R-2 consisting of sleeping units</u>	<u>20 occupants</u>	<u>125 feet</u>
<u>Third story above grade plane</u>	<u>R-2 consisting of dwelling units</u>	<u>4 dwelling units</u>	<u>125 feet</u>
Fourth story above grade plane and higher	NP	NA	NA

For SI: 1 foot = 3048 mm.

NP = Not Permitted.

NA = Not Applicable.

a. Buildings classified as Group R-2 equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2 and provided with emergency escape and rescue openings in accordance with Section 1031.

~~b. This table is used for R-2 occupancies consisting of dwelling units. For R-2 occupancies consisting of sleeping units, use Table 1006.3.4 (2).~~

**TABLE 1006.3.4 (2)  
STORIES WITH ONE EXIT OR ACCESS TO ONE EXIT FOR OTHER OCCUPANCIES**

STORY	OCCUPANCY	MAXIMUM OCCUPANT LOAD PER STORY	MAXIMUM EXIT ACCESS TRAVEL DISTANCE (feet)
First story above or below grade plane	A, B <sup>ab</sup> , E F <sup>ab</sup> , M, U	49	75
	H-2, H-3	3	25
	H-4, H-5, I, R-1, <del>R-2<sup>a, e</sup></del>	10	75
	<u>S<sup>ab, bd</sup></u>	29	75
Second story above grade plane	B, F, M, <u>S<sup>bd</sup></u>	29	75
Third story above grade plane and higher	NP	NA	NA

For SI: 1 foot = 304.8 mm.

NP = Not Permitted.

NA = Not Applicable.

~~a. Buildings classified as Group R-2 equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2 and provided with emergency escape and rescue openings in accordance with Section 1031.~~

~~a. b-~~ Group B, F and S occupancies in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 shall have a maximum exit access travel distance of 100 feet.

~~c. This table is used for R-2 occupancies consisting of sleeping units. For R-2 occupancies consisting of dwelling units, use Table 1006.3.4 (1).~~

~~b. d-~~ The length of exit access travel distance in a Group S-2 open parking garage shall be not more than 100 feet.

**Reason:** The purpose of this code change is to coordinate requirements for individual R-2 dwelling units in Tables 1006.2.1, 1006.3.4(1) and 1006.3.4(2).

Proposal E17-15 increased the maximum occupant load for R-2 Occupancies from 10 to 20 occupants for single exit spaces stating that it's appropriate since Group R-2 occupancies require sprinkler protection per Section 903.3.1.1 or 903.3.1.2. and that the exit access travel distance is 125' in both Table 1006.2.1 and 1006.3.4(1).

There is no logic for a unit on the 1<sup>st</sup> floor of single exit building to have a lower occupant load or a shorter travel distance. In addition, if 4 single exit dwelling units are permitted on the 2<sup>nd</sup> and 3<sup>rd</sup> floor of a Group R-2 building, why is a single exit dwelling not permitted at the 2<sup>nd</sup> floor of a mixed-use building? Please note that emergency escape and rescue openings would be required in the single exit building.

**Cost impact:** None or decrease. This will only affect dwelling units on the basement, 1<sup>st</sup> or 2<sup>nd</sup> floor of a mixed use building. This will most likely be no change in units less than 2,000 sq.ft. This will allow for a single exit in some apartments between 2,000 and 4,000 sq.ft., provided they can meet the exit access travel distance.

**BCAC Egress Item 32 (Also introduced to Healthcare) Man Traps / Control Vestibule – DRAFT**  
John Woestman, BHMA  
Sept. 29, 2020, revised Dec. 4, 2020 and Dec. 7, 2020; 12-7-2020

**IBC**

Proposed definition:

**Control vestibule.** A space with doors in series such that when one door is open the other door is interlocked and cannot be opened.

Insert new section as follows

**1010.2.15 Control vestibule.** *Control vestibules* shall be permitted **for security or environmental control in Groups F, H-5, and S and in Groups B, I-1, I-2, and M where the occupant load is less than 50.** Where doors in the means of egress are configured as a *control vestibule*, the *control vestibule* door locking system shall provide for egress. The *control vestibule* shall comply with all of the following:

1. On the egress side of each door of the *control vestibule*, an approved override shall be provided which deactivates the interlock of the door when that door is interlocked. Signage shall be provided with instructions on the use of the override.
2. Where an automatic sprinkler system or automatic fire detection system is provided, upon activation of such system the interlock function of the door locking system of the *control vestibule* shall deactivate.
3. Upon loss of power to the interlock function of the doors, the interlock function of the door locking system of the *control vestibule* shall deactivate.
4. The egress path from any point shall not pass through more than one *control vestibule*.
5. The *control vestibule* door interlocking system units shall be listed in accordance with UL 294.

**Reason:** This proposal includes a definition for “control vestibule” and offers detailed requirements for control vestibules.

Commonly referred to as a “mantrap”, control vestibules – which have doors in series which are interlocked – are being incorporated in the means of egress in a variety of occupancies. The IBC is currently silent regarding requirements and guidance for control vestibules. This proposal offers requirements (guidance) for control vestibules in the means of egress.

The significant difference between typical doors in series in the means of egress (i.e. one after the other) and doors in the means of egress configured as a control vestibule is the doors of a control vestibule are interlocked such that when one door of a control vestibule is open, the other door in series in the control vestibule is temporarily locked; and conversely, in the means of egress when all doors of a control vestibule are closed, any door may be opened.

Control vestibules are most commonly configured as a space with two doors in series. But, some control vestibules are configured with more than one inner door and / or more than one outer door. For example, where a control vestibule is required to help keep clean rooms clean, there may be inner doors from three different clean rooms opening into the control vestibule, and one outer door for leaving the control vestibule in the direction of egress.

It should be noted that control vestibules on the access (ingress) side of doors controlling access into a building or into a space within a building are more common than control vestibules on the egress side of doors controlling egress from a space or from a building. Requirements for access-side control vestibules is outside the scope of the IBC. Thus access-side control vestibules are not regulated or prohibited by the



IBC provided all requirements for egress are complied with. This proposal addresses control vestibules in the means of egress addressing egress-side requirements.

Also, it should be noted that control vestibules may be “stacked” or combined with any of the other “shall be permitted” electrical locking arrangements of the IBC (2021 IBC sections 1010.2.11 through 1010.2.14).

For example, assume both doors in the (air lock) control vestibule from an electronics manufacturing clean room are equipped with sensor release of electrically locked egress doors (IBC Section 1010.2.12) to allow no-touch exiting from the clean room through the (air-lock) control vestibule. The electrical locks on the two doors of the (air lock) control vestibule would be interlocked such that only one door is able to be open at a time. In the event of fire in the clean room, Item 2 requires the interlock function of the control vestibule to be deactivated, facilitating egress through the control vestibule with both doors open at the same time.

The proposed requirements for control vestibules are for these reasons:

Control vestibules are recommended to be permitted in the listed occupancy groups: Group B for banks and laboratories. Group F for factories. Group H for operations where contamination or atmospheric control is vital. Groups I-1 and I-2 to facilitate patient care and patient security. Group M for sales rooms for jewelry, gems, drugs, and similar highly valuable items. Group S for storage of valuables.

This proposal has no limits on occupant loads for a factory – access to factories is limited to employees, or visitors escorted by employees. Similar situation for H-5. And for storage, especially large storage areas, the calculated occupant load may be significant although the actual quantity of occupants is typically limited (i.e. employees). The other Groups – the proposed less than 50 occupant load is to be consistent with requirements for panic hardware on doors in the means of egress (occupant loads of 50 or more require panic hardware).

Control vestibules must provide for egress – which is a requirement in the charging language.

The last sentence in the charging language provides needed flexibility. For example, where casinos count money, accepted industry practices may not incorporate all of the requirements of Items 1 through 5 but may incorporate significant other security and safety provisions.

