

# 8th Edition (2023) Florida Building Code

Proposed Code Modifications



**FLORIDA  
BUILDING  
COMMISSION**  
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**dbpr** Department of Business  
and Professional Regulation

## ICC 2021 Code Changes

This document created by the Florida Department of Business and Professional Regulation -  
850-487-1824

# TAC: Code Administration

Total Mods for **Code Administration** in **Approved as Submitted – Consent**: 14

Total Mods for report: 53

## Sub Code: Building

CA9053/ADM19-19

1

Date Submitted 2/16/2021  
Chapter 1

Section 104.11  
Affects HVHZ Yes

Proponent Mo Madani  
Attachments Yes

TAC Recommendation Approved as Submitted – Consent  
Commission Action Pending Review

Staff Classification Correlates Directly

### Comments

General Comments Yes

#### Related Modifications

IBC: [A] 104.11 (New)

#### Summary of Modification

Revises the section to improve the language

#### Rationale

This section can be written more clearly as to the various criteria that must be met in order to be approved as an alternate material, design or method of construction. This will make it easier for the building official to make the necessary evaluation and decision. Should the alternate not be approved, it will also make it easier for the building official to cite the reasons for disapproval. There are no changes to the various requirements that the building official must consider.

## Comment Period History

CA9053-G1 Proponent Michael Silvers (FRSA) Submitted 6/16/2021 Attachments No  
Comment:  
FRSA request a Motion to Deny: FRSA urges the TAC to reject the provision of this Mod in the TAC's recommendations to the Commission and that it should not be incorporated into the FBC.

## Comment Period History

CA9053-G2 Proponent Michael Silvers (FRSA) Submitted 6/16/2021 Attachments No  
Comment:  
FRSA request a Motion to Deny: FRSA urges the TAC to reject the provision of this Mod in the TAC's recommendations to the Commission and that it should not be incorporated into the FBC.



Comment Period History

CA9053-G3

Proponent	Joseph Belcher	Submitted	6/30/2021	Attachments	No
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Comment:

The Florida Home Builders Association (FHBA) requests approval of this code change. There are no changes other than formatting, making the provisions easier for the code user and the code enforcement personnel to understand.

Approved as Modified (AM)

Original MOD

**Delete and substitute 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 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 building official shall respond in writing, stating the reasons why the alternative was not approved.~~

[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. Durability
  - 2.6. 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.

**Committee Action:**

**Approved as Modified**

Modify proposal 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 design 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. Durability
- 2.6. 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

## Code Change No: ADM19-19

### Original Proposal

**Section(s):** IBC: [A] 104.11 (New)

**Proponents:** Manny Muniz, Self, representing Self (Mannymuniz.mm@gmail.com)

**2018 International Building Code**

**Delete and substitute 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 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 building official shall respond in writing, stating the reasons why the alternative was not approved.~~

**[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. Durability
  - 2.6. 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.

**Reason:** This section can be written more clearly as to the various criteria that must be met in order to be approved as an alternate material, design or method of construction. This will make it easier for the building official to make the necessary evaluation and decision. Should the alternate not be approved, it will also make it easier for the building official to cite the reasons for disapproval. There are no changes to the various requirements that the building official must consider.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. There are no changes to the existing requirements.

<b>Report of Committee Action Hearings</b>
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**Committee Action:****Approved as Modified****Modify proposal 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 design 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. Durability
  - 2.6. 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.

**Committee Reason:** The committee stated that the approval of the modification was based on the improvement to the language that makes it clear that it is the alternative that is subject to the list of requirements. The approval of the proposal was based on the proponent's published reason. (Vote: 13-0)

**Assembly Action:****None**

<b>Final Action</b>
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**ADM19-19****AM**

<b>Date Submitted</b> 2/18/2021	<b>Section 101</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Approved as Submitted – Consent	<b>Staff Classification</b> Correlates Directly	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

IECC: APPENDIX CA (New)

**Summary of Modification**

Adds new "Board of Appeals" section

**Rationale**

Please see attachment



Approved as Submitted (AS)

Add new text as follows:

**APPENDIX CA**  
**BOARD OF APPEALS**

**SECTION CA101**  
**GENERAL**

**CA101.1 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 C109 (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**CA101.2 Application for appeal.** Any person shall have the right to appeal a decision of the code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

**CA101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**CA101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

**CA101.3 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 code official shall be an ex officio member of said board but shall not vote on any matter before the board.

**CA101.3.1 Qualifications.** The board shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

**CA101.3.2 Alternate members.** The chief appointing authority is authorized to appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for the same term or until a successor has been appointed.

**CA101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

**CA101.3.4 Chairperson.** The board shall annually select one of its members to serve as chairperson.

**CA101.3.5 Secretary.** The chief appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.

**CA101.3.6 Conflict of interest.** A member with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**CA101.3.7 Compensation of members.** Compensation of members shall be determined by law.

CA101.3.8 Removal from the board. A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

CA101.4 Rules and procedures. The board shall establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

CA101.5 Notice of meeting. The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic intervals.

CA101.5.1 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

CA101.5.2 Quorum. Three members of the board shall constitute a quorum.

CA101.5.3 Postponed hearing. When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

CA101.6 Legal counsel. The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

CA101.7 Board decision. The board shall only modify or reverse the decision of the code official by a concurring vote of three or more members.

CA101.7.1 Resolution. The decision of the board shall be by resolution. Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the code official.

CA101.7.2 Administration. The code official shall take immediate action in accordance with the decision of the board.

CA101.8 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

## Code Change No: ADM43-19 Part III

### Original Proposal

#### Section(s): IECC: APPENDIX CA (New)

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgcac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@iccsafe.org); David Collins, representing SEHPCAC (sehpac@iccsafe.org)

**THIS IS A 4 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART IV WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

#### 2018 International Energy Conservation Code

Add new text as follows:

#### APPENDIX CA BOARD OF APPEALS

#### SECTION CA101 GENERAL

**CA101.1 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 C109 (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**CA101.2 Application for appeal.** Any person shall have the right to appeal a decision of the code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

**CA101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**CA101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

**CA101.3 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 code official shall be an ex officio member of said board but shall not vote on any matter before the board.

**CA101.3.1 Qualifications.** The board shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

**CA101.3.2 Alternate members.** The chief appointing authority is authorized to appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for the same term or until a successor has been appointed.

**CA101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

**CA101.3.4 Chairperson.** The board shall annually select one of its members to serve as chairperson.

**CA101.3.5 Secretary.** The chief appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.

**CA101.3.6 Conflict of interest.** A member with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**CA101.3.7 Compensation of members.** Compensation of members shall be determined by law.

**CA101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

**CA101.4 Rules and procedures.** The board shall establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

**CA101.5 Notice of meeting.** The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic intervals.

**CA101.5.1 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

**CA101.5.2 Quorum.** Three members of the board shall constitute a quorum.

**CA101.5.3 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

**CA101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

**CA101.7 Board decision.** The board shall only modify or reverse the decision of the code official by a concurring vote of three or more members.

**CA101.7.1 Resolution.** The decision of the board shall be by resolution. Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the code official.

**CA101.7.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.

**CA101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

**Reason:** The intent of this proposal is to have a consistent set of requirements for the Board of Appeals. The right for someone to have an appeal is addressed in a separate proposal for Means of Appeals. Currently the IBC and IFC have these requirements in an appendix, while other codes either don't have it at all or have it in the text. It was felt that appendix was a more appropriate place to allow for the jurisdiction to establish their own criteria, or to use this appendix as a template.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as "building/fire/code official".

## APPENDIX A BOARD OF APPEALS

### SECTION A101 GENERAL

**A101.1 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 XXX (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the *code official* pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**A101.2 Application for appeal.** Any person shall have the right to appeal a decision of the *code official* to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the *code official* within 20 days after the notice was served.

**A101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**A101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

**A101.3 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 *code official* shall be an ex officio member of said board but shall not vote on any matter before the board.

**A101.3.1 Qualifications.** The board shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

**A101.3.2 Alternate members.** The chief appointing authority may appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for the same term or until a successor has been appointed.

**A101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

**A101.3.4 Chairperson.** The board shall annually select one of its members to serve as chairperson.

**A101.3.5 Secretary.** The chief appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.

**A101.3.6 Conflict of interest.** A member with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**A101.3.7 Compensation of members.** Compensation of members shall be determined by law.

**A101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

**A101.4 Rules and procedures.** The board shall establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

**A101.5 Notice of meeting.** The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic intervals.

**A101.5.1 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the *code official* and any person whose interests are affected shall be given an opportunity to be heard.

**A101.5.2 Quorum.** Three members of the board shall constitute a quorum.

**A101.5.3 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

**A101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

**A101.7 Board decision.** The board shall only modify or reverse the decision of the *code official* by a concurring vote of three or more members.

**A101.7.1 Resolution.** The decision of the board shall be by resolution. Every decision shall be promptly filed in writing in the office of the *code official* within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the *code official*.

**A101.7.2 Administration.** The *code official* shall take immediate action in accordance with the decision of the board.

**A101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC) and the 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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-actioncommittee-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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>.

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at: <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

The PMGCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMGCAC. In 2017-2018, the PMGCAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac/>.



**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. This is an editorial correlation and an option for jurisdictions to follow.

<b>Report of Committee Action Hearings</b>
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**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The appendix allows a jurisdiction to use this appendix on a Board of Appeals. It is optional, not a requirement. There was concern that not all of the parts of ADM43 have been accepted by the various committees. (Vote 11-3)

**Assembly Action:**

**None**

<b>Final Action</b>
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**ADM43-19 Part III**

**AS**

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<b>Date Submitted</b> 2/18/2021	<b>Section</b> 101.1	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Approved as Submitted – Consent	<b>Staff Classification</b> Correlates Directly	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

IBC: APPENDIX O (New), O101.1, O101.2, O101.3, O101.3.1, O101.4, O101.4.1, O101.4.2, O101.4.3, O101.5, O101.5.1 (New), O101.5.2, O101.6, O101.6.1, O101.6.2, O101.7, O101.8, O101.9, O101.10

**Summary of Modification**

Adds new appendix "Performance based application"

**Rationale**

This proposal does not generate any new code requirements, but rather provides an optional design, review and approval framework for use by the code official. Typical uses would include cases of alternate methods in Chapter 1, select areas of the IBC that require a rational analysis such as Section 909 and elsewhere. The proposed Appendix simply extracts the relevant administrative provisions from the ICC Performance Code into a more concise, usable appendix format for a jurisdiction confronted with such a need. Currently there are multiple, varying jurisdictional rules and procedures in many communities regarding procedure and none in even more. The code official is often left alone to reach decisions not just on the merits of a design, but must first also decide on the submittal and review process.

As an Appendix, it is entirely optional to a jurisdiction. It can be adopted, adopted with local modifications, or even used on a case-by-case basis as part of a Memorandum of Understanding or similar legal agreement between the jurisdiction and the owner/design team. It simply represents another tool for the jurisdiction to reach for in cases of need; it neither encourages nor creates any additional opportunity for performance-based design.

Approved as modified by public comment 1 (AMPC1)

Original MOD

Add new text as follows:

**APPENDIX O**  
**PERFORMANCE-BASED APPLICATION**

O101.1 Introduction. The following administrative provisions are excerpted from the ICC Performance Code for Buildings and Facilities and can be used in conjunction with the Alternate Methods provisions in Chapter 1, or for a review of submittals requiring a rational analysis or performance-based design. These provisions provide an established framework for the code official in terms of the design expertise needed, the necessary submittals, a review framework and related items.

O101.2 Qualifications. Registered design professionals shall possess the knowledge, skills and abilities necessary to demonstrate compliance with this code.

O101.3 Construction document preparation. Construction documents required by this code shall be prepared in adequate detail and submitted for review and approval in accordance with Section 107.

O101.3.1 Review. Construction documents submitted in accordance with this code shall be reviewed for code compliance with the appropriate code provisions in accordance with Section 107.

O101.4 Construction. Construction shall comply with the approved construction documents submitted in accordance with this code, and shall be verified and approved to demonstrate compliance with this code.

O101.4.1 Facility operating policies and procedures. Policies, operations, training and procedures shall comply with approved documents submitted in accordance with this code, and shall be verified and approved to demonstrate compliance with this code.

O101.4.2 Maintenance. Maintenance of the performance-based design shall be ensured throughout the life of the building or portion thereof.

O101.4.3 Changes. The owner or the owner's authorized agent shall be responsible to ensure that any change to the facility, process, or system does not increase the hazard level beyond that originally designed without approval and that changes shall be documented in accordance with the code.

O101.5 Documentation. The registered design professional shall prepare appropriate documentation for the project that clearly provides the design approach and rationale for design submittal, construction and future use of the building, facility or process.

O101.5.1 Reports and Manuals. The design report shall document the steps taken in the design analysis, clearly identifying the criteria, parameters, inputs, assumptions, sensitivities and limitations involved in the analysis. The design report shall clearly identify bounding conditions, assumptions and sensitivities that clarify the expected uses and limitations of the performance analysis. This report shall verify that the design approach is in compliance with the applicable codes and acceptable methods and shall be submitted for concurrence by the code official prior to the construction documents being completed. The report shall document the design features to be incorporated based on the analysis.

The design report shall address the following:

1. Project scope.
2. Goals and objectives.
3. Performance criteria.
4. Hazard scenarios.
5. Design fire loads and hazards.
6. Final design.
7. Evaluation.

8. Bounding conditions and critical design assumptions.
9. Critical design features.
10. System design and operational requirements.
11. Operational and maintenance requirements.
12. Commissioning testing requirements and acceptance criteria.
13. Frequency of certificate renewal.
14. Supporting documents and references.
15. Preliminary site and floor plans.

**O101.5.2 Design Submittal.** Applicable construction documents shall be submitted to the code official for review. The documents shall be submitted in accordance with the jurisdiction's procedures and in sufficient detail to obtain appropriate permits.

**O101.6 Review.** Construction documents submitted in accordance with this code shall be reviewed for code compliance with the appropriate code provisions.

**O101.6.1 Peer review.** The owner or the owner's authorized agent shall be responsible for retaining and furnishing the services of a registered design professional or recognized expert, who will perform as a peer reviewer, where required and approved by the code official.

**O101.6.2 Costs.** The costs of special services, including contract review, where required by the code official, shall be borne by the owner or the owner's authorized agent.

**O101.7 Permits.** Prior to the start of construction, appropriate permits shall be obtained in accordance with the jurisdiction's procedures and applicable codes.

**O101.8 Verification of compliance.** Upon completion of the project, documentation shall be prepared that verifies performance and prescriptive code provisions have been met. Where required by the code official, the registered design professional shall file a report that verifies bounding conditions are met.

**O101.9 Extent of documentation.** Approved construction documents, the operations and maintenance manual, inspection and testing records, and certificates of occupancy with conditions shall be included in the project documentation of the code official's records.

**O101.10 Analysis of change.** The registered design professional shall evaluate the existing building, facilities, premises, processes, contents and the applicable documentation of the proposed change as it affects portions of the building, facility, premises, processes and contents that were previously designed for compliance under a performance-based code. Prior to any change that was not documented in a previously approved design, the registered design professional shall examine the applicable design documents, bounding conditions, operation and maintenance manuals, and deed restrictions.

*Public Comment 1:*

**Gary Lewis, representing Self (glewis@cityofsummit.org) requests As Modified by Public Comment**

Further modify as follows:

2018 International Building Code

**O101.1 Introduction.** The following administrative provisions are excerpted from the ICC Performance Code for Buildings and Facilities. ~~These and~~ can be used in conjunction with the Alternate Methods provisions in Chapter 1, or for a review of submittals ~~such as those in Section 909 or elsewhere~~ requiring a rational analysis or performance-based design. ~~These provisions to provide a recognized an established framework for the code official in terms of the design expertise needed, the necessary submittals, a review framework and related items. While not every step is required in every instance, these model provisions serve as the starting point for the formulation of an effective submittal and corresponding thorough review.~~

## Code Change No: ADM44-19

### Original Proposal

**Section(s):** IBC: APPENDIX O (New), O101.1, O101.2, O101.3, O101.3.1, O101.4, O101.4.1, O101.4.2, O101.4.3, O101.5, O101.5.1 (New), O101.5.2, O101.6, O101.6.1, O101.6.2, O101.7, O101.8, O101.9, O101.10

**Proponents:** Gary Lewis, City of Summit NJ, representing City of Summit NJ (glewis@cityofsummit.org); Don Havener, representing Self (dhavener@cosentini.com); Raymond Grill, representing Self (ray.grill@arup.com)

## 2018 International Building Code

Add new text as follows:

### APPENDIX O PERFORMANCE-BASED APPLICATION

**O101.1 Introduction.** The following administrative provisions are excerpted from the ICC Performance Code for Buildings and Facilities and can be used in conjunction with the Alternate Methods provisions in Chapter 1, or for a review of submittals requiring a rational analysis or performance-based design. These provisions provide an established framework for the code official in terms of the design expertise needed, the necessary submittals, a review framework and related items.

**O101.2 Qualifications.** Registered design professionals shall possess the knowledge, skills and abilities necessary to demonstrate compliance with this code.

**O101.3 Construction document preparation.** Construction documents required by this code shall be prepared in adequate detail and submitted for review and approval in accordance with Section 107.

**O101.3.1 Review.** Construction documents submitted in accordance with this code shall be reviewed for code compliance with the appropriate code provisions in accordance with Section 107.

**O101.4 Construction.** Construction shall comply with the approved construction documents submitted in accordance with this code, and shall be verified and approved to demonstrate compliance with this code.

**O101.4.1 Facility operating policies and procedures.** Policies, operations, training and procedures shall comply with approved documents submitted in accordance with this code, and shall be verified and approved to demonstrate compliance with this code.

**O101.4.2 Maintenance.** Maintenance of the performance-based design shall be ensured throughout the life of the building or portion thereof.

**O101.4.3 Changes.** The owner or the owner's authorized agent shall be responsible to ensure that any change to the facility, process, or system does not increase the hazard level beyond that originally designed without approval and that changes shall be documented in accordance with the code.

**O101.5 Documentation.** The registered design professional shall prepare appropriate documentation for the project that clearly provides the design approach and rationale for design submittal, construction and future use of the building, facility or process.

**O101.5.1 Reports and Manuals.** The design report shall document the steps taken in the design analysis, clearly identifying the criteria, parameters, inputs, assumptions, sensitivities and limitations involved in the analysis. The design report shall clearly identify bounding conditions, assumptions and sensitivities that clarify the expected uses and limitations of the performance analysis. This report shall verify that the design approach is in compliance with the applicable codes and acceptable methods and shall be submitted for concurrence by the code official prior to the construction documents being completed. The report shall document the design features to be incorporated based on the analysis.

The design report shall address the following:

1. Project scope.
2. Goals and objectives.
3. Performance criteria.
4. Hazard scenarios.
5. Design fire loads and hazards.
6. Final design.
7. Evaluation.
8. Bounding conditions and critical design assumptions.
9. Critical design features.
10. System design and operational requirements.
11. Operational and maintenance requirements.
12. Commissioning testing requirements and acceptance criteria.
13. Frequency of certificate renewal.
14. Supporting documents and references.
15. Preliminary site and floor plans.

**O101.5.2 Design Submittal.** Applicable construction documents shall be submitted to the code official for review. The documents shall be submitted in accordance with the jurisdiction's procedures and in sufficient detail to obtain appropriate permits.

**O101.6 Review.** Construction documents submitted in accordance with this code shall be reviewed for code compliance with the appropriate code provisions.

**O101.6.1 Peer review.** The owner or the owner's authorized agent shall be responsible for retaining and furnishing the services of a registered design professional or recognized expert, who will perform as a peer reviewer, where required and approved by the code official.

**O101.6.2 Costs.** Costs. The costs of special services, including contract review, where required by the code official, shall be borne by the owner or the owner's authorized agent.

**O101.7 Permits.** Prior to the start of construction, appropriate permits shall be obtained in accordance with the jurisdiction's procedures and applicable codes.

**O101.8 Verification of compliance.** Upon completion of the project, documentation shall be prepared that verifies performance and prescriptive code provisions have been met. Where required by the code official, the registered design professional shall file a report that verifies bounding conditions are met.

**O101.9 Extent of documentation.** Approved construction documents, the operations and maintenance manual, inspection and testing records, and certificates of occupancy with conditions shall be included in the project documentation of the code official's records.



**O101.10 Analysis of change.** The registered design professional shall evaluate the existing building, facilities, premises, processes, contents and the applicable documentation of the proposed change as it affects portions of the building, facility, premises, processes and contents that were previously designed for compliance under a performance-based code. Prior to any change that was not documented in a previously approved design, the registered design professional shall examine the applicable design documents, bounding conditions, operation and maintenance manuals, and deed restrictions.

**Reason:** This proposal does not generate any new code requirements, but rather provides an optional design, review and approval framework for use by the code official. Typical uses would include cases of alternate methods in Chapter 1, select areas of the IBC that require a rational analysis such as Section 909 and elsewhere. The proposed Appendix simply extracts the relevant administrative provisions from the ICC Performance Code into a more concise, usable appendix format for a jurisdiction confronted with such a need. Currently there are multiple, varying jurisdictional rules and procedures in many communities regarding procedure and none in even more. The code official is often left alone to reach decisions not just on the merits of a design, but must first also decide on the submittal and review process.

As an Appendix, it is entirely optional to a jurisdiction. It can be adopted, adopted with local modifications, or even used on a case-by-case basis as part of a Memorandum of Understanding or similar legal agreement between the jurisdiction and the owner/design team. It simply represents another tool for the jurisdiction to reach for in cases of need; it neither encourages nor creates any additional opportunity for performance-based design.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. As this provision is an Appendix and, as such, remains optional to the jurisdiction, it imparts no new code requirements and, therefore, no new costs. In fact, by potentially addressing these administrative process issues at the outset, use of the Appendix could realistically result in cost savings.

