

BCAC ADM Public comments for Group B

5-25-2022

Code change Number	Results	Position - A, NP, D	Section number	Topic	Notes
ADM034-22 Part 1	AS	A	104.11 IEBC, IFC, IFGC, IGCC, IMC, IPC, IPMC, IPSDC, ISPSC, IWUIC, IECC (C and R)	Alternative means	Ask for ADM032-22 in front of ADM025-22 https://icc-hearingvideos-public.s3.amazonaws.com/2022/GroupB/CAH/ADM37-22-PartI.mp4
ADM034-22 Part 2	D	A	IRC	Alternative means	https://icc-hearingvideos-public.s3.amazonaws.com/2022/GroupB/CAH/ADM34-22-PartII.mp4
ADM041-22 Part 1	AS	A	IBC, IPC, IMC, IFGC, IEBC, IPSDC, IWUIC, IFC	Temporary structures	https://icc-hearingvideos-public.s3.amazonaws.com/2022/GroupB/CAH/ADM41-22-PartI.mp4
ADM041-22 Part 2	D	A	IRC	Temporary structures	https://icc-hearingvideos-public.s3.amazonaws.com/2022/GroupB/CAH/ADM41-22-PartII.mp4
ADM043-22 Part 1	AS	A	IECC (submitted) IBC, IFC, IEBC, IWUIC, IZC, IMC, IPMC, IFGC, ISPSC, and IGCC	Coordinate Section on Fees	https://icc-hearingvideos-public.s3.amazonaws.com/2022/GroupB/CAH/ADM43-22-PartI.mp4
ADM043-22 Part 2	D	A	IRC	Coordinate Section on Fees	https://icc-hearingvideos-public.s3.amazonaws.com/2022/GroupB/CAH/ADM43-22-PartII.mp4
ADM048-22 Part 1	AS	A	IBC, IEBC, IWUIC, IMC, IFC, ISPSC, IPC, IFGC, IPMC, IPSDC, IGCC	Board of Appeals, Means of Appeals	https://icc-hearingvideos-public.s3.amazonaws.com/2022/GroupB/CAH/ADM48-22-PartI.mp4
ADM048-22 Part 2	D	A	IRC	Board of Appeals, Means of Appeals	https://icc-hearingvideos-public.s3.amazonaws.com/2022/GroupB/CAH/ADM48-22-PartII.mp4
RB004-22	D	A	IRC R101.2	Coordination of scope between IRC and IBC	errata - item 5 should strike "that are"; modification for putting back in 'where constructed in accordance with this code' https://icc-hearingvideos-public.s3.amazonaws.com/2022/GroupB/CAH/RB4-22.mp4
RB005-22	AM	D	IRC R101.2	Coordination of scope between IRC and IBC	don't want 'children' because this is also adult day care https://icc-hearingvideos-public.s3.amazonaws.com/2022/GroupB/CAH/RB5-22.mp4
RB006-22	D	A	IRC R101.3	Property protection added to intent	https://icc-hearingvideos-public.s3.amazonaws.com/2022/GroupB/CAH/RB6-22.mp4
RB037-22	AS		IRC R301.2.2	Seismic	Coordination with RB101.2 Scoping

S099-22	D	A	IBC 106	Move posting to Chaper 16	suggestion to move to 1004 https://icc-hearingvideos- public.s3.amazonaws.com/2022/GroupB/CAH/S99- 22.mp4
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ADM34-22 Part II

Proposed Change as Submitted

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org); Robert Marshall, representing FCAC (fcac@iccsafe.org)

2021 International Residential Code

Revise as follows:

R104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code. ~~The building official shall have the authority to approve an~~ An alternative material, design or method of construction upon application of the owner or the owner's authorized agent. The shall be approved where the building official shall first find finds that the proposed alternative meets all of the following:

1. The alternative material, design or method of construction is satisfactory and complies with the intent of the provisions of this code, ~~and that~~
2. The material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code ~~in~~ as it pertains to the following:
 - 2.1. Quality;
 - 2.2. Strength;
 - 2.3. Effectiveness;
 - 2.4. Fire effectiveness;
 - 2.5. Durability ~~and~~
 - 2.6. Safety.

~~Compliance with the specific performance-based provisions of the International Codes shall be an alternative to the specific requirements of this code. Where the alternative material, design or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved.~~

Add new text as follows:

R104.11.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

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Reason: ADM19-19 modified IBC Section 104.11, but did not make the same suggestion across all the codes. The changes to this section were primarily formatting, with some slight reordering. This same change to be applicable to all the codes. It was also noted that not all of the codes included a subsection on research reports as an aid to alternative approval.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), ICC Fire Code Action Committee (FCAC) and . ICC Plumbing/Mechanical/Gas Code Action Committee (PMGCAC).

BCAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020 and 2021 the BCAC has held several virtual meetings open to any interested party. In addition, there were numerous virtual Working Group meetings for the current code development cycle, which included members of the committee as well as interested parties. Related documents and reports are posted on the BCAC website at <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/building-code-action-committee-bcac/>.

The FCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance assigned International Codes with regard to fire and life safety in new and existing buildings and facilities as well as the protection of life and property in wildland urban interface areas. In 2020 and 2021 the Fire-CAC held multiple virtual meetings that were open to any interested party. In addition, there were numerous virtual specific working group meetings that were also open to any interested parties, to develop, discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/fire-code-action-committee-fcac/>

The PMG CAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020 and 2021, the PMGCAC has held several virtual meetings open to any interested party. Numerous interested parties attended the committee meetings and offered their input.

Cost Impact: The code change proposal will not increase or decrease the cost of construction
This is primarily a format change.

ADM34-22 Part II

Public Hearing Results

Committee Action:

Disapproved

Committee Reason: The proposal was disapproved because there was concern about a list not being all inclusive. Building officials should be 'granted authority' rather than 'shall' approve alternative means. There were concerns that the IRC does not currently appear to allow research reports as part of a justification. (Vote: 8-2)

ADM34-22 Part II

Individual Consideration Agenda

Public Comment NUGENT-1:

IRC: R104.11.1

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org) requests As Modified by Public Comment

Modify as follows:

2021 International Residential Code

R104.11.1 Research reports. Supporting ~~data documentation~~, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

Commenter's Reason: The committee disapproved this proposal because they did not like the laundry list. This change is not adding a laundry list. It is simply reformatting the existing text for consistency with the other codes.
The committee supported an allowance for research reports, which is currently not specifically addressed in the IRC. This proposal should be approved so that research reports are permitted as an option in the IRC.

It is also the intent of this proposal to be consistent with the ADM13-22 Part 2. If ADM13-22 Part 2 is approved, this section would be replaced with the more extensive information for reports in that proposal for reports.

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction
The change to alternative means is editorial only. Adding an allowance for research reports increases options to provide information on alternative means.

Public Comment# 3019

ADM36-22 Part I

Proposed Change as Submitted

Proponents: Marcelo Hirschler, representing GBH International (mmh@gbhint.com)

THIS IS A 2 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.

2021 International Building Code

Revise as follows:

[A] 104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *building official* finds that the proposed alternative meets all of the following:

1. The alternative material, design or method of construction is satisfactory and complies with the intent of the provisions of this code,
2. The material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code as it pertains to the following:
 - 2.1. Quality.
 - 2.2. Strength.
 - 2.3. Effectiveness.
 - 2.4. ~~Fire resistance.~~
 - ~~2-5-2.4.~~ Durability.
 - ~~2-6-2.5.~~ Safety.

Where the alternative material, design or method of construction is not approved, the *building official* shall respond in writing, stating the reasons why the alternative was not approved.

Add new text as follows:

[A] 104.11.1 Fire safety equivalency. Determination of safety equivalency, with respect to fire, shall be based on an analysis that includes applicable fire safety performance properties, such as but not limited to ignitability, flame spread, heat release rate, heat of combustion, smoke development, and fire resistance. Determination of safety equivalency, with respect to structural fire safety, shall also include a structural system analysis.

[A] 104.11.2 Fire Tests. Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Tests shall be performed by a party acceptable to the code official.

Revise as follows:

[A] ~~104.11.1~~ 104.11.3 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

[A] ~~104.11.2~~ 104.11.4 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *building official* shall have the authority to require tests as evidence of compliance to be made without expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *building official* shall approve the testing procedures. Tests shall be performed by an *approved agency*. Reports of such tests shall be retained by the *building official* for the period required for retention of public records.

2021 International Existing Building Code

Revise as follows:

[A] 104.11 Alternative materials, design and methods of construction, and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *code official* finds that

the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, ~~fire-resistance~~, durability and safety. Where the alternative material, design or method of construction is not *approved*, the *code official* shall respond in writing, stating the reasons why the alternative was not *approved*.

Add new text as follows:

[A] 104.11.1 Fire safety equivalency. Determination of safety equivalency, with respect to fire, shall be based on an analysis that includes applicable fire safety performance properties, such as but not limited to ignitability, flame spread, heat release rate, heat of combustion, smoke development, and fire resistance. Determination of safety equivalency, with respect to structural fire safety, shall also include a structural system analysis.

[A] 104.11.2 Fire Tests. Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Tests shall be performed by a party acceptable to the code official.

Revise as follows:

[A] ~~104.11.1~~ 104.11.3 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

[A] ~~104.11.2~~ 104.11.4 Tests. Where there is insufficient evidence of compliance with the provisions of this code or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *code official* shall have the authority to require tests as evidence of compliance to be made without expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *code official* shall approve the testing procedures. Tests shall be performed by an *approved* agency. Reports of such tests shall be retained by the *code official* for the period required for retention.

2021 International Fire Code

Revise as follows:

[A] 104.10 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *fire code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, ~~fire-resistance~~, durability and safety. Where the alternative material, design or method of construction is not *approved*, the *fire code official* shall respond in writing, stating the reasons why the alternative was not *approved*.

Add new text as follows:

[A] 104.10.1 Fire safety equivalency. Determination of safety equivalency, with respect to fire, shall be based on an analysis that includes applicable fire safety performance properties, such as but not limited to ignitability, flame spread, heat release rate, heat of combustion, smoke development, and fire resistance. Determination of safety equivalency, with respect to structural fire safety, shall also include a structural system analysis.