Item 1: A requirement to address the potential situation where one of the doors on the control vestibule is held open (example: a person holds the outer doorway open and other occupants need to be able to egress through the control vestibule in an emergency situation). This item requires, on the egress side of each door of the control vestibule, installation of an approved override which deactivates the interlock on that door. It is common the activation of an override would set off an alarm, and / or the activation of an override without a valid reason results in disciplinary action (i.e. employee gets fired). This item also requires signage with instruction on how to use the override.

Items 2 and 3: Requires the interlock function to be disabled in the event of fire, actuation of the fire detection system, or power loss to the interlock system renders the control vestibule equivalent to two doors in the means of egress allowing unobstructed egress.

Item 4: Requires that egressing through the control vestibule involves no more than two doors. While not common, there are situations where more than one control vestibule may be needed in the means of egress.

Item 5: Requires the units of the control vestibule locking system to be listed in accordance with UL 294, the same standard required for units for other electrical locking system units.

Together, the definition and proposed requirements provide for egress and emergency egress where control vestibules are installed.

Note: a control vestibule is different than a sallyport, which is defined in the IBC and permitted in Group I-3 occupancies. Group I-3 includes correction centers, detention centers, jails, prisons, and similar uses.

A sallyport is a security vestibule which prevents unobstructed passage. A control vestibule is intended to allow unobstructed passage, but prevents more than one door of doors in series to be open at the same time.

**Cost Impact:** May increase the cost of construction.

Control vestibules are currently not addressed in the code. Where control vestibules are constructed, these requirements may include some locking requirements and interconnectedness currently not incorporated into some control vestibules.

BCAC ADM Item 2 Fees  
ADM 33-19  
Part 1 AM – IBC, IFC, IEBC, IWUIC  
Part 2 D IECC Commercial  
Part 3 D IECC Residential  
Part 4 AS – IGCC  
Rep: Amber Armstrong  
Date: 10-3-2020

## Proposal 1 and 2

IECC Commercial (Same for IECC Residential)

### SECTION C104 FEES

**C104.1 Fees. Payment of fees.** A permit shall not be issued valid until the fees prescribed ~~in Section C104.2~~ by law have been paid, ~~nor~~ Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

**C104.2 Schedule of permit fees.** ~~A~~ Where a permit is required, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

#### C104.3 Permit valuations.

The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued. If, in the opinion of the code 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 code official. Final building permit valuation shall be set by the code official.

**~~C104.3~~ C104.4 Work commencing before permit issuance.** Any person who commences any work before obtaining the necessary permits shall be subject to ~~an additional~~ a fee established by the *code official* that shall be in addition to the required permit fees.

**~~C104.4~~ C104.5 Related fees.** The payment of the fee for the construction, *alteration*, removal or demolition of work done in connection to or concurrently with the work or activity authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

**~~C104.5~~ C104.6 Refunds.** The *code official* is authorized to establish a refund policy.

Reason: The intent of this proposal is to coordinate the IECC with the provisions for fees in the other I-codes. There were two different proposals to address consistency in the Fees section (ADM 27-19 and ADM 33-19) – the end result was coordination between the 2021 codes. for – IBC, IFC, IEBC, IMC, IPC, IPMC, IFGC, ISPSC, IWUIC and IZC.

This reason for disapproval by the IECC commercial was –“Specificity is not needed in this section. These provisions are commonly modified by adopting jurisdictions to install their own fee structure.”

This reason for disapproval by the IECC residential was –“Fees should not be set by the code official. Fees should not be specified within the code. The proposal gives authority to the code official to set fees, but such can not be appealed as this code has no appeal process. The inclusion of labor cost of inspections in the determination of fees was questioned.”

We respectively disagree with the committee's reasons. The proposed text allows for the applicable governing authority to set and review the fee schedule as needed (104.2), and only where a permit is required. The section on fees is existing. This proposal is only adding Section C104.3 for consistency within the family of codes. If a project uses volunteer labor, the cost of labor would not be included in the building cost estimate, however, the plan review and inspections required by the building department would not change.

**Cost Impact :** The net effect of the public comment and code change proposal will not increase or decrease the cost of construction  
This is an editorial change that provides consistency between I-codes.

# BCAC ADM Item 4 Temporary Uses

ADM 32-19

Part 1 D – IBC, IPC, IMC, IFGC, IEBC, IPSDC, IWUIC, ISPSC, IFC

Part 2 D - IRC

Rep- Jim Smith, Marc Nard, Truong Huynh

**This proposal will follow what BCAC did in the public comment to ADM 32-19 for IBC, IMC, IFGC, IEBC, IPSDC, IWUIC, ISPSC, IFC and IRC.**

## International Building Code

Revise as follows:

### SECTION 108

#### **TEMPORARY STRUCTURES ~~AND USES~~ EQUIPMENT AND SYSTEMS.**

**[A] 108.1 General.** The *building official* is authorized to issue a permit for temporary structures ~~and temporary uses, equipment or systems.~~ Such *permits* shall be limited as to time of service, but shall not be permitted for more than 180 days. The *building official* is authorized to grant extensions for demonstrated cause.

**[A] 108.2 Conformance.** Temporary structures ~~and uses~~ shall comply with the requirements in Section 3103.

**[A] 108.3 Temporary ~~power service utilities.~~** The *building official* is authorized to give permission to temporarily supply service utilities in accordance with Section 112. ~~and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate approval shall comply with the requirements specified for temporary lighting, heat or power in NFPA 70.~~

**[A] 108.4 Termination of approval.** The *building official* is authorized to terminate such permit for a temporary structure, equipment, or use system and to order the ~~temporary structure or use same~~ to be discontinued.

## SECTION 112 SERVICE UTILITIES

**[A] 112.1 Connection of service utilities.** A person shall not make connections from a utility, a source of energy, fuel, or power, or a water system or sewer system to any building or system that is regulated by this code for which a *permit* is required, until approved by the *building official*.

**[A] 112.2 Temporary connection.** The *building official* shall have the authority to authorize the temporary connection of the building or system to the utility, the source of energy, fuel, or power, or the water system or sewer system for the purpose of testing systems or for use under a temporary approval.

**[A] 112.3 Authority to disconnect service utilities.** The *building official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 112.1 or 112.2. The *building official* shall notify the serving utility, and wherever possible the *owner* or the owner's authorized agent and occupant of the building, structure

or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the *owner or the owner's authorized agent or* occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## IEBC

### SECTION 107

#### **TEMPORARY STRUCTURES AND USES, EQUIPMENT AND SYSTEMS**

**[A] 107.1 General.** The *code official* is authorized to issue a permit for temporary uses, equipment and systems. Such permits shall be limited as to time of service but shall not be permitted for more than 180 days. The *code official* is authorized to grant extensions for demonstrated cause.

**[A] 107.2 Conformance.** Temporary uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare.

**[A] 107.3 Temporary ~~power~~ service utilities.** The *code official* is authorized to give permission to temporarily supply service utilities in accordance with Section 111, ~~and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in NFPA 70.~~

**[A] 107.4 Termination of approval.** The *code official* is authorized to terminate such permit for a temporary use and to order the temporary use to be discontinued.

### SECTION 111

#### **SERVICE UTILITIES**

**[A] 111.1 Connection of service utilities.** A person shall not make connections from a utility, source of energy, fuel, power, water system or sewer system to any building or system that is regulated by this code for which a permit is required, until *approved* by the *code official*.

**[A] 111.2 Temporary connection.** The *code official* shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or sewer system for the purpose of testing systems or for use under a temporary approval.

**[A] 111.3 Authority to disconnect service utilities.** The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 111.1 or 111.2. The *code official* shall notify the serving utility and, wherever possible, the owner or the owner's authorized agent and the occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## International Fire Code

**Notes: Add structures?**

### **SECTION 106**

#### **TEMPORARY STRUCTURES, USES, EQUIPMENT AND SYSTEMS**

**106.1 General.** The fire code official is authorized to issue a permit for temporary structures, uses, equipment or systems. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The fire code official is authorized to grant extensions for demonstrated cause.

**106.2 Conformance** Temporary uses, equipment and systems shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the health, safety and general welfare.