#### Public Hearing Results

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee stated the reason for the approval of the proposal was that the addition of the appendix provides another option within the code and the previous action taken on ADM11-19. In opposition it was stated that there is a need for a timeline or qualification for the expert and that more work is needed. (Vote: 8-5)

**Assembly Action:**

**None**

#### Public Comments

*Public Comment 1:*

**Gary Lewis, representing Self (glewis@cityofsummit.org) requests As Modified by Public Comment**

**Further modify as follows:**

**2018 International Building Code**

**O101.1 Introduction.** The following administrative provisions are excerpted from the ICC Performance Code for Buildings and Facilities. ~~These and~~ can be used in conjunction with the Alternate Methods provisions in Chapter 1, or for a review of submittals ~~such as those in Section 909 or elsewhere~~ requiring a rational analysis or performance-based design. ~~These provisions to provide a recognized an established~~ framework for the code official in terms of the design expertise needed, the necessary submittals, a review framework and related items. ~~While not every step is required in every instance, these model provisions serve as the starting point for the formulation of an effective submittal and corresponding thorough review.~~

**Commenter's Reason:** This change was recommended for Approval as Submitted by the Admin Committee in Albuquerque. The proponents listened to the comments of the testifiers and the committee and agree that the original introduction paragraph was not exactly written in enforceable language. We now propose a modification to simply streamline the introduction and make it enforceable, and the remaining points will be suggested for the Code Commentary. This modification does not change the scope, intent or application of the original change as was recommended for approval.

**Cost Impact:** The net effect of the public comment and code change proposal will not increase or decrease the cost of construction. Streamlining the introduction paragraph has no effect on the cost impact of the original proposal.

Final Action	
ADM44-19	AMPC1

<b>Date Submitted</b> 2/18/2021	<b>Section 101</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Approved as Submitted – Consent	<b>Staff Classification</b> Correlates Directly	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

As applicable to the FBC.

**Summary of Modification**

Proposed to match section titles currently found in IFC, IECC (C&amp;R) and IWUIC.

**Rationale**

Please see attachment

Please see attachment

**CCC-ADM1-19**

IBC®: SECTION 101; IEBC®: SECTION 101; IFGC®: SECTION 101 (IFGC); IMC®: SECTION 101; IPC®: SECTION 101; IPSDC®: SECTION 101; IPMC®: SECTION 101; IRC®: SECTION R101; ISPSC®: SECTION 101; IZC®: SECTION 101; IGCC®: SECTION 101

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgac@iccsafe.org)

**2018 International Building Code**

Revise as follows:

**SECTION 101****SCOPE AND GENERAL REQUIREMENTS****2018 International Existing Building Code****SECTION 101****SCOPE AND GENERAL REQUIREMENTS****2018 International Fuel Gas Code****SECTION 101 (IFGC)****SCOPE AND GENERAL REQUIREMENTS****2018 International Mechanical Code****SECTION 101****SCOPE AND GENERAL REQUIREMENTS****2018 International Plumbing Code****SECTION 101****SCOPE AND GENERAL REQUIREMENTS****2018 International Private Sewage Disposal Code****SECTION 101****SCOPE AND GENERAL REQUIREMENTS****2018 International Property Maintenance Code****SECTION 101****SCOPE AND GENERAL REQUIREMENTS****2018 International Residential Code****SECTION R101****SCOPE AND GENERAL REQUIREMENTS****2018 International Swimming Pool and Spa Code****SECTION 101****SCOPE AND GENERAL REQUIREMENTS****2018 International Zoning Code****SECTION 101****SCOPE AND GENERAL REQUIREMENTS**

## 2018 International Green Construction Code

### SECTION 101 SCOPE AND GENERAL REQUIREMENTS

**Reason:** The intent of this proposal is to match the section titles currently found in IFC, IECC (C&R) and IWUIC.  
SECTION 101 SCOPE AND GENERAL REQUIREMENTS

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

This proposal is submitted by the ICC Building Code Action Committee (BCAC) and the ICC Plumbing/Mechanical/Gas Code Action Committee (PMG CAC).

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-actioncommittee-bcac>.

The PMG CAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG CAC. In 2017-2018, the PMG CAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac/>

**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.

Proposal #4028

CCC-ADM1-19



<b>Date Submitted</b> 2/15/2021	<b>Section 202</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 2	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Approved as Submitted – Consent	<b>Staff Classification</b> Correlates Directly	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

IEBC: [A] 202; IBC: [A] 202; IFC: [A] 202; IRC: [RB] 202

**Summary of Modification**

Revises definition of "Change of Occupancy"

**Rationale**

The proposed change keeps the language add to the 2018 code regarding change of occupancy classification and change of occupancy within the same classification. By adding the "greater degree" it ensures that businesses are not made to "retro-fit" existing tenant spaces that do not present a risk to the welfare or life safety of the tenants. Any renovations would still need to meet the requirements for alterations of the Existing Building Code.

For example, if a nail salon is change to an office space (assuming the same occupant load), why should the office be required to provide additional electrical outlets (section 1007.4) or new lighting (section 1010.1). There was already a tenant in the space with those conditions. Any life safety issues (such as a need for increased exits or sprinklers) are caught by the "greater degree" language.

The purpose of the Existing Building code should be to allow existing buildings to be renovated and occupied while maintaining the level of safety. It should not be to retrofit the tenant space or building to meet today's code

Approved at modified per public comment 1 (AMPC1)

Original MOD

2018 International Existing Building Code

**Revise as follows:**

**[A] CHANGE OF OCCUPANCY.** ~~A change in the use of a building or a portion of a building that results in any of the following~~ Either of the following shall be considered as a change of occupancy where the current IBC requires a greater degree of accessibility, structural strength, fire protection, means of egress, ventilation or sanitation than is existing in the current building or structure:

1. Any change in the occupancy classification of a building or structure.
2. Any change in the purpose of, or a change in the level of activity within, a building or structure.

~~A change of occupancy classification.~~

~~A change from one group to another group within an occupancy classification.~~

~~Any change in use within a group for which there is a change in application of the requirements of this code.~~

2018 International Building Code

**Revise as follows:**

**[A] CHANGE OF OCCUPANCY.** ~~A change in the use of a building or a portion a building which results in one of the following~~ Either of the following shall be considered as a change of occupancy where this code requires a greater degree of accessibility, structural strength, fire protection, means of egress, ventilation or sanitation than is existing in the current building or structure:

1. Any change in the occupancy classification of a building or structure.
2. Any change in the purpose of, or a change in the level of activity within, a building or structure.
1. ~~A change of occupancy classification.~~
2. ~~A change from one group to another group within an occupancy classification.~~
3. ~~Any change in use within a group for which there is a change in application of the requirements of this code.~~

2018 International Fire Code

**Revise as follows:**

**[A] CHANGE OF OCCUPANCY.** ~~A change in the use of a building or a portion of a building that results in any of the following~~ Either of the following shall be considered as a change of occupancy where the International Building Code requires a greater degree of accessibility, structural strength, fire protection, means of egress, ventilation or sanitation than is existing in the current building or structure:

1. Any change in the occupancy classification of a building or structure.

2. Any change in the purpose of, or a change in the level of activity within, a building or structure.
- ~~1. A change of occupancy classification.~~
- ~~2. A change from one group to another group within an occupancy classification.~~
- ~~3. Any change in use within a group for which there is a change in the application of the requirements of this code.~~

#### 2018 International Residential Code

**[RB] CHANGE OF OCCUPANCY.** A change in the use of a building or portion of a building that involves a change in the application of the requirements of this code.

#### Committee Action: Modified

Approved as

Modify as follows:

#### 2018 International Existing Building Code

**[A] CHANGE OF OCCUPANCY.** Either of the following shall be considered as a change of occupancy where the current *International Building Code* requires a greater degree of safety, accessibility, structural strength, fire protection, means of egress, ventilation or sanitation than is existing in the current building or structure:

1. Any change in the occupancy classification of a building or structure.
2. Any change in the purpose of, or a change in the level of activity within, a building or structure.

#### 2018 International Building Code

**[A] CHANGE OF OCCUPANCY.** Either of the following shall be considered as a change of occupancy where this code requires a greater degree of safety, accessibility, structural strength, fire protection, means of egress, ventilation or sanitation than is existing in the current building or structure:

1. Any change in the occupancy classification of a building or structure.
2. Any change in the purpose of, or a change in the level of activity within, a building or structure.

*Public Comment 1:*

**IEBC: [A] 202, [A] 202 (New)**

**Emma Gonzalez-Laders, RA, LEED AP, New York State Department of State, representing NYS Department of State (emma.gonzalez-laders@dos.ny.gov); Kevin Duerr-Clark, representing NYS Department of State (kevin.duerr-clark@dos.ny.gov) requests As Modified by Public Comment**

**Modify as follows:**

**2018 International Existing Building Code**

**[A] CHANGE OF OCCUPANCY.** Any of the following shall be considered as a change of occupancy where the current IBC requires a greater degree of safety, accessibility, structural strength, fire protection, means of egress, ventilation or sanitation than is existing in the current building or structure:

1. Any change in the occupancy classification of a building or structure.
2. Any change in the purpose of, or a change in the level of activity within, a building or structure.
3. A change of use.

**[A] CHANGE OF USE.** A change in the use of a building or a portion of a building, within the same group classification, for which there is a change in application of code requirements.

## Code Change No: ADM3-19 Part I

### Original Proposal

**Section(s):** IEBC: [A] 202; IBC: [A] 202; IFC: [A] 202; IRC: [RB] 202

**Proponents:** Allison Cook, Arlington County, VA, representing VBCOA; Kenney Payne, Moseley Architects, representing AIA Virginia (kpayne@moseleyarchitects.com); Ronald Clements Jr, representing Chesterfield County (clementsro@chesterfield.gov); Bob Orr, representing VBCOA (borr@culpepercounty.gov); Charles Vernon, representing VBCOA (cvernon@arlingtonva.us); CHRISTINA JACKSON (christina.jackson@norfolk.gov); Shaina Abney (shaina.abney@fairfaxcounty.gov); David Collins, The American Institute of Architects, representing The American Institute of Architects (dcollins@preview-group.com); Michael Williams, representing Virginia Building and Code Officials Association (VBCOA) (mike.williams@harrisonburgva.gov); Christina Jackson, representing City of Norfolk / WICED of VA (christina.reynolds@norfolk.gov)

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

#### 2018 International Existing Building Code

Revise as follows:

**[A] CHANGE OF OCCUPANCY.** ~~A change in the use of a building or a portion of a building that results in any of the following~~ Either of the following shall be considered as a change of occupancy where the current IBC requires a greater degree of accessibility, structural strength, fire protection, means of egress, ventilation or sanitation than is existing in the current building or structure:

1. Any change in the occupancy classification of a building or structure.
2. Any change in the purpose of, or a change in the level of activity within, a building or structure.
1. ~~A change of occupancy classification.~~
2. ~~A change from one group to another group within an occupancy classification.~~
3. ~~Any change in use within a group for which there is a change in application of the requirements of this code.~~

#### 2018 International Building Code

Revise as follows:

**[A] CHANGE OF OCCUPANCY.** ~~A change in the use of a building or a portion a building which results in one of the following~~ Either of the following shall be considered as a change of occupancy where this code requires a greater degree of accessibility, structural strength, fire protection, means of egress, ventilation or sanitation than is existing in the current building or structure:

1. Any change in the occupancy classification of a building or structure.
2. Any change in the purpose of, or a change in the level of activity within, a building or structure.
1. ~~A change of occupancy classification.~~
2. ~~A change from one group to another group within an occupancy classification.~~
3. ~~Any change in use within a group for which there is a change in application of the requirements of this code.~~

## 2018 International Fire Code

Revise as follows:

**[A] CHANGE OF OCCUPANCY.** ~~A change in the use of a building or a portion of a building that results in any of the following. Either of the following shall be considered as a change of occupancy where the International Building Code requires a greater degree of accessibility, structural strength, fire protection, means of egress, ventilation or sanitation than is existing in the current building or structure:~~

- ~~1. Any change in the occupancy classification of a building or structure.~~
- ~~2. Any change in the purpose of, or a change in the level of activity within, a building or structure.~~
- ~~1. A change of occupancy classification.~~
- ~~2. A change from one group to another group within an occupancy classification.~~
- ~~3. Any change in use within a group for which there is a change in the application of the requirements of this code.~~

## 2018 International Residential Code

**[RB] CHANGE OF OCCUPANCY.** A change in the use of a building or portion of a building that involves a change in the application of the requirements of this code.

**Reason:** The proposed change keeps the language add to the 2018 code regarding change of occupancy classification and change of occupancy within the same classification. By adding the "greater degree" it ensures that businesses are not made to "retro-fit" existing tenant spaces that do not present a risk to the welfare or life safety of the tenants. Any renovations would still need to meet the requirements for alterations of the Existing Building Code.

For example, if a nail salon is change to an office space (assuming the same occupant load), why should the office be required to provide additional electrical outlets (section 1007.4) or new lighting (section 1010.1). There was already a tenant in the space with those conditions. Any life safety issues (such as a need for increased exits or sprinklers) are caught by the "greater degree" language.

The purpose of the Existing Building code should be to allow existing buildings to be renovated and occupied while maintaining the level of safety. It should not be to retrofit the tenant space or building to meet today's code.

**Cost Impact:** The code change proposal will decrease the cost of construction. This should reduce the cost for business owners/tenants by only applying the change of occupancy requirements of the Existing Building Code if the International Building Code requires a greater degree of any one of the six elements listed.

### Report of Committee Action Hearings

Committee Action:

Approved as Modified

Modify as follows:

## 2018 International Existing Building Code

**[A] CHANGE OF OCCUPANCY.** Either of the following shall be considered as a change of occupancy where the current *International Building Code* requires a greater degree of safety, accessibility, structural strength, fire protection, means of egress, ventilation or sanitation than is existing in the current building or structure:

1. Any change in the occupancy classification of a building or structure.
2. Any change in the purpose of, or a change in the level of activity within, a building or structure.

## 2018 International Building Code

**[A] CHANGE OF OCCUPANCY.** Either of the following shall be considered as a change of occupancy where this code requires a greater degree of safety, accessibility, structural strength, fire protection, means of egress, ventilation or sanitation than is existing in the current building or structure:

1. Any change in the occupancy classification of a building or structure.
2. Any change in the purpose of, or a change in the level of activity within, a building or structure.

**2018 International Fire Code**

**[A] CHANGE OF OCCUPANCY.** Either of the following shall be considered as a change of occupancy where the *International Building Code* or *this Code* requires a greater degree of safety, accessibility, structural strength, fire protection, means of egress, ventilation or sanitation than is existing in the current building or structure:

1. Any change in the occupancy classification of a building or structure.
2. Any change in the purpose of, or a change in the level of activity within, a building or structure.

**Committee Reason:** The committee stated that the modification addition of "safety" clarifies to a greater extent what the definition includes. The approval of the proposal was based on the revised language clarifying when a change of occupancy occurs based on when the code requirements that are required for the change in the categories listed are greater than the existing conditions. (Vote: 13-0)

**Assembly Action:**

None

<b>Public Comments</b>
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*Public Comment 1:*

**IEBC: [A] 202, [A] 202 (New)**

**Emma Gonzalez-Laders, RA, LEED AP, New York State Department of State, representing NYS Department of State (emma.gonzalez-laders@dos.ny.gov); Kevin Duerr-Clark, representing NYS Department of State (kevin.duerr-clark@dos.ny.gov) requests As Modified by Public Comment**

**Modify as follows:**

**2018 International Existing Building Code**

**[A] CHANGE OF OCCUPANCY.** Any of the following shall be considered as a change of occupancy where the current IBC requires a greater degree of safety, accessibility, structural strength, fire protection, means of egress, ventilation or sanitation than is existing in the current building or structure:

1. Any change in the occupancy classification of a building or structure.
2. Any change in the purpose of, or a change in the level of activity within, a building or structure.
3. A change of use.

**[A] CHANGE OF USE.** A change in the use of a building or a portion of a building, within the same group classification, for which there is a change in application of code requirements.

**Commenter's Reason:** ADM3-19 should be Approved as Modified by This Public Comment because it does not address the confusion that exists between a "change of use" and a "change of occupancy."

Sections 1001.2.1 and 1001.2.2 of the Existing Building Code stipulate a distinct set of requirements to be met when a **Change of Use** takes place, and an additional set of requirements for when a **Change of Occupancy** takes place. Removing the third bullet point from the definition, which references a Change of Use, leaves code users without any guidance in the applicability of Section 1001.2.1. Providing a separate definition for a Change of Use, which draws from the language of the third bullet in the current definition for a Change of Occupancy in the Existing Building Code, would provide clarity and simplify enforcement.

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

<b>Final Action</b>
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**ADM3-19 Part I**

**AMPC 1**

## Sub Code: Energy Conservation

### CA9105/ADM41-19 Part III

6

**Date Submitted** 2/17/2021  
**Chapter** 7

**Section** 101.1  
**Affects HVHZ** Yes

**Proponent** Mo Madani  
**Attachments** Yes

**TAC Recommendation** Approved as Submitted – Consent  
**Commission Action** Pending Review

**Staff Classification** Correlates Directly

#### Comments

**General Comments** No

#### **Related Modifications**

IECC: APPENDIX CA (New)

#### **Summary of Modification**

Adds new appendices to the code

#### **Rationale**

Please see attachment



Approved as Submitted (AS)

APPENDIX CA  
BOARD OF APPEALS-COMMERCIAL

SECTION CA101  
GENERAL

CA101.1 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 C109 (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

CA101.2 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

CA101.2.1 Limitation of authority. The board shall not have authority to waive requirements of this code or interpret the administration of this code.

CA101.2.2 Stays of enforcement. Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

CA101.3 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 code official shall be an ex officio member of said board but shall not vote on any matter before the board.

CA101.3.1 Qualifications. The board shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

CA101.3.2 Alternate members. The chief appointing authority is authorized to appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for the same term or until a successor has been appointed.

CA101.3.3 Vacancies. Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

CA101.3.4 Chairperson. The board shall annually select one of its members to serve as chairperson.

CA101.3.5 Secretary. The chief appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.

CA101.3.6 Conflict of interest. A member with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

CA101.3.7 Compensation of members. Compensation of members shall be determined by law.

CA101.3.8 Removal from the board. A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

CA101.4 Rules and procedures. The board shall establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

CA101.5 Notice of meeting. The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic intervals.

CA101.5.1 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

CA101.5.2 Quorum. Three members of the board shall constitute a quorum.

CA101.5.3 Postponed hearing. When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

CA101.6 Legal counsel. The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

CA101.7 Board decision. The board shall only modify or reverse the decision of the code official by a concurring vote of three or more members.

CA101.7.1 Resolution. The decision of the board shall be by resolution. Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the code official.

CA101.7.2 Administration. The code official shall take immediate action in accordance with the decision of the board.

CA101.8 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

## Code Change No: ADM41-19 Part III

### Original Proposal

#### Section(s): IECC: APPENDIX CA (New)

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgcac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

**THIS IS A 4 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART IV WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

2018 International Energy Conservation Code

Add new text as follows:

### APPENDIX CA BOARD OF APPEALS-COMMERCIAL

#### SECTION CA101 GENERAL

**CA101.1 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 C109 (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**CA101.2 Application for appeal.** Any person shall have the right to appeal a decision of the code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

**CA101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**CA101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

**CA101.3 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 code official shall be an ex officio member of said board but shall not vote on any matter before the board.

**CA101.3.1 Qualifications.** The board shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

**CA101.3.2 Alternate members.** The chief appointing authority is authorized to appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for the same term or until a successor has been appointed.

**CA101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

**CA101.3.4 Chairperson.** The board shall annually select one of its members to serve as chairperson.

**CA101.3.5 Secretary.** The chief appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.

**CA101.3.6 Conflict of interest.** A member with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**CA101.3.7 Compensation of members.** Compensation of members shall be determined by law.

**CA101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

**CA101.4 Rules and procedures.** The board shall establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

**CA101.5 Notice of meeting.** The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic intervals.

**CA101.5.1 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

**CA101.5.2 Quorum.** Three members of the board shall constitute a quorum.

**CA101.5.3 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

**CA101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

**CA101.7 Board decision.** The board shall only modify or reverse the decision of the code official by a concurring vote of three or more members.

**CA101.7.1 Resolution.** The decision of the board shall be by resolution. Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the code official.

**CA101.7.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.

**CA101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

**Reason:** The intent of this proposal is to have a consistent set of requirements for the Board of Appeals. The right for someone to have an appeal is addressed in a separate proposal for Means of Appeals. Currently the IBC and IFC have these requirements in an appendix, while other codes either don't have it at all or have it in the text. It was felt that appendix was a more appropriate place to allow for the jurisdiction to establish their own criteria, or to use this appendix as a template.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as "building/fire/code official".

## APPENDIX A BOARD OF APPEALS

### SECTION A101 GENERAL

**A101.1 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 XXX (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the *code official* pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**A101.2 Application for appeal.** Any person shall have the right to appeal a decision of the *code official* to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the *code official* within 20 days after the notice was served.

**A101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**A101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

**A101.3 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 *code official* shall be an ex officio member of said board but shall not vote on any matter before the board.

**A101.3.1 Qualifications.** The board shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

**A101.3.2 Alternate members.** The chief appointing authority may appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for the same term or until a successor has been appointed.

**A101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

**A101.3.4 Chairperson.** The board shall annually select one of its members to serve as chairperson.

**A101.3.5 Secretary.** The chief appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.

**A101.3.6 Conflict of interest.** A member with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**A101.3.7 Compensation of members.** Compensation of members shall be determined by law.

**A101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

**A101.4 Rules and procedures.** The board shall establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

**A101.5 Notice of meeting.** The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic intervals.

**A101.5.1 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the *code official* and any person whose interests are affected shall be given an opportunity to be heard.

**A101.5.2 Quorum.** Three members of the board shall constitute a quorum.

**A101.5.3 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

**A101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

**A101.7 Board decision.** The board shall only modify or reverse the decision of the *code official* by a concurring vote of three or more members.

**A101.7.1 Resolution.** The decision of the board shall be by resolution. Every decision shall be promptly filed in writing in the office of the *code official* within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the *code official*.

**A101.7.2 Administration.** The *code official* shall take immediate action in accordance with the decision of the board.

**A101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC) and the ICC Plumbing/Mechanical/Gas Code Action Committee (PMG CAC).

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-actioncommittee-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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>.

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at: <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

The PMG CAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG CAC. In 2017-2018, the PMG CAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their

input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac>.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. This is an editorial correlation and an option for jurisdictions to follow.