[A] 104.10.2 Fire tests. Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Tests shall be performed by a party acceptable to the fire code official.

Revise as follows:

[A] ~~104.10.1~~ 104.10.3 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

[A] ~~104.10.2~~ 104.10.4 Tests. Where there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *fire code official* shall have the authority to require tests as evidence of compliance to be made without expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *fire code official* shall approve the testing procedures. Tests shall be performed by an *approved* agency. Reports of such tests shall be retained by the *fire code official* for the period required for retention of public records.

2021 International Fuel Gas Code

Revise as follows:

[A] 105.2 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent

the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, ~~fire resistance~~, durability and safety. Where the alternative material, design or method of construction is not *approved*, the *code official* shall respond in writing, stating the reasons why the alternative was not *approved*.

Add new text as follows:

[A] 105.2.1 Fire safety equivalency. Determination of safety equivalency, with respect to fire, shall be based on an analysis that includes applicable fire safety performance properties, such as but not limited to ignitability, flame spread, heat release rate, heat of combustion, smoke development, and fire resistance. Determination of safety equivalency, with respect to structural fire safety, shall also include a structural system analysis.

[A] 105.2.2 Fire tests. Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Tests shall be performed by a party acceptable to the code official.

Revise as follows:

[A] ~~105.2.1~~ 105.2.3 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

2021 International Mechanical Code

Revise as follows:

[A] 105.2 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, ~~fire resistance~~, durability and safety. Where the alternative material, design or method of construction is not *approved*, the *code official* shall respond in writing, stating the reasons why the alternative was not *approved*.

Add new text as follows:

[A] 105.2.1 Fire safety equivalency. Determination of safety equivalency, with respect to fire, shall be based on an analysis that includes applicable fire safety performance properties, such as but not limited to ignitability, flame spread, heat release rate, heat of combustion, smoke development, and fire resistance. Determination of safety equivalency, with respect to structural fire safety, shall also include a structural system analysis.

[A] 105.2.2 Fire tests. Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Tests shall be performed by a party acceptable to the code official.

Revise as follows:

[A] ~~105.2.1~~ 105.2.3 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

2021 International Plumbing Code

Revise as follows:

[A] 105.2 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material or method of construction shall be *approved* where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, ~~fire resistance~~, durability and safety. Where the alternative material, design or method of construction is not *approved*, the code official shall respond in writing, stating the reasons why the alternative was not *approved*.

Add new text as follows:

[A] 105.2.1 Fire safety equivalency. Determination of safety equivalency, with respect to fire, shall be based on an analysis that includes applicable fire safety performance properties, such as but not limited to ignitability, flame spread, heat release rate, heat of combustion, smoke development, and fire resistance. Determination of safety equivalency, with respect to structural fire safety, shall also include a structural system

analysis.

[A] 105.2.2 Fire tests. Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Tests shall be performed by a party acceptable to the code official.

Revise as follows:

[A] ~~105.2.1~~ 105.2.3 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

2021 International Property Maintenance Code

Revise as follows:

[A] 106.2 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, ~~fire resistance~~, durability and safety. Where the alternative material, design or method of construction is not *approved*, the *code official* shall respond in writing, stating the reasons why the alternative was not *approved*.

Add new text as follows:

[A] 106.2.1 Fire safety equivalency. Determination of safety equivalency, with respect to fire, shall be based on an analysis that includes applicable fire safety performance properties, such as but not limited to ignitability, flame spread, heat release rate, heat of combustion, smoke development, and fire resistance. Determination of safety equivalency, with respect to structural fire safety, shall also include a structural system analysis.

[A] 106.2.2 Fire tests. Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Tests shall be performed by a party acceptable to the code official.

2021 International Wildland-Urban Interface Code

Revise as follows:

[A] 105.3 Alternative materials, design and methods. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method shall be *approved* where the *building official* in concurrence with the fire chief finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, ~~fire resistance~~, durability and safety. Where the alternative material, design or method is not *approved*, the *building official* shall respond in writing, stating the reasons why the alternative was not *approved*.

Add new text as follows:

[A] 105.3.1 Fire safety equivalency. Determination of safety equivalency, with respect to fire, shall be based on an analysis that includes applicable fire safety performance properties, such as but not limited to ignitability, flame spread, heat release rate, heat of combustion, smoke development, and fire resistance. Determination of safety equivalency, with respect to structural fire safety, shall also include a structural system analysis.

[A] 105.3.2 Fire tests. Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Tests shall be performed by a party acceptable to the building official.

Reason: The intent of this code proposal is to clarify equivalency in terms of fire safety, which is incorrect and misleading as described simply in terms of fire resistance at present. In fact, fire resistance is only a subset of all aspects of fire safety. Therefore, it is better to have a safety analysis look at the issue of fire safety more comprehensively.

As revised, fire resistance would be deleted from the list, and a separate section added that more fully addresses fire safety. A proper fire safety analysis performed under this section should always have taken these considerations into account, but having them specifically stated, and removing the incorrect term “fire resistance” item from the list will help code officials and code users by providing more thorough guidance for preparation of alternative method proposals. Additional guidance has also been provided to ensure that fire testing done in support of an alternative method proposal is of a sufficient scale to be relevant to the end use application.

This proposal is a portion of a more wide-ranging proposal that revises the entire section 104. The language relating to the fire safety aspects is

identical to that agreed to for that proposal.

Equivalent changes are being proposed to all 9 ICC codes for which fire safety is a relevant issue in terms of alternate materials and methods.

Cost Impact: The code change proposal will not increase or decrease the cost of construction

There is no cost impact since this code proposal only clarifies the intent of the section and provides clearer guidance to the building, fire or code official.

ADM36-22 Part I

Public Hearing Results

Committee Action:

As Modified

Committee Modification:

2021 International Building Code

[A]104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *building official* finds that the proposed alternative meets all of the following:

1. The alternative material, design or method of construction is satisfactory and complies with the intent of the provisions of this code,
2. The material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code as it pertains to the following:
 - 2.1. Quality.
 - 2.2. Strength.
 - 2.3. Effectiveness.
 - 2.4. Durability.
 - 2.5. Safety, other than fire safety
 - 2.6. Fire Safety

Where the alternative material, design or method of construction is not approved, the *building official* shall respond in writing, stating the reasons why the alternative was not approved.

~~**[A] 104.11.1 Fire safety equivalency.** Determination of safety equivalency, with respect to fire, shall be based on an analysis that includes applicable fire safety performance properties, such as but not limited to ignitability, flame spread, heat release rate, heat of combustion, smoke development, and fire resistance. Determination of safety equivalency, with respect to structural fire safety, shall also include a structural system analysis.~~

2021 International Existing Building Code

[A] 104.11 Alternative materials, design and methods of construction, and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, durability, fire safety, and safety. Where the alternative material, design or method of construction is not *approved*, the *code official* shall respond in writing, stating the reasons why the alternative was not *approved*.

~~**[A] 104.11.1 Fire safety equivalency.** Determination of safety equivalency, with respect to fire, shall be based on an analysis that includes applicable fire safety performance properties, such as but not limited to ignitability, flame spread, heat release rate, heat of combustion, smoke development, and fire resistance. Determination of safety equivalency, with respect to structural fire safety, shall also include a structural system analysis.~~

2021 International Fire Code

[A] 104.10 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *fire code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, durability, fire safety, and safety. Where the alternative material, design or method of construction is not *approved*, the *fire code official* shall respond in writing, stating the reasons why the alternative was not *approved*.

[A] 104.10.1 Fire safety equivalency. Determination of safety equivalency, with respect to fire, shall be based on an analysis that includes applicable fire safety performance properties, such as but not limited to ignitability, flame spread, heat release rate, heat of combustion, smoke development, and fire resistance. Determination of safety equivalency, with respect to structural fire safety, shall also include a structural system analysis.

2021 International Fuel Gas Code

[A] 105.2 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, durability, fire safety, and safety. Where the alternative material, design or method of construction is not *approved*, the *code official* shall respond in writing, stating the reasons why the alternative was not *approved*.

[A] 105.2.1 Fire safety equivalency. Determination of safety equivalency, with respect to fire, shall be based on an analysis that includes applicable fire safety performance properties, such as but not limited to ignitability, flame spread, heat release rate, heat of combustion, smoke development, and fire resistance. Determination of safety equivalency, with respect to structural fire safety, shall also include a structural system analysis.

2021 International Mechanical Code

[A] 105.2 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, durability, fire safety, and safety. Where the alternative material, design or method of construction is not *approved*, the *code official* shall respond in writing, stating the reasons why the alternative was not *approved*.

[A] 105.2.1 Fire safety equivalency. Determination of safety equivalency, with respect to fire, shall be based on an analysis that includes applicable fire safety performance properties, such as but not limited to ignitability, flame spread, heat release rate, heat of combustion, smoke development, and fire resistance. Determination of safety equivalency, with respect to structural fire safety, shall also include a structural system analysis.

2021 International Plumbing Code

[A] 105.2 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material or method of construction shall be *approved* where the *code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, durability, fire safety, and safety. Where the alternative material, design or method of construction is not *approved*, the *code official* shall respond in writing, stating the reasons why the alternative was not *approved*.

[A] 105.2.1 Fire safety equivalency. Determination of safety equivalency, with respect to fire, shall be based on an analysis that includes applicable fire safety performance properties, such as but not limited to ignitability, flame spread, heat release rate, heat of combustion, smoke development, and fire resistance. Determination of safety equivalency, with respect to structural fire safety, shall also include a structural system analysis.

2021 International Property Maintenance Code

[A] 106.2 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, durability, fire safety, and safety. Where the alternative material, design or method of construction is not *approved*, the *code official* shall respond in writing, stating the reasons why the alternative was not *approved*.