**106.3 Temporary service utilities.** The fire code official is authorized to give permission to temporarily supply service utilities in accordance with Section 110.

**106.4 Termination of approval.** The fire code official is authorized to terminate such permit for a temporary uses, equipment, or system and to order the same to be discontinued.

## SECTION 110 SERVICE UTILITIES

[A] **110.1 Authority to disconnect service utilities.** The *fire code official* shall have the authority to authorize disconnection of utility service to the building, structure or system in order to safely execute emergency operations or to eliminate an immediate hazard. The *fire code official* shall notify the serving utility and, where possible, the *owner* or the *owner's* authorized agent and the occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, then the *owner*, the *owner's* authorized agent or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

## IRC

Note: Should IRC have uses?

### SECTION R107 TEMPORARY STRUCTURES, EQUIPMENT AND ~~USES~~ SYSTEMS

**R107.1 General.** The building official is authorized to issue a permit for temporary ~~structures and temporary uses, equipment, or systems~~. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

**R107.2 Conformance.** Temporary structures ~~and uses, equipment or systems~~ shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the ~~public~~ health, safety and general welfare.

**R107.3 Temporary ~~power~~ service utilities.** The building official is authorized to give permission to temporarily supply service utilities in accordance with Section R111. ~~and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in NFPA 70.~~

**R107.4 Termination of approval.** The building official is authorized to terminate such permit for a temporary structure equipment, or use system and to order the ~~temporary structure or use same~~ to be discontinued.

### SECTION R111

#### SERVICE UTILITIES

**R111.1 Connection of service utilities.** A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a *permit* is required, until *approved* by the *building official*.

**R111.2 Temporary connection.** The *building official* shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel or power.

**R111.3 Authority to disconnect service utilities.** The *building official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section R102.4 in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section R111.1 or R111.2. The *building official* shall notify the serving utility and where possible the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

## IPC

### SECTION 107

#### TEMPORARY USES, EQUIPMENT, AND SYSTEMS AND USES

[A] **107.1 General.** The code official is authorized to issue a permit for temporary uses, equipment, and systems and uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The code official is authorized to grant extensions for demonstrated cause.

[A] **107.2 Conformance.** Temporary uses, equipment, and systems and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the ~~public~~ health, safety and general welfare.

[A] **107.3 Temporary service utilities.** The code official is authorized to give permission to temporarily supply service utilities in accordance with Section 112. ~~before an installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the code.~~

[A] **107.4 Termination of approval.** The code official is authorized to terminate such permit for temporary uses, equipment, or systems or uses and to order the temporary uses, equipment, or systems or uses to be discontinued.

### SECTION 112

#### SERVICE UTILITIES

[A] **107.7112.1 Connection of service utilities.** A person shall not make connections from a utility, source of energy, fuel, power, water system or *sewer* system to any building or system that is regulated by this code for which a permit is required until authorized by the code official.

[A] **107.6112.2 Temporary connection.** The code official shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or sewer system for the purpose of testing plumbing systems or for use under a temporary approval.

[A] **112.3 Authority to disconnect service utilities.** The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 112.1 or 112.2.

The code official shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system, of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized



agent or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

## IMC

### SECTION 107

#### TEMPORARY USES, EQUIPMENT, AND SYSTEMS AND USES

[A] **107.1 General.** The code official is authorized to issue a permit for temporary uses, equipment, and systems and uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The code official is authorized to grant extensions for demonstrated cause.

[A] **107.2 Conformance.** Temporary uses, equipment, and systems and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the ~~public~~ health, safety and general welfare.

[A] **107.3 Temporary service utilities.** The code official is authorized to give permission to temporarily supply service utilities ~~before an installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the code.~~

[A] **107.4 Termination of approval.** The code official is authorized to terminate such permit for temporary uses, equipment, or systems or uses and to order the temporary uses, equipment, or systems or uses to be discontinued.

### SECTION 112

#### SERVICE UTILITIES

[A] **112.1 Connection of service utilities.** A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until authorized by the code official.

[A] **112.2 Temporary connection.** The code official shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or sewer system for the purpose of testing systems or for use under a temporary approval.

[A] **112.3 Authority to disconnect service utilities.** The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 112.1 or 112.2. The code official shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system, of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

## IFGC

### SECTION 111(IFGC)

#### TEMPORARY USES, EQUIPMENT, AND SYSTEMS AND USES

[A] **111.1 General.** The *code official* is authorized to issue a permit for temporary ~~uses, equipment, and systems and uses~~. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The *code official* is authorized to grant extensions for demonstrated cause.

[A] **111.2 Conformance.** Temporary ~~uses, equipment, and systems and uses~~ shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare.

[A] **111.3 Temporary service utilities.** The *code official* is authorized to give permission to temporarily supply service utilities in accordance with Section 110. ~~before an installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the code.~~

[A] **111.4 Termination of approval.** The *code official* is authorized to terminate such permit for a temporary ~~structure or use~~ uses, equipment or systems and to order the temporary structure or use to be discontinued.

## SECTION 110(IFGC) SERVICE UTILITIES

[A] **110.1 Connection of service utilities.** A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required until authorized by the *code official*.

[A] **110.2 Temporary connection.** The *code official* shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or sewer system for the purpose of testing the installation or for use under a temporary approval.

**110.3 Authority to disconnect service utilities.** The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 112.1 or 112.2. The *code official* shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system, of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## IPSDC

(This shows code changed approved – asking about errata.)

## SECTION 109 TEMPORARY USES, EQUIPMENT, AND SYSTEMS AND USES

[A] **109.1 General.** The *code official* is authorized to issue a permit for temporary uses, equipment, or systems. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The *code official* is authorized to grant extensions for demonstrated cause.

[A] **109.2 Conformance.** Temporary uses, equipment and systems shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the health, safety and general welfare.

[A] **109.3 Temporary service utilities.** The *code official* is authorized to give permission to temporarily supply service utilities in accordance with Section 110., ~~sources of energy, fuel, power, water systems or sewer systems~~ before an installation has been fully completed and the final ~~approval~~ has been issued. The part covered by the temporary ~~approval~~ shall comply with the requirements specified for temporary lighting, heat or power in ~~this~~ code.

[A] **109.4 Termination of approval.** The *code official* is authorized to terminate such permit for temporary uses, equipment or system and to order the same to be discontinued.

## SECTION 110 SERVICE UTILITIES

[A] **110.1 Connection of service utilities.**

No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required until authorized by the *code official*.

[A] **110.2 Temporary connection.**

The *code official* shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, water system or sewer system for the purpose of testing systems or for use under a temporary approval.

[A] **110.3 Authority to disconnect service utilities.**

The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 110.1 or 110.2. The *code official* shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## IWUIC

### SECTION 108 TEMPORARY USES, EQUIPMENT, AND SYSTEMS AND USES

[A] **108.1 General.** The *code official* is authorized to issue a permit for temporary ~~structures and temporary~~ uses, equipment and systems. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The *code official* is authorized to grant extensions for demonstrated cause.

[A] **108.2 Conformance.** Temporary ~~structures and~~ uses, equipment and systems shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare.

[A] **108.3 Temporary service utilities.** The *code official* is authorized to give permission to temporarily supply service utilities in accordance with Section 112.

[A] ~~108.3~~ **108.4 Termination of approval.** The *code official* is authorized to terminate such permit for a temporary ~~structure or use,~~ equipment or systems and to order the ~~temporary structure or use~~ same to be discontinued.

## SECTION 112 SERVICE UTILITIES

[A] **112.1 Connection of service utilities.** A person shall not make connections from a utility, source of energy, fuel, power, water system or sewer system to any building or system that is regulated by this code for which a permit is required until authorized by the *code official*.

[A] **112.2 Temporary connection.** The *code official* shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or sewer system for the purpose of testing systems or for use under a temporary approval.