**Report of Committee Action  
Hearings**

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The appendix allows a jurisdiction to use this appendix on a Board of Appeals. It is optional, not a requirement. There was concern that not all of the parts of ADM43 have been accepted by the various committees. (Vote 11-3)

**Assembly Action:**

**None**

**Final Action**

**ADM41-19 Part III**

**AS**

Date Submitted	2/17/2021	Section	106.1	Proponent	Mo Madani
Chapter	1	Affects HVHZ	Yes	Attachments	Yes
TAC Recommendation	Approved as Submitted – Consent			Staff Classification	Correlates Directly
Commission Action	Pending Review				

Comments

General Comments No

Related Modifications

R106.1

Summary of Modification

Gives "Notice of Approval" its own section

Rationale

Please see attachment



Approved as submitted (AS)

Add new text as follows:

**SECTION R106**  
**NOTICE OF APPROVAL**

Revise as follows:

**R105.7 R106.1** Approval. After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the *code official*.

**R105.7.1 R106.2** Revocation. The *code official* is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the *building* or structure, premise, or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

## Code Change No: ADM31-19 Part III

### Original Proposal

**Section(s): IECC: SECTION R106, R106.1, R106.2**

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgcac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

**THIS IS A 3 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

**2018 International Energy Conservation Code**

**Add new text as follows:**

### **SECTION R106** **NOTICE OF APPROVAL**

**Revise as follows:**

**R405.7 R106.1 Approval.** After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the *code official*.

**R405.7.4 R106.2 Revocation.** The *code official* is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the *building* or structure, premise, or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

**Reason:** Several of the codes have requirements for a Notice of Approval. This should be in its own section similar to Certificate of Occupancy in the IBC, IRC and IEBC, so it can be readily located.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

This proposal is submitted by the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC) and the ICC Plumbing/Mechanical/Gas Code Action Committee (PMGCAC).

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

The PMGCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMGCAC. In 2017-2018, the PMGCAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac>.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction  
This is an editorial change.

Report of Committee Action  
Hearings

Committee Action:

Approved as Submitted

Committee Reason: Per the proponent's reason statement. (Vote: 11-0)

Assembly Action:

None

Final Action

ADM31-19 Part III

AS

<b>Date Submitted</b> 2/17/2021	<b>Section 108</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Approved as Submitted – Consent	<b>Staff Classification</b> Correlates Directly	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

IEC&amp;#174;: SECTION R108, R108.1, R108.2, R108.3, R108.4

**Summary of Modification**

Revises the sections to provide consistency in the Stop Work Order section

**Rationale**

Please see attachment.

Approved as submitted (AS)

Revise as follows:

**SECTION R108  
STOP WORK ORDER**

**R108.1 Authority.** Where the code official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

**R108.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property involved, to the owner's authorized agent, or to the person doing performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted is authorized to resume.

**R108.3 Emergencies.** Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

**R108.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a fine as set finest established by the applicable governing authority having jurisdiction.

## Code Change No: ADM41-19 Part IV

### Original Proposal

**Section(s): IEC@: SECTION R108, R108.1, R108.2, R108.3, R108.4**

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgcac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

**THIS IS A 4 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART IV WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

#### 2018 International Energy Conservation Code

Revise as follows:

#### SECTION R108 STOP WORK ORDER

**R108.1 Authority.** Where the code official finds any work regulated by this code being performed in a manner ~~either~~ contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

**R108.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property ~~involved, to the owner's authorized agent, or to the person doing performing~~ the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work ~~will be permitted~~ is authorized to resume.

**R108.3 Emergencies.** Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

**R108.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to ~~a fine as set~~ finest established by the applicable governing authority having jurisdiction.

**Reason:** The intent of this proposal is consistency in the Stop Work Order section. Some of the codes have the stop work order buried under the violation section. For consistency it should be its own section. The amount of fees should be removed from the stop work order section so that jurisdictions could update their fee schedule as appropriate and not be associated only with code adoptions. This also addressed the different ways that fees are set.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as "building/fire/code official".

## SECTION 109 STOP WORK ORDER

**[A] 109.1 Authority.** Where the code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

**[A] 109.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

**[A] 109.3 Emergencies.** Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

**[A] 109.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the authority having jurisdiction.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC) and the ICC Plumbing/Mechanical/Gas Code Action Committee (PMG CAC).

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-actioncommittee-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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>.

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at: <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

The PMG CAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG CAC. In 2017-2018, the PMG CAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac>.

**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.

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The proposal is primarily wordsmithing to align the IECC-R administrative provisions with the other ICC Codes. See the proponent's reason statement. (Vote: 11-0)

**Assembly Action:**

**None**

### Final Action

**ADM41-19 Part IV**

**AS**

Date Submitted	2/18/2021	Section	101.1	Proponent	Mo Madani
Chapter	1	Affects HVHZ	Yes	Attachments	Yes
TAC Recommendation	Approved as Submitted – Consent			Staff Classification	Correlates Directly
Commission Action	Pending Review				

Comments

General Comments No

Related Modifications

IECC: APPENDIX RA (New)

Summary of Modification

Adds new section "Board of Appeals"

Rationale

Please see attachment



Approved as submitted (AS)

Add new text as follows:

**APPENDIX RA**  
**BOARD OF APPEALS**

**SECTION RA101**  
**GENERAL**

**RA101.1 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 C109 (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**RA101.2 Application for appeal.** Any person shall have the right to appeal a decision of the code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

**RA101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**RA101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

**RA101.3 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 code official shall be an ex officio member of said board but shall not vote on any matter before the board.

**RA101.3.1 Qualifications.** The board shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

**RA101.3.2 Alternate members.** The chief appointing authority is authorized to appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for the same term or until a successor has been appointed.

**RA101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

**RA101.3.4 Chairperson.** The board shall annually select one of its members to serve as chairperson.

**RA101.3.5 Secretary.** The chief appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.

**RA101.3.6 Conflict of interest.** A member with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**RA101.3.7 Compensation of members.** Compensation of members shall be determined by law.

RA101.3.8 Removal from the board. A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

RA101.4 Rules and procedures. The board shall establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

RA101.5 Notice of meeting. The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic intervals.

RA101.5.1 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

RA101.5.2 Quorum. Three members of the board shall constitute a quorum.

RA101.5.3 Postponed hearing. When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

RA101.6 Legal counsel. The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

RA101.7 Board decision. The board shall only modify or reverse the decision of the code official by a concurring vote of three or more members.

RA101.7.1 Resolution. The decision of the board shall be by resolution. Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the code official.

RA101.7.2 Administration. The code official shall take immediate action in accordance with the decision of the board.

RA101.8 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

## Code Change No: ADM43-19 Part IV

### Original Proposal

#### Section(s): IECC: APPENDIX RA (New)

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgcac@iccsafe.org); Michael O'Brian, representing F RAC (fcac@iccsafe.org); David Collins, representing SEHP RAC (sehpcac@iccsafe.org)

**THIS IS A 4 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART IV WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

#### 2018 International Energy Conservation Code

Add new text as follows:

### APPENDIX RA BOARD OF APPEALS

#### SECTION RA101 GENERAL

**RA101.1 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 C109 (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**RA101.2 Application for appeal.** Any person shall have the right to appeal a decision of the code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

**RA101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**RA101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

**RA101.3 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 code official shall be an ex officio member of said board but shall not vote on any matter before the board.

**RA101.3.1 Qualifications.** The board shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

**RA101.3.2 Alternate members.** The chief appointing authority is authorized to appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for the same term or until a successor has been appointed.

**RA101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

**RA101.3.4 Chairperson.** The board shall annually select one of its members to serve as chairperson.

**RA101.3.5 Secretary.** The chief appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.

**RA101.3.6 Conflict of interest.** A member with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**RA101.3.7 Compensation of members.** Compensation of members shall be determined by law.

**RA101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

**RA101.4 Rules and procedures.** The board shall establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

**RA101.5 Notice of meeting.** The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic intervals.

**RA101.5.1 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

**RA101.5.2 Quorum.** Three members of the board shall constitute a quorum.

**RA101.5.3 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

**RA101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

**RA101.7 Board decision.** The board shall only modify or reverse the decision of the code official by a concurring vote of three or more members.

**RA101.7.1 Resolution.** The decision of the board shall be by resolution. Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the code official.

**RA101.7.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.

**RA101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

**Reason:** The intent of this proposal is to have a consistent set of requirements for the Board of Appeals. The right for someone to have an appeal is addressed in a separate proposal for Means of Appeals. Currently the IBC and IFC have these requirements in an appendix, while other codes either don't have it at all or have it in the text. It was felt that appendix was a more appropriate place to allow for the jurisdiction to establish their own criteria, or to use this appendix as a template.

The B RAC 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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as "building/fire/code official".

## APPENDIX A BOARD OF APPEALS

### SECTION A101 GENERAL

**A101.1 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 XXX (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**A101.2 Application for appeal.** Any person shall have the right to appeal a decision of the code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

**A101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**A101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

**A101.3 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 code official shall be an ex officio member of said board but shall not vote on any matter before the board.

**A101.3.1 Qualifications.** The board shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

**A101.3.2 Alternate members.** The chief appointing authority may appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for the same term or until a successor has been appointed.

**A101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

**A101.3.4 Chairperson.** The board shall annually select one of its members to serve as chairperson.

**A101.3.5 Secretary.** The chief appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.

**A101.3.6 Conflict of interest.** A member with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**A101.3.7 Compensation of members.** Compensation of members shall be determined by law.

**A101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

**A101.4 Rules and procedures.** The board shall establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

**A101.5 Notice of meeting.** The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic intervals.

**A101.5.1 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the *code official* and any person whose interests are affected shall be given an opportunity to be heard.

**A101.5.2 Quorum.** Three members of the board shall constitute a quorum.

**A101.5.3 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

**A101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

**A101.7 Board decision.** The board shall only modify or reverse the decision of the *code official* by a concurring vote of three or more members.

**A101.7.1 Resolution.** The decision of the board shall be by resolution. Every decision shall be promptly filed in writing in the office of the *code official* within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the *code official*.

**A101.7.2 Administration.** The *code official* shall take immediate action in accordance with the decision of the board.

**A101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

This proposal is submitted by the ICC Building Code Action Committee (B RAC), the ICC Fire Code Action Committee (F RAC), the ICC Sustainable, Energy and High Performance Code Action Committee (SEHP RAC) and the ICC Plumbing/Mechanical/Gas Code Action Committee (PMG RAC).

B RAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. Since 2017 the B RAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the B RAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-action-committee-bcac>.

The F RAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance assigned International Codes with regard to fire safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire- RAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the F RAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>

The SEHP RAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHP RAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHP RAC as well as any interested parties. Related documentation and reports are posted on the SEHP RAC website at <http://www.iccsafe.org/cs/SEHP-RAC/Pages/default.aspx>.

The PMG RAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG RAC. In 2017-2018, the PMG RAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMG RAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac>.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. This is an editorial correlation and an option for jurisdictions to follow.

**Report of Committee Action  
Hearings**

**Committee Action:** Approved as Submitted

**Committee Reason:** This is unnecessary (Vote: 11-0).

**Assembly Action:** None

**Final Action**

ADM43-19 Part IV AS

<b>Date Submitted</b> 2/18/2021	<b>Section</b> 103.1	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Approved as Submitted – Consent	<b>Staff Classification</b> Correlates Directly	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

IECC: R103.1

**Summary of Modification**

This only clarifies that the building official can accept digital documents.

**Rationale**

Other than the IFC, there is nothing in the administrative sections of the codes allowing digital formats of construction document sets. Most building departments in the country accept digital applications, plans and other submittal documents. This should be recognized in the text of the codes.



Approved as submitted(AS)

**Revise as follows:**

**R103.1 General.** Construction documents, technical reports and other supporting data shall be submitted in one or more sets, or in a digital format where allowed by the building official, with each application for a permit. The construction documents and technical reports shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *code official* is authorized to require necessary construction documents to be prepared by a registered design professional.

**Exception:** The *code official* is authorized to waive the requirements for construction documents or other supporting data if the *code official* determines they are not necessary to confirm compliance with this code.

## Code Change No: ADM46-19 Part IV

### Original Proposal

**Section(s):** IECC: R103.1

**Proponent:** Micah Chappell, representing Department of Construction and Inspections  
(micah.chappell@seattle.gov)

**THIS IS A 4 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART IV WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

**2018 International Energy Conservation Code**

**Revise as follows:**

**R103.1 General.** Construction documents, technical reports and other supporting data shall be submitted in one or more sets, or in a digital format where allowed by the building official, with each application for a permit. The construction documents and technical reports shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *code official* is authorized to require necessary construction documents to be prepared by a registered design professional.

**Exception:** The *code official* is authorized to waive the requirements for construction documents or other supporting data if the *code official* determines they are not necessary to confirm compliance with this code.

**Reason:** Other than the IFC, there is nothing in the administrative sections of the codes allowing digital formats of construction document sets. Most building departments in the country accept digital applications, plans and other submittal documents. This should be recognized in the text of the codes.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. This only clarifies that the building official can accept digital documents. There is no increase in cost to anyone.

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** This proposal updates the code to that which is already accepted practice in many jurisdictions. It gives the code official the ability to say how such methods need to be used. (Vote: 15-0)

**Assembly Action:**

**None**

### Final Action

**ADM46-19 Part IV**

**AS**

## Sub Code: Fuel Gas

CA9770/FGX5 2021

11

**Date Submitted** 3/17/2021  
**Chapter** 1

**Section 101**  
**Affects HVHZ** Yes

**Proponent** Mo Madani  
**Attachments** Yes

**TAC Recommendation** Approved as Submitted – Consent  
**Commission Action** Pending Review

**Staff Classification** Correlates Directly

### Comments

**General Comments** No

### **Related Modifications**

IFGS - Appendix E

### **Summary of Modification**

Adds Appendix E Board of Appeals

### **Rationale**

Adds Appendix E Board of Appeals

Please see attached document.

## APPENDIX E (IFGC) BOARD OF APPEALS

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

### User Notes:

**About this appendix:** Appendix E provides criteria for Board of Appeals members. Also provided are procedures by which the Board of Appeals should conduct its business.

**Code development reminder:** Code change proposals to this appendix will be considered by the Administrative Code Development Committee during the 2022 (Group B) Code Development Cycle.

### SECTION E101 GENERAL

**[A] E101.1 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 113. The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the **code official** pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

\*\*

**[A] E101.2 Application for appeal.** Any person shall have the right to appeal a decision of the **code official** to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the **code official** within 20 days after the notice was served.

**[A] E101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**[A] E101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

\*\*

**[A] E101.3 Membership of the board.** The board shall consist of five voting members appointed by the chief appointing authority of the jurisdiction. Each member shall serve for [NUMBER OF YEARS] years or until a successor has been appointed. The board member's terms shall be staggered at intervals, so as to provide continuity. The **code official** shall be an ex officio member of said board but shall not vote on any matter before the board.

**[A] E101.3.1 Qualifications.** The board shall consist of five individuals who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

**[A] E101.3.2 Alternate members.** The chief appointing authority is authorized to appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a

member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for the same term or until a successor has been appointed.

**[A] E101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

**[A] E101.3.4 Chairperson.** The board shall annually select one of its members to serve as chairperson.

**[A] E101.3.5 Secretary.** The chief appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings, which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.

**[A] E101.3.6 Conflict of member interest.** A member with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**[A] E101.3.7 Compensation of members.** Compensation of members shall be determined by law.

**[A] E101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

**[A] E101.4 Rules of procedures.** The board shall establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

**[A] E101.5 Notice of meeting.** The board shall meet upon notice from the chairperson within 10 days of the filing of an appeal or at stated periodic intervals.

**[A] E101.5.1 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the **code official** and any person whose interests are affected shall be given an opportunity to be heard.

## APPENDIX E—BOARD OF APPEALS

**[A] E101.5.2 Quorum.** Three members of the board shall constitute a quorum.

**[A] E101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

\*\*

**[A] E101.7 Board decision.** The board shall only modify or reverse the decision of the *code official* by a concurring vote of three or more members.

**[A] E101.7.1 Resolution.** The decision of the board shall be by resolution. Every decision shall be promptly filed in writing in the office of the *code official* within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the *code official*.

**[A] E101.7.2 Administration.** The *code official* shall take immediate action in accordance with the decision of the board.

**[A] E101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

## Sub Code: Residential

### CA9113/ADM43-19 Part II

12

**Date Submitted** 2/18/2021  
**Chapter** 1

**Section** 101.1  
**Affects HVHZ** Yes

**Proponent** Mo Madani  
**Attachments** Yes

**TAC Recommendation** Approved as Submitted – Consent  
**Commission Action** Pending Review

**Staff Classification** Correlates Directly

#### Comments

**General Comments** No

#### **Related Modifications**

IRC: APPENDIX A (New)

#### **Summary of Modification**

Adds new "Board of Appeals" section

#### **Rationale**

Please see attachment

Approved as submitted (AS)

**APPENDIX A**  
**BOARD OF APPEALS**

**SECTION A101**  
**GENERAL**

**A101.1 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 (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**A101.2 Application for appeal.** Any person shall have the right to appeal a decision of the building official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the building official within 20 days after the notice was served.

**A101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**A101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

**A101.3 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.

**A101.3.1 Qualifications.** The board shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

**A101.3.2 Alternate members.** The chief appointing authority is authorized to appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for the same term or until a successor has been appointed.

**A101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

**A101.3.4 Chairperson.** The board shall annually select one of its members to serve as chairperson.

**A101.3.5 Secretary.** The chief appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.

**A101.3.6 Conflict of interest.** A member with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**A101.3.7 Compensation of members.** Compensation of members shall be determined by law.

**A101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.



**A101.4 Rules and procedures.** The board shall establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

**A101.5 Notice of meeting.** The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic intervals.

**A101.5.1 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

**A101.5.2 Quorum.** Three members of the board shall constitute a quorum.

**A101.5.3 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

**A101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

**A101.7 Board decision.** The board shall only modify or reverse the decision of the building official by a concurring vote of three or more members.

**A101.7.1 Resolution.** The decision of the board shall be by resolution. Every decision shall be promptly filed in writing in the office of the building official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the building official.

**A101.7.2 Administration.** The building official shall take immediate action in accordance with the decision of the board.

**A101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

## Code Change No: ADM43-19 Part II

### Original Proposal

#### Section(s): IRC: APPENDIX A (New)

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

**THIS IS A 4 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART IV WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

2018 International Residential Code

Add new text as follows:

### **APPENDIX A** **BOARD OF APPEALS**

#### **SECTION A101** **GENERAL**

**A101.1 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 (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**A101.2 Application for appeal.** Any person shall have the right to appeal a decision of the building official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the building official within 20 days after the notice was served.

**A101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**A101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

**A101.3 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.

**A101.3.1 Qualifications.** The board shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

**A101.3.2 Alternate members.** The chief appointing authority is authorized to appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for the same term or until a successor has been appointed.

**A101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

**A101.3.4 Chairperson.** The board shall annually select one of its members to serve as chairperson.

**A101.3.5 Secretary.** The chief appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.

**A101.3.6 Conflict of interest.** A member with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**A101.3.7 Compensation of members.** Compensation of members shall be determined by law.

**A101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

**A101.4 Rules and procedures.** The board shall establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

**A101.5 Notice of meeting.** The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic intervals.

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**A101.7.2 Administration.** The building official shall take immediate action in accordance with the decision of the board.

**A101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

**Reason:** The intent of this proposal is to have a consistent set of requirements for the Board of Appeals. The right for someone to have an appeal is addressed in a separate proposal for Means of Appeals. Currently the IBC and IFC have these requirements in an appendix, while other codes either don't have it at all or have it in the text. It was felt that appendix was a more appropriate place to allow for the jurisdiction to establish their own criteria, or to use this appendix as a template.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as "building/fire/code official".

## APPENDIX A BOARD OF APPEALS

### SECTION A101 GENERAL

**A101.1 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 XXX (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the *code official* pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**A101.2 Application for appeal.** Any person shall have the right to appeal a decision of the *code official* to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the *code official* within 20 days after the notice was served.

**A101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**A101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

**A101.3 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 *code official* shall be an ex officio member of said board but shall not vote on any matter before the board.

**A101.3.1 Qualifications.** The board shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

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**A101.7.2 Administration.** The *code official* shall take immediate action in accordance with the decision of the board.

**A101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC) and the ICC Plumbing/Mechanical/Gas Code Action Committee (PMG CAC).

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/codedevelopment-process/building-code-actioncommittee-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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>.

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

The PMG CAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG CAC. In 2017-2018, the PMG CAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their

input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac>.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. This is an editorial correlation and an option for jurisdictions to follow.

**Report of Committee Action  
Hearings**

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The appendix contains too much detail for most jurisdictions. The Board of Appeals is handled differently in different jurisdictions. This information on the Board of Appeals is not needed in the IRC. (Vote: 10-1).

**Assembly Action:**

**None**

**Final Action**

**ADM43-19 Part II**

**AS**

<b>Date Submitted</b> 2/4/2021	<b>Section 202</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 2	<b>Affects HVHZ</b> No	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Approved as Submitted – Consent	<b>Staff Classification</b> Correlates Directly	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications****Summary of Modification**

This change removes the language that sends the user to chapter 11 and section 1101.6 of the document to find the definition of Approved Agency because, Section N1101.6 does not include the definition of Approved Agency.

**Rationale**

This change removes the language that sends the user to chapter 11 and section 1101.6 of the document to find the definition of Approved Agency because, Section N1101.6 does not include the definition of Approved Agency. Also there is no need to add or repeat the definition in chapter 11 of the IRC as long as it is defined in Chapter 2 of the same IRC. This will save on printing costs as well as save energy.