~~**[A] 106.2.1 Fire safety equivalency.** Determination of safety equivalency, with respect to fire, shall be based on an analysis that includes applicable fire safety performance properties, such as but not limited to ignitability, flame spread, heat release rate, heat of combustion, smoke development, and fire resistance. Determination of safety equivalency, with respect to structural fire safety, shall also include a structural system analysis.~~

2021 International Wildland-Urban Interface Code

[A] 105.3 Alternative materials, design and methods. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method shall be *approved* where the *building official* in concurrence with the fire chief finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, durability, fire safety, and safety. Where the alternative material, design or method is not *approved*, the *building official* shall respond in writing, stating the reasons why the alternative was not *approved*.

~~**[A] 105.3.1 Fire safety equivalency.** Determination of safety equivalency, with respect to fire, shall be based on an analysis that includes applicable fire safety performance properties, such as but not limited to ignitability, flame spread, heat release rate, heat of combustion, smoke development, and fire resistance. Determination of safety equivalency, with respect to structural fire safety, shall also include a structural system analysis.~~

Committee Reason: The committee stated that the reason for the approval of the modification was that proposed fire safety equivalency section is not needed in the code. The stated reason for the approval of the proposal is that it correlates with the other code changes that were previously approved. (Vote: 13-0)

ADM36-22 Part I

Individual Consideration Agenda

Public Comment NUGENT-1:

IBC: [A] 104.11.2; IEBC: [A] 104.11.2; IFC: [A] 104.10.2; IFGC: [A] 105.2.2; IMC: [A] 105.2.2; IPC: [A] 105.2.2; IPMC: [A] 106.2.2; IWUIC: [A] 105.3.2

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org) requests As Modified by Public Comment

Further modify as follows:

2021 International Building Code

~~**[A] 104.11.2 Fire-Tests.** Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Where there is insufficient evidence of compliance with the provisions of this code, the building official is authorized to require tests as evidence of compliance. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized test standards, the building official shall approve the testing procedures. Such Tests shall be performed by a party acceptable to the code official.~~

2021 International Existing Building Code

~~**[A] 104.11.2 Fire-Tests..** Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Where there is insufficient evidence of compliance with the provisions of this code, the building official is authorized to require tests as evidence of compliance. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized test standards, the building official shall approve the testing procedures. Such Tests shall be performed by a party acceptable to the code official.~~

2021 International Fire Code

~~[A] 104.10.2 Fire-tests. Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Where there is insufficient evidence of compliance with the provisions of this code, the building official is authorized to require tests as evidence of compliance. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized test standards, the building official shall approve the testing procedures. Such Tests shall be performed by a party acceptable to the fire code official.~~

2021 International Fuel Gas Code

~~[A] 105.2.2 Fire-tests. Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Where there is insufficient evidence of compliance with the provisions of this code, the building official is authorized to require tests as evidence of compliance. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized test standards, the building official shall approve the testing procedures. Such Tests shall be performed by a party acceptable to the code official.~~

2021 International Mechanical Code

~~[A] 105.2.2 Fire-tests. Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Where there is insufficient evidence of compliance with the provisions of this code, the building official is authorized to require tests as evidence of compliance. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized test standards, the building official shall approve the testing procedures. Such Tests shall be performed by a party acceptable to the code official.~~

2021 International Plumbing Code

~~[A] 105.2.2 Fire-tests. Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Where there is insufficient evidence of compliance with the provisions of this code, the building official is authorized to require tests as evidence of compliance. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized test standards, the building official shall approve the testing procedures. Such Tests shall be performed by a party acceptable to the code official.~~

2021 International Property Maintenance Code

~~[A] 106.2.2 Fire-tests. Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Where there is insufficient evidence of compliance with the provisions of this code, the building official is authorized to require tests as evidence of compliance. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized test standards, the building official shall approve the testing procedures. Such Tests shall be performed by a party acceptable to the code official.~~

2021 International Wildland-Urban Interface Code

~~[A] 105.3.2 Fire-tests. Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Where there is insufficient evidence of compliance with the provisions of this code, the building official is authorized to require tests as evidence of compliance. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized test standards, the building official shall approve the testing procedures. Such Tests shall be performed by a party acceptable to the building official.~~

Commenter's Reason: This proposal provides testing for fire safety only. This could be read that only fire safety can use testing, rather than everything in the list for alternative means. The public comment language is to allow for testing for any requirements. The public comment language would be consistent with the approved language in ADM13-21 and ADM14-21.

BCAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020, 2021 and 2022 the BCAC has held several virtual meetings open to any interested party. In addition, there were numerous virtual Working Group meetings for the current code development cycle, which included members of the committee as well as interested parties. Related documents and reports are posted on the BCAC website at <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/building-code-action-committee-bcac/>.

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction. This modification allows testing as an option for alternative means, therefore, by increasing options, which could reduce costs.

ADM41-22 Part II

Proposed Change as Submitted

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org); Joseph J. Summers, representing Chair of PMGCAC (pmgcac@iccsafe.org); Robert Marshall, representing FCAC (fcac@iccsafe.org)

2021 International Residential Code

Revise as follows:

SECTION R107

TEMPORARY STRUCTURES, USES, 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, 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 s, uses, equipment or use systems 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, a 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.~~

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 ISPS. 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 section on Conformance includes a laundry list " structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary", that is not needed for the section and includes provisions that are not addressed in all of the codes (e.g. IPC does not address structural strength, means of egress, or light).

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.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), ICC Fire Code Action Committee (FCAC) and . ICC Plumbing/Mechanical/Gas Code Action Committee (PMGCAC).

BCAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020 and 2021 the BCAC has held several virtual meetings open to any interested party. In addition, there were numerous virtual Working Group meetings for the current code development cycle, which included members of the committee as well as interested parties. Related documents and reports are posted on the BCAC website at <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/building-code-action-committee-bcac/>.

The FCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance assigned International Codes with regard to fire and life safety in new and existing buildings and facilities as well as the protection of life and property in wildland urban interface areas. In 2020 and 2021 the Fire-CAC held multiple virtual meetings that were open to any interested party. In addition, there were numerous virtual specific working group meetings that were also open to any interested parties, to develop, discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/fire-code-action-committee-fcac/>

The PMG CAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020 and 2021, the PMGCAC has held several virtual meetings open to any interested party. Numerous interested parties attended the committee meetings and offered their input.

Cost Impact: The code change proposal will not increase or decrease the cost of construction
This change is only removing repeating requirements, therefore this revision is strictly editorial and will not have any changes to the construction requirements.

ADM41-22 Part II

Public Hearing Results

Committee Action:

Disapproved

Committee Reason: The proposal was disapproved because the revision uses the undefined term 'system'. (Vote: 6-5)

ADM41-22 Part II

Individual Consideration Agenda

Public Comment NUGENT-1:

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org) requests As Submitted

Commenter's Reason: We respectively disagree with the decision of the IRC committee. 'Systems' is used throughout the existing text in Section R111 and is a commonly used and understood term. A definition is not needed. Words not defined are addressed in Sections R201.3 and R201.4. Elements of mechanical, electrical, plumbing or other system must be compatible and listed together. BCAC feels that this term is appropriate in this context.

The intent of this proposal is consistent terminology between Section R107 and R111 and with the other I-codes. The deletion in Section R107.3 is strictly to remove redundant language in Section 107.3 and replace it with a reference.

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction
This change is only removing repeating requirements, therefore this revision is strictly editorial and will not have any changes to the construction requirements.

Public Comment# 3020

ADM43-22 Part I

Proposed Change as Submitted

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org); Joseph J. Summers, representing Plumbing, Mechanical and Fuel Gas Code Action Committee (pmgac@iccsafe.org); Robert Marshall, representing FCAC (fcac@iccsafe.org)

THIS IS A 2 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.

2021 International Building Code

Revise as follows:

[A] **109.3 Permit valuations.** The applicant for a *permit* shall provide an estimated ~~permit~~ value of the work for which the permit is being issued at time of application. ~~Permit valuations shall reflect~~ Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. ~~# Where~~, 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 acceptable to the building official~~. ~~Final building permit valuation shall be set by the building official.~~ The building official shall have the authority to adjust the final valuation for permit fees.

2021 International Existing Building Code

Revise as follows:

[A] **108.3 Permit valuations.** The applicant for a *permit* shall provide an estimated ~~permit~~ value of the work for which the permit is being issued at time of application. ~~Permit valuations shall reflect~~ Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. ~~# Where~~, 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 acceptable to the code official~~. ~~Final building permit valuation shall be set by the code official.~~ The code official shall have the authority to adjust the final valuation for permit fees.

2021 International Fire Code

Revise as follows:

107.3 Permit valuations. The applicant for a *permit* shall provide an estimated ~~permit~~ value of the work for which the permit is being issued at time of application. ~~Permit valuations shall reflect~~ Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. ~~# Where~~, in the opinion of the *fire 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 acceptable to the fire code official~~. ~~Final permit valuation shall be set by the fire code official.~~ The fire code official shall have the authority to adjust the final valuation for permit fees.

2021 International Fuel Gas Code

Revise as follows:

109.3 Permit valuations. The applicant for a *permit* shall provide an estimated ~~permit~~ value of the work for which the permit is being issued at time of application. ~~Permit valuations shall reflect~~ Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. ~~# Where~~, 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 acceptable to the code official~~. ~~Final building permit valuation shall be set by the code official.~~ The code official shall have the authority to adjust the final valuation for permit fees.

2021 International Mechanical Code

Revise as follows:

[A] **109.3 Permit valuations.** The applicant for a *permit* shall provide an estimated ~~permit~~ value of the work for which the permit is being issued at time of application. ~~Permit valuations shall reflect~~ Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. ~~# Where~~, 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 acceptable to the code official~~. ~~Final building permit valuation shall be set by the code official.~~ The code official shall have the authority to adjust the final valuation for permit fees.

2021 International Swimming Pool and Spa Code

Revise as follows:

[A] 108.3 Permit valuations. The applicant for a *permit* shall provide an estimated ~~permit value~~ of the work for which the permit is being issued at time of application. ~~Permit valuations shall reflect~~ Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. ~~Where~~, 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 acceptable~~ to the code official. ~~Final building permit valuation shall be set by the code official.~~ The code official shall have the authority to adjust the final valuation for permit fees.