[A] **112.3 Authority to disconnect service utilities.** The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an

immediate hazard to life or property or where such utility connection has been made without the approval required by Sections 112.1 and 112.2. The *code official* shall notify the serving utility and, where possible, the owner or the owner's authorized agent and the occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, the owner, the owner's authorized agent or the occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

## ISPSC

### **SECTION 106** **TEMPORARY STRUCTURES, EQUIPMENT AND SYSTEMS**

**106.1 General.** The code official is authorized to issue a permit for temporary structures, equipment or systems. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The code official is authorized to grant extensions for demonstrated cause.

**106.2 Conformance** Temporary structures, equipment and systems shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the health, safety and general welfare.

**106.3 Temporary service utilities.** The code official is authorized to give permission to temporarily supply service utilities in accordance with Section 109.

**106.4 Termination of approval.** The code official is authorized to terminate such permit for a temporary structures, equipment, or system and to order the same to be discontinued.

## SECTION 109 SERVICE UTILITIES

**[A] 109.1 Connection of service utilities.**

A person shall not make connections from a utility, source of energy, fuel, power, water system or sewer system to any building or system that is regulated by this code for which a permit is required until authorized by the *code official*.

**[A] 109.2 Temporary connection.**

The *code official* shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or sewer system for the purpose of testing systems or for use under a temporary approval.

**[A] 109.3 Authority to disconnect service utilities.**

The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 108.2 or 108.3. The *code official* shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

**Commenter's Reason:** The purpose of this proposal is coordination between codes for the section on temporary structures. A version was proposed last cycle, ADM32-19. As requested by the development committee, the BCAC worked with FCAC and PMGCAC to develop this proposal.

This proposal modified the section for temporary facilities where it was already in the code. The committee felt that it was very important to add these safety options to the IFC as well, so this proposal

adds this section to IFC and ISPSC. When looking for coordination, some of the codes did not include 'structure' and some did. The residential committee felt it was important to keep 'structures', so that is remaining in the proposed text.

Generally - The word use is moved to the front, and the lists are made the same throughout.

Temporary power - The allowances for temporary connection under inspection and testing address more than just utilities, so the language in this section should match. The phrase "certificate of completion" is not defined, so "approved" would be a better choice.

The BCAC is working from the philosophy that ICC is a family of codes, so administrative requirements should be consistent across books. Most administrative and enforcement matters are the same for any code. Those matters unique for a specific code remain unchanged. This is one of a series of proposals being submitted relating to technical, editorial and organizational changes proposed for the Administrative chapters (Chapter 1) in all of the I-Codes.

**Note 10-29-2020: Wait for Jim to finish the proposal for temporary structure so we can coordinate what we ask for here. Text is done, but need to revise reason and add cost impact.**

BCAC ADM Item 5 Enforcement Agency

ADM16-19 Part 2

Section IRC

Date 10-5-2020; 10-28-2020

Rep: Amber Armstrong, Marc Nard

Revise as follows

**SECTION R103**  
**DEPARTMENT OF BUILDING SAFETY CODE COMPLIANCE AGENCY**

**R103.1 Creation of enforcement agency.**

The ~~department of building safety~~ [INSERT NAME OF DEPARTMENT] is hereby created and the official in charge thereof shall be known as the building official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Revise as follows

**R103.2 Appointment.**

The building official shall be appointed by the chief appointing authority of the jurisdiction.

Revise as follows

**R103.3 Deputies.**

In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, ~~the other~~ other related technical officers, inspectors, ~~plan examiners~~ and other employees. Such employees shall have powers as delegated by the building official.

Reason: The purpose of this proposal is consistency through the family of codes for Enforcement Agency. During the 2018-2019 code development cycle, ADM 16-19 Parts 1 and III was approved for inclusion of this language in the IBC, IFC, IEBC, IPC, IMC, IFGC, IPMC, ISPSC, IPSDC, IGCC and IWUIC. BCAC is proposing this change again to the IRC to complete uniformity and consistency of language among all codes.

A survey of several departments across the country showed that jurisdictions choose many different names. ADM 16-19 proposed to change the name of this section to "Code Compliance Agency" and add a fill in the blank for the adopting agency to choose a name specific to their jurisdiction. In addition to these changes, all three sub-sections were modified to use language that is common in a majority of the codes. Specifically, a sentence was added to the section "Creation of the Agency" to state the function of the agency. In the section titled "Appointment," the term "chief appointing authority of the" was inserted before "jurisdiction." This was intended to be more specific and in line with the language in the section titled "Deputies," which uses the phrase "appointing authority." This language was not intended to name a specific individual or group of individuals. It was intended to identify anyone within the jurisdiction who has the authority to make appointments or staffing decisions. This could be anyone from an elected official or a person or group of people who have been designated to make staffing decisions. The 2019 IRC committee also felt there was potential conflict with state and local laws. We

believe it is incumbent on the jurisdiction adopting codes to make any modifications necessary to resolve conflicts that are specific for their locality.

The BCAC is working from the philosophy that ICC is a family of codes, so administrative requirements should be consistent across codes. Most administrative and enforcement matters are the same for any code. Those matters unique for a specific code remain unchanged. This is one of a series of proposals relating to technical, editorial and organizational changes proposed for the Administrative chapters (Chapter 1) in all of the I-Codes.

**Cost impact:** The net effect of the public comment and code change proposal will not increase or decrease the cost of construction

This is an editorial change that provides consistency between I-codes.

## BCAC ADM Item 6 Means of Appeals

Notes: ADM 40-19 Part 1 AS revised IBC, IEBC, IWUIC, IMC, IFC, ISPSC, IPC, IFGC, IPMC, IPSDC

ADM 40-19 Part 2 D – IRC

ADM 40-19 Part 3 D – IECC Commercial

ADM 40-19 Part 4 AS – IECC Residential

ADM 40-19 Part 5 AS – IGCC

Rep: Shane Niles

Date: 10-3-2020

## IBC

### SECTION 113 MEANS OF APPEALS

**[A] 113.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the *building official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *building official*.

**[A] 113.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code ~~or interpret the administration of this code.~~

**[A] 113.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass judgements on matters pertaining to ~~building construction~~ provisions of this code and are not employees of the jurisdiction.

**[A] 113.4 Administration.** The *building official* shall take ~~immediate~~ action in accordance with the decision of the board without delay.

## IECC Residential

### SECTION R109 MEANS OF APPEALS

**R109.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the *code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the code official.



**R109.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code ~~or interpret the administration of this code.~~

**R109.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass judgements on matters pertaining to the provisions of this code and are not employees of the jurisdiction.

**R109.4 Administration.** The code official shall take ~~immediate~~ action in accordance with the decision of the board without delay.

## IECC Commercial

### SECTION C109 **BOARD MEANS OF APPEALS**

**C109.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the *code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. ~~The code official shall be an ex officio member of said board but shall not have a vote on any matter before the board.~~ The board of appeals shall be appointed by the applicable governing body authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *code official*.

**C109.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an ~~equally good~~ equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code.

**C109.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass judgements on matters pertaining to the provisions of this code and are not employees of the jurisdiction.

**C109.4 Administration.** The code official shall take action in accordance with the decision of the board without delay.

## IWUIC

### SECTION 113 **MEANS OF APPEALS**

**[A] 113.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant, with a duplicate copy to the code official.

**[A] 113.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code ~~or interpret the administration of this code.~~

[A] 113.3 **Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass judgements on matters pertaining to the provisions of this code and are not employees of the jurisdiction.

[A] 113.4 **Administration.** The *code official* shall take immediate action in accordance with the decision of the board without delay.

## ISPSC

### SECTION 111 MEANS OF APPEALS

[A] 111.1 **General.** In order to hear and decide appeals of orders, decisions or determinations made by the *code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *code official*.

[A] 111.2 **Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code ~~or interpret the administration of this code.~~

[A] 111.3 **Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass judgements on matters pertaining to the provisions of this code and are not employees of the jurisdiction.

[A] 111.4 **Administration.** The *code official* shall take immediate action in accordance with the decision of the board without delay.