**Revise as follows:**

**[RB] APPROVED AGENCY.** An established and recognized agency that is regularly engaged in conducting tests, furnishing inspection services or furnishing product certification, and has been *approved* by the building official. ~~For the definition applicable in Chapter 11, see Section N1101.6.~~



## Code Change No: **RB3-19**

### Original Proposal

**Section(s):** [RB] 202

**Proponents:** Donald Sivigny, representing State of MN and Association of Minnesota Building Officials (don.sivigny@state.mn.us)

#### 2018 International Residential Code

#### Revise as follows:

**[RB] APPROVED AGENCY.** An established and recognized agency that is regularly engaged in conducting tests, furnishing inspection services or furnishing product certification, and has been *approved* by the building official. ~~For the definition applicable in Chapter 11, see Section N1101.6.~~

**Reason:** This change removes the language that sends the user to chapter 11 and section 1101.6 of the document to find the definition of *Approved Agency* because, Section N1101.6 does not include the definition of Approved Agency. Also there is no need to add or repeat the definition in chapter 11 of the IRC as long as it is defined in Chapter 2 of the same IRC. This will save on printing costs as well as save energy.

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

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee approved this proposal based on the proponent's published reason statement. (Vote: 11-0)

**Assembly Action:**

**None**

### Final Action

**RB3-19**

**AS**

<b>Date Submitted</b> 2/23/2021	<b>Section 101</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 2712	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Approved as Submitted – Consent	<b>Staff Classification</b> Correlates Directly	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

ADM47-19 Correlates Directly

**Summary of Modification**

Revert the UL standard back to the edition referenced in the 2018 IRC to correlate with the final action on ADM47-19 administrative update of NMX-J-521/2-40-ANCE-2014/CAN/CSA-22.2 No. 60335-2-40-12/UL 60335-2-40

**Rationale**

Reverts the UL standard back to the edition referenced in the 2018 IRC to correlate with the final action on ADM47-19 administrative update of NMX-J-521/2-40-ANCE-2014/CAN/CSA-22.2 No. 60335-2-40-12/UL 60335-2-40

Please see attachment

**CCC IRC1-20** Copyright © 2020 International Code Council, Inc.  
Correlation request by: ICC Staff  
**CCC Action AS**

**Addendum #1:** Added code change ADM47-19 related to the NMX-J-521/2-40-ANCE-2014/CAN/CSA-22.2 No. 60335-2-40-12/UL 60335-2-40 standard update.

## 2021 International Residential Code Chapter 44 Referenced Standards

Further revise as follows:

UL/CSA/ANCE 60335-2-40—2012 ~~2019~~ Standard for Household and Similar Electrical Appliances, Part 2 Appliances—Safety—Part 2-40: Particular Requirements for Motor Compressors Electrical Heat Pumps, Air Conditioners and Dehumidifiers.

**Reason:** Revert the UL standard back to the edition referenced in the 2018 IRC to correlate with the final action on ADM47-19 administrative update of NMX-J-521/2-40-ANCE-2014/CAN/CSA-22.2 No. 60335-2-40-12/UL 60335-2-40. The final action on the NMX standard update was disapproved, with most of the debate relating to the expanded uses of A2L refrigerants. The NMX standard and the UL/CSA/ANCE standard are harmonized standards intended to be interchangeable where referenced in the IMC. ICC Staff should have grouped these standards in the ADM47-19 and noted their relationship. The UL/CSA/ANCE 60335-2-40—2019 standard update, which also contains these expanded uses of A2L and B2L refrigerants, was approved without debate and without staff note of its relationship to the NMX standard. Therefore, to correlate with the final action on the NMX standard, staff requests that UL/CSA/ANCE 60335-2-40 reverts back to the edition that was referenced in the 2018 IRC (2012) that does not contain the expanded uses of A2L and B2L refrigerants.

To view the CAH video related to ADM47-19 NMX-J-521/2-40-ANCE-2014/CAN/CSA-22.2 No. 60335-2-40-12/UL 60335-2-40 go to <http://hearingvideos.iccsafe.org/videos/adm47-19/> (testimony from 12:10-30:10 on video).

To view the PCH video related to ADM47-19 NMX-J-521/2-40-ANCE-2014/CAN/CSA-22.2 No. 60335-2-40-12/UL 60335-2-40 go to <http://hearingvideos.iccsafe.org/videos/adm47-nmx-j-52-19/>.

Portions of ADM47-19 related to NMX-J-521/2-40-ANCE-2014/CAN/CSA-22.2 No. 60335-2-40-12/UL 60335-2-40 and UL/CSA/ANCE 60335-2-40 are shown below and include the proposed change as submitted, the Report of the Committee Actions, the Public Comments submitted and the Final Actions.

# TAC: Code Administration

Total Mods for **Code Administration** in **Denied – Consent**: 38

Total Mods for report: 53

## Sub Code: Building

### CA9021/ADM9-19 Part I

15

**Date Submitted** 2/16/2021  
**Chapter** 1

**Section 101.3**  
**Affects HVHZ** Yes

**Proponent** Mo Madani

**Attachments** Yes

**TAC Recommendation** Denied – Consent

**Commission Action** Pending Review

**Staff Classification** Overlap

#### Comments

**General Comments** No

#### **Related Modifications**

Sections 101.3 of the IPC, IMC and IFGC are marked reserved under the 2020 FBC-P and FBC-M. Original text “Section 101.3” of the code change is not consistent with that of the 2020 FBC-B.

#### **Summary of Modification**

The purpose of this proposal is for consistency in language for the sections on “Intent” or “Purpose” in the family of codes.

#### **Rationale**

Please see attachment

Approved as Submitted (AS)

2018 IBC

**Revise as follows:**

[A] 101.3 ~~Intent. Purpose.~~ The purpose of this code is to establish the minimum requirements to provide a reasonable level of safety, public health and general welfare through structural strength, *means of egress* facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire, explosion and other hazards, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

2018 International Existing Building Code

**Revise as follows:**

[A] 101.3 ~~Intent. Purpose.~~ The intent purpose of this code is to provide flexibility to permit the use of alternative approaches to achieve compliance with minimum requirements to safeguard the public provide a reasonable level of safety, health, safety and general welfare insofar as they are affected by the *repair, alteration, change of occupancy, addition* and relocation of *existing buildings*.

**2018 International Plumbing Code****Revise as follows:**

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

**2018 International Mechanical Code****Revise as follows:**

**[A] 101.3 Intent. Purpose.** The purpose of this code is to establish minimum standards requirements to provide a reasonable level of safety, health, property protection and public general welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of mechanical equipment or systems.

**2018 International Fuel Gas Code****Revise as follows:**

**[A] 101.4 Intent. Purpose.** The purpose of this code is to establish minimum standards requirements to provide a reasonable level of safety, health, property protection and public general welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of fuel gas equipment or systems.

## Code Change No: ADM9-19 Part I

### Original Proposal

Section(s): IBC : [A] 101.3; IFC : [A] 101.3; IEBC : [A] 101.3; IPC : 101.3; IMC : [A] 101.3; IPSDC : [A] 101.6; IFGC : [A] 101.4; ISFSC : [A] 101.3; IPMC : [A] 101.3; IZC : [A] 101.2; IWUIC : [A] 101.3; ICCPC : [A] 101.4, [A] 101.4.1

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgcac@iccsafe.org); Michael O'Brian, FCAC, representing FCAC (fcac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

**THIS IS A 4 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. PART IV WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

#### 2018 International Building Code

Revise as follows:

**[A] 101.3 ~~Intent.~~ Purpose.** The purpose of this code is to establish the minimum requirements to provide a reasonable level of safety, public health and general welfare through structural strength, *means of egress facilities*, stability, sanitation, ~~adequate~~ light and ventilation, energy conservation, and safety to life and property from fire, explosion and other hazards, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

#### 2018 International Fire Code

Revise as follows:

**[A] 101.3 ~~Intent.~~ Purpose.** The purpose of this code is to establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

#### 2018 International Existing Building Code

Revise as follows:

**[A] 101.3 ~~Intent.~~ Purpose.** The ~~intent purpose~~ of this code is to provide flexibility to permit the use of alternative approaches to achieve compliance with minimum requirements to ~~safeguard the public~~ provide a reasonable level of safety, health, safety and general welfare insofar as they are affected by the *repair, alteration, change of occupancy, addition and relocation of existing buildings.*



**2018 International Plumbing Code**

Revise as follows:

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

**2018 International Mechanical Code**

Revise as follows:

**[A] 101.3 ~~Intent.~~ Purpose.** The purpose of this code is to establish minimum ~~standards requirements~~ to provide a reasonable level of safety, health, property protection and ~~public general~~ welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of mechanical ~~equipment or~~ systems.

**2018 International Private Sewage Disposal Code**

Revise as follows:

**[A] 101.6 ~~Intent.~~ Purpose.** The purpose of this code is to establish minimum ~~standards requirements~~ to provide a reasonable level of safety health, property protection and ~~public general~~ welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of *private sewage disposal systems*.

**2018 International Fuel Gas Code**

Revise as follows:

**[A] 101.4 ~~Intent.~~ Purpose.** The purpose of this code is to establish minimum ~~standards requirements~~ to provide a reasonable level of safety, health, property protection and ~~public general~~ welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of fuel gas ~~equipment or~~ systems.

**2018 International Swimming Pool and Spa Code**

Revise as follows:

**[A] 101.3 ~~Intent.~~ Purpose.** The purpose of this code is to establish minimum ~~standards requirements~~ to provide a reasonable level of safety ~~and protection of health, health,~~ property ~~protection~~ and ~~public general~~ welfare by regulating and controlling the design, construction, installation, quality of materials, location and maintenance or use of pools and spas.

**2018 International Property Maintenance Code**

Revise as follows:

**[A] 101.3 ~~Intent.~~ Purpose.** ~~This code shall be construed to secure its expressed intent, which is to ensure public~~ The purpose of this code is to establish minimum requirements to provide a reasonable level of health, safety and ~~general~~ welfare insofar as they are affected by the continued *occupancy* and maintenance of structures and *premises*. Existing structures and *premises* that do not comply with these

provisions shall be altered or repaired to provide a reasonable minimum level of health, safety and safety general welfare as required herein.

#### 2018 International Zoning Code

Revise as follows:

**[A] 101.2 Intent-Purpose.** The purpose of this code is to ~~safeguard the health, property and public~~ establish minimum requirements to provide a reasonable level of health, safety, property protection and welfare by controlling the design, location, use or occupancy of all buildings and structures through the regulated and orderly development of land and land uses within this jurisdiction.

#### 2018 International Wildland-Urban Interface Code

Revise as follows:

**[A] 101.3 Objective-Purpose.** The ~~objective purpose~~ of this code is to establish minimum regulations consistent with nationally recognized good practice for the safeguarding of life and for property protection. Regulations in this code are intended to mitigate the risk to life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate structure fires from spreading to wildland fuels. The extent of this regulation is intended to be tiered commensurate with the relative level of hazard present.

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

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

#### 2018 International Code Council Performance Code

Revise as follows:

##### **[A] 101.4 Intent-Purpose.**

**[A] 101.4.1 Building.** ~~To~~ The purpose of this code is to provide an acceptable level of health, safety, and general welfare and to limit damage to property from events that are expected to impact buildings and structures. Accordingly, Part II of this code intends buildings and structures to provide for the following:

1. An environment free of unreasonable risk of death and injury from fires.
2. A structure that will withstand loads associated with normal use and of the severity associated with the location in which the structure is constructed.
3. Means of egress and access for normal and emergency circumstances.
4. Limited spread of fire both within the building and to adjacent properties.
5. Ventilation and sanitation facilities to maintain the health of the occupants.
6. Natural light, heating, cooking and other amenities necessary for the well being of the occupants.
7. Efficient use of energy.
8. Safety to fire fighters and emergency responders during emergency operations.

**Reason:** The purpose of this proposal is for consistency in language for the sections on "Intent" or "Purpose" in the family of codes. The title of the section should be revised to be consistent with the text, which is "purpose." The phrase "health, safety and general welfare" is used in several different configurations. A change from "public" to "general" would show that this is intended for everyone – by using "public" it could be read to not include employees.

IECC - The last line in the current Intent section is unique to the IECC, and redundant. It is proposed to deleting it for consistency.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC) and the ICC Plumbing/Mechanical/Gas Code Action Committee (PMG CAC).

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-actioncommittee-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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at: <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

The PMG CAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG CAC. In 2017-2018, the PMG CAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac>.

**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.

#### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee stated that the reason for approval was based on proposal using the same consistent concept across the codes while also allowing room for individual application. (Vote: 13-0)

**Assembly Action:**

**None**

#### Final Action

**ADM9-19 Part I**

**AS**

<b>Date Submitted</b> 2/16/2021	<b>Section</b> 101.3	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

IBC: [A] 101.3; IEBC: [A] 101 [A] 101.3

Original text (Section 101.3 FBC-B) is not consistent with that of the 2020 FBC-B.

**Summary of Modification**

Revises the section for consistency in language for the sections on “Intent” or “Purpose” in the family of codes

**Rationale**

Please see attachment

Approved as Submitted (AS)

2018 IBC

**Revise as follows:**

[A] 101.3 Intent. The purpose of this code is to establish the minimum requirements to provide a reasonable level of safety, public health and general welfare through structural strength, *means of egress* facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety-to-life for providing a reasonable level of life safety and property protection from the hazards of fire, explosion and other hazards or dangerous conditions, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

2018 International Existing Building Code

**Revise as follows:**

[A] 101.3 Intent. The intent of this code is to provide flexibility to permit the use of alternative approaches to achieve compliance with minimum requirements to safeguard the public health, safety and property protection and welfare insofar as they are affected by the *repair, alteration, change of occupancy, addition* and relocation of *existing buildings*.

## Code Change No: ADM10-19 Part I

### Original Proposal

**Section(s):** IBC: [A] 101.3; IEBC: [A] 101.3; ISPC: [A] 101.3; IPMC: [A] 101.3; IZC: [A] 101.2

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgac@iccsafe.org); David Collins (sehpcac@iccsafe.org)

**THIS IS A 4 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART IV WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

#### 2018 International Building Code

**Revise as follows:**

**[A] 101.3 Intent.** The purpose of this code is to establish the minimum requirements to provide a reasonable level of safety, public health and general welfare through structural strength, *means of egress* facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life for providing a reasonable level of life safety and property protection from the hazards of fire, explosion ~~and other hazards or dangerous conditions~~, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

#### 2018 International Existing Building Code

**Revise as follows:**

**[A] 101.3 Intent.** The intent of this code is to provide flexibility to permit the use of alternative approaches to achieve compliance with minimum requirements to safeguard the public health, safety and property protection and welfare insofar as they are affected by the *repair, alteration, change of occupancy, addition* and relocation of *existing buildings*.

#### 2018 International Swimming Pool and Spa Code

**Revise as follows:**

**[A] 101.3 Intent.** The purpose of this code is to establish minimum standards to provide a reasonable level of safety, ~~and protection of health, property~~ protection and public welfare by regulating and controlling the design, construction, installation, quality of materials, location and maintenance or use of pools and spas.

#### 2018 International Property Maintenance Code

**Revise as follows:**

**[A] 101.3 Intent.** This code shall be construed to secure its expressed intent, which is to ensure public health, safety, property protection and welfare insofar as they are affected by the continued *occupancy* and maintenance of structures and *premises*. Existing structures and *premises* that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

**2018 International Zoning Code****Revise as follows:**

**[A] 101.2 Intent.** The purpose of this code is to safeguard the health, property protection and public welfare by controlling the design, location, use or occupancy of all buildings and structures through the regulated and orderly development of land and land uses within this jurisdiction.

**Reason:** The purpose of this proposal is for consistency in language for the sections on "Intent" or "Purpose" in the family of codes. The title of the section should be revised to be consistent with the text, which is "purpose."

The IFC was used as the guidance for the phrase to use. Several of the codes included the term "property protection", but not all. It is the intent of all the codes to provide "a reasonable level of life safety and property protection". Thus, this phrase is proposed to be used consistently across codes.

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

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC) and the 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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-actioncommittee-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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>.

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at: <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

The PMGCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG CAC. In 2017-2018, the PMG CAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac/>.

**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.

<b>Report of Committee Action Hearings</b>
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**Committee Action:****Approved as Submitted**

**Committee Reason:** The committee stated that the reason for approval was that the proposal provides consistency in the code language which improves the interpretation across the I-Code family. (Vote: 13-0)

**Assembly Action:****None**

<b>Final Action</b>
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**ADM10-19 Part I****AS**

<b>Date Submitted</b> 2/16/2021	<b>Section 103</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

Please see attachment

This code change revises sections that are reserved under the 2020 FBC.

**Summary of Modification**

Revises the sections for consistency across volumes

**Rationale**

Please see attachment



Approved as Submitted (AS)

Revise as follows:

SECTION 103  
DEPARTMENT OF BUILDING SAFETY CODE COMPLIANCE AGENCY

[A] 103.1 Creation of ~~enforcement~~ agency. The ~~Department of Building Safety~~ [INSERT NAME OF DEPARTMENT] is hereby created and the official in charge thereof shall be known as the building official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

[A] 103.2 Appointment. The *building official* shall be appointed by the chief appointing authority of the jurisdiction.

[A] 103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, ~~the other~~ related technical officers, inspectors, ~~plan examiners~~ and other employees. Such employees shall have powers as delegated by the building official. ~~For the maintenance of existing properties, see the International Property Maintenance Code.~~

2018 International Plumbing Code

Revise as follows:

SECTION 103  
DEPARTMENT OF PLUMBING INSPECTION CODE COMPLIANCE AGENCY

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

103.2 Appointment. The code official shall be appointed by the chief appointing authority of the jurisdiction.

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

~~103.4~~ ~~104.8~~ Liability. The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

~~103.4.1~~ ~~104.8.1~~ Legal defense. Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

2018 International Mechanical Code

Revise as follows:

SECTION 103  
~~DEPARTMENT OF MECHANICAL INSPECTION CODE COMPLIANCE AGENCY~~

[A] 103.1 ~~General- Creation of agency.~~ The ~~department of mechanical inspection~~ [INSERT NAME OF DEPARTMENT] is hereby created and the ~~executive~~ official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

[A] 103.2 Appointment. The code official shall be appointed by the chief appointing authority of the jurisdiction.

[A] 103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the code official.

[A] ~~103.4-104.8~~ Liability. The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

[A] ~~103.4.1-104.8.1~~ Legal defense. Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representatives of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

2018 International Fuel Gas Code

Revise as follows:

SECTION 103 (IFGC)  
~~DEPARTMENT OF INSPECTION CODE COMPLIANCE AGENCY~~

[A] 103.1 ~~General- Creation of agency.~~ The ~~Department of Inspection~~ [INSERT NAME OF DEPARTMENT] is hereby created and the ~~executive~~ official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

[A] 103.2 Appointment. The code official shall be appointed by the chief appointing authority of the jurisdiction.

[A] 103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the code official.

[A] ~~103.4-104.8~~ Liability. The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

[A] ~~103.4.1-104.8.1~~ Legal defense. Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representatives of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

2018 International Existing Building Code

Revise as follows:

SECTION 103  
~~DEPARTMENT OF BUILDING SAFETY~~CODE COMPLIANCE AGENCY

[A] 103.1 Creation of enforcement agency. The ~~Department of Building Safety~~ [INSERT NAME OF DEPARTMENT] is hereby created , and the official incharge in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

[A] 103.2 Appointment. The *code official* shall be appointed by the chief appointing authority of the jurisdiction.

[A] 103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, ~~the~~ other related technical officers, inspectors, ~~plan-examiners~~, and other employees. Such employees shall have powers as delegated by the code official.

## Code Change No: ADM16-19 Part I

### Original Proposal

Section(s): IBC: SECTION 103, [A] 103.1, [A] 103.2, [A] 103.3; IFC: SECTION 103, [A] 103.1, [A] 103.2, [A] 103.3, [A] 104.7, [A] 104.7.1; IPC: SECTION 103, 103.1, 103.2, 103.3, 104.8, 104.8.1; IMC: SECTION 103, [A] 103.1, [A] 103.2, [A] 103.3, [A] 104.8, [A] 104.8.1; IFGC: SECTION 103 (IFGC), [A] 103.1, [A] 103.2, [A] 103.3, [A] 104.8, [A] 104.8.1; IEBC: SECTION 103, [A] 103.1, [A] 103.2, [A] 103.3; ISPSC: SECTION 103, [A] 103.1, [A] 103.2, [A] 103.3, [A] 104.8, [A] 104.8.1; IPMC: SECTION 103, [A] 103.1, [A] 103.2, [A] 103.3, [A] 104.7, [A] 104.7.1; IPSDC: SECTION 103, [A] 103.1, [A] 103.2, [A] 103.3, [A] 104.7, [A] 104.7.1; IWUIC: SECTION 103, [A] 103.1, [A] 103.2, [A] 103.3

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgcac@iccsafe.org); David Collins (sehpcac@iccsafe.org)

**THIS IS A 3 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IgCC CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

#### 2018 International Building Code

Revise as follows:

#### SECTION 103 ~~DEPARTMENT OF BUILDING SAFETY CODE COMPLIANCE AGENCY~~

**[A] 103.1 Creation of ~~enforcement~~ agency.** The Department of Building Safety [INSERT NAME OF DEPARTMENT] is hereby created and the official in charge thereof shall be known as the building official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

**[A] 103.2 Appointment.** The *building official* shall be appointed by the chief appointing authority of the jurisdiction.

**[A] 103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the other related technical officers, inspectors, ~~plan examiners~~ and other employees. Such employees shall have powers as delegated by the building official. ~~For the maintenance of existing properties, see the International Property Maintenance Code.~~

#### 2018 International Fire Code

Revise as follows:

#### SECTION 103 ~~DEPARTMENT OF FIRE PREVENTION CODE COMPLIANCE AGENCY~~

**[A] 103.1 ~~General.~~ Creation of agency.** The department of fire prevention is established within the jurisdiction under the direction of the *fire code official*. [INSERT NAME OF DEPARTMENT] is hereby created and the official in charge thereof shall be known as the fire code official. The function of the

~~department~~ agency shall be the implementation, administration and enforcement of the provisions of this code.

**[A] 103.2 Appointment.** The *fire code official* shall be appointed by the chief appointing authority of the jurisdiction; ~~and the fire code official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.~~

**[A] 103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the fire code official shall have the authority to appoint a deputy fire code official, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the fire code official.