2021 International Wildland-Urban Interface Code

Revise as follows:

[A] 109.3 Permit valuations. The applicant for a permit shall provide an estimated ~~permit value~~ of the work for which the permit is being issued at time of application. ~~Permit valuations shall reflect~~ Such estimated valuations shall include the total value of work, including materials and labor, for which the permit is being issued. ~~Where~~, in the opinion of the applicable governing authority, the valuation is underestimated ~~on the application~~, the permit shall be denied, unless the applicant can show detailed estimates ~~to meet the approval of acceptable~~ to the applicable governing authority. ~~Final building permit valuation shall be set by the applicable governing authority.~~ The applicable governing authority shall have the authority to adjust the final valuation for permit fees.

2021 International Green Construction Code

Revise as follows:

108.3 Permit valuations. The applicant for a permit shall provide an estimated ~~permit value~~ of the work for which the permit is being issued at the time of application. ~~Permit valuations shall consist of~~ Such estimated valuations shall include the total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, and plumbing equipment and permanent systems. ~~Where~~, 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 acceptable~~ to the building official. ~~Final building permit valuation shall be set by the building official.~~ The building official shall have the authority to adjust the final valuation for permit fees.

Reason: The intent of this proposal is to coordinate the provisions for fees in the I-codes. Last cycle 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.

The revisions to Section 109.3 is based on some concerns raised during discussion. The change to the first and second sentence is a clarification of application. The cost of the permit is the value of the work being performed, not the value of the permit. The current last sentence could be read to say the code official can arbitrarily set the permit valuation, or it could be read to say the code official had to calculate the valuation. The proposed language allows for the code official to make adjustments if warranted.

There is another code change to add this section to IPC. ADM27-19 was approved last cycle for the coordination of the Fees section in IMC, IPC, IPMC, IFGC, IPSPC. This section was left out of IPC by accident. This revised text has been submitted to be added to the IPC Section 109.3.

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.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), ICC Fire Code Action Committee (FCAC) and . ICC Plumbing/Mechanical/Gas Code Action Committee (PMGCAC).

BCAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020 and 2021 the BCAC has held several virtual meetings open to any interested party. In addition, there were numerous virtual Working Group meetings for the current code development cycle, which included members of the committee as well as interested parties. Related documents and reports are posted on the BCAC website at <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/building-code-action-committee-bcac/>.

The FCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance assigned International Codes with regard to fire and life safety in new and existing buildings and facilities as well as the protection of life and property in wildland urban interface areas. In 2020 and 2021 the Fire-CAC held multiple virtual meetings that were open to any interested party. In addition, there were numerous virtual specific working group meetings that were also open to any interested parties, to develop, discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/fire-code-action-committee-fcac/>.

The PMG CAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020 and 2021, the PMGCAC has held several virtual meetings open to any interested party. Numerous interested parties attended the committee meetings and offered their input.

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

ADM43-22 Part I

Public Hearing Results

Committee Action:

As Submitted

Committee Reason: The committee stated that the reason for the approval was that the permit valuation needs to be in the hands of the building, code or fire code official and this change clarifies it by making it consistent across the other codes in a plain language correction. (Vote: 12-1)

ADM43-22 Part I

Individual Consideration Agenda

Public Comment NUGENT-1:

IBC: [A] 109.3; IEBC: [A] 108.3; IFC: 107.3; IFGC: 109.3; IMC: [A] 109.3; ISPSC: [A] 108.3; IWUIC: [A] 109.3; IGCC: 108.3

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org) requests As Modified by Public Comment

Modify as follows:

2021 International Building Code

[A] 109.3 Permit valuations. The applicant for a *permit* shall provide an estimated value of the work for which the permit is being issued at time of application. Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. ~~Where, in the opinion of the building official, the valuation is underestimated, the permit shall be denied, unless the applicant can show detailed estimates acceptable to the building official. The building official shall have the authority to adjust the final valuation for permit fees.~~

2021 International Existing Building Code

[A] 108.3 Permit valuations. The applicant for a *permit* shall provide an estimated value of the work for which the permit is being issued at time of application. Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. ~~Where, in the opinion of the code official, the valuation is underestimated, the permit shall be denied unless the applicant can show detailed estimates acceptable to the code official. The code official shall have the authority to adjust the final valuation for permit fees.~~

2021 International Fire Code

107.3 Permit valuations. The applicant for a *permit* shall provide an estimated value of the work for which the permit is being issued at time of application. Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. ~~Where, in the opinion of the fire code official, the valuation is underestimated, the permit shall be denied unless the applicant can show detailed estimates acceptable to the fire code official. The fire code official shall have the authority to adjust the final valuation for permit fees.~~

2021 International Fuel Gas Code

109.3 Permit valuations. The applicant for a *permit* shall provide an estimated value of the work for which the permit is being issued at time of application. Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. ~~Where, in the opinion of the code official, the valuation is underestimated, the permit shall be denied, unless the applicant can show detailed estimates acceptable to the code official. The code official shall have the authority to adjust the final valuation for permit fees.~~

2021 International Mechanical Code

[A] 109.3 Permit valuations . The applicant for a *permit* shall provide an estimated value of the work for which the permit is being issued at time of application. Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. ~~Where, in the opinion of the *code official*, the valuation is underestimated , the permit shall be denied, unless the applicant can show detailed estimates acceptable to the *code official*. The *code official* shall have the authority to adjust the final valuation for permit fees.~~

2021 International Swimming Pool and Spa Code

[A] 108.3 Permit valuations. The applicant for a *permit* shall provide an estimated value of the work for which the permit is being issued at time of application. Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. ~~Where, in the opinion of the *code official*, the valuation is underestimated , the permit shall be denied, unless the applicant can show detailed estimates acceptable to the *code official*. The *code official* shall have the authority to adjust the final valuation for permit fees.~~

2021 International Wildland-Urban Interface Code

[A] 109.3 Permit valuations. The applicant for a permit shall provide an estimated value of the work for which the permit is being issued at time of application. Such estimated valuations shall include the total value of work, including materials and labor, for which the permit is being issued. ~~Where, in the opinion of the applicable governing authority, the valuation is underestimated , the permit shall be denied, unless the applicant can show detailed estimates acceptable to the applicable governing authority. The applicable governing authority shall have the authority to adjust the final valuation for permit fees.~~

2021 International Green Construction Code

108.3 Permit valuations. The applicant for a permit shall provide an estimated value of the work for which the permit is being issued at the time of application. Such estimated valuations shall include the total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, and plumbing equipment and permanent systems. ~~Where, in the opinion of the building official, the valuation is underestimated , the permit shall be denied unless the applicant can show detailed estimates acceptable to the building official. The building official shall have the authority to adjust the final valuation for permit fees.~~

Commenter's Reason: BCAC received comments after the spring hearings with concern about the possible mis-interpretation of the last two sentences. The public comment removes the last two sentences. How a jurisdiction deals with incorrect information can be addressed through department policies.

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.

ADM43-22 Part I

Proposed Change as Submitted

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org); Joseph J. Summers, representing Plumbing, Mechanical and Fuel Gas Code Action Committee (pmgac@iccsafe.org); Robert Marshall, representing FCAC (fcac@iccsafe.org)

THIS IS A 2 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.

2021 International Building Code

Revise as follows:

[A] 109.3 Permit valuations. The applicant for a *permit* shall provide an estimated ~~permit~~ value of the work for which the permit is being issued at time of application. ~~Permit valuations shall reflect~~ Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. ~~# Where~~, 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 acceptable to the building official~~. ~~Final building permit valuation shall be set by the building official~~. The building official shall have the authority to adjust the final valuation for permit fees.

2021 International Existing Building Code

Revise as follows:

[A] 108.3 Permit valuations. The applicant for a *permit* shall provide an estimated ~~permit~~ value of the work for which the permit is being issued at time of application. ~~Permit valuations shall reflect~~ Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. ~~# Where~~, 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 acceptable to the code official~~. ~~Final building permit valuation shall be set by the code official~~. The code official shall have the authority to adjust the final valuation for permit fees.

2021 International Fire Code

Revise as follows:

107.3 Permit valuations. The applicant for a *permit* shall provide an estimated ~~permit~~ value of the work for which the permit is being issued at time of application. ~~Permit valuations shall reflect~~ Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. ~~# Where~~, in the opinion of the *fire 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 acceptable to the fire code official~~. ~~Final permit valuation shall be set by the fire code official~~. The fire code official shall have the authority to adjust the final valuation for permit fees.

2021 International Fuel Gas Code

Revise as follows:

109.3 Permit valuations. The applicant for a *permit* shall provide an estimated ~~permit~~ value of the work for which the permit is being issued at time of application. ~~Permit valuations shall reflect~~ Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. ~~# Where~~, 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 acceptable to the code official~~. ~~Final building permit valuation shall be set by the code official~~. The code official shall have the authority to adjust the final valuation for permit fees.

2021 International Mechanical Code

Revise as follows:

[A] 109.3 Permit valuations . The applicant for a *permit* shall provide an estimated ~~permit~~ value of the work for which the permit is being issued at time of application. ~~Permit valuations shall reflect~~ Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. ~~# Where~~, 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 acceptable to the code official~~. ~~Final building permit valuation shall be set by the code official~~. The code official shall have the authority to adjust the final valuation for permit fees.

2021 International Swimming Pool and Spa Code

Revise as follows:

[A] 108.3 Permit valuations. The applicant for a *permit* shall provide an estimated ~~permit value~~ of the work for which the permit is being issued at time of application. ~~Permit valuations shall reflect~~ Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. ~~Where~~, 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 acceptable~~ to the code official. ~~Final building permit valuation shall be set by the code official.~~ The code official shall have the authority to adjust the final valuation for permit fees.