## IRC

### SECTION R112 BOARD MEANS OF APPEALS

R112.1 **General.** In order to hear and decide appeals of orders, decisions or determinations made by the *building official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. ~~The building official shall be an ex officio member of said board but shall not have a vote on any matter before the board.~~ The board of appeals shall be appointed by the applicable governing ~~body~~ authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *building official*.

R112.2 **Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code.

R112.3 **Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass judgement on matters pertaining to ~~building construction~~ the provisions of this code and are not employees of the *jurisdiction*.

R112.4 **Administration.** The *building official* shall take immediate action in accordance with the decision of the board without delay.

## IPSDC

### SECTION 112 MEANS OF APPEALS

**[A] 112.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the *code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *code official*.

**112.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code ~~or interpret the administration of this code.~~

**[A] 112.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass judgements on matters pertaining to the provisions of this code and are not employees of the jurisdiction.

**[A] 112.4 Administration.** The *code official* shall take ~~immediate~~ action in accordance with the decision of the board without delay.

## IPMC

### SECTION 107 MEANS OF APPEALS

**107.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the *code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *code official*.

**[A] 107.2 Limitations of authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code ~~or interpret the administration of this code.~~

**107.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass judgements on matters pertaining to the provisions of this code and are not employees of the jurisdiction.

**107.4 Administration.** The *code official* shall take ~~immediate~~ action in accordance with the decision of the board without delay.

## IGCC

## SECTION 108 MEANS OF APPEALS

**108.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the authority having jurisdiction relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the authority having jurisdiction.

Revise as follows

**108.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code ~~or interpret the administration of this code.~~

Revise as follows

**108.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass judgement on matters pertaining to the application provisions of this code~~building construction~~ and are not employees of the jurisdiction.

**108.4 Administration.** The authority having jurisdiction shall take ~~immediate~~ action in accordance with the decision of the board without delay.

## IFGC

### SECTION 113(IFGC) MEANS OF APPEALS

**113.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the *code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *code official*.

**[A] 113.2 Limitations on authority.** -An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code ~~or interpret the administration of this code.~~

**113.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass judgements on matters pertaining to the provisions of this code and are not employees of the jurisdiction.

**113.4 Administration.** The *code official* shall take ~~immediate~~ action in accordance with the decision of the board without delay.

## IFC

### SECTION 111 MEANS OF APPEALS

**[A] 111.1 ~~Board of appeals established~~ General.** In order to hear and decide appeals of orders, decisions or determinations made by the *fire code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *fire code official*.

**[A] 111.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code ~~or interpret the administration of this code~~.

**[A] 111.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass judgement on matters pertaining to ~~hazards of fire, explosions, hazardous conditions or fire protection systems,~~ the provisions of this code and are not employees of the jurisdiction.

**[A] 111.4 Administration.** The *fire code official* shall take **immediate** action in accordance with the decision of the board without delay.

IEBC

## SECTION 112 MEANS OF APPEALS

**[A] 112.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the *code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *code official*.

**[A] 112.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code ~~or interpret the administration of this code~~.

**[A] 112.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass judgement on matters pertaining to ~~building construction~~ the provisions of this code and are not employees of the jurisdiction.

**[A] 112.4 Administration.** The *code official* shall take **immediate** action in accordance with the decision of the board without delay.

ICCCP – none

IZC – no not propose to change

IPC

## SECTION 114 MEANS OF APPEALS

**[A] 114.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the code official.

**[A] 114.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code ~~or interpret the administration of this code.~~

**[A] 114.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience to pass judgements on matters pertaining to the provisions of this code and training and are not employees of the jurisdiction.

**[A] 114.4 Administration.** The code official shall take immediate action in accordance with the decision of the board without delay.

### IMC

## SECTION 114 MEANS OF APPEALS

**[A] 114.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the code official.

**[A] 114.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equivalent or better form of construction is proposed. The board shall not have the authority to waive requirements of this code ~~or interpret the administration of this code.~~

**[A] 114.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass judgements on matters pertaining to the provisions of this code and are not employees of the jurisdiction.

**[A] 114.4 Administration.** The code official shall take immediate action in accordance with the decision of the board without delay.

**Reason:** ADM40-19 was approved for IBC, IEBC, IFC, IWUIC, IPC, IMC, IFGC, ISPSC, IPMC, IPSDC, IECC-R and IGCC for revisions to the section on Means of Appeals. This item was disapproved for IECC Commercial and IRC. The result is an inconsistency with IECC Commercial and IRC.

The intent of this proposal is coordination for the means of appeals within the family of codes. Most of this was accomplished through ADM40-19 during the last cycle. Comments during the testimony, from the code development committees and subsequent discussions have suggested some improvements.

General: In the IRC and IECC Residential, the sentence about the code official not being a voting member of the board of appeals is proposed to be deleted. The fact about city employees not being a voting member of the board is already included in the section on qualifications. The code official is an important advisor for the Board of Appeals. The deletion of this sentence will not change that.

Limitation on authority. The deletion of 'or interpret the administration of this code' is proposed to be deleted so that the board could consider appeals on any part of the codes.

Qualifications: The phrase "to pass judgement on matters pertaining to the provisions of this code" is in some of the codes now in some form. Adding this idea to all codes would provide consistency.

Administration: The IRC code change committee felt that 'immediate' was unreasonable. 'Without delay' should allow for reasonable action without this same concern.

**Cost Impact:** None. These are administration requirements, so there will be no change in construction requirements.

#### Notes from Shane Niles 10-5-2020

1. For the qualifications, the phrase "pertaining to the application of this code" sounds like they need to be qualified in understanding how to apply the codes rather than having an understanding of the code itself. In lieu of "application" I would suggest "scope" or "provisions".
2. I would recommend that the IZC not be included in the attempt to make them all the same. The IZC is too different than the rest of the codes in this regards as the way the zoning codes are administered and their relation to the legislative body makes the "means of appeals" not play well with all of the other hearing bodies that it already has. That being said, we could still try to develop it to incorporate the same language and see what the group says...

BCAC ADM Item 9 Intent – add ‘property protection’

Sections IRC R101.3, IECC C101.3 and R101.3

Rep: Marc Nard

Date: 10-1-2020

ADM 10-19 Part 1

Coordination with IBC, IEBC, IFC, ISPSC, IPMC, IZC

ADM 10-19 Part 2 - IRC

Revise as follows:

**R101.3 Intent Purpose.**

The purpose of this code is to establish minimum requirements to safeguard the public safety, health and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation ~~and safety to life~~ providing a reasonable level of life safety and property protection from fire and other hazards attributed to the built environment, and to provide safety to fire fighters and emergency responders during emergency operations.

**Reason:** The purpose of this proposal is for consistency in language for the sections related to the purpose of the codes throughout the ICC family of codes. This would be consistent with IFC, IBC, IEBC, ISPSC, and IZC – which were passed with ADM10-19.

The change in the title reflects the language in the first sentence. The IRC code development committee objected to the proposal last cycle because it included “explosions”; which has been removed. The revision is for consistency with “providing a reasonable level of life safety and property protection”.

Cost impact: None. This change is for coordination and does not change requirements.

Below is the information on the approved proposals

IBC

[A] 101.3~~IntentPurpose.~~

The purpose of this code is to establish the minimum requirements to provide a reasonable level of safety, ~~public~~ health and general welfare through structural strength, *means of egress* ~~facilities~~, stability, sanitation, ~~adequate~~ light and *ventilation*, energy conservation, and ~~safety to life for providing a reasonable level of life safety and~~ property protection from the hazards of fire, ~~explosion and other hazards or dangerous conditions~~, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

IEBC

[A] 101.3~~IntentPurpose.~~

The intent of this code is to provide flexibility to permit the use of alternative approaches to achieve compliance with minimum requirements to ~~safeguard the public provide a reasonable level of~~ safety, health, ~~safety-property~~ protection and general welfare insofar as they are affected by the *repair, alteration, change of occupancy, addition and relocation of existing buildings*.