**[A] 103.4-104.7 Liability.** The *fire code official*, member of the board of appeals, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

**[A] 103.4-104.7.1 Legal defense.** Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representatives of the jurisdiction until the final termination of the proceedings. The fire code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of fire prevention, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

## 2018 International Plumbing Code

Revise as follows:

### SECTION 103 DEPARTMENT OF PLUMBING INSPECTION CODE COMPLIANCE AGENCY

**103.1 General- Creation of agency.** The ~~department of plumbing inspection~~ [INSERT NAME OF DEPARTMENT] is hereby created and the ~~executive~~ official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

**103.2 Appointment.** The code official shall be appointed by the chief appointing authority of the jurisdiction.

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

**403.4-104.8 Liability.** The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

**403.4.4-104.8.1 Legal defense.** Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

#### 2018 International Mechanical Code

Revise as follows:

### SECTION 103 DEPARTMENT OF MECHANICAL INSPECTION CODE COMPLIANCE AGENCY

**[A] 103.1 General. Creation of agency.** The department of mechanical inspection [INSERT NAME OF DEPARTMENT] is hereby created and the ~~executive~~ official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

**[A] 103.2 Appointment.** The code official shall be appointed by the chief appointing authority of the jurisdiction.

**[A] 103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the code official.

**[A] ~~403.4-104.8~~ Liability.** The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

**[A] ~~403.4-104.8.1~~ Legal defense.** Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representatives of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

#### 2018 International Fuel Gas Code

Revise as follows:

### SECTION 103 (IFGC) ~~DEPARTMENT OF INSPECTION~~ CODE COMPLIANCE AGENCY

**[A] 103.1 General. Creation of agency.** The Department of Inspection [INSERT NAME OF DEPARTMENT] is hereby created and the ~~executive~~ official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

**[A] 103.2 Appointment.** The code official shall be appointed by the chief appointing authority of the jurisdiction.

**[A] 103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the code official.

**[A] ~~103.4~~ 104.8 Liability.** The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

**[A] ~~103.4.1~~ 104.8.1 Legal defense.** Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representatives of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

#### 2018 International Existing Building Code

Revise as follows:

#### SECTION 103 ~~DEPARTMENT OF BUILDING SAFETY~~ **CODE COMPLIANCE AGENCY**

**[A] 103.1 Creation of ~~enforcement~~ agency.** The Department of Building Safety [INSERT NAME OF DEPARTMENT] is hereby created, and the official ~~in charge~~ in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

**[A] 103.2 Appointment.** The *code official* shall be appointed by the chief appointing authority of the jurisdiction.

**[A] 103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, ~~the other~~ related technical officers, inspectors, ~~plan examiners~~, and other employees. Such employees shall have powers as delegated by the code official.

#### 2018 International Swimming Pool and Spa Code

Revise as follows:

#### SECTION 103 ~~DEPARTMENT OF BUILDING SAFETY~~ **CODE COMPLIANCE AGENCY**

**[A] 103.1 Creation of ~~enforcement~~ agency.** The ~~department of building safety~~ [INSERT NAME OF DEPARTMENT] is hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

**[A] 103.2 Appointment.** The code official shall be appointed by the chief appointing authority of the jurisdiction.

**[A] 103.3 Deputies.** In accordance with the prescribed procedures of ~~the~~ this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, ~~the other~~ related technical officers, inspectors, ~~plans examiners~~ and other employees. Such employees shall have powers as delegated by the code official.

**[A] ~~403.4-104.8~~ Liability.** The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

**[A] ~~403.4-104.8.1~~ Legal defenses.**

Any suit or criminal complaint instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representatives of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

## 2018 International Property Maintenance Code

Revise as follows:

### SECTION 103

#### **DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION CODE COMPLIANCE AGENCY**

**[A] 103.1 General. Creation of agency.** The department of property maintenance inspection [INSERT NAME OF DEPARTMENT] is hereby created and the ~~executive~~ official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

**[A] 103.2 Appointment.** The *code official* shall be appointed by the chief appointing authority of the jurisdiction.

**[A] 103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy ~~(e)-~~ code official, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the code official.

**[A] ~~403.4-104.7~~ Liability.** The *code official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

**[A] ~~403.4-104.7.1~~ Legal defense.** Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.



## 2018 International Private Sewage Disposal Code

Revise as follows:

### SECTION 103 ~~DEPARTMENT OF PRIVATE SEWAGE DISPOSAL INSPECTION~~ CODE COMPLIANCE AGENCY

**[A] 103.1 General. ~~Creation of agency.~~** The Department of Private Sewage Disposal Inspection [INSERT NAME OF DEPARTMENT] is hereby created and the executive official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

**[A] 103.2 Appointment.** The code official shall be appointed by the chief appointing authority of the jurisdiction.

**[A] 103.3 Deputies.** In accordance with the prescribed procedures of ~~the~~ this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the code official.

**[A] ~~403.4-104.7~~ Liability.** The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

**[A] ~~403.4-104.7.1~~ Legal defense.** Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representatives of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

## 2018 International Wildland-Urban Interface Code

Revise as follows:

### SECTION 103 ~~ENFORCEMENT~~ CODE COMPLIANCE AGENCY

**[A] 103.1 Creation of ~~enforcement~~ agency.** The department of [INSERT NAME OF DEPARTMENT] is hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

**[A] 103.2 Appointment.** The code official shall be appointed by the chief appointing authority of the jurisdiction.

**[A] 103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy (s)-deputy code official, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the code official.

**Reason:** There are many different names for the title of this section, but all include provisions for the creation of the code compliance agency. The department's responsibilities are more than just 'enforcement' of the code. The fill in the blank for the name allows for the agency to develop a name appropriate to their jurisdiction and responsibilities.

In some of the codes there will be a move from this section to *General Authority and responsibilities* section so that requirements for liability and legal defense will be in a consistent location.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as "building/fire/code official".

### SECTION 103 CODE COMPLIANCE AGENCY

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

**103.2 Appointment.** The *code official* shall be appointed by the chief appointing authority of the jurisdiction.

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

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC) and the ICC Plumbing/Mechanical/Gas Code Action Committee (PMG CAC).

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-actioncommittee-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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>.

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at: <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

The PMG CAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG CAC. In 2017-2018, the PMG CAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac>.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. This is an editorial change with no change to construction requirements.

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee stated that the approval was based on the improvement to the consistency and ease of use from the standardization of the code compliance enforcement agency section and naming across the codes. (Vote: 13-0)

**Assembly Action:**

**None**

### Final Action

ADM16-19 Part I

AS

<b>Date Submitted</b> 2/17/2021	<b>Section 107</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

Section 107 is marked reserved under the 2020 FBC-P, FBC-M, FBC-FGC.

**Summary of Modification**

Moves requirements for construction documents into its own section so that requirements can be consistently found in the codes.

**Rationale**

The intent of this proposal is to move requirements for construction documents into its own section so that requirements can be consistently found in the codes.

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

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals.”

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at:

<https://www.iccsafe.org/codes-tech-support/codes/codedevelopment-process/building-code-actioncommittee-bcac>.

Approved as Submitted (AS)

2018 - IBC

Revise as follows:

**SECTION 107**  
**SUBMITTAL CONSTRUCTION DOCUMENTS**

2018 International Plumbing Code

Revise as follows:

**SECTION 107**  
**CONSTRUCTION DOCUMENTS**

~~406.3.4-107.1~~ **107.1** Construction documents. Construction documents, engineering calculations, diagrams and other such data shall be submitted in two or more sets with each application for a permit. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional where required by state law. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. Construction documents for buildings more than two stories in height shall indicate where penetrations will be made for pipes, fittings and components and shall indicate the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.

**Exception:** The code official shall have the authority to waive the submission of construction documents, calculations or other data if the nature of the work applied for is such that reviewing of construction documents is not necessary to determine compliance with this code.

~~406.5.6-107.2~~ **107.2** Retention of construction documents. One set of *approved* construction documents shall be retained by the code official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

One set of *approved* construction documents shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

2018 International Mechanical Code

Revise as follows:

**SECTION 107**  
**CONSTRUCTION DOCUMENTS**

**[A] ~~406.3.4-107.1~~ 107.1** Construction documents. *Construction documents*, engineering calculations, diagrams and other data shall be submitted in two or more sets with each application for a permit. The code official shall require *construction documents*, computations and specifications to be prepared and designed by a *registered design professional* where required by state law. Where special conditions exist, the code official is authorized to require additional *construction documents* to be prepared by a *registered design professional*. *Construction documents* shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and

show in detail that the work conforms to the provisions of this code. *Construction documents* for buildings more than two stories in height shall indicate where penetrations will be made for mechanical systems, and the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.

**Exception:** The code official shall have the authority to waive the submission of *construction documents*, calculations or other data if the nature of the work applied for is such that reviewing of *construction documents* is not necessary to determine compliance with this code.

[A] ~~106.4.6-107.2~~ Retention of construction documents. One set of *approved construction documents* shall be retained by the code official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. One set of *approved construction documents* shall be returned to the applicant, and said set shall be kept on the site of the building or job at all times during which the work authorized thereby is in progress.

2018 International Fuel Gas Code

Revise as follows:

SECTION 107  
CONSTRUCTION DOCUMENTS

[A] ~~106.3.1-107.1~~ Construction documents. *Construction documents*, engineering calculations, diagrams and other data shall be submitted in two or more sets with each application for a permit. The code official shall require *construction documents*, computations and specifications to be prepared and designed by a registered design professional where required by state law. *Construction documents* shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. *Construction documents* for buildings more than two stories in height shall indicate where penetrations will be made for installations and shall indicate the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.

**Exception:** The code official shall have the authority to waive the submission of *construction documents*, calculations or other data if the nature of the work applied for is such that reviewing of *construction documents* is not necessary to determine compliance with this code.

[A] ~~106.5.6-107.2~~ Retention of construction documents. One set of *approved construction documents* shall be retained by the code official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. One set of *approved construction documents* shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

## Code Change No: ADM28-19

### Original Proposal

Section(s): IBC: SECTION 107; IFC: SECTION 106, [A] 105.4, [A] 106.1, [A] 106.2, [A] 106.2.1, [A] 106.2.2, [A] 106.2.3, [A] 106.2.4, [A] 106.2.4.1, [A] 106.3, [A] 106.4; IPC: SECTION 107, 107.1, 107.2; IMC: SECTION 107, [A] 107.1, [A] 107.2; IFGC: SECTION 107, [A] 107.1, [A] 107.2; ISPSC: SECTION 106, [A] 106.1, [A] 106.2; IPSDC: SECTION 107, [A] 107.1, [A] 107.2; IWUIC: SECTION 108

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgac@iccsafe.org)

#### 2018 International Building Code

Revise as follows:

#### SECTION 107 SUBMITTAL CONSTRUCTION DOCUMENTS

#### 2018 International Fire Code

Revise as follows:

#### SECTION 106 CONSTRUCTION DOCUMENTS

Delete without substitution:

~~**[A] 105.4 Construction documents.** Construction documents shall be in accordance with Sections 105.4.1 through 105.4.6.~~

Revise as follows:

**[A] 405.4.1106.1 Submittals.** *Construction documents* and supporting data shall be submitted in two or more sets with each application for a permit and in such form and detail as required by the *fire code official*. The *construction documents* shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed.

**Exception:** The *fire code official* is authorized to waive the submission of *construction documents* and supporting data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

**[A] 405.4.1.4-106.2 Examination of documents.** The *fire code official* shall examine or cause to be examined the accompanying *construction documents* and shall ascertain by such examinations whether the work indicated and described is in accordance with the requirements of this code.

**[A] 405.4.2-106.2.1 Information on construction documents.** *Construction documents* shall be drawn to scale on suitable material. Electronic media documents are allowed to be submitted where *approved* by the *fire code official*. *Construction documents* shall be of sufficient clarity to indicate the location,

nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations as determined by the *fire code official*.

**[A] 405.4.2.4-106.2.2 Fire protection system shop drawings.** Shop drawings for the fire protection system(s) shall be submitted to indicate compliance with this code and the *construction documents*, and shall be *approved* prior to the start of installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

**[A] 405.4.3-106.2.3 Applicant responsibility.** It shall be the responsibility of the applicant to ensure that the *construction documents* include all of the fire protection requirements and the shop drawings are complete and in compliance with the applicable codes and standards.

**[A] 405.4.4-106.2.4 Approved documents.** *Construction documents approved* by the *fire code official* are approved with the intent that such *construction documents* comply in all respects with this code. Review and approval by the *fire code official* shall not relieve the applicant of the responsibility of compliance with this code.

**[A] 405.4.4.4-106.2.4.1 Phased approval.** The *fire code official* is authorized to issue a permit for the construction of part of a structure, system or operation before the *construction documents* for the whole structure, system or operation have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for parts of a structure, system or operation shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure, system or operation will be granted.

**[A] 405.4.5-106.3 Amended construction documents.** Work shall be installed in accordance with the *approved construction documents*, and any changes made during construction that are not in compliance with the *approved construction documents* shall be resubmitted for approval as an amended set of *construction documents*.

**[A] 405.4.6-106.4 Retention of construction documents.** One set of *construction documents* shall be retained by the *fire code official* for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. One set of *approved construction documents* shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

## 2018 International Plumbing Code

Revise as follows:

### **SECTION 107** **CONSTRUCTION DOCUMENTS**

**406.3.4-107.1 Construction documents.** Construction documents, engineering calculations, diagrams and other such data shall be submitted in two or more sets with each application for a permit. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional where required by state law. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. Construction documents for buildings more than two stories in height shall indicate where penetrations will be made for pipes, fittings and components and shall indicate the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.

**Exception:** The code official shall have the authority to waive the submission of construction documents, calculations or other data if the nature of the work applied for is such that reviewing of construction documents is not necessary to determine compliance with this code.

**406.5.6-107.2 Retention of construction documents.** One set of *approved* construction documents shall be retained by the code official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

One set of *approved* construction documents shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

#### 2018 International Mechanical Code

Revise as follows:

#### SECTION 107 CONSTRUCTION DOCUMENTS

**[A] 406.3.4-107.1 Construction documents.** *Construction documents*, engineering calculations, diagrams and other data shall be submitted in two or more sets with each application for a permit. The code official shall require *construction documents*, computations and specifications to be prepared and designed by a *registered design professional* where required by state law. Where special conditions exist, the code official is authorized to require additional *construction documents* to be prepared by a *registered design professional*. *Construction documents* shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. *Construction documents* for buildings more than two stories in height shall indicate where penetrations will be made for mechanical systems, and the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.

**Exception:** The code official shall have the authority to waive the submission of *construction documents*, calculations or other data if the nature of the work applied for is such that reviewing of *construction documents* is not necessary to determine compliance with this code.

**[A] 406.4.6-107.2 Retention of construction documents.** One set of *approved construction documents* shall be retained by the code official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. One set of *approved construction documents* shall be returned to the applicant, and said set shall be kept on the site of the building or job at all times during which the work authorized thereby is in progress.

#### 2018 International Fuel Gas Code

Revise as follows:

#### SECTION 107 CONSTRUCTION DOCUMENTS

**[A] 406.3.4-107.1 Construction documents.** *Construction documents*, engineering calculations, diagrams and other data shall be submitted in two or more sets with each application for a permit. The code official shall require *construction documents*, computations and specifications to be prepared and designed by a registered design professional where required by state law. *Construction documents* shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. *Construction documents* for buildings more than two stories in height shall indicate where penetrations will be made for installations and shall indicate the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.



**Exception:** The code official shall have the authority to waive the submission of *construction documents*, calculations or other data if the nature of the work applied for is such that reviewing of *construction documents* is not necessary to determine compliance with this code.

**[A] 406.5.6-107.2 Retention of construction documents.** One set of *approved construction documents* shall be retained by the code official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. One set of *approved construction documents* shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

#### 2018 International Swimming Pool and Spa Code

Revise as follows:

#### **SECTION 106** **CONSTRUCTION DOCUMENTS**

**[A] 406.3-106.1 Construction documents.** Construction documents, engineering calculations, diagrams and other such data shall be submitted in two or more sets with each application for a permit. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional where required by state law. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code.

**[A] 406.5.6-106.2 Retention of construction documents.** One set of *approved construction documents* shall be retained by the code official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. One **set of *approved construction documents* shall be returned to the applicant**, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

#### 2018 International Private Sewage Disposal Code

Revise as follows:

#### **SECTION 107** **CONSTRUCTION DOCUMENTS**

**[A] 406.2.4-107.1 Construction documents.** An application for a permit shall be accompanied by not less than two copies of construction documents drawn to scale, with sufficient clarity and detail dimensions showing the nature and character of the work to be performed. Specifications shall include pumps and controls, dose volume, elevation differences (vertical lift), pipe friction loss, pump performance curve, pump model and pump manufacturer. The code official is permitted to waive the requirements for filing construction documents where the work involved is of a minor nature. Where the quality of the materials is essential for conformity to this code, specific information shall be given to establish such quality, and this code shall not be cited, or the term "legal" or its equivalent used as a substitute for specific information.

**[A] 406.3.6-107.2 Retention of construction documents.** One set of approved construction documents shall be retained by the code official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. One set of approved construction documents shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

#### 2018 International Wildland-Urban Interface Code

Revise as follows:

**SECTION 108**  
**PLANS AND SPECIFICATIONS CONSTRUCTION DOCUMENTS**

**Reason:** The intent of this proposal is to move requirements for construction documents into its own section so that requirements can be consistently found in the codes.

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

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-actioncommittee-bcac>.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. This is an editorial change only.

**Report of Committee Action  
Hearings**

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee stated that the reason for approval was based on the proponent's reason statement. Specifically that it is needed to provide for consistency. (Vote: 13-0)

**Assembly Action:**

**None**

**Final Action**

**ADM28-19**

**AS**

<b>Date Submitted</b> 2/17/2021	<b>Section</b> 107.2.4	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> No	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** Yes**Related Modifications**

IBC: [A] 107.2.4; IEBC: [A] 106.2.4

Section 106.2.4 is reserved under the FBC-EB.

**Summary of Modification**

Corrects inappropriate reference of water-resistive membrane

**Rationale**

Corrects inappropriate reference of water-resistive membrane and uses a term defined in the IBC and IRC (water-resistive barrier) and which is not exclusive of any type of WRB which may be a membrane, panel, etc.

**Comment Period History**

<b>Proponent</b> Michael Silvers (FRSA)	<b>Submitted</b> 6/16/2021	<b>Attachments</b> No
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**Comment:**

FRSA request a Motion to Deny: FRSA urges the TAC to reject the provision of this Mod in the TAC's recommendations to the Commission and that it should not be incorporated into the FBC.

CA9067-G1

Approved as Submitted (AS)

**Revise as follows:**

**[A] 107.2.4 Exterior wall envelope.** *Construction documents* for all buildings shall describe the *exterior wall envelope* in sufficient detail to determine compliance with this code. The *construction documents* shall provide details of the *exterior wall envelope* as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane barrier and details around openings.

The *construction documents* shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the *construction documents* maintain the weather resistance of the *exterior wall envelope*. The supporting documentation shall fully describe the *exterior wall* system that was tested, where applicable, as well as the test procedure used.

**2018 International Existing Building Code**

**Revise as follows:**

**[A] 106.2.4 Exterior wall envelope.** *Construction documents* for work affecting the exterior wall envelope shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including windows, doors, flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membranebarrier, and details around openings.

The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the wind and weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system that was tested, where applicable, as well as the test procedure used.

## Code Change No: ADM29-19

### Original Proposal

**Section(s):** IBC: [A] 107.2.4; IEBC: [A] 106.2.4

**Proponent:** John Woestman, representing Extruded Polystyrene Foam Association  
(jwoestman@kellencompany.com)

#### 2018 International Building Code

**Revise as follows:**

**[A] 107.2.4 Exterior wall envelope.** *Construction documents* for all buildings shall describe the *exterior wall envelope* in sufficient detail to determine compliance with this code. The *construction documents* shall provide details of the *exterior wall envelope* as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive ~~membrane~~ barrier and details around openings.

The *construction documents* shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the *construction documents* maintain the weather resistance of the *exterior wall envelope*. The supporting documentation shall fully describe the *exterior wall* system that was tested, where applicable, as well as the test procedure used.

#### 2018 International Existing Building Code

**Revise as follows:**

**[A] 106.2.4 Exterior wall envelope.** Construction documents for work affecting the exterior wall envelope shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including windows, doors, flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive ~~membrane~~ barrier, and details around openings.

The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the wind and weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system that was tested, where applicable, as well as the test procedure used.

**Reason:** Corrects inappropriate reference of water-resistive ~~membrane~~ and uses a term defined in the IBC and IRC (water-resistive barrier) and which is not exclusive of any type of WRB which may be a membrane, panel, etc.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. This is a correction that uses a defined term to provide clarification of the requirements. No cost implications anticipated.

Report of Committee Action  
Hearings

Committee Action:

Approved as Submitted

Committee Reason: The committee stated that the reason for approval was based on the proponent's reason statement. (Vote: 12-1)

Assembly Action:

None

Final Action

ADM29-19

AS

<b>Date Submitted</b> 2/17/2021	<b>Section</b> 107.2.5	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

IBC: [A] 107.2.5; IEBC: [A] 106.2.5

Section 106.2.5 is reserved under the 2020 FBC-EB.

**Summary of Modification**

Revises the section to better describe the intent of the existing language.

**Rationale**

The term irrigation was added to the 2018 and goes beyond the previous editions of the code. To verify compliance, landscape irrigation plans would need to become part of the construction documents. The proposed language uses a defined term which will increase consistency and satisfy the intent.

Approved as Submitted (AS)

**Revise as follows:**

[A] 107.2.5 Exterior balconies and elevated walking surfaces. Where balconies or other elevated walking surfaces are ~~exposed to water from direct or blowing rain, snow, or irrigation~~ have weather-exposed surfaces, and the structural framing is protected by an impervious moisture barrier, the *construction documents* shall include details for all elements of the impervious moisture barrier system. The *construction documents* shall include manufacturer's installation instructions.

2018 International Existing Building Code

**Revise as follows:**

[A] 106.2.5 Exterior balconies and elevated walking surfaces. Where the scope of work involves balconies or other elevated walking surfaces ~~exposed to water from direct or blowing rain, snow or irrigation~~ have weather-exposed surfaces, and the structural framing is protected by an impervious moisture barrier, the construction documents shall include details for all elements of the impervious moisture barrier system. The construction documents shall include manufacturer's installation instructions.