2021 International Wildland-Urban Interface Code

Revise as follows:

[A] 109.3 Permit valuations. The applicant for a permit shall provide an estimated ~~permit value~~ of the work for which the permit is being issued at time of application. ~~Permit valuations shall reflect~~ Such estimated valuations shall include the total value of work, including materials and labor, for which the permit is being issued. ~~Where~~, in the opinion of the applicable governing authority, the valuation is underestimated ~~on the application~~, the permit shall be denied, unless the applicant can show detailed estimates ~~to meet the approval of acceptable~~ to the applicable governing authority. ~~Final building permit valuation shall be set by the applicable governing authority.~~ The applicable governing authority shall have the authority to adjust the final valuation for permit fees.

2021 International Green Construction Code

Revise as follows:

108.3 Permit valuations. The applicant for a permit shall provide an estimated ~~permit value~~ of the work for which the permit is being issued at the time of application. ~~Permit valuations shall consist of~~ Such estimated valuations shall include the total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, and plumbing equipment and permanent systems. ~~Where~~, 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 acceptable~~ to the building official. ~~Final building permit valuation shall be set by the building official.~~ The building official shall have the authority to adjust the final valuation for permit fees.

Reason: The intent of this proposal is to coordinate the provisions for fees in the I-codes. Last cycle 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, ISPC, IWUIC and IZC.

The revisions to Section 109.3 is based on some concerns raised during discussion. The change to the first and second sentence is a clarification of application. The cost of the permit is the value of the work being performed, not the value of the permit. The current last sentence could be read to say the code official can arbitrarily set the permit valuation, or it could be read to say the code official had to calculate the valuation. The proposed language allows for the code official to make adjustments if warranted.

There is another code change to add this section to IPC. ADM27-19 was approved last cycle for the coordination of the Fees section in IMC, IPC, IPMC, IFGC, IPSPC. This section was left out of IPC by accident. This revised text has been submitted to be added to the IPC Section 109.3.

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.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), ICC Fire Code Action Committee (FCAC) and . ICC Plumbing/Mechanical/Gas Code Action Committee (PMGCAC).

BCAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020 and 2021 the BCAC has held several virtual meetings open to any interested party. In addition, there were numerous virtual Working Group meetings for the current code development cycle, which included members of the committee as well as interested parties. Related documents and reports are posted on the BCAC website at <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/building-code-action-committee-bcac/>.

The FCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance assigned International Codes with regard to fire and life safety in new and existing buildings and facilities as well as the protection of life and property in wildland urban interface areas. In 2020 and 2021 the Fire-CAC held multiple virtual meetings that were open to any interested party. In addition, there were numerous virtual specific working group meetings that were also open to any interested parties, to develop, discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/fire-code-action-committee-fcac/>.

The PMG CAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020 and 2021, the PMGCAC has held several virtual meetings open to any interested party. Numerous interested parties attended the committee meetings and offered their input.

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

ADM43-22 Part I

Public Hearing Results

Committee Action:

As Submitted

Committee Reason: The committee stated that the reason for the approval was that the permit valuation needs to be in the hands of the building, code or fire code official and this change clarifies it by making it consistent across the other codes in a plain language correction. (Vote: 12-1)

ADM43-22 Part I

Individual Consideration Agenda

Public Comment NUGENT-2:

IBC: [A] 109.3; IEBC: [A] 108.3; IFC: 107.3; IFGC: 109.3; IMC: [A] 109.3; ISPSC: [A] 108.3; IWUIC: [A] 109.3; IGCC: 108.3

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org) requests As Modified by Public Comment

Modify as follows:

2021 International Building Code

[A] 109.3 Permit valuations. The applicant for a *permit* shall provide an estimated value of the work for which the permit is being issued at time of application. Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. Where, 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 ~~acceptable to meet the approval of the building official.~~ acceptable to meet the approval of the building official. ~~The building official shall have the authority to adjust the final valuation for permit fees.~~ Final building permit valuation shall be set by the building official.

2021 International Existing Building Code

[A] 108.3 Permit valuations. The applicant for a *permit* shall provide an estimated value of the work for which the permit is being issued at time of application. Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. Where, 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 ~~acceptable to meet the approval of the code official.~~ acceptable to meet the approval of the code official. ~~The code official shall have the authority to adjust the final valuation for permit fees.~~ Final building permit valuation shall be set by the code official.

2021 International Fire Code

107.3 Permit valuations. The applicant for a *permit* shall provide an estimated value of the work for which the permit is being issued at time of application. Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. Where, in the opinion of the *fire code official*, the valuation is underestimated on the application, the *permit* shall be denied, unless the applicant can show detailed estimates ~~acceptable to meet the approval of the fire code official.~~ acceptable to meet the approval of the fire code official. ~~The fire code official shall have the authority to adjust the final valuation for permit fees.~~ Final building permit valuation shall be set by the fire code official.

2021 International Fuel Gas Code

109.3 Permit valuations. The applicant for a *permit* shall provide an estimated value of the work for which the permit is being issued at time of application. Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. Where, 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 ~~acceptable to~~ meet the approval of the code official. ~~The code official shall have the authority to adjust the final valuation for permit fees.~~ Final building permit valuation shall be set by the code official.

2021 International Mechanical Code

[A] 109.3 Permit valuations . The applicant for a *permit* shall provide an estimated value of the work for which the permit is being issued at time of application. Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. Where, 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 ~~acceptable to~~ meet the approval of the code official. ~~The code official shall have the authority to adjust the final valuation for permit fees.~~ Final building permit valuation shall be set by the code official.

2021 International Swimming Pool and Spa Code

[A] 108.3 Permit valuations. The applicant for a *permit* shall provide an estimated value of the work for which the permit is being issued at time of application. Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. Where, 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 ~~acceptable to~~ meet the approval of the code official. ~~The code official shall have the authority to adjust the final valuation for permit fees.~~ Final building permit valuation shall be set by the code official.

2021 International Wildland-Urban Interface Code

[A] 109.3 Permit valuations. The applicant for a permit shall provide an estimated value of the work for which the permit is being issued at time of application. Such estimated valuations shall include the total value of work, including materials and labor, for which the permit is being issued. Where, in the opinion of the applicable governing authority, the valuation is underestimated on the application, the *permit* shall be denied, unless the applicant can show detailed estimates ~~acceptable to~~ meet the approval of the applicable governing authority. ~~The applicable governing authority shall have the authority to adjust the final valuation for permit fees.~~ Final building permit valuation shall be set by the applicable governing authority.

2021 International Green Construction Code

108.3 Permit valuations. The applicant for a permit shall provide an estimated value of the work for which the permit is being issued at the time of application. Such estimated valuations shall include the total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, and plumbing equipment and permanent systems. Where, 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 ~~acceptable to~~ meet the approval of the building official. ~~The building official shall have the authority to adjust the final valuation for permit fees.~~ Final building permit valuation shall be set by the building official.

Commenter's Reason: There was a lot of testimony against the changes to the verbiage in the last two sentences regarding the adjustment of the permit valuation. This modification replaces the existing text.

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.

ADM43-22 Part II

Proposed Change as Submitted

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org); Joseph J. Summers, representing Plumbing, Mechanical and Fuel Gas Code Action Committee (pmgac@iccsafe.org); Robert Marshall, representing FCAC (fcac@iccsafe.org)

2021 International Residential Code

Revise as follows:

~~R108.3~~ **Building permit-Permit valuations.** The applicant for a permit shall provide an estimated value of the work for which the permit is being issued at time of application. Such estimated Building permit valuations shall include the total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems, including materials and labor. Where, in the opinion of the building official, the valuation is underestimated, the permit shall be denied, unless the applicant can show detailed estimates acceptable to the building official. The building official shall have the authority to adjust the final valuation for permit fees.

~~R108.6~~ **R108.4 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.

~~R108.4~~ **R108.5 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 building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

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

Reason: The intent of this proposal is to coordinate the provisions for fees in the I-codes. Last cycle 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.

The revisions to Section 109.3 is based on some concerns raised during discussion. The change to the first and second sentence is a clarification of application. The cost of the permit is the value of the work being performed, not the value of the permit. The current last sentence could be read to say the code official can arbitrarily set the permit valuation, or it could be read to say the code official had to calculate the valuation. The proposed language allows for the code official to make adjustments if warranted.

There is another code change to add this section to IPC. ADM27-19 was approved last cycle for the coordination of the Fees section in IMC, IPC, IPMC, IFGC, IPSPC. This section was left out of IPC by accident. This revised text has been submitted to be added to the IPC Section 109.3.

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.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), ICC Fire Code Action Committee (FCAC) and . ICC Plumbing/Mechanical/Gas Code Action Committee (PMGCAC).

BCAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020 and 2021 the BCAC has held several virtual meetings open to any interested party. In addition, there were numerous virtual Working Group meetings for the current code development cycle, which included members of the committee as well as interested parties. Related documents and reports are posted on the BCAC website at <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/building-code-action-committee-bcac/>.

The FCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance assigned International Codes with regard to fire and life safety in new and existing buildings and facilities as well as the protection of life and property in wildland urban interface areas. In 2020 and 2021 the Fire-CAC held multiple virtual meetings that were open to any interested party. In addition, there were numerous virtual specific working group meetings that were also open to any interested parties, to develop, discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/fire-code-action-committee-fcac/>.

The PMG CAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020 and 2021, the PMGCAC has held several virtual meetings open to any interested party. Numerous interested parties attended the committee meetings and offered their input.

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

ADM43-22 Part II

Public Hearing Results

Committee Action:

Disapproved

Committee Reason: The proposal was disapprove because of concerns over the revisions to the last sentence in Section R108.3. Some of the committee members felt that "shall be denied" is too restrictive and "in the opinion" was too open for interpretation. The valuation did not include the significant rise in construction materials during the pandemic, but the existing intent is about valuation, not cost. (Vote: 7-3)

ADM43-22 Part II

Individual Consideration Agenda

Public Comment NUGENT-1:

IRC: SECTION R108, R108.1, R108.2, R108.3, R108.4, R108.5, R108.6

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org) requests As Modified by Public Comment

Modify as follows:

2021 International Residential Code

SECTION R108 FEES

R108.1 Payment of fees. A *permit* shall not be valid until the fees prescribed by law have been paid, 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 a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

R108.3 Permit valuations. The applicant for a *permit* shall provide an estimated value of the work for which the permit is being issued at time of application. Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. ~~Where, in the opinion of the building official, the valuation is underestimated, the permit shall be denied, unless the applicant can show detailed estimates acceptable to the building official. The building official shall have the authority to adjust the final valuation for permit fees.~~

R108.4 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 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.