IFC



[A] 101.3 ~~Intent- Purpose.~~

The purpose of this code is to establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

ISPSC

~~A]101.3~~ ~~Intent Purpose.~~

The purpose of this code is to establish minimum ~~standards~~ requirements to provide a reasonable level of safety ~~and protection of health~~, health, property protection and ~~public~~ general welfare by regulating and controlling the design, construction, installation, quality of materials, location and maintenance or use of pools and spas.

IWUIC

[A] 101.3 ~~Objective- Purpose.~~

The ~~objective purpose~~ of this code is to establish minimum regulations consistent with nationally recognized good practice for the safeguarding of life and for property protection. Regulations in this code are intended to mitigate the risk to life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate structure fires from spreading to wildland fuels. The extent of this regulation is intended to be tiered commensurate with the relative level of hazard present.

The unrestricted use of property in *wildland-urban interface areas* is a potential threat to life and property from fire and resulting erosion. Safeguards to prevent the occurrence of fires and to provide adequate fire protection facilities to control the spread of fire in *wildland-urban interface areas* shall be in accordance with this code.

This code shall supplement the jurisdiction's building and fire codes, if such codes have been adopted, to provide for special regulations to mitigate the fire- and life-safety hazards of the *wildland-urban interface areas*.

IPSDC

[A] 101.6 ~~Intent- Purpose.~~

The purpose of this code is to establish minimum ~~standards~~ requirements to provide a reasonable level of safety health, property protection and ~~public~~ general welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of *private sewage disposal systems*.

IPMC

[A] 101.3 ~~Purpose~~ ~~Intent.~~

~~This code shall be construed to secure its expressed intent, which is to ensure public~~ ~~The purpose of this code is to establish minimum requirements to provide a reasonable level of~~ health, safety, ~~property protection~~ and ~~general~~ welfare insofar as they are affected by the continued *occupancy* and maintenance of structures and *premises*. Existing structures and *premises* that do not comply with these provisions shall be altered or repaired to provide a ~~reasonable~~ minimum level of health, ~~safety~~ and ~~general welfare~~ ~~safety~~ as required herein.

IFGC

[A] 101.4 ~~Intent~~ ~~Purpose.~~

The purpose of this code is to establish minimum ~~requirements~~ ~~standards~~ to provide a reasonable level of safety, health, property protection and ~~general~~ ~~public~~ welfare by regulating and controlling the

design, construction, installation, quality of materials, location, operation and maintenance or use of fuel gas *equipment or* systems.

#### IZC

[A] 101.2 ~~Intent~~ Purpose.

The purpose of this code is to establish minimum requirements to provide a reasonable level of health, safety, property protection and safeguard the health, property and public welfare by controlling the design, location, use or occupancy of all buildings and structures through the regulated and orderly development of land and land uses within this jurisdiction.

#### IPC

[A] 101.3 ~~Intent~~ Purpose.

The purpose of this code is to establish minimum standards requirements to provide a reasonable level of safety, health, property protection and public general welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of plumbing equipment and systems.

#### IMC

[A] 101.3 Purpose.

The purpose of this code is to establish minimum standards requirements to provide a reasonable level of safety, health, property protection and public general welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of mechanical *equipment or* systems.

BCAC ADM Item 10 Service Utilities

ADM39-19 Part 2

Section IRC 111.1

Date 10-5-2020

Rep: John Taecker

## SECTION R111 SERVICE UTILITIES

R111.1 Connection of service utilities. A *person* shall not make connections from a utility, a source of energy, fuel, ~~or~~ power, or water system or sewer system to any building or system that is regulated by this code for which a *permit* is required, until *approved* by the *building official*.

R111.2 Temporary connection. The *building official* shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, ~~or~~ power, or the water system or sewer system for the purpose of testing systems for use under a temporary approval.

R111.3 Authority to disconnect service utilities. The *building official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards ~~set forth in Section R102.4~~ in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section R111.1 or R111.2. The *building official* shall notify the serving utility and where possible the *owner* or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, the *owner*, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

Reason: ADM39-19 was a 2 part proposal. The revised text for service utilities was approved for IBC, IPC, IMC, IFGC, IEBC, IPSDC, IWUIC, ISPSC. The reason for disapproval by the IRC code development committee was "This would be in violation of the requirements of many public utilities across the country. (Vote 6-4)."

The BCAC respectively disagrees with the IRC development committee. The code official is not making the connection or disconnection, he just has the power to approve it were warranted. This is not over riding the public utility companies.

The main purpose of this proposal is coordination IRC with the other codes for the section on connection to services – including those coming from utilities or generated on-site

- R111.3 - Codes have references to codes and standards throughout the document, so a reference back to the list at the beginning of Chapter 1 is not inclusive.
- R111.1 and R111.2 - The list should include all the systems –including water and sewer.

The BCAC is working from the philosophy that ICC is a family of codes, so administrative requirements should be consistent across books. Most administrative and enforcement matters are the same for any code. Those matters unique for a specific code remain unchanged. This is one of a series of proposals being submitted relating to technical, editorial and organizational changes proposed for the Administrative chapters (Chapter 1) in all of the I-Codes.

Cost impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction

This is an editorial change that provides consistency between I-codes.

What do we want to do about the duplication of text for 'authority to disconnect service utilities'?

ISPSC Sections 109.3 and 113.6.2

## SECTION 109 SERVICE UTILITIES

**[A] 109.1 Connection of service utilities.** A person shall not make connections from a utility, source of energy, fuel, power, water system or sewer system to any building or system that is regulated by this code for which a permit is required until authorized by the *code official*.

**[A] 109.2 Temporary connection.** The *code official* shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or sewer system for the purpose of testing systems or for use under a temporary approval.

**[A] 109.3 Authority to disconnect service utilities.** The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 108.2 or 108.3. The *code official* shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## SECTION 113 VIOLATIONS

**[A] 113.6 Unsafe systems.** Any system regulated by this code that is unsafe or that constitutes a fire or health hazard, insanitary condition, or is otherwise dangerous to human life is hereby declared unsafe. Any use of a system regulated by this code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is hereby declared an unsafe use. Any such unsafe system is hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal.

**[A] 113.6.1 Authority to condemn a system.** Where the *code official* determines that any system, or portion thereof, regulated by this code has become hazardous to life, health or property or has become insanitary, the *code official* shall order in writing that such system either be removed or restored to a safe or sanitary condition. A time limit for compliance with such order shall be specified in the written notice. A person shall not **use** or maintain a defective system after receiving such notice.

Where such a system is to be disconnected, written notice as prescribed in **Section 113.2** shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without such notice.

**[A] 113.6.2 Authority to disconnect service utilities.** The *code official* shall have the authority to authorize disconnection of utility service ~~in accordance with Section 109.3, to the pool or spa regulated by the technical codes in case of an emergency, where necessary, to eliminate an immediate danger to life or property. Where possible, the owner or the owner's authorized agent and occupant of the building where the pool or spa is located shall be notified of the decision to disconnect utility service prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or the occupant of the building shall be notified in writing, as soon as practical thereafter.~~

**[A] 113.6.3 Connection after order to disconnect.** A person shall not make connections from any energy, fuel, power supply or water distribution system, or supply energy, fuel or water to any equipment regulated by this code that has been disconnected or ordered to be disconnected by the *code official* or the use of which has been ordered to be discontinued by the *code official* until the *code official* authorizes the reconnection and use of such equipment.

When any system is maintained in violation of this code, and in violation of any notice issued pursuant to the provisions of this section, the *code official* shall institute any appropriate action to prevent, restrain, correct or abate the violation.

IPSDC: Sections 110.3 and 114.6.2

## SECTION 110 SERVICE UTILITIES

**[A] 110.1 Connection of service utilities.** No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required until authorized by the *code official*.

**[A] 110.2 Temporary connection.** The *code official* shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, water system or sewer system for the purpose of testing systems or for use under a temporary approval.