## Code Change No: ADM30-19

### Original Proposal

**Section(s):** IBC: [A] 107.2.5; IEBC: [A] 106.2.5

**Proponent:** Rebecca Baker, Jefferson County CO, representing the Colorado Chapter ICC, representing Colorado Chapter ICC of the ICC (bbaker@co.jefferson.co.us)

#### 2018 International Building Code

**Revise as follows:**

**[A] 107.2.5 Exterior balconies and elevated walking surfaces.** Where balconies or other elevated walking surfaces ~~are exposed to water from direct or blowing rain, snow, or irrigation~~ have weather-exposed surfaces, and the structural framing is protected by an impervious moisture barrier, the *construction documents* shall include details for all elements of the impervious moisture barrier system. The *construction documents* shall include manufacturer's installation instructions.

#### 2018 International Existing Building Code

**Revise as follows:**

**[A] 106.2.5 Exterior balconies and elevated walking surfaces.** Where the scope of work involves balconies or other elevated walking surfaces ~~exposed to water from direct or blowing rain, snow or irrigation~~ have weather-exposed surfaces, and the structural framing is protected by an impervious moisture barrier, the construction documents shall include details for all elements of the impervious moisture barrier system. The construction documents shall include manufacturer's installation instructions.

**Reason:** The term irrigation was added to the 2018 and goes beyond the previous editions of the code. To verify compliance, landscape irrigation plans would need to become part of the construction documents. The proposed language uses a defined term which will increase consistency and satisfy the intent.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. This proposal will improve consistency in the application of the code.

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee stated that the reason for approval was that the new language is more concise than the existing language and it better describes the intent. It was also stated in opposition that it is location dependent and it does not allow for differences in climate. (Vote: 10-3)

**Assembly Action:**

**None**

### Final Action

**ADM30-19**

**AS**

<b>Date Submitted</b> 2/17/2021	<b>Section 109</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

Section 108 is marked reserved under the 2020 FBC-EB.

**Summary of Modification**

Revises the sections to provide consistency between codes

**Rationale**

Please see attached file

Approved as Modified (AM)

2018 IBC

Original MOD

Revise as follows:

#### SECTION 109 FEES

[A] 109.1 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.

[A] 109.2 Schedule of permit fees. ~~On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring~~ Where a permit is required, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

[A] 109.3 ~~Building permit~~ Permit valuations. The applicant for a *permit* shall provide an estimated *permit* value at time of application. *Permit* valuations shall include total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the *building official*, the valuation is underestimated on the application, the *permit* shall be denied, unless the applicant can show detailed estimates to meet the approval of the *building official*. Final building *permit* valuation shall be set by the *building official*.

[A] 109.4 Work commencing before permit issuance. Any person who commences any ~~work on a building, structure, electrical, gas, mechanical or plumbing system before~~ work before obtaining the necessary *permits* shall be subject to a fee established by the *building official* that shall be in addition to the required *permit* fees.

[A] 109.5 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.

[A] 109.6 Refunds. The *building official* is authorized to establish a refund policy.

2018 International Existing Building Code

Revise as follows:

#### SECTION 108 FEES

[A] 108.1 Payment of fees. A permit shall not be valid until the fees prescribed by law have been ~~paid. Nor~~ paid nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

[A] 108.2 Schedule of permit fees. ~~On buildings, electrical, gas, mechanical, and plumbing systems or alterations requiring~~ Where a permit is required, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

[A] 108.3 ~~Building permit~~ Permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work including materials and labor for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment, and permanent systems. If, in the opinion of the *code official*, the valuation is underestimated on the application, the permit shall be denied unless the applicant

can show detailed estimates to meet the approval of the *code official*. Final building permit valuation shall be set by the *code official*.

[A] 108.4 Work commencing before permit issuance. Any person who commences any work before obtaining the necessary permits shall be subject to ~~an additional~~ a fee established by the *code official* that shall be in addition to the required permit fees.

[A] 108.5 Related fees. The payment of the fee for the construction, *alteration*, removal, or demolition of work done in connection to or concurrently with the work authorized by ~~a building~~ a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

[A] 108.6 Refunds. The *code official* is authorized to establish a refund policy.

## Code Change No: ADM33-19 Part I

### Original Proposal

Section(s): IBC: SECTION 109, [A] 109.1, [A] 109.2, [A] 109.3, [A] 109.4, [A] 109.5, [A] 109.6;  
 IFC: SECTION 106, [A] 106.1, [A] 106.2, 106.3 (New), [A] 106.4, [A] 106.5, [A] 106.6;  
 IEBC: SECTION 108, [A] 108.1, [A] 108.2, [A] 108.3, [A] 108.4, [A] 108.5, [A] 108.6;  
 IWUIC: SECTION 109, [A] 109.1, [A] 109.2, 109.3, [A] 109.4, [A] 109.5, [A] 109.6;  
 IZC: SECTION 111, [A] 111.1, 111.2

**Proponents:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

**THIS IS A 4 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART IV WILL BE HEARD BY THE IgCC CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

2018 International Building Code

Revise as follows:

### SECTION 109 FEES

**[A] 109.1 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.

**[A] 109.2 Schedule of permit fees.** ~~On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring~~ Where a *permit* is required, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

**[A] 109.3 Building permit Permit valuations.** The applicant for a *permit* shall provide an estimated *permit* value at time of application. *Permit* valuations shall include total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the *building official*, the valuation is underestimated on the application, the *permit* shall be denied, unless the applicant can show detailed estimates to meet the approval of the *building official*. Final building *permit* valuation shall be set by the *building official*.

**[A] 109.4 Work commencing before permit issuance.** Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before work before obtaining the necessary *permits* shall be subject to a fee established by the *building official* that shall be in addition to the required *permit* fees.

**[A] 109.5 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.

**[A] 109.6 Refunds.** The *building official* is authorized to establish a refund policy.

## 2018 International Fire Code

Revise as follows:

**SECTION 106  
FEES**

**[A] 106.1 Fees.** A permit shall not be issued until the fees have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

**[A] 106.2 Schedule of permit fees.** ~~A~~ Where a permit is required, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

Add new text as follows:

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

Revise as follows:

**[A] ~~406.3~~ 106.4 Work commencing before permit issuance.** A person who commences any work, activity or operation regulated by this code before obtaining the necessary permits shall be subject to ~~an additional~~ a fee established by the applicable governing authority, which shall be in addition to the required permit fees.

**[A] ~~406.4~~ 106.5 Related fees.** The payment of the fee for the construction, *alteration*, removal or demolition of work done in connection to or concurrently with the work or activity authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

**[A] ~~406.5~~ 106.6 Refunds.** The applicable governing authority is authorized to establish a refund policy.

## 2018 International Existing Building Code

Revise as follows:

**SECTION 108  
FEES**

**[A] 108.1 Payment of fees.** A permit shall not be valid until the fees prescribed by law have been paid. ~~Not paid nor~~ shall an amendment to a permit be released until the additional fee, if any, has been paid.

**[A] 108.2 Schedule of permit fees.** ~~On buildings, electrical, gas, mechanical, and plumbing systems or alterations requiring~~ Where a permit is required, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

**[A] 108.3 Building permit Permit valuations.** The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work including materials and labor for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment, and permanent systems. If, in the opinion of the *code official*, the valuation is underestimated on the application, the permit shall be denied unless the applicant can show detailed estimates to meet the approval of the *code official*. Final building permit valuation shall be set by the *code official*.

**[A] 108.4 Work commencing before permit issuance.** Any person who commences any work before obtaining the necessary permits shall be subject to ~~an additional a~~ fee established by the *code official* that shall be in addition to the required permit fees.

**[A] 108.5 Related fees.** The payment of the fee for the construction, *alteration*, removal, or demolition of work done in connection to or concurrently with the work authorized by ~~a building a~~ permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

**[A] 108.6 Refunds.** The *code official* is authorized to establish a refund policy.

#### 2018 International Wildland-Urban Interface Code

Revise as follows:

#### SECTION 109 FEES

**[A] 109.1 Fees. Payment of fees.** A permit shall not be issued until the fees prescribed in ~~Section 109.2~~ by law have been paid; nor shall an amendment to a permit be released until the additional fee, if any, has been paid

**[A] 109.2 Schedule of permit fees.** ~~A Where a permit is required, a~~ fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

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

**[A] ~~409.3~~ 109.4 Work commencing before permit issuance.** Any person who commences any work before obtaining the necessary permits shall be subject to ~~an additional a~~ fee established by the applicable governing authority, which shall be in addition to the required permit fees.

**[A] ~~409.4~~ 109.5 Related fees.** The payment of the fee for the construction, alteration, removal or demolition of work done in connection to or concurrently with the work or activity authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

**[A] ~~409.5~~ 109.6 Refunds.** The applicable governing authority is authorized to establish a refund policy.

## 2018 International Zoning Code

Revise as follows:

### SECTION 111 FEES

**[A] 111.1 Fees.** A fee for services shall be charged. Fees shall be set by the jurisdiction and schedules shall be available at the office of the code official.

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

**Reason:** There are two different proposals to address consistency in the Fees section – the end result would be coordination between all codes. The intent is consistency in language for 'Fees' within the codes – IBC, IFC, IEBC, IWUIC, IZC, Energy – Commercial and Residential.

1. Payment of fees – consistent title, always two sentences
2. Schedule of permit fees – IBC currently also includes "structures", while IFC and IEBC also includes "alterations". IWUIC and Energy do not include anything. Eliminate the laundry list and make all codes consistent.
3. Permit valuation: added valuation to IWUIC and Energy; permits can be for other than just buildings
4. Work commencing before permit issuance – remove redundant language
5. Refunds – no change
6. The IZC currently has a section on fees that is very limited. It was not clear what should be added other than a section on refunds.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as "building/fire/code official".

IBC

### SECTION 109 FEES

**[A] 109.1 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.

**[A] 109.2 Schedule of permit fees.** Where a *permit* is required, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

**[A] 109.3 Permit valuations.** The applicant for a *permit* shall provide an estimated *permit* value at time of application. *Permit* valuations shall include total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the *building official*, the valuation is underestimated on the application, the *permit* shall be denied, unless the applicant can show detailed estimates to meet the approval of the *building official*. Final building *permit* valuation shall be set by the *building official*.

**[A] 109.4 Work commencing before permit issuance.** Any person who commences any work before obtaining the necessary *permits* shall be subject to a fee established by the *building official* that shall be in addition to the required *permit* fees.

**[A] 109.5 Related fees.** The payment of the fee for the construction, *alteration*, removal or demolition for work done in connection to or concurrently with the work authorized by a *permit* shall not relieve the applicant or holder of the *permit* from the payment of other fees that are prescribed by law.

**[A] 109.6 Refunds.** The *building official* is authorized to establish a refund policy.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable and Energy and High Performance Code Action Committee (SEHPCAC).

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as



any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

**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.

### Report of Committee Action Hearings

#### Committee Action:

Approved as Modified

Modify proposal as follows:

#### 2018 International Fire Code

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

**Committee Reason:** The committee stated that the reason for the approval of the modification was the specific improvement to the language for its use in the IFC by using the common title to match the existing language. The reason for approval of the proposal was based on the proponent's reason statement. (Vote: 13-0).

#### Assembly Action:

None

### Final Action

ADM33-19 Part I

AM

<b>Date Submitted</b> 2/17/2021	<b>Section</b> 110.3.6	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

IBC: [A] 110.3.6;  
IEBC: [A] 109.3.6

Section 109 is reserved under the 2020 FBC-EB.

**Summary of Modification**

Revises the section in increase consistency and satisfy the intent of the code.

**Rationale**

The term irrigation was added to the 2018 and goes beyond the scope of previous editions of the code. To verify compliance, landscape irrigation plans would need to become part of the construction documents. The proposed language uses a defined term which will increase consistency and satisfy the intent.

Approved as submitted (AS)

**Revise as follows:**

[A] 110.3.6 Weather-exposed balcony and walking surface waterproofing. Where balconies or other elevated walking surfaces are ~~exposed to water from direct or blowing rain, snow or irrigation,~~ have *weather-exposed surfaces*, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious moisture barrier system shall not be concealed until inspected and *approved*.

**Exception:** Where *special inspections* are provided in accordance with Section 1705.1.1, Item 3.

2018 International Existing Building Code

**Revise as follows:**

[A] 109.3.6 Weather-exposed balcony and walking surface waterproofing. Where the scope of work involves balconies or other elevated walking surfaces ~~exposed to water from direct or blowing rain, snow or irrigation,~~ have *weather-exposed surfaces*, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious moisture barrier system shall not be concealed until inspected and *approved*.

**Exception:** Where special inspections are provided in accordance with Section 1705.1.1, Item 3, of the International Building Code.

## Code Change No: ADM36-19

### Original Proposal

**Section(s):** IBC: [A] 110.3.6;  
IEBC: [A] 109.3.6

**Proponent:** Rebecca Baker, Jefferson County CO, representing the Colorado Chapter ICC, representing Colorado Chapter ICC of the ICC (bbaker@co.jefferson.co.us)

#### 2018 International Building Code

**Revise as follows:**

**[A] 110.3.6 Weather-exposed balcony and walking surface waterproofing.** Where balconies or other elevated walking surfaces are exposed to water from direct or blowing rain, snow or irrigation, have weather-exposed surfaces, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious moisture barrier system shall not be concealed until inspected and *approved*.

**Exception:** Where *special inspections* are provided in accordance with Section 1705.1.1, Item 3.

#### 2018 International Existing Building Code

**Revise as follows:**

**[A] 109.3.6 Weather-exposed balcony and walking surface waterproofing.** Where the scope of work involves balconies or other elevated walking surfaces exposed to water from direct or blowing rain, snow or irrigation, have weather-exposed surfaces, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious moisture barrier system shall not be concealed until inspected and *approved*.

**Exception:** Where special inspections are provided in accordance with Section 1705.1.1, Item 3, of the International Building Code.

**Reason:** The term irrigation was added to the 2018 and goes beyond the scope of previous editions of the code. To verify compliance, landscape irrigation plans would need to become part of the construction documents. The proposed language uses a defined term which will increase consistency and satisfy the intent.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. This proposal will help standardize the application of the code.

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee stated that the reason for approval was based on the proponent's reason statement and the previous action taken on ADM30-19. (Vote: 12-1)

**Assembly Action:**

**None**

### Final Action

ADM36-19

AS

<b>Date Submitted</b> 2/17/2021	<b>Section 111</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

IBC: SECTION 111, [A] 111.1, [A] 111.2, [A] 111.3, [A] 111.4;  
 IEBC: SECTION 110, [A] 110.1, [A] 110.2, [A] 110.3, [A] 110.4

Section 110 is reserved under the 2020 FBC-EB.

**Summary of Modification**

Coordinates requirements in the Change of Occupancy Section.

**Rationale**

The intent of this proposal is to coordinate requirements in the Change of Occupancy Section.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals.”

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at:

<https://www.iccsafe.org/codes-tech-support/codes/codedevelopment-process/building-code-actioncommittee-bcac>.

Approved as Submitted (AS)

Revise as follows:

# SECTION 111 CERTIFICATE OF OCCUPANCY

[A] 111.1 Change of occupancy. A building or structure shall not be used or occupied in whole or in part, and a change of occupancy of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

**Exception:** Certificates of occupancy are not required for work exempt from *permits* in accordance with Section 105.2.

[A] 111.2 Certificate issued. After the *building official* inspects the building or structure and does not find violations of the provisions of this code or other laws that are enforced by the department of building safety, the *building official* shall issue a certificate of occupancy that contains the following:

1. The ~~building~~ *permit* number.
2. The address of the structure.
3. The name and address of the *owner* or the owner's authorized agent.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code ~~for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.~~
6. The name of the *building official*.
7. The edition of the code under which the *permit* was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3.
9. The type of construction as defined in Chapter 6.
10. The design *occupant load*.
11. ~~#~~ Where an *automatic sprinkler system* is provided, and whether the sprinkler system is required.
12. Any special stipulations and conditions of the building *permit*.

[A] 111.3 Temporary occupancy. The *building official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the *permit*, provided that such portion or portions shall be occupied safely. The *building official* shall set a time period during which the temporary certificate of occupancy is valid.

[A] 111.4 Revocation. The *building official* is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code, in writing, wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of ~~any ordinance or regulation or any of the provisions of this code~~ or other ordinance of the jurisdiction.

2018 International Existing Building Code

Revise as follows:

## SECTION 110 CERTIFICATE OF OCCUPANCY

**[A] 110.1 Change of occupancy.** ~~Altered areas of a building and relocated buildings~~ A structure shall not be used or occupied in whole or in part, and a change of occupancy of a building structure or portion thereof shall not be made until the *code official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

**Exception:** Certificates of occupancy are not required for work exempt from permits in accordance with Section 105.2.

**[A] 110.2 Certificate issued.** After the *code official* inspects the building structure and does not find violations of the provisions of this code or other laws that are enforced by the Department of Building Safety department, the *code official* shall issue a certificate of occupancy that contains the following:

1. The ~~building~~ permit number.
2. The address of the structure.
3. The name and address of the owner or the owner's authorized agent.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the *code official*.
7. The edition of the code under which the permit was issued.
8. The use and occupancy in accordance with the provisions of the International Building Code .
9. The type of construction as defined in the International Building Code .
10. The design occupant load and any impact the *alteration* has on the design occupant load of the area not within the scope of the work.
11. ~~If fire protection systems are provided, whether the fire protection systems are required. Where an automatic sprinkler system is provided, and whether an automatic sprinkler system is required.~~
12. Any special stipulations and conditions of the building permit.

**[A] 110.3 Temporary occupancy.** The *code official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The *code official* shall set a time period during which the temporary certificate of occupancy is valid.

**[A] 110.4 Revocation.** The *code official* is authorized ~~to, in writing, to~~ suspend or revoke a certificate of occupancy or completion issued under the provisions of this code, in writing, wherever the certificate is issued in error or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code or other ordinance of the jurisdiction.



## Code Change No: ADM38-19 Part I

### Original Proposal

Section(s): IBC: SECTION 111, [A] 111.1, [A] 111.2, [A] 111.3, [A] 111.4;  
IEBC: SECTION 110, [A] 110.1, [A] 110.2, [A] 110.3, [A] 110.4

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@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.**

#### 2018 International Building Code

Revise as follows:

#### SECTION 111 CERTIFICATE OF OCCUPANCY

**[A] 111.1 Change of occupancy.** A building or structure shall not be used or occupied in whole or in part, and a change of occupancy of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

**Exception:** Certificates of occupancy are not required for work exempt from *permits* in accordance with Section 105.2.

**[A] 111.2 Certificate issued.** After the *building official* inspects the building or structure and does not find violations of the provisions of this code or other laws that are enforced by the department of ~~building~~ *safety*, the *building official* shall issue a certificate of occupancy that contains the following:

1. The ~~building permit~~ number.
2. The address of the structure.
3. The name and address of the *owner* or the owner's authorized agent.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code ~~for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.~~
6. The name of the *building official*.
7. The edition of the code under which the *permit* was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3.
9. The type of construction as defined in Chapter 6.
10. The design *occupant load*.
11. ~~If~~ *Where* an *automatic sprinkler system* is provided, ~~and~~ whether the sprinkler system is required.
12. Any special stipulations and conditions of the building *permit*.

**[A] 111.3 Temporary occupancy.** The *building official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the *permit*, provided that such portion or

portions shall be occupied safely. The *building official* shall set a time period during which the temporary certificate of occupancy is valid.

**[A] 111.4 Revocation.** The *building official* is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code, in writing, wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of ~~any ordinance or regulation or any of the provisions of this code or other ordinance of the jurisdiction.~~

## 2018 International Existing Building Code

Revise as follows:

### SECTION 110 CERTIFICATE OF OCCUPANCY

**[A] 110.1 Change of occupancy.** ~~Altered areas of a building and relocated buildings~~ A structure shall not be used or occupied in whole or in part, and a change of occupancy of a building structure or portion thereof shall not be made until the *code official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

**Exception:** Certificates of occupancy are not required for work exempt from permits in accordance with Section 105.2.

**[A] 110.2 Certificate issued.** After the *code official* inspects the ~~building structure~~ and does not find violations of the provisions of this code or other laws that are enforced by the ~~Department of Building Safety department~~, the *code official* shall issue a certificate of occupancy that contains the following:

1. The ~~building~~ permit number.
2. The address of the structure.
3. The name and address of the owner or the owner's authorized agent.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the *code official*.
7. The edition of the code under which the permit was issued.
8. The use and occupancy in accordance with the provisions of the International Building Code .
9. The type of construction as defined in the International Building Code .
10. The design occupant load and any impact the *alteration* has on the design occupant load of the area not within the scope of the work.
11. If fire protection systems are provided, whether the fire protection systems are required. Where an automatic sprinkler system is provided, and whether an automatic sprinkler system is required.
12. Any special stipulations and conditions of the building permit.

**[A] 110.3 Temporary occupancy.** The *code official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The *code official* shall set a time period during which the temporary certificate of occupancy is valid.

**[A] 110.4 Revocation.** The *code official* is authorized to, ~~in writing~~, to suspend or revoke a certificate of occupancy or completion issued under the provisions of this code, in writing, wherever the certificate is issued in error or on the basis of incorrect information supplied, or where it is determined that the building

or structure or portion thereof is in violation of ~~any ordinance or regulation or any of the provisions of this code or other ordinance of the jurisdiction.~~

**Reason:** The intent of this proposal is to coordinate requirements in the Change of Occupancy Section.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-action-committee-bcac>.

**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.

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee stated that the reason for the approval was based on the proponent's reason statement and that the proposal cleans up the language. (Vote: 13-0)

**Assembly Action:**

**None**

### Final Action

ADM38-19 Part I

AS

<b>Date Submitted</b> 2/17/2021	<b>Section 112</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

Section 108 is marked reserved under the 2020 FBC-P, FBC-M, FBC-EB and FBC-FGC.