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

Commenter's Reason: The IRC code development committee was concerned about the last two sentences of Section R108.3 of the original proposal. These sentences have been removed. If incorrect information is provided on the permit application, that can be dealt with through department policy.

The committee also said that this section did not take into consideration increases cost in construction. Section 108.2 addressed the tables use for permit fees. That section is included in this modification for information purposes.

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.

ADM48-22 Part I

Proposed Change as Submitted

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org); Joseph J. Summers, representing Plumbing, Mechanical and Fuel Gas Code Action Committee (pmgac@iccsafe.org); Robert Marshall, representing FCAC (fcac@iccsafe.org)

THIS IS A 2 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.

2021 International Building Code

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*.

Revise as follows:

[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 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.

2021 International Existing Building Code

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*.

Revise as follows:

[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 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.

2021 International Fire Code

SECTION 111 MEANS OF APPEALS

Revise as follows:

[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 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.

2021 International Fuel Gas Code

Revise as follows:

SECTION 113 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*.

Revise as follows:

[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 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.

2021 International Mechanical Code

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.

Revise as follows:

[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 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.

2021 International Plumbing Code

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.

Revise as follows:

[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 and training 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.

2021 International Property Maintenance Code

Revise as follows:

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*.

Revise as follows:

[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 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.

2021 International Private Sewage Disposal Code

Revise as follows:

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*.

Revise as follows:

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 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.

2021 International Swimming Pool and Spa Code

Revise as follows:

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*.

Revise as follows:

[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 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.

2021 International Wildland-Urban Interface Code

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.

Revise as follows:

[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 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.

2021 International Green Construction Code

SECTION 111 MEANS OF APPEALS

111.1 **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:

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.~~

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

111.4 **Administration.** The authority having jurisdiction shall take ~~immediate~~ action in accordance with the decision of the board.

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 for experience and training is slightly different in each code. Adding this idea to all codes would provide consistency.

Administration: The IRC code change committee felt that 'immediate' was unreasonable. With the word removed, the board, or jurisdiction can set a reasonable timeframe.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), ICC Fire Code Action Committee (FCAC) and . ICC Plumbing/Mechanical/Gas Code Action Committee (PMGCAC).

BCAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020 and 2021 the BCAC has held several virtual meetings open to any interested party. In addition, there were numerous virtual Working Group meetings for the current code development cycle, which included members of the committee as well as interested parties. Related documents and reports are posted on the BCAC website at <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/building-code-action-committee-bcac/>.

The FCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance assigned International Codes with regard to fire and life safety in new and existing buildings and facilities as well as the protection of life and property in wildland urban interface areas. In 2020 and 2021 the Fire-CAC held multiple virtual meetings that were open to any interested party. In addition, there were numerous virtual specific working group meetings that were also open to any interested parties, to develop, discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/fire-code-action-committee-fcac/>

The PMG CAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020 and 2021, the PMGCAC has held several virtual meetings open to any interested party. Numerous interested parties attended the committee meetings and offered their input.

Cost Impact: The code change proposal will not increase or decrease the cost of construction. These are administration requirements, so there will be no change in construction requirements.

ADM48-22 Part I

Public Hearing Results

Committee Action:

As Submitted

Committee Reason: The committee stated that the reason for approval was the proponent's reason statement which includes coordination of the codes. It was specifically noted that most jurisdictions have a single board of appeals that covers all the codes in that jurisdiction, so it is important to only have one set of requirements that is consistent within each code. (Vote: 13-0)

ADM48-22 Part I

Individual Consideration Agenda

Public Comment NUGENT-1:

IBC: [A] 113.4; IEBC: [A] 112.4; IFC: [A] 111.4; IFGC: 113.4; IMC: [A] 114.4; IPC: [A] 114.4; IPMC: 107.4; IPSDC: [A] 112.4; ISPSC: [A] 111.4; IWUIC: [A] 113.4; IGCC: 111.4

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org) requests As Modified by Public Comment

Modify as follows:

2021 International Building Code

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

2021 International Existing Building Code

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

2021 International Fire Code

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

2021 International Fuel Gas Code

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

2021 International Mechanical Code

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

2021 International Plumbing Code

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

2021 International Property Maintenance Code

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

2021 International Private Sewage Disposal Code

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

2021 International Swimming Pool and Spa Code

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

2021 International Wildland-Urban Interface Code

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

2021 International Green Construction Code

111.4 Administration. The authority having jurisdiction shall take action without delay in accordance with the decision of the board.

Commenter's Reason: Last cycle the Administrative Committee asked the BCAC to remove the word 'immediate' as it could be read to require the code official to respond immediately after the board made it's decision - as in that night immediately following the conclusion of the meeting. This proposal did that. However, after the spring hearings, BCAC received comments that no timeline could be read the opposite - in that a code official could delay indefinitely. It is hope that 'without delay' is a reasonable compromise.

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 correction with no changes to construction requirements.

ADM48-22 Part II

Proposed Change as Submitted

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org); Joseph J. Summers, representing Plumbing, Mechanical and Fuel Gas Code Action Committee (pmgcac@iccsafe.org); Robert Marshall, representing FCAC (fcac@iccsafe.org)

2021 International Residential Code

Revise as follows:

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 judgment~~ 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.

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 for experience and training is slightly different in each code. Adding this idea to all codes would provide consistency.

Administration: The IRC code change committee felt that 'immediate' was unreasonable. With the word removed, the board, or jurisdiction can set a reasonable timeframe.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), ICC Fire Code Action Committee (FCAC) and . ICC Plumbing/Mechanical/Gas Code Action Committee (PMGCAC).

BCAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020 and 2021 the BCAC has held several virtual meetings open to any interested party. In addition, there were numerous virtual Working Group meetings for the current code development cycle, which included members of the committee as well as interested parties. Related documents and reports are posted on the BCAC website at <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/building-code-action-committee-bcac/>.

The FCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance assigned International Codes with regard to fire and life safety in new and existing buildings and facilities as well as the protection of life and property in wildland urban interface areas. In 2020 and 2021 the Fire-CAC held multiple virtual meetings that were open to any interested party. In addition, there were numerous virtual specific working group meetings that were also open to any interested parties, to develop, discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/fire-code-action-committee-fcac/>

The PMG CAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020 and 2021, the PMGCAC has held several virtual meetings open to any interested party. Numerous interested parties attended the committee meetings and offered their input.

Cost Impact: The code change proposal will not increase or decrease the cost of construction. These are administration requirements, so there will be no change in construction requirements.

ADM48-22 Part II

Public Hearing Results

Committee Action:

Disapproved

Committee Reason: The proposal was disapproved. In R112.4 the word 'immediate' should not be struck. It leaves the timing ambiguous. Striking the sentence in Section R112.1 would remove the restriction that the code official could not vote, leaving the question, why would the building official be voting? Some also felt the building official should be an ex officio, non-voting member. This language is more confusing than the original.

(Vote: 7-3)

One argument against disapproval was that removing the building official from the board is not giving them a vote.

ADM48-22 Part II

Individual Consideration Agenda

Public Comment NUGENT-2:

IRC: SECTION R112, R112.1, R112.2, R112.3

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org) requests As Modified by Public Comment

Replace as follows:

2021 International Residential Code

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 judgment~~ on matters pertaining to ~~building construction~~ the provisions of this code and are not employees of the *jurisdiction*.

Commenter's Reason: The public comments are dividing the question into two parts - R112 through R112.3 is Part 1 and R112.4 is Part 2.

PART 1

The BCAC respectively disagrees with the IRC committee's comment on the deleted sentence in Section R112.1. Section R112 is regarding the right and process for someone to have a means of appeal. The make-up of the board is address in the Appendix AV for the Board or Appeals that was approved last cycle (ADM43-19 Part II AS). The role of the code official in the Board of Appeals is addressed in Sections AV101.1 and AV101.3. Since language regarding the makeup of the Board of Appeals is in the appendix, this change removes any requirements for the Board of Appeals. This allows the jurisdiction to determine the makeup of the Board of Appeals in their specific ordinances or through the adoption of the appendix.

Appendix AV - Board of Appeals

AV101.1 Scope. A board of appeals shall be established within the jurisdiction for the purpose of hearing applications for modification of the requirements of this code pursuant to the provisions of Section R112. The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the building official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

AV101.3 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 [INSERT 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 building official shall be an ex officio member of said board but shall not vote on any matter before the board.

To provide some historical context for this change across codes - In ADM40-19, the section for appeals in Chapter 1 of each code book was edited to limit this section to the means for an appeal and any information relating to the Board of Appeals was removed. An appendix for the Board of Appeals updated or added. Most jurisdictions have established their Board of Appeals in ordinances and many times this conflicts with the language in the code book. By making this change, the code allows for the "right to appeal" and lets the jurisdiction determine the specifics of the Board of Appeals. The appendix was created in ADM43-19 Part II AS to provide a template for the Board of Appeals if the jurisdiction does not already have this language. They adopt and or modify the appendix only if necessary. The appendix for Board of Appeals now exists in all code books except IZC and ICCPC.

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction. These are administration requirements, so there will be no change in construction requirements.

ADM48-22 Part II

Proposed Change as Submitted

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org); Joseph J. Summers, representing Plumbing, Mechanical and Fuel Gas Code Action Committee (pmgcac@iccsafe.org); Robert Marshall, representing FCAC (fcac@iccsafe.org)

2021 International Residential Code

Revise as follows:

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 judgment~~ 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.

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 for experience and training is slightly different in each code. Adding this idea to all codes would provide consistency.

Administration: The IRC code change committee felt that 'immediate' was unreasonable. With the word removed, the board, or jurisdiction can set a reasonable timeframe.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), ICC Fire Code Action Committee (FCAC) and . ICC Plumbing/Mechanical/Gas Code Action Committee (PMGCAC).

BCAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020 and 2021 the BCAC has held several virtual meetings open to any interested party. In addition, there were numerous virtual Working Group meetings for the current code development cycle, which included members of the committee as well as interested parties. Related documents and reports are posted on the BCAC website at <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/building-code-action-committee-bcac/>.

The FCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance assigned International Codes with regard to fire and life safety in new and existing buildings and facilities as well as the protection of life and property in wildland urban interface areas. In 2020 and 2021 the Fire-CAC held multiple virtual meetings that were open to any interested party. In addition, there were numerous virtual specific working group meetings that were also open to any interested parties, to develop, discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/fire-code-action-committee-fcac/>

The PMG CAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020 and 2021, the PMGCAC has held several virtual meetings open to any interested party. Numerous interested parties attended the committee meetings and offered their input.

Cost Impact: The code change proposal will not increase or decrease the cost of construction. These are administration requirements, so there will be no change in construction requirements.

ADM48-22 Part II

Public Hearing Results

Committee Action:

Disapproved

Committee Reason: The proposal was disapproved. In R112.4 the word 'immediate' should not be struck. It leaves the timing ambiguous. Striking the sentence in Section R112.1 would remove the restriction that the code official could not vote, leaving the question, why would the building official be voting? Some also felt the building official should be an ex officio, non-voting member. This language is more confusing than the original.

(Vote: 7-3)

One argument against disapproval was that removing the building official from the board is not giving them a vote.

ADM48-22 Part II

Individual Consideration Agenda

Public Comment NUGENT-1:

IRC: R112.4

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org) requests As Modified by Public Comment

Replace as follows:

2021 International Residential Code

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

Commenter's Reason: The public comments are dividing the question into two parts - R112 through R112.3 is Part 1 and R112.4 is Part 2.
PART 2

This modification is to revise Section R112.4 so that the term 'immediate' is replaced with 'without delay' as a reasonable compromise for a building official to react promptly to a board of appeals decision, without having to respond immediately following the meeting.

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 with no change in construction requirements.

Public Comment# 3024

RB4-22

Proposed Change as Submitted

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org)

2021 International Residential Code

Revise as follows:

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 uses shall be permitted ~~to be constructed in accordance with this code~~ where located within a dwelling unit that is provided with 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.
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 day care facility for five or fewer persons receiving care ~~that are within a single family dwelling.~~

Reason: The intent of this proposal is to clarify the permitted uses of the scope within dwelling units and constructed in accordance with the IRC, by removing repeated and redundant language in each of the exceptions ("within a dwelling unit") and placing that in the main body of the exception. The revisions are editorial and for clarification with no technical changes included.

This proposal is submitted by the ICC Building Code Action Committee (BCAC). BCAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020 and 2021 the BCAC has held several virtual meetings open to any interested party. In addition, there were numerous virtual Working Group meetings for the current code development cycle, which included members of the committee as well as interested parties. Related documents and reports are posted on the BCAC website at <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/building-code-action-committee-bcac/>.

Cost Impact: The code change proposal will not increase or decrease the cost of construction. The proposed changes are only editorial. This clarification of scope for IRC has no technical changes.

RB4-22

Public Hearing Results

This proposal includes unpublished errata

Section R101.2 Scope, Item 5 should also include 'that are' as struck out.

5. A day care facility for five or fewer persons receiving care ~~that are within a single family dwelling.~~

Committee Action:

Disapproved

Committee Reason: The proposal was disapproved because the committee felt that moving 'dwelling unit' to the start of the exceptions was not clear where working with lodging houses and live/work units since those are not exactly dwelling units. The phrase "constructed in accordance with this code" should not be struck because it could be interpreted that this would allow these 5 items to not have to comply with the limits for construction (e.g. number of stories, separation). (Vote: 6-5)

RB4-22

Individual Consideration Agenda

Public Comment NUGENT-1:

IRC: R101.2

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org) requests As Modified by Public Comment

Modify as follows:

2021 International Residential Code

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 uses shall be permitted to be constructed in accordance with this code where located within a dwelling unit that is provided with an automatic sprinkler system complying with Section P2904:

1. Live/work units complying with the requirements of Section 508.5 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.
4. A care facility with five or fewer persons receiving medical care .
5. A day care facility for five or fewer persons receiving care .

Commenter's Reason: The BCAC would first like to address the concerns of the committee and the opposition.

The modification restores the phrase 'to be constructed in accordance with this code' due to the IRC committee's concern that someone could misread the exceptions to be for all limitations in the IRC (e.g. three stories, separate means of egress), rather than just the use.

The opposition argued that a lodging house is not a dwelling unit. This is incorrect. Below is the definition.

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

The primary focus of this change continues to be removal of other limits in the current definitions:

- 1) that a Live/work unit should be permitted in one- and two-family homes, not just townhouses; and
- 2) that day care facilities should be permitted in townhouses, not just single-family homes.

The intent of this proposal is:

- Item 1 - To allow for live/work units to be all types of dwelling units, not just townhouses.
- Item 5 - To allow for day care facilities in all types of dwelling units, not just single family dwellings
- Remove redundant language in Item 3 and 4.

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

This would allow for additional design options for live/work units and very small day care in in home. This clarification of scope for IRC has no technical changes.

RB5-22

Proposed Change as Submitted

Proponents: Stephen Thomas, representing Colorado Chapter ICC (sthomas@coloradocode.net)

2021 International Residential Code

Revise as follows:

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 508.5 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 day care facility for five or fewer persons- children receiving care that are within a single-family dwelling unit.

Reason: This proposal is designed to provide consistent language between the IBC and the IRC regarding small day care facilities. IBC Section 305.2.3 permits a day care facility within a dwelling unit to comply with the IRC where there are five or fewer children receiving day care. However, there is no scoping in the IRC for this type of use. The cross references were added in the 2018 IBC but we missed the day care provision and just made a general comment for persons receiving care. We no longer need that language since we are addressing each type of care that the IBC permits to comply with the IRC in the different uses in the exception.

Cost Impact: The code change proposal will not increase or decrease the cost of construction. This change is a clarification and does not change any technical provisions.

RB5-22

Public Hearing Results

Committee Action:

As Modified

Committee Modification:

R101.2Scope.

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 508.5 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 day care facility for five or fewer children receiving care within a dwelling unit.
6. A care facility for five or fewer persons receiving care within a dwelling unit.

Committee Reason: The modification was approved because it restored the current exception 5 with the additional modification of allowing for adult day care to be located within a townhouse or a single family home. The original proposal was approved because it specifically addressed child day care and allowed for child day care to be located within a townhouse or single family home. (Vote: 10-0)

Individual Consideration Agenda

Public Comment NUGENT-1:

IRC: R101.2

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org) requests As Modified by Public Comment

Further modify as follows:

2021 International Residential Code

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 508.5 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 day care facility for five or fewer ~~children~~ persons of any age receiving care within a dwelling unit.
6. ~~A care facility for five or fewer persons receiving care within a dwelling unit.~~

Commenter's Reason: The original proposal was too limiting as it said day care was only for children. The IBC Sections 308.5, 308.5.4 and 310.4.1 allow for day care for any age. While the BCAC agrees this should be indicated as 'day' care, adult day care should also be permitted. The proponent put in a floor modification to add the current exception 5 back into the list of exceptions as a new exception 6. That would be redundant. The clarification can be in one exception.

2021 IBC

308.5 Institutional Group I-4, day care facilities. Institutional Group I-4 occupancy shall include buildings and structures occupied by more than five persons of any age who receive custodial care for fewer than 24 hours per day by persons other than parents or guardians; relatives by blood, marriage or adoption; and in a place other than the home of the person cared for. This group shall include, but not be limited to, the following:

Adult day care

Child day care

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.

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.

BCAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or

portions thereof. In 2020, 2021 and 2022 the BCAC has held several virtual meetings open to any interested party. In addition, there were numerous virtual Working Group meetings for the current code development cycle, which included members of the committee as well as interested parties. Related documents and reports are posted on the BCAC website at <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/building-code-action-committee-bcac/>.

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction. This change is a clarification and does not change any technical provisions.

RB6-22

Proposed Change as Submitted

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org)

2021 International Residential Code

Revise as follows:

R101.3 Purpose. The purpose of this code is to establish minimum requirements to provide a reasonable level of safety, health and general welfare through affordability, structural strength, means of egress, 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 and to provide a reasonable level of 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, ISPS, 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”.

This proposal is submitted by the ICC Building Code Action Committee (BCAC). BCAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020 and 2021 the BCAC has held several virtual meetings open to any interested party. In addition, there were numerous virtual Working Group meetings for the current code development cycle, which included members of the committee as well as interested parties. Related documents and reports are posted on the BCAC website at <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/building-code-action-committee-bcac/>.

Cost Impact: The code change proposal will not increase or decrease the cost of construction. This change is for coordination across codes for the purpose statements and does not change any technical requirements.

RB6-22

Public Hearing Results

Committee Action:

Disapproved

Committee Reason: The committee disapproved this proposal because the issue of safety was already addressed in the code. (Vote: 9-1)

RB6-22

Individual Consideration Agenda

Public Comment NUGENT-1:

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org) requests As Submitted

Commenter's Reason: The BCAC feels that this proposal should be reconsidered. This is an editorial change that makes the codes consistent. The IRC committee rejected this change because 'the issue of safety is already addressed in the code.' "Safety" is already in the revised sentence; this is just a reformat. While there are times that the IRC text should be different, this is not one of those areas.

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 with no changes to technical requirements.