**[A] 110.3 Authority to disconnect service utilities.** The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 110.1 or 110.2. The *code official* shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## SECTION 114 VIOLATIONS

### **[A] 114.6 Unsafe systems.**

Any *private sewage disposal system* regulated by this code that is unsafe or constitutes a health hazard, insanitary condition or is otherwise dangerous to human life is hereby declared unsafe. Any use of *private sewage disposal systems* regulated by this code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, disaster, damage or abandonment is hereby declared an unsafe use. Any such unsafe equipment is hereby declared to be a public *nuisance* and shall be abated by repair, rehabilitation, demolition or removal.

### **[A] 114.6.1 Authority to condemn equipment.**

Where the *code official* determines that any *private sewage disposal system*, or portion thereof, regulated by this code has become hazardous to life, health or property or has become insanitary, the *code official* shall order in writing that such system be either removed or restored to a safe or sanitary condition. A time limit for compliance with such order shall be specified in the written notice. A defective *private sewage disposal system* shall not be used or maintained after receiving such notice. Where such system is to be disconnected, written notice as prescribed in Section 114.2 shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without such notice.

### **[A] 114.6.2 Authority to disconnect service utilities.**

The *code official* shall have the authority to authorize disconnection of utility service in accordance with Section 110.3. ~~to the building, structure or system regulated by the technical codes in case of emergency, where necessary, to eliminate an immediate danger to life or property. Where possible, the owner, the owners's authorized agent and occupant of the building, structure or service system shall be notified of the decision to disconnect utility service prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service systems shall be notified in writing as soon as is practical thereafter.~~

IFGC: Sections 110.3 and 115.6.2

## SECTION 110(IFGC) SERVICE UTILITIES

### **[A] 110.1 Connection of service utilities.**

A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required until authorized by the *code official*.

### **[A] 110.2 Temporary connection.**

The *code official* shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or sewer system for the purpose of testing the installation or for use under a temporary approval.

### **110.3 Authority to disconnect service utilities.**

The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 112.1 or 112.2. The *code official* shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system, of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## SECTION 115(IFGC) VIOLATIONS

### **[A] 115.6 Unsafe installations.**

An installation that is unsafe, constitutes a fire or health hazard, or is otherwise dangerous to human life, as regulated by this code, is hereby declared an unsafe installation. Use of an installation regulated by this code constituting a hazard to health, safety or welfare by reason of inadequate maintenance, dilapidation, fire hazard, disaster, damage or abandonment is hereby declared an unsafe use. Such unsafe installations are hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal.

### **[A] 115.6.1 Authority to condemn installations.**

Whenever the *code official* determines that any installation, or portion thereof, regulated by this code has become hazardous to life, health or property, he or she shall order in writing that such installations either be removed or restored to a safe condition. A time limit for compliance with such order shall be specified in the written notice. A person shall not use or maintain a defective installation after receiving such notice.

Where such installation is to be disconnected, written notice as prescribed in **Section 115.2** shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without such notice.

### **[A] 115.6.2 Authority to disconnect service utilities.**

The *code official* shall have the authority to require disconnection of utility service in accordance with Section 110.3. ~~to the building, structure or system regulated by the technical codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The *code official* shall notify the serving utility and, where possible, the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practicable thereafter.~~

### **[A] 115.6.3 Connection after order to disconnect.**

A person shall not make energy source connections to installations regulated by this code that have been disconnected or ordered to be disconnected by the *code official*, or the use of which has been ordered to be discontinued by the *code official* until the *code official* authorizes the reconnection and use of such installations.

Where an installation is maintained in violation of this code, and in violation of a notice issued pursuant to the provisions of this section, the *code official* shall institute appropriate action to prevent, restrain, correct or abate the violation.

IPC: Sections 112.3 and 115.6.2

## SECTION 112 SERVICE UTILITIES

**[A] 107.7112.1 Connection of service utilities.** A person shall not make connections from a utility, source of energy, fuel, power, water system or sewer system to any building or system that is regulated by this code for which a permit is required until authorized by the code official.

**[A] 107.6112.2 Temporary connection.** The code official shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or sewer system for the purpose of testing plumbing systems or for use under a temporary approval.

### **[A] 112.3 Authority to disconnect service utilities.**

The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency

where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 112.1 or 112.2.

The code official shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system, of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

## **SECTION 115 VIOLATIONS**

### **[A] 115.6 Unsafe plumbing.**

Any plumbing regulated by this code that is unsafe or that constitutes a fire or health hazard, insanitary condition, or is otherwise dangerous to human life is hereby declared unsafe. Any use of plumbing regulated by this code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is hereby declared an unsafe use. Any such unsafe equipment is hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal.

#### **[A] 115.6.1 Authority to condemn equipment.**

Where the code official determines that any plumbing, or portion thereof, regulated by this code has become hazardous to life, health or property or has become unsanitary, the code official shall order in writing that such plumbing either be removed or restored to a safe or sanitary condition. A time limit for compliance with such order shall be specified in the written notice. A person shall not use or maintain defective plumbing after receiving such notice.

Where such plumbing is to be disconnected, written notice as prescribed in Section 115.2 shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without such notice.

#### **[A] 115.6.2 Authority to disconnect service utilities.**

The code official shall have the authority to authorize disconnection of utility service ~~in accordance with Section 112.3. to the building, structure or system regulated by the technical codes in case of an emergency, where necessary, to eliminate an immediate danger to life or property. Where possible, the owner or the owner's authorized agent and occupant of the building, structure or service system shall be notified of the decision to disconnect utility service prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service systems shall be notified in writing, as soon as practical thereafter.~~

#### **[A] 115.6.3 Connection after order to disconnect.**

A person shall not make connections from any energy, fuel, power supply or water distribution system or supply energy, fuel or water to any equipment regulated by this code that has been disconnected or ordered to be disconnected by the code official or the use of which has been ordered to be discontinued by the code official until the code official authorizes the reconnection and use of such equipment.

Where any plumbing is maintained in violation of this code, and in violation of any notice issued pursuant to the provisions of this section, the code official shall institute any appropriate action to prevent, restrain, correct or abate the violation.

\*IMC: Sections 112.3 and 115.6.2

## **SECTION 112 SERVICE UTILITIES**

### **[A] 112.1 Connection of service utilities.**

A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until authorized by the code official.

**[A] 112.2 Temporary connection.** The code official shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or sewer system for the purpose of testing systems or for use under a temporary approval.

#### **[A] 112.3 Authority to disconnect service utilities.**

The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 112.1 or 112.2. The code official shall notify the

serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system, of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

## SECTION 115 VIOLATIONS

### **[A] 115.6 Unsafe mechanical systems.**

A mechanical system that is unsafe, constitutes a fire or health hazard, or is otherwise dangerous to human life, as regulated by this code, is hereby declared as an unsafe mechanical system. Use of a mechanical system regulated by this code constituting a hazard to health, safety or welfare by reason of inadequate maintenance, dilapidation, fire hazard, disaster, damage or abandonment is hereby declared an unsafe use. Such unsafe *equipment* and *appliances* are hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal.

### **[A] 115.6.1 Authority to condemn mechanical systems.**

Where the code official determines that any mechanical system, or portion thereof, regulated by this code has become hazardous to life, health, property, or has become insanitary, the code official shall order in writing that such system either be removed or restored to a safe condition. A time limit for compliance with such order shall be specified in the written notice. A person shall not use or maintain a defective mechanical system after receiving such notice.

Where such mechanical system is to be disconnected, written notice as prescribed in Section 115.2 shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without such notice.

### **[A] 115.6.2 Authority to order ~~disconnection of energy sources~~ disconnect service utilities.**

The code official shall have the authority to ~~order~~ authorize disconnection of utility services in accordance with Section 112.3 ~~energy sources supplied to a building, structure or mechanical system regulated by this code, where it is determined that the mechanical system or any portion thereof has become hazardous or unsafe. Written notice of such order to disconnect service and the causes therefor shall be given within 24 hours to the owner, the owner's authorized agent and occupant of such building, structure or premises, provided, however, that in cases of immediate danger to life or property, such disconnection shall be made immediately without such notice. Where energy sources are provided by a public utility, the code official shall immediately notify the serving utility in writing of the issuance of such order to disconnect.~~

### **[A] 115.6.3 Connection after order to disconnect.**

A person shall not make energy source connections to mechanical systems regulated by this code that have been disconnected or ordered to be disconnected by the code official, or the use of which has been ordered to be discontinued by the code official until the code official authorizes the reconnection and use of such mechanical systems.