**Summary of Modification**

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

**Rationale**

Please see Attachment

Approved as Modified (AM)

2018 IBC

Original MOD

Revise as follows:

**SECTION 112  
SERVICE UTILITIES**

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

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

[A] 112.3 Authority to disconnect service utilities. The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards ~~set forth in Section 101.4~~ 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 112.1 or 112.2. The building official shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## 2018 International Plumbing Code

Revise as follows:

**SECTION 108**  
**SERVICE UTILITIES**

~~407.7~~ **108.1** Connection of service utilities. A person shall not make connections from a utility, source of energy, fuel, power, water system or ~~sewer~~ system to any building or system that is regulated by this code for which a permit is required until authorized by the code official.

~~407.6~~ **108.2** Temporary connection. The code official shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or power system for the purpose of testing plumbing systems or for use under a temporary ~~certificate of occupancy approval~~.

**108.3 Authority to disconnect service utilities.** The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 108.1 or 108.2. The code official shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## 2018 International Mechanical Code

Revise as follows:

**SECTION 108**  
**SERVICE UTILITIES**

[A] ~~407.6~~ **108.1** Connection of service utilities. A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until authorized by the code official.

[A] ~~407.5~~ **108.2** Temporary connection. The code official shall have the authority to authorize the temporary connection of ~~a mechanical~~ the building or system to the ~~sources~~ utility, source of energy, fuel, power, water system or power system for the purpose of testing ~~mechanical~~ systems or for use under a temporary ~~certificate of occupancy approval~~.

**108.3 Authority to disconnect service utilities.** The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 108.1 or 108.2. The code official shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## 2018 International Fuel Gas Code

Revise as follows:

**SECTION 108  
SERVICE UTILITIES**

[A] 107.6 108.1 Connection of service utilities. A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required until authorized by the code official.

[A] 107.5 108.2 Temporary connection. The code official shall have the authority to ~~allow~~ authorize the temporary connection of ~~an installation the building or system to the sources utility, source of energy, fuel, power, water system or power system~~ for the purpose of testing ~~the installation systems~~ or for use under a temporary ~~certificate of occupancy approval~~.

108.3 Authority to disconnect service utilities. The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 108.1 or 108.2. The code official shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## 2018 International Existing Building Code

Revise as follows:

**SECTION 111  
SERVICE UTILITIES**

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

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

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

## SECTION 112 SERVICE UTILITIES

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

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

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

### Committee Action:

### Approved as Modified

#### Modify proposal as follows:

#### 2018 International Building Code

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

#### 2018 International Plumbing Code

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

#### 2018 International Mechanical Code

**[A] 108.2 Temporary connection.** The code official shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or ~~power~~ sewer system for the purpose of testing systems or for use under a temporary approval.

#### 2018 International Fuel Gas Code

**[A] 108.2 Temporary connection.** The code official shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or ~~power~~ sewer system for the purpose of testing systems or for use under a temporary approval.

#### 2018 International Existing Building Code

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



## Code Change No: ADM39-19 Part I

### Original Proposal

**Section(s):** IBC®: SECTION 112, [A] 112.1, [A] 112.2, [A] 112.3; IPC®: SECTION 108, 108.1, 108.2, 108.3; IMC®: SECTION 108, [A] 108.1, [A] 108.2, 108.3; IFGC®: SECTION 108, [A] 108.1, [A] 108.2, 108.3; IEBC®: SECTION 111, [A] 111.1, [A] 111.2, [A] 111.3; IPSDC®: SECTION 108, [A] 108.1, [A] 108.2, 108.3; IWUIC®: SECTION 113, [A] 113.1, 113.2, [A] 113.3; ISPSC®: SECTION 107, [A] 107.1, [A] 107.2, 107.3

**Proponents:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgac@iccsafe.org); Michael O'Brian, 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 THIS COMMITTEES.**

2018 International Building Code

Revise as follows:

### SECTION 112 SERVICE UTILITIES

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

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

**[A] 112.3 Authority to disconnect service utilities.** The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards ~~set forth in Section 101.4~~ 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 112.1 or 112.2. The building official shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## 2018 International Plumbing Code

Revise as follows:

**SECTION 108**  
**SERVICE UTILITIES**

~~407.7~~ **108.1 Connection of service utilities.** A person shall not make connections from a utility, source of energy, fuel, power, water system or sewer system to any building or system that is regulated by this code for which a permit is required until authorized by the code official.

~~407.6~~ **108.2 Temporary connection.** The code official shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or power system for the purpose of testing plumbing systems or for use under a temporary ~~certificate of occupancy~~ approval.

**108.3 Authority to disconnect service utilities.** The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 108.1 or 108.2. The code official shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## 2018 International Mechanical Code

Revise as follows:

**SECTION 108**  
**SERVICE UTILITIES**

**[A] 407.6 108.1 Connection of service utilities.** A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until authorized by the code official.

**[A] 407.5 108.2 Temporary connection.** The code official shall have the authority to authorize the temporary connection of ~~a mechanical~~ the building or system to the ~~sources~~ utility, source of energy, fuel, power, water system or power system for the purpose of testing ~~mechanical~~ systems or for use under a temporary ~~certificate of occupancy~~ approval.

**108.3 Authority to disconnect service utilities.** The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 108.1 or 108.2. The code official shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## 2018 International Fuel Gas Code

Revise as follows:

**SECTION 108**  
**SERVICE UTILITIES**

**[A] ~~407.6~~ 108.1 Connection of service utilities.** A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required until authorized by the code official.

**[A] ~~407.5~~ 108.2 Temporary connection.** The code official shall have the authority to ~~allow~~ authorize the temporary connection of ~~an installation~~ the building or system to the ~~sources~~ utility, source of energy, fuel, power, water system or power system for the purpose of testing ~~the installation systems~~ or for use under a temporary ~~certificate of occupancy~~ approval.

**108.3 Authority to disconnect service utilities.** The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 108.1 or 108.2. The code official shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## 2018 International Existing Building Code

Revise as follows:

**SECTION 111**  
**SERVICE UTILITIES**

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

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

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

## 2018 International Private Sewage Disposal Code

Revise as follows:

**SECTION 108  
SERVICE UTILITIES**

**[A] ~~407.9~~ 108.1 Connection of service utilities.** No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required until authorized by the code official.

**[A] ~~407.8~~ 108.2 Temporary connection.** The code official shall have the authority to ~~allow~~ authorize the temporary connection of ~~an installation~~ the building or system to the ~~sources~~ utility, source of energy, fuel, power, water system or power system for the purpose of testing ~~the installation systems~~ or for use under a temporary ~~certificate of occupancy~~ approval.

**108.3 Authority to disconnect service utilities.** The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 108.1 or 108.2. The code official shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## 2018 International Wildland-Urban Interface Code

Revise as follows:

**SECTION 113  
SERVICE UTILITIES**

**[A] 113.1 Connection of service utilities.** Any person shall not make connections from a utility, source of energy, fuel, or power, ~~to water system or sewer system~~ to any building or system that is regulated by this code for which a permit is required until ~~released~~ approved by the code official.

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

**[A] ~~443.2~~ 113.3 Authority to disconnect service utilities.** The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.4 in standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the ~~release~~ approval required by Section ~~443.4~~ 113.1 and 113.2. The code official shall notify the serving utility and, where possible, the owner or the owner's authorized agent and the occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, the owner, the owner's authorized agent or the occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

## 2018 International Swimming Pool and Spa Code

Revise as follows:

### **SECTION 107** **SERVICE UTILITIES**

**[A] ~~406.49~~ 107.1 Connection of service utilities.** A person shall not make connections from a utility, source of energy, fuel, power, water system or sewer system to any building or system that is regulated by this code for which a permit is required until authorized by the code official.

**[A] ~~406.48~~ 107.2 Temporary connection.** The code official shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or power system for the purpose of testing systems or for use under a temporary approval.

**107.3 Authority to disconnect service utilities.** The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 107.1 or 107.2. The code official shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

**Reason:** The main purpose of this proposal is coordination between codes for the section on connection to services – including those coming from utilities or generated on-site. Revisions for the section on temporary services is addressed in a separate proposal.

Some of the codes had service utility requirements as part of the inspection section. For consistency across codes, it is proposed to move this to a separate section. Codes have references to codes and standards throughout the document, so a reference back to the list at the beginning of Chapter 1 is not inclusive (IBC, IRC, IWWIC). The list should include all the systems – not all codes included water and sewer systems – so it is proposed to be added as it is currently in the IPC. The authority to disconnect is an important safety feature that needs to be included in all the codes that deal with service utilities. It is proposed to be added to the codes that do not include that provision.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as "building/fire/code official".

IBC

### **SECTION 112** **SERVICE UTILITIES**

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

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

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

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

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-actioncommittee-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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>.

The PMGCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG CAC. In 2017-2018, the PMG CAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac/>.

**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.

### Report of Committee Action Hearings

#### Committee Action:

Approved as Modified

#### Modify proposal as follows:

##### 2018 International Building Code

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

##### 2018 International Plumbing Code

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

##### 2018 International Mechanical Code

**[A] 108.2 Temporary connection.** The code official shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or ~~power sewer~~ system for the purpose of testing systems or for use under a temporary approval.

##### 2018 International Fuel Gas Code

**[A] 108.2 Temporary connection.** The code official shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or ~~power sewer~~ system for the purpose of testing systems or for use under a temporary approval.

##### 2018 International Existing Building Code

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

##### 2018 International Private Sewage Disposal Code

**[A] 108.2 Temporary connection.** The code official shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or ~~power sewer~~ system for the purpose of testing systems or for use under a temporary approval.

##### 2018 International Wildland-Urban Interface Code

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

**2018 International Swimming Pool and Spa Code**

**[A] 107.2 Temporary connection.** The code official shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or ~~power~~ sewer system for the purpose of testing systems or for use under a temporary approval.

**Committee Reason:** The reason for the approval of the modification was to improve the language to include sewer systems within the scope of the temporary connection section. The reason for the approval of the proposal was based on the proponent's reason statement. (Vote: 13-0)

**Assembly Action:**

**None**

<b>Final Action</b>
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**ADM39-19 Part I**

**AM**

<b>Date Submitted</b> 2/17/2021	<b>Section 113</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

ss. 113 IBC, 112 IEBC, 109 IPC, 109 IMC, and 109 IFGC

These code sections are marked reserved under the 2020 FBC.

**Summary of Modification**

The intent is to establish consistent language for the means of appeal throughout the code

**Rationale**

Please see attachment



Approved as submitted (AS)

2018 IBC

Revise as follows:

**SECTION 113  
BOARD MEANS OF APPEALS**

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

[A] 113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an ~~equally good~~ 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 and are not employees of the jurisdiction.

Add new text as follows:

113.4 Administration. The building official shall take immediate action in accordance with the decision of the board.

2018 International Existing Building Code

Revise as follows:

**SECTION 112  
BOARD MEANS OF APPEALS**

[A] 112.1 General. In order to hear and decide appeals of orders, decisions ~~or~~ 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 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.

[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~~ or an ~~equally good~~ 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 and are not employees of the jurisdiction.

Add new text as follows:

113.4 Administration. The code official shall take immediate action in accordance with the decision of the board.

2018 International Plumbing Code

Revise as follows:

SECTION 109  
MEANS OF APPEAL APPEALS

Add new text as follows:

109.1 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:

~~109.1~~109.2 Application for appeal. Limitations on authority. Any person shall have the right to appeal a decision of the code official to the board of appeals. 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 application shall be filed on a form obtained from the code official within 20 days after the notice was served. ~~board shall not have authority to waive requirements of this code or interpret the administration of this code.~~

109.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.

109.4 Administration. The code official shall take immediate action in accordance with the decision of the board.

SECTION 110  
BOARD OF APPEALS

~~409.2~~110.1 Membership of board. The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years, one for 4 years, one for 3 years, one for 2 years and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.  
2018 International Mechanical Code

Revise as follows:

SECTION 109  
MEANS OF APPEAL APPEALS

Add new text as follows:

109.1 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] 109.1 ~~109.2~~ Application for appeal. Limitations on authority. A person shall have the right to appeal a decision of the code official to the board of appeals. 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 application shall be filed on a form obtained from the code official within 20 days after the notice was served. board shall not have authority to waive requirements of this code or interpret the administration of this code.

**Delete without substitution:**

~~[A] 109.1.1 Limitation of authority. The board of appeals shall not have authority relative to interpretation of the administration of this code nor shall such board be empowered to waive requirements of this code.~~

Add new text as follows:

109.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.

Revise as follows:

109.4 Administration. The code official shall take immediate action in accordance with the decision of the board.

SECTION 110  
BOARD OF APPEALS

[A] ~~409.2~~ 110.1 Membership of board. The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years; and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.

2018 International Fuel Gas Code

Revise as follows:

SECTION 109 (IFGC)  
MEANS OF APPEAL

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

[A] ~~409.1~~ 109.2 Application for appeal. Limitations on authority. A person shall have the right to appeal a decision of the code official to the board of appeals. 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 application shall be filed on a form obtained from the code official within 20 days after the notice was served. board shall not have authority to waive requirements of this code or interpret the administration of this code.

109.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.

109.4 Administration. The code official shall take immediate action in accordance with the decision of the board.

SECTION 110  
BOARD OF APPEALS

[A] ~~409.2~~ 110.1 Membership of board. The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.



## Code Change No: ADM40-19 Part I

### Original Proposal

Section(s): IBC: SECTION 113, [A] 113.1, [A] 113.2, [A] 113.3, 113.4 (New); IEBC: SECTION 112, [A] 112.1, [A] 112.2, [A] 112.3, 113.4 (New); IFC: SECTION 109, [A] 109.1, [A] 109.2, [A] 109.3, 109.4 (New); IWUIC: SECTION 106, [A] 106.1, [A] 106.2, 106.3 (New), 106.4; IPC: SECTION 109, 109.1 (New), 109.2, 109.3, 109.4, SECTION 110, 110.1; IMC: SECTION 109, 109.1 (New), [A] 109.2, [A] 109.1.1, 109.3 (New), 109.4, SECTION 110, [A] 110.1; IFGC: SECTION 109 (IFGC), 109.1, [A] 109.2, 109.3, 109.4, SECTION 110, [A] 110.1; ISPSC: SECTION 108, 108.1, [A] 108.2, 108.3, 108.4, SECTION 109, [A] 109.1; IPMC: SECTION 111, 111.1, [A] 111.2, 111.3, 111.4, [A] 111.5, SECTION 112, [A] 112.1; IPSDC: SECTION 109, 109.1, [A] 109.2, 109.3, 109.4, SECTION 110, [A] 110.1

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

**THIS IS A 5 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART IV WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. PART V WILL BE HEARD BY THE IgCC CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

2018 International Building Code

Revise as follows:

### SECTION 113 BOARD MEANS OF APPEALS

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

**[A] 113.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good 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 and are not employees of the jurisdiction.

Add new text as follows:

**113.4 Administration.** The building official shall take immediate action in accordance with the decision of the board.

## 2018 International Existing Building Code

Revise as follows:

**SECTION 112  
BOARD 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 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.

**[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 equally good 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 and are not employees of the jurisdiction.

Add new text as follows:

**113.4 Administration.** The code official shall take immediate action in accordance with the decision of the board.

## 2018 International Fire Code

Revise as follows:

**SECTION 109  
BOARD MEANS OF APPEALS**

**[A] 109.1 Board of appeals established.** 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 body authority and shall hold office at its pleasure. ~~The fire code official shall be an ex officio member of said board but shall not have a vote on any matter before the board.~~ The board 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] 109.2 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 ~~hereunder~~ thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent ~~method of protection or safety~~ 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] 109.3 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*, and are not employees of the jurisdiction.

Add new text as follows:

**109.4 Administration.** The fire code official shall take immediate action in accordance with the decision of the board.

2018 International Wildland-Urban Interface Code

Revise as follows:

#### **SECTION 106 MEANS OF APPEALS**

**[A] 106.1 General.** ~~To determine the suitability of alternative materials and methods and to provide for reasonable interpretations of the provisions~~ 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 is created a board of appeals consisting of five members who are qualified by experience and training to pass judgment on pertinent matters. The code official, ~~building official~~ and fire chief shall be ex officio members, and the code official shall act as secretary of the board. ~~The appeals.~~ The board of appeals shall be appointed by the legislative body applicable governing authority and shall hold office at ~~their discretion, its pleasure.~~ The board shall adopt reasonable rules and regulations of procedure for conducting its investigations business and shall render all decisions and findings in writing to the ~~code official, appellant~~ with a duplicate copy to the ~~applicant code official.~~

**[A] 106.2 Limitations of authority.** ~~The board of appeals shall not have authority relative to interpretation of the administrative provisions of this code and~~ 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.

Add new text as follows:

**106.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.

Revise as follows:

**106.4 Administration.** The code official shall take immediate action in accordance with the decision of the board.

2018 International Plumbing Code

Revise as follows:

#### **SECTION 109 MEANS OF APPEAL APPEALS**

Add new text as follows:

**109.1 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:

**109.1109.2 Application for appeal. Limitations on authority.** Any person shall have the right to appeal a decision of the code official to the board of appeals. 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 application shall be filed on a form obtained from the code official within 20 days after the notice was served. board shall not have authority to waive requirements of this code or interpret the administration of this code.

**109.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.

**109.4 Administration.** The code official shall take immediate action in accordance with the decision of the board.

### **SECTION 110 BOARD OF APPEALS**

**109.2110.1 Membership of board.** The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years, one for 4 years, one for 3 years, one for 2 years and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.

**2018 International Mechanical Code**

Revise as follows:

### **SECTION 109 MEANS OF APPEAL APPEALS**

Add new text as follows:

**109.1 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] 109.4109.2 Application for appeal. Limitations on authority.** A person shall have the right to appeal a decision of the code official to the board of appeals. 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 application shall be filed on a form obtained from the code official within 20 days after the notice was served. board shall not have authority to waive requirements of this code or interpret the administration of this code.

Delete without substitution:

**[A] 109.1.1 Limitation of authority.** The board of appeals shall not have authority relative to interpretation of the administration of this code nor shall such board be empowered to waive requirements of this code.

Add new text as follows:

**109.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.

Revise as follows:

**109.4 Administration** The code official shall take immediate action in accordance with the decision of the board.

#### **SECTION 110 BOARD OF APPEALS**

**[A] 400.2 110.1 Membership of board.** The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years; and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.

#### **2018 International Fuel Gas Code**

Revise as follows:

#### **SECTION 109 (IFGC) MEANS OF APPEAL**

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

**[A] 400.4 109.2 Application for appeal. Limitations on authority.** A person shall have the right to appeal a decision of the code official to the board of appeals. 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 application shall be filed on a form obtained from the code official within 20 days after the notice was served. board shall not have authority to waive requirements of this code or interpret the administration of this code.

**109.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.

**109.4 Administration.** The code official shall take immediate action in accordance with the decision of the board.

#### **SECTION 110 BOARD OF APPEALS**

**[A] 400.2 110.1 Membership of board.** The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.

## 2018 International Swimming Pool and Spa Code

Revise as follows:

### SECTION 108 MEANS OF APPEAL

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

**[A] 108.1 108.2 Application for appeal. Limitations on authority.** Any person shall have the right to appeal a decision of the code official to the board of appeals. 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 application shall be filed on a form obtained from the code official within 20 days after the notice was served. board shall not have authority to waive requirements of this code or interpret the administration of this code.

**108.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.

**108.4 Administration.** The code official shall take immediate action in accordance with the decision of the board.

### SECTION 109 BOARD OF APPEALS

**[A] 408.2 109.1 Membership of board.** The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years, one for 4 years, one for 3 years, one for 2 years and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.

## 2018 International Property Maintenance Code

Revise as follows:

### SECTION 111 MEANS OF APPEAL

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

**[A] 411.1 111.2 Application for appeal. Limitations on authority.** Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. 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 the or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code are adequately satisfied by other means, 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 and are not employees of the jurisdiction.

**111.4 Administration.** The code official shall take immediate action in accordance with the decision of the board.

**[A] 111.5 Stays of enforcement.** Appeals of notice and orders (other than *Imminent Danger* notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

## **SECTION 112 BOARD OF APPEALS**

**[A] 112.1 Membership of board.** The board of appeals shall consist of not less than three members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The *code official* shall be an ex-officio member but shall not vote on any matter before the board. The board shall be appointed by the chief appointing authority and shall serve staggered and overlapping terms.

### **2018 International Private Sewage Disposal Code**

Revise as follows:

## **SECTION 109 MEANS OF APPEAL**

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

**[A] 109.2 Application for appeal. Limitations on authority.** Any person shall have the right to appeal a decision of the code official to the board of appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has 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 application shall be filed on a form obtained from the code official within 20 days after the notice was served. board shall not have authority to waive requirements of this code or interpret the administration of this code.

**109.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.

**109.4 Administration.** The code official shall take immediate action in accordance with the decision of the board.

## **SECTION 110 BOARDS OF APPEALS**

**[A] 110.1 Membership of board.** The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years, one for 4 years, one for 3 years, one for 2 years and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.

**Reason:** The intent is to establish consistent language for the means of appeal throughout the code. The constitution of the board of appeals will be addressed in another change. There is some slight difference in the fire code in the section on limitations on authority and qualification where some differences given the scope of the code are appropriate to remain. The IPMC includes an additional section for stays of enforcement.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as "building/fire/code official".

### SECTION 113 MEANS OF APPEALS

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

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

**[A] 113.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training 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.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC) and the 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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>.

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at: <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

The PMGCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMGCAC. In 2017-2018, the PMGCAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac/>.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. This is an editorial proposal with no change to construction requirements.

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee stated that the reason for approval was based on the improvement of the language to correlate all the I-Codes. (Vote: 12-0)

**Assembly Action:**

**None**

Final Action

ADM40-19 Part I AS

<b>Date Submitted</b> 2/17/2021	<b>Section 115</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

Comments

General Comments No

Related Modifications

Please see attached file

Majority of the code sections addressed in this code change are marked reserved under the 2020 FBC.

Summary of Modification

Revises the sections to provide consistency in the Stop Work Order section.

Rationale

Please see attachment

Approved as submitted (AS)

2018 IBC

Revise as follows:

**SECTION 115  
STOP WORK ORDER**

[A] 115.1 Authority. Where the *building official* finds any work regulated by this code being performed in a manner ~~either~~ contrary to the provisions of this code or in a dangerous or unsafe manner, the *building official* is authorized to issue a stop work order.

[A] 115.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work ~~will be permitted~~ is authorized to resume.

115.3 Emergencies. Where an emergency exists, the building official shall not be required to give a written notice prior to stopping the work.

~~[A] 115.3~~ 115.4 Unlawful continuance. Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to ~~penalties as prescribed by law~~ penalties established by the authority having jurisdiction.



## 2018 International Plumbing Code

Revise as follows:

SECTION 108  
VIOLATIONS

Delete without substitution:

~~108.5 Stop work orders. Upon notice from the code official, work on any plumbing system that is being performed contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's authorized agent, or to the person performing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

Add new text as follows:

SECTION 109  
STOP WORK ORDER

109.1 Authority. Where the code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

109.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

109.3 Emergencies. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

109.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the authority having jurisdiction.

## 2018 International Mechanical Code

Revise as follows:

SECTION 108  
VIOLATIONS

Delete without substitution:

~~[A] 108.5 Stop work orders. Upon notice from the code official that mechanical work is being performed contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's authorized agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall~~

~~continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

Add new text as follows:

SECTION 109  
STOP WORK ORDER

109.1 Authority. Where the code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

109.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

109.3 Emergencies. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

109.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the authority having jurisdiction.

## 2018 International Fuel Gas Code

Revise as follows:

SECTION 108 (IFGC)  
VIOLATIONS

Delete without substitution:

~~[A] 108.5 Stop work orders. Upon notice from the code official that work is being performed contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's authorized agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

Add new text as follows:

SECTION 109  
STOP WORK ORDER

109.1 Authority. Where the code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

109.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

109.3 Emergencies. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

109.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the authority having jurisdiction.

## 2018 International Existing Building Code

Revise as follows:

SECTION 114  
STOP WORK ORDER

[A] 114.1 Authority. Where the *code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a *dangerous* or *unsafe* manner, the *code official* is authorized to issue a stop work order.

[A] 114.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, the owner's authorized agent or ~~to~~ the person ~~doing~~ performing the work. Upon issuance of a stop work order, the

cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work ~~will be permitted~~ is authorized to resume.

Add new text as follows:

114.3 Emergencies. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

Revise as follows:

[A] ~~114.3 114.4 Unlawful continuance. Failure to comply.~~ Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to ~~penalties as prescribed by law.~~ penalties established by the authority having jurisdiction.

## Code Change No: ADM41-19 Part I

### Original Proposal

Section(s): IBC: SECTION 115, [A] 115.1, [A] 115.2, 115.3, [A] 115.4; IFC: SECTION 112, [A] 112.1, [A] 112.2, [A] 112.3, [A] 112.4; IPC: SECTION 108, 108.5, SECTION 109 (New), 109.1 (New), 109.2 (New), 109.3 (New), 109.4 (New); IMC: SECTION 108, [A] 108.5, SECTION 109 (New), 109.1 (New), 109.2 (New), 109.3 (New), 109.4 (New); IFGC: SECTION 108 (IFGC), [A] 108.5, SECTION 109 (New), 109.1 (New), 109.2 (New), 109.3 (New), 109.4 (New); IEBC: SECTION 114, [A] 114.1, [A] 114.2, 114.3 (New), [A] 114.4; ISPSC: SECTION 107, [A] 107.5, SECTION 108 (New), 108.1 (New), 108.2 (New), 108.3 (New), 108.4 (New); IPMC: SECTION 112, [A] 112.1, [A] 112.2, [A] 112.3, [A] 112.4; IPSDC: SECTION 108, [A] 108.5, 109 (New), 109.1 (New), 109.2 (New), 109.3 (New), 109.4 (New); IWUIC: SECTION 114, [A] 114.1, [A] 114.2, [A] 114.3, [A] 114.4

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

**THIS IS A 4 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART IV WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

2018 International Building Code

Revise as follows:

### SECTION 115 STOP WORK ORDER

**[A] 115.1 Authority.** Where the *building official* finds any work regulated by this code being performed in a manner ~~either~~ contrary to the provisions of this code or in a dangerous or unsafe manner, the *building official* is authorized to issue a stop work order.

**[A] 115.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property ~~involved~~, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work ~~will be permitted~~ is authorized to resume.

**115.3 Emergencies.** Where an emergency exists, the building official shall not be required to give a written notice prior to stopping the work.

**[A] 115.4 Unlawful continuance. Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to ~~penalties as prescribed by law~~ penalties as prescribed by law ~~established by the authority having jurisdiction.~~

## 2018 International Fire Code

Revise as follows:

**SECTION 112  
STOP WORK ORDER**

**[A] 112.1 Order. Authority.** Where the *fire code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code, or in a dangerous or unsafe manner, the *fire code official* is authorized to issue a stop work order.

**[A] 112.2 Issuance.** ~~A~~ The stop work order shall be in writing and shall be given to the owner of the property, ~~or to the owner's authorized agent, or to the person being performing the work.~~ Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work is authorized to resume.

**[A] 112.3 Emergencies.** Where an emergency exists, the fire code official shall not be required to give a written notice prior to stopping the work.

**[A] 112.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be ~~liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~ subject to fines established by the authority having jurisdiction.

## 2018 International Plumbing Code

Revise as follows:

**SECTION 108  
VIOLATIONS**

Delete without substitution:

~~**108.5 Stop work orders.** Upon notice from the code official, work on any plumbing system that is being performed contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's authorized agent, or to the person performing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

Add new text as follows:

**SECTION 109  
STOP WORK ORDER**

**109.1 Authority.** Where the code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

**109.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the

cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

**109.3 Emergencies.** Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

**109.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the authority having jurisdiction.

## 2018 International Mechanical Code

Revise as follows:

### SECTION 108 VIOLATIONS

Delete without substitution:

~~**[A] 108.5 Stop work orders.** Upon notice from the code official that mechanical work is being performed contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's authorized agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

Add new text as follows:

### SECTION 109 STOP WORK ORDER

**109.1 Authority.** Where the code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

**109.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

**109.3 Emergencies.** Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

**109.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the authority having jurisdiction.

## 2018 International Fuel Gas Code

Revise as follows:

**SECTION 108 (IFGC)  
VIOLATIONS**

Delete without substitution:

~~**[A] 108.5 Stop work orders.** Upon notice from the code official that work is being performed contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's authorized agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

Add new text as follows:

**SECTION 109  
STOP WORK ORDER**

**109.1 Authority.** Where the code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

**109.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

**109.3 Emergencies.** Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

**109.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the authority having jurisdiction.

## 2018 International Existing Building Code

Revise as follows:

**SECTION 114  
STOP WORK ORDER**

**[A] 114.1 Authority.** Where the *code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a *dangerous* or *unsafe* manner, the *code official* is authorized to issue a stop work order.

**[A] 114.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property ~~involved~~, the owner's authorized agent or to the person ~~doing~~ performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work ~~will be permitted~~ is authorized to resume.



Add new text as follows:

**114.3 Emergencies.** Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

Revise as follows:

**[A] 444.3 114.4 Unlawful continuance. Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to ~~penalties as prescribed by law.~~ finest established by the authority having jurisdiction.

## 2018 International Swimming Pool and Spa Code

Revise as follows:

### SECTION 107 VIOLATIONS

Delete without substitution:

~~**[A] 107.5 Stop work orders.** Upon notice from the code official, work on any system that is being performed contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's authorized agent, or to the person performing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

Add new text as follows:

### SECTION 108 STOP WORK ORDER

**108.1 Authority.** Where the code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

**108.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

**108.3 Emergencies.** Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

**108.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the authority having jurisdiction.

## 2018 International Property Maintenance Code

Revise as follows:

### SECTION 112 STOP WORK ORDER

**[A] 112.1 Authority.** ~~Whenever~~ Where the code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

**[A] 112.2 Issuance.** ~~A~~ The stop work order shall be in writing and shall be given to the owner of the property, ~~to the owner's authorized agent, or to the person doing performing~~ the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

**[A] 112.3 Emergencies.** Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

**[A] 112.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be ~~liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~ subject to fines established by the authority having jurisdiction.

## 2018 International Private Sewage Disposal Code

Revise as follows:

### SECTION 108 VIOLATIONS

Delete without substitution:

~~**[A] 108.5 Stop work orders.** Upon notice from the code official, work on any private sewage disposal system that is being performed contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, to the owner's authorized agent or to the person performing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

Add new text as follows:

### SECTION 109 STOP WORK ORDER

**109.1 Authority.** Where the code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

**109.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the

cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

**109.3 Emergencies.** Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

**109.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the authority having jurisdiction.

## 2018 International Wildland-Urban Interface Code

Revise as follows:

### SECTION 114 STOP WORK ORDER

**[A] 114.1 Authority.** Where the code official finds any work regulated by this code being performed in a manner ~~either~~ contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

**[A] 114.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property ~~involved, to the owner's authorized agent or to the person doing performing the work.~~ Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work ~~will be permitted~~ is authorized to resume.

**[A] 114.3 Emergencies.** Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

**[A] 114.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be ~~liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~ subject to fines established by the authority having jurisdiction.

**Reason:** The intent of this proposal is consistency in the Stop Work Order section. Some of the codes have the stop work order buried under the violation section. For consistency it should be its own section. The amount of fees should be removed from the stop work order section so that jurisdictions could update their fee schedule as appropriate and not be associated only with code adoptions. This also addressed the different ways that fees are set.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as "building/fire/code official".

### SECTION 109 STOP WORK ORDER

**[A] 109.1 Authority.** Where the code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

**[A] 109.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

**[A] 109.3 Emergencies.** Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

**[A] 109.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the authority having jurisdiction.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC) and the ICC Plumbing/Mechanical/Gas Code Action Committee (PMG CAC).

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-actioncommittee-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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

The PMG CAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG CAC. In 2017-2018, the PMG CAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac>.

**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.

#### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee stated that the reason for approval was that the proposal standardizes the language and requirements for a stop work order throughout the family of I-Codes. (Vote: 12-1)

**Assembly Action:**

**None**

#### Final Action

**ADM41-19 Part I**

**AS**

<b>Date Submitted</b> 2/17/2021	<b>Section 116</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

ss. 116 FBC-B and 115 FBC-EB

These sections are marked reserved under the 2020 FBC.

**Summary of Modification**

Revises the section for coordination of the requirements in the section dealing with Unsafe Structures and Equipment in the IBC, IFC, IEBC and IPMC

**Rationale**

Please see attachment

Approved as submitted (AM)

## Original MOD

2018 IBC

Revise as follows:

### SECTION 116 UNSAFE STRUCTURES AND EQUIPMENT

[A] 116.1 ~~Conditions.~~ Unsafe conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate *means of egress* facilities, inadequate light and ventilation, or that constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the *building official* deems necessary and as provided for in this section. A vacant structure that is not secured against unauthorized entry shall be deemed unsafe.

[A] 116.2 Record. The *building official* shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

[A] 116.3 Notice. If an unsafe condition is found, the *building official* shall serve on the ~~owner, agent or person in control~~ of the structure or the owner's authorized agent, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the *building official* acceptance or rejection of the terms of the order.

[A] 116.4 Method of service. Such notice shall be deemed properly served ~~if~~ where a copy thereof is served in accordance with one of the following methods:

1. A copy is delivered to the *owner* personally;
2. A copy is sent by certified or registered mail addressed to the *owner* at the last known address with the return receipt requested; ~~or~~
3. A copy is delivered in any other manner as prescribed by local law.

If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner on the owner's authorized agent ~~or on the person responsible for the structure~~ shall constitute service of notice on the *owner*.

[A] 116.5 ~~Restoration or Abatement.~~ Where the structure or equipment determined to be unsafe by the *building official* is restored to a safe condition, ~~to The owner, the owner's authorized agent, operator or occupant of a structure,~~ premises or equipment deemed unsafe by the code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions and change of occupancy shall comply with the requirements of the International

Existing Building Code.

2018 International Existing Building Code

Revise as follows:

SECTION 115  
UNSAFE BUILDINGS STRUCTURES AND EQUIPMENT

[A] 115.1 ~~Conditions. Unsafe conditions. Buildings, structures~~ Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or that constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down, and removed or made safe as the code official deems necessary and as provided for in this code. A vacant structure that is not secured against unauthorized entry shall be deemed unsafe.

[A] 115.2 Record. The *code official* shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the *unsafe* condition.

[A] 115.3 Notice. If an *unsafe* condition is found, the *code official* shall serve on the owner ~~, of the structure or the owner's authorized agent or person in control of the structure~~ a written notice that describes the condition deemed *unsafe* and specifies the required *repairs* or improvements to be made to abate the *unsafe* condition, or that requires the *unsafe* building to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the *code official* acceptance or rejection of the terms of the order.

[A] 115.4 Method of service. Such notice shall be deemed properly served ~~if where~~ a copy thereof is served in accordance with one of the following methods:

1. A copy is delivered to the owner or the owner's authorized agent personally;
2. A copy is sent by certified or registered mail addressed to the owner or the owner's authorized agent at the last known address with the return receipt requested, or delivered
3. A copy is delivered in any other manner as prescribed by local law.

If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner on the owner's authorized agent ~~or on the person responsible for the structure~~ shall constitute service of notice on the owner.

[A] 115.5 ~~Restoration. Restoration or abatement.~~ The building structure or equipment determined to be unsafe by the code official is permitted to be restored to a safe condition. The owner, the owner's authorized agent, operator or occupant of a structure, premises or equipment deemed unsafe by the code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action. To the extent that *repairs, alterations, or additions* are made or a *change of occupancy* occurs during the restoration of the building structure, such *repairs, alterations, additions, or change of occupancy* shall comply with the requirements of this code.

## Code Change No: ADM42-19

### Original Proposal

**Section(s):** IBC: SECTION 116, [A] 116.1, [A] 116.2, [A] 116.3, [A] 116.4, [A] 116.5; IFC: SECTION 111, [A] 111.1, [A] 111.1.1, [A] 111.1.2, [A] 111.2, [A] 111.3, [A] 111.4, [A] 111.5 (New), [A] 111.6, [A] 111.7; IEBC: SECTION 115, [A] 115.1, [A] 115.2, [A] 115.3, [A] 115.4, [A] 115.5; IPMC: SECTION 108, 108.1, 108.1.1, 108.1.2, 108.1.3, 108.1.4, 108.1.5, 108.2, 108.2.1, 108.3, SECTION 107, 108.4, 108.4.1, 108.4.2, 108.5, 107.5, 108.6, 108.7, 108.7.1, 108.8, 108.9

**Proponents:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgcac@iccsafe.org)

#### 2018 International Building Code

Revise as follows:

### SECTION 116 UNSAFE STRUCTURES AND EQUIPMENT

**[A] 116.1 Conditions.** Unsafe conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate *means of egress* facilities, inadequate light and ventilation, or that constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the *building official* deems necessary and as provided for in this section. A vacant structure that is not secured against unauthorized entry shall be deemed unsafe.

**[A] 116.2 Record.** The *building official* shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

**[A] 116.3 Notice.** If an unsafe condition is found, the *building official* shall serve on the ~~owner, agent or person in control~~ of the structure or the owner's authorized agent, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the *building official* acceptance or rejection of the terms of the order.

**[A] 116.4 Method of service.** Such notice shall be deemed properly served if where a copy thereof is served in accordance with one of the following methods:

1. A copy is delivered to the *owner* personally;
2. A copy is sent by certified or registered mail addressed to the *owner* at the last known address with the return receipt requested; ~~or~~
3. A copy is delivered in any other manner as prescribed by local law.

If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner on the owner's authorized agent ~~or on the person responsible for the structure~~ shall constitute service of notice on the *owner*.



**[A] 116.5 Restoration or Abatement.** Where the structure or equipment determined to be unsafe by the *building official* is restored to a safe condition, ~~to~~ The owner, the owner's authorized agent, operator or occupant of a structure, premises or equipment deemed unsafe by the code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action. To the extent that repairs, *alterations* or *additions* are made or a change of occupancy occurs during the restoration of the structure, such *repairs, alterations, additions* and change of occupancy shall comply with the requirements of the International Existing Building Code.

## 2018 International Fire Code

Revise as follows:

### SECTION 111 UNSAFE BUILDINGS ~~STRUCTURE OR EQUIPMENT~~

**[A] 111.1 General.** If during the inspection of a premises, a ~~building or~~ structure, or any building system, in whole or in part, constitutes a clear and imminent threat to human life, safety or health, the *fire code official* shall issue such notice or orders to remove or remedy the conditions as shall be deemed necessary in accordance with this section, and shall refer the building to the ~~building structure or equipment~~ department for any repairs, *alterations*, remodeling, removing or demolition required.

**[A] 111.1.1 Unsafe conditions.** Structures or existing equipment that are or hereafter become unsafe, ~~insanitary~~ or deficient because of inadequate *means of egress, inadequate light and ventilation*, that constitute a fire hazard, are otherwise dangerous to human life or the public welfare, or involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the fire code official deems necessary and as provided for in this section. A vacant structure that is not secured against unauthorized entry ~~as required by Section 344~~ shall be deemed unsafe.

**[A] 111.1.2 Structural hazards.** Where an apparent structural hazard is caused by the faulty installation, operation or malfunction of any of the items or devices governed by this code, the *fire code official* shall immediately notify the building code official in accordance with Section 110.1.

**[A] 111.2 Evacuation.** The *fire code official* or the fire department official in charge of an incident shall be authorized to order the immediate evacuation of any occupied ~~building structure~~ deemed unsafe where such ~~building structure~~ has hazardous conditions that present imminent danger to ~~building structure~~ occupants. Persons so notified shall immediately leave the structure or premises and shall not enter or re-enter until authorized to do so by the *fire code official* or the fire department official in charge of the incident.

**[A] 111.3 Record.** The *fire code official* shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

**[A] 111.4 Notice.** If an unsafe condition is found, the fire code official shall serve on the owner of the structure or, the owner's authorized agent a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe building to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the code official acceptance or rejection of the terms of the order.

Add new text as follows:

**[A] 111.5 Method of service.** Such notice shall be deemed properly served if where a copy thereof is served in accordance with one of the following methods:

1. A copy is delivered to the owner personally.
2. A copy is sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested.
3. A copy is delivered in any other manner as prescribed by local law.

If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's authorized agent shall constitute service of notice upon the owner.

Revise as follows:

**[A] 444.4 ~~111.6~~ Abatement. Restoration of abatement.** The structure or equipment determined to be unsafe by the fire code official is permitted to be restored to a safe condition. The owner, the owner's authorized agent, operator or occupant of a building structure, or premises equipment deemed unsafe by the fire code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action. To the extent that repairs, alterations, or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions, or change of occupancy shall comply with the requirements of Section 105.1.5 and the International Existing Building Code.

**[A] 444.3~~111.7~~ Summary abatement.** Where conditions exist that are deemed hazardous to life and property, the fire code official or fire department official in charge of the incident is authorized to abate summarily such hazardous conditions that are in violation of this code.

2018 International Existing Building Code

Revise as follows:

## SECTION 115 UNSAFE BUILDINGS STRUCTURES AND EQUIPMENT

**[A] 115.1 Conditions. Unsafe conditions. Buildings, structures** Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or that constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down, and removed or made safe as the code official deems necessary and as provided for in this code. A vacant structure that is not secured against unauthorized entry shall be deemed unsafe.

**[A] 115.2 Record.** The code official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

**[A] 115.3 Notice.** If an unsafe condition is found, the code official shall serve on the owner, of the structure or the owner's authorized agent or person in control of the structure a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe building to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the code official acceptance or rejection of the terms of the order.

**[A] 115.4 Method of service.** Such notice shall be deemed properly served if where a copy thereof is served in accordance with one of the following methods:

1. A copy is delivered to the owner ~~or the owner's authorized agent~~ personally;
2. A copy is sent by certified or registered mail addressed to the owner ~~or the owner's authorized agent~~ at the last known address with the return receipt requested; ~~or delivered~~
3. A copy is delivered in any other manner as prescribed by local law.

If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner on the owner's authorized agent ~~or on the person responsible for the structure~~ shall constitute service of notice on the owner.

**[A] 115.5 Restoration. Restoration or abatement.** The ~~building structure~~ or equipment determined to be unsafe by the *code official* is permitted to be restored to a safe condition. The owner, the owner's ~~authorized agent, operator or occupant of a structure, premises or equipment deemed unsafe by the code official~~ shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action. To the extent that *repairs, alterations, or additions* are made or a *change of occupancy* occurs during the restoration of the ~~building structure~~, such *repairs, alterations, additions, or change of occupancy* shall comply with the requirements of this code.

## 2018 International Property Maintenance Code

Revise as follows:

### SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT

**108.1 General. Unsafe conditions.** When a structure or equipment is found by the *code official* to be unsafe, or when a structure is found unfit for human *occupancy*, or is found unlawful, such structure shall be *condemned* pursuant to the provisions of this code.

**108.1.1 Unsafe structures.** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the *occupants* of the structure by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

**108.1.2 Unsafe equipment.** Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the structure that is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or *occupants* of the *premises* or structure.

**108.1.3 Structure unfit for human occupancy.** A structure is unfit for human *occupancy* whenever the *code official* finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks *ventilation*, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the *occupants* of the structure or to the public.

**108.1.4 Unlawful structure.** An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

**108.1.5 Dangerous structure or premises.** For the purpose of this code, any structure or *premises* that has any or all of the conditions or defects described as follows shall be considered to be dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.
7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health.
11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

**108.2 Closing of vacant structures.** If the structure is vacant and unfit for human habitation and *occupancy*, and is not in danger of structural collapse, the *code official* is authorized to post a placard of condemnation on the *premises* and order the structure closed up so as not to be an attractive nuisance. Upon failure of the *owner* or owner's authorized agent to close up the *premises* within the time specified in the order, the *code official* shall cause the *premises* to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and shall be collected by any other legal resource.

**108.2.1 Authority to disconnect service utilities.** The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without approval. The *code official* shall notify the serving utility and, whenever possible, the *owner* or 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*, owner's authorized agent or *occupant* of the building structure or service system shall be notified in writing as soon as practical thereafter.

**408.7 108.3 Record.** The *code official* shall cause a report to be filed on an unsafe condition. The report shall state