Public Comment# 3030

RB37-22

Proposed Change as Submitted

Proponents: Julie Furr, representing FEMA-ATC Seismic Code Support Committee (jfurr@rimkus.com); Kelly Cobeen, representing Federal Emergency Management Agency/Applied Technology Council - Seismic Code Support Committee (kcobeen@wje.com); Michael Mahoney, representing FEMA (mike.mahoney@fema.dhs.gov)

2021 International Residential Code

Revise as follows:

R301.2.2 Seismic provisions. Buildings ~~within the scope of this code as defined in Section R101.2 in Seismic Design Categories C, D₀, D₁ and D₂~~ shall be constructed in accordance with the requirements of this section and other seismic requirements of this code. The seismic provisions of this code shall apply as follows:

1. Townhouses and buildings as permitted by the exceptions to Section R101.2 containing three or more dwelling units in Seismic Design Categories C, D₀, D₁ and D₂.
2. Detached one- and two-family dwellings and buildings as permitted by the exceptions to Section R101.2 containing less than three dwelling units in Seismic Design Categories, D₀, D₁ and D₂.

Buildings in Seismic Design Category E shall be designed to resist seismic loads in accordance with the *International Building Code*, except where the ~~Seismic Design Category seismic design category~~ is reclassified to a lower ~~Seismic Design Category seismic design category~~ in accordance with Section R301.2.2.1. Components of buildings not required to be designed to resist seismic loads shall be constructed in accordance with the provisions of this code.

Reason: This proposal clarifies when seismic design provisions are required for buildings that are not clearly identifiable as a traditional townhouse or one- or two-family designation. Three dwelling units was selected as the threshold based on the current definition of townhouse which is "A building that contains three or more attached townhouse units."

The IRC seismic provisions have always been required for all buildings within the scope of this code, based upon the Seismic Design Category and use. In Seismic Design Category C, certain seismic provisions are only required for townhouses or similar structures and do not apply to one- and two-family dwellings. However, under Section R101.2, building uses that fall within the scope of the IRC are not always clearly identifiable as one of these traditional designations: townhouses or one- or two-family dwellings. Specifically, Section R101.2 exception 2, identifies "lodging houses" as within the IRC scope but there is no guidance that specifies if this should comply with requirements for townhouse or one- or two-family dwellings, where they diverge. The current language leaves the application of seismic provisions for non-traditional designations (other than townhouses or one- or two-family dwellings) open to interpretation by the code official when the project is located in Seismic Design Category C. The proposed language clearly states when seismic provisions are required for these buildings.

Cost Impact: The code change proposal will not increase or decrease the cost of construction

This proposal revises the language used to determine when seismic design provisions are required, to accommodate the intended scope of the IRC which includes non-traditional uses that cannot be clearly classified as either a townhouse or one- or two-family dwelling. There is no change to the technical content of the provisions or the intended scope of seismic provisions. Seismic provisions have always been determined based on the Seismic Design Category and number of dwelling units, so there will be no cost impact when approving this proposal.

RB37-22

Public Hearing Results

Committee Action:

As Submitted

Committee Reason: This proposal was approved since this clarifies that all types of facilities constructed under the IRC (Section 101.2 townhouses and exceptions) have to comply with the applicable seismic criteria. (Vote: 10-0)

RB37-22

Individual Consideration Agenda

Public Comment NUGENT-2:

IRC: R301.2.2

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org) requests As Modified by Public Comment

Modify as follows:

2021 International Residential Code

R301.2.2 Seismic provisions. Buildings within the scope of this code as defined in Section R101.2 shall be constructed in accordance with the requirements of this section and other seismic requirements of this code. The seismic provisions of this code shall apply as follows:

1. ~~Townhouses and buildings as permitted by the exceptions to Section R101.2 containing three or more dwelling units~~ in *Seismic Design Categories C, D₀, D₁ and D₂*.
2. Detached one- and two-family *dwelling*s and ~~buildings as permitted by the exceptions to Section R101.2 containing less than three dwelling units~~ in *Seismic Design Categories, D₀, D₁ and D₂*.

Buildings in Seismic Design Category E shall be designed to resist seismic loads in accordance with the *International Building Code*, except where the *Seismic Design Category* is reclassified to a lower *Seismic Design Category* in accordance with Section R301.2.2.1. Components of buildings not required to be designed to resist seismic loads shall be constructed in accordance with the provisions of this code.

Commenter's Reason: The additional language is technically redundant and very confusing. The Exceptions in Section R102.1 are uses that are permitted within one- or two- family dwellings or townhouses. They are not a different type of building. Townhouses are defined as three or more units -

[RB]TOWNHOUSE. A building that contains three or more attached townhouse units.

Detached one- and two- family dwelling units are by default one or two dwelling units.

BCAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020, 2021 and 2022 the BCAC has held several virtual meetings open to any interested party. In addition, there were numerous virtual Working Group meetings for the current code development cycle, which included members of the committee as well as interested parties. Related documents and reports are posted on the BCAC website at <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/building-code-action-committee-bcac/>.

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction. There is no change to the technical content of the provisions or the intended scope of seismic provisions. Seismic provisions have always been determined based on the Seismic Design Category and number of dwelling units, so there will be no cost impact when approving this proposal.

Proposed Change as Submitted

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org)

2021 International Building Code

Delete without substitution:

**SECTION 106
FLOOR AND ROOF DESIGN LOADS**

~~**[A] 106.1 Live loads posted.** In commercial or industrial buildings, for each floor or portion thereof designed for *live loads* exceeding 50 psf (2.40 kN/m²), such design *live loads* shall be conspicuously posted by the *owner* or the owner's authorized agent in that part of each *story* in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.~~

~~**[A] 106.2 Issuance of certificate of occupancy.** A certificate of occupancy required by Section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.~~

~~**[A] 106.3 Restrictions on loading.** It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a *load* greater than is permitted by this code.~~

Revise as follows:

1607.8.5 Posting. The maximum weight of vehicles allowed into or on a garage or other structure shall be posted on a durable sign in a readily visible location at the vehicle entrance of the building or other approved location by the owner or the owner's authorized agent in accordance with Section 106.1.

Reason: This proposal addresses the concerns expressed during testimony on a similar change last cycle. S52-19 attempted to move this signage requirement back to Chapter 16. This section was moved to the administrative provisions from structural by S48-07/08 The structural committee felt that this sign did not belong with the loading provisions in Chapter 16. There was testimony stating that the signage for live loads exceeding 50 pounds was an erroneous requirement. Signage requirements do not belong in the administrative provisions and none are found in any of the Administrative requirements in any of the other codes. Therefore, this proposal to delete the sign that was considered ineffective out of Chapter 1, and add a clarification of the requirements for the vehicle loading in Section 107.7.5 where it currently exists. This proposal is submitted by the ICC Building Code Action Committee (BCAC).

BCAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2020 and 2021 the BCAC has held several virtual meetings open to any interested party. In addition, there were numerous virtual Working Group meetings for the current code development cycle, which included members of the committee as well as interested parties. Related documents and reports are posted on the BCAC website at <https://www.iccsafe.org/products-and-services/i-codes/code-development/cs/building-code-action-committee-bcac/>.

Cost Impact: The code change proposal will decrease the cost of construction
Eliminates signage in some areas.

S99-22

Public Hearing Results

Committee Action:

Disapproved

Committee Reason: Disapproved as the committee emphasized that the code should stay as is as the current provision for posting of live loads is appropriate. The committee expressed the proposal had merit in concept as the 50 psf trigger could be considered too low. (Vote: 9-4)

S99-22

Individual Consideration Agenda

Public Comment NUGENT-1:

IBC: SECTION 106, [A] 106.1, [A] 106.2, [A] 106.3, 1607.8.5

Proponents: Mike Nugent, representing Building Code Action Committee (bcac@iccsafe.org) requests As Modified by Public Comment

Modify as follows:

2021 International Building Code

SECTION 106 FLOOR AND ROOF DESIGN LOADS

~~[A] 106.1-1607.3.1 Live loads posted.~~ In ~~commercial or industrial buildings-manufacturing, storage warehouses and stores,~~ for each floor or portion thereof designed for *live loads* exceeding the live loads in Table 1607.1 ~~50 psf (2.40 kN/m²),~~ such design *live loads* shall be conspicuously posted by the *owner* or the owner's authorized agent in that part of each *story* in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

~~[A] 106.2 Issuance of certificate of occupancy.~~ A certificate of occupancy required by Section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

~~[A] 106.3 Restrictions on loading.~~ It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a *load* greater than is permitted by this code.

1607.8.5 Posting. The maximum weight of vehicles allowed into or on a garage or other structure shall be posted on a durable sign in a readily visible location at the vehicle entrance of the building or other approved location by the owner or the owner's authorized agent in accordance with Section 106.1.

Commenter's Reason: The text as currently written is unreasonable and unenforceable.

Section 106 - Chapter 1 is an administrative chapter. Signage requirements are not an administrative item. These signage requirement should be located with the loading requirements to be consistent with the code - examples include - signage for gas detection alarms (916.9) under gas detection systems (916); occupant load posting (1004.9) with occupant loads (1004); area of refuge and two-way communication requirements (1009.9) with accessible means of egress (1009); stairway identification signage (1023.9) in exit stairways (1023); exit signs (1013) are located with exit requirements in Chapter 10; toilet room signage (2902.4) in minimum plumbing facilities (2902); elevator signage (3002.3) with the elevator provisions (3002), and heavy vehicle loading signage (1607.8.5) are are located in Heavy vehicle loads (1607.8).

Section 106.1 - Table 1607.1 does not have 'commercial' or 'industrial' buildings listed, so it is not clear where the signage is required. The weight requirement of "exceeding 50 lbs" would literally require this signage in all spaces for listed in Table 1607.1 for Item 21 , Manufacturing(125/250 lbs); Item 33, Storage warehouses(125/250 lbs); and Item 34, Stores (75, 100, 125 lbs).

The proposed wording is specific for occupancies or uses listed in Table 1607.1 and is only required where the design load is higher than the minimum. This section is relocated to the requirements for uniform live loads in the code.

Section 106.2 - Signage requirements should not be tied to receiving a certificate of occupancy.

Section 106.3 - This is unenforceable. Making sure the loading in a spaces is not exceeded is an operational issue, not a building code issue.

Section 1607.8.5 - The proposed language removes the reference to Section 106 and provides more specific information for the required signage.

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction This technically is a reduction in the signage requirements, but it is our understanding that this is not currently being enforced. This is not a change to the technical requirements.