Where a mechanical system is maintained in violation of this code, and in violation of a notice issued pursuant to the provisions of this section, the code official shall institute appropriate action to prevent, restrain, correct or abate the violation.

Reason: ADM 39-19 was a coordinating proposal for Service Utilities. There was an inadvertent duplication of language in the section on Violations. This proposal is intended to editorially remove the repeated sections. A reference to the same section in Service Utilities is provided instead.

Cost impact. None. This is an editorial deletion of what is basically duplicate requirements.

Note 10-292-2020: Proposal is okay, but Amber may be looking at a whole rework of violations. This may fold into that.



BCAC ADM Item 19 ADM27 and ADM 33 coord  
Date: 10-3-2020

Proposal 1  
IPSDC

## SECTION 107 FEES

[A] ~~106.4~~ 107.1 Payment of fees. **Fees.** A permit shall not be issued valid until the fees prescribed ~~in Section 106.4.2~~ by law have been paid. ~~, and an An~~ amendment to a permit shall not be released until the additional fee, if any, ~~due to an increase of the private sewage disposal system,~~ has been paid.

107.2 Schedule of permit fees. Where work requires a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

~~[A] 106.4.2~~ **Fee schedule.**

~~The fees for all private sewage disposal work shall be as indicated in the following schedule:~~

**[JURISDICTION TO INSERT APPROPRIATE SCHEDULE].**

107.3 Permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as mechanical equipment and permanent systems. If, in the opinion of the code 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 code official. Final building permit valuation shall be set by the code official.

[A] ~~106.4.1~~ 107.4 **Work commencing before permit issuance.** Any person who commences any work on a *private sewage disposal system* before obtaining the necessary permits shall be subject to ~~100 percent of the usual permit fee~~ a fee established by the code official that shall be in addition to the required permit fees.

107.5 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

~~[A] 106.4.3~~ **Fee refunds.**

~~The code official shall authorize the refunding of fees as follows:~~

- ~~1. The full amount of any fee paid hereunder that was erroneously paid or collected.~~

~~2. Not more than [SPECIFY PERCENTAGE] percent of the permit fee paid where no work has been done under a permit issued in accordance with this code.~~

~~3. Not more than [SPECIFY PERCENTAGE] percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.~~

~~The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee no later than 180 days after the date of fee payment.~~

### 107.6 Refunds. The code official is authorized to establish a refund policy.

Reason: The intent of this proposal is coordination for the section Fees in IPSDC with the other ICC codes. Since one city department will handle permit fees for construction, the requirements for administration should be the same across codes.

There were two different proposals to address consistency in the Fees section (ADM 27-19 and ADM 33-19) – the end result was coordination between the 2021 codes. for – IBC, IFC, IEBC, IMC, IPC, IPMC, IFGC, ISPSC, IWUIC and IZC. ADM27-19 should have included IPSDC, however it was missed.

The IPSDC required the insertion of a table for fees and sets a policy for refunds. If the jurisdiction is on a code for 3 to 6 years, this would prohibit them from adjusting their fees. What the policy is for refunds should also be determined by the department. ADM27-19 removed similar text in the IMC, IPC, IPMC, IFGC, and ISPSC.

The current text does not address permit valuations or related fees. The more generic language for refunds allows for the department to establish a policy rather than have that set in the codes.

The BCAC is working from the philosophy that ICC is a family of codes, so administrative requirements should be consistent across books. Most administrative and enforcement matters are the same for any code. Those matters unique for a specific code remain unchanged. This is one of a series of proposals being submitted relating to technical, editorial and organizational changes proposed for the Administrative chapters (Chapter 1) in all of the I-Codes.

**Cost Impact :** The net effect of the public comment and code change proposal will not increase or decrease the cost of construction

This is an editorial change that provides consistency between I-codes.

## Proposal 2

IRC

### SECTION R108

#### FEEES

**R108.1 Payment of fees.** A *permit* shall not be valid until the fees prescribed by law have been paid; ~~nor~~ Nor shall an amendment to a *permit* be released until the additional fee, if any, has been paid.

**R108.2 Schedule of permit fees.** ~~On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring~~ Where a *permit is required*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

**R108.3 Building permit valuations.** The applicant for a permit shall provide an estimated permit value at time of application. Building permit valuation shall include total value of the work, including materials and labor, for which a permit is being issued, such as electrical, gas, mechanical, plumbing equipment and other permanent systems, including materials and labor. 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.

**R108.4 R108.6 Work commencing before permit issuance.** Any person who commences work requiring a permit on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the applicable governing authority that shall be in addition to the required permit fees.

**R108.5 R108.4 Related fees.** The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

**R105.6 R108.5 Refunds.** The building official is authorized to establish a refund policy.

Reason: The intent of this proposal is coordination for the section Fees in IRC with the other ICC codes. Since one city department will handle permit fees for construction, the requirements for administration should be the same across codes.

There were two different proposals to address consistency in the Fees section (ADM 27-19 and ADM 33-19) – the end result was coordination between the 2021 codes. for – IBC, IFC, IEBC, IMC, IPC, IPMC, IFGC, ISPSC, IWUIC and IZC. ADM33-19 should have included IRC, however it was missed.

Proposals to sections 108.2, 108.3 and 108.4 all remove a laundry list in favor of where a permit is required. The last sentence of Section 108.3 allows for the code official to set a reasonable cost for a permit.

The BCAC is working from the philosophy that ICC is a family of codes, so administrative requirements should be consistent across books. Most administrative and enforcement matters are the same for any code. Those matters unique for a specific code remain unchanged. This is one of a series of proposals being submitted relating to technical, editorial and organizational changes proposed for the Administrative chapters (Chapter 1) in all of the I-Codes.

**Cost Impact :** The net effect of the public comment and code change proposal will not increase or decrease the cost of construction This is an editorial change that provides consistency between I-codes.

BCAC ADM 20 – Board of Appeals  
Section  
Rep:  
Date: 10-5-2020

ISPSC

**SECTION 112**  
**BOARD OF APPEALS**

**[A] 112.1 Membership of board.**

~~The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years, one for 4 years, one for 3 years, one for 2 years and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.~~

IPSDC

**SECTION 113**  
**BOARD OF APPEALS**

**113.1 Membership of board.**

~~The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years, one for 4 years, one for 3 years, one for 2 years and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.~~

IFGC

**SECTION 114 (IFGC)**  
**BOARD OF APPEALS**

**114.1 Membership of board.**

~~The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.~~

IPMC

**SECTION 108**  
**BOARD OF APPEALS**

~~**[A] 108.1 Membership of board.** The board of appeals shall consist of not less than three members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The *code official* shall be an ex-officio member but shall not vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.~~

Reason: ADM40-18 and ADM 43-19 were companion code changes. ADM 40-19 revised the sections for Means of Appeals. ADM 43-19 added an appendix for Board of Appeals that included the size and appointment of the Board of appeals to IBC, IEBC, IFC, IWUIC, IPC, IMC, IFGC, ISPSC, IPMC, IPSDC, IECC-C & R, IGCC and IRC. This text for the board size is only in these three codes. For consistency in the family of codes, and to not have a conflict with the appendix, this section should be deleted. Below is the relevant section from the appendix.

**[A] 101.3 Membership of board.**

The board shall consist of five voting members appointed by the chief appointing authority of the jurisdiction. Each member shall serve for **[NUMBER OF YEARS]** years or until a successor has been appointed. The board member's terms shall be staggered at intervals, so as to provide continuity.

The code official shall be an ex officio member of said board but shall not vote on any matter before the board.

Cost impact: None. This is removing redundant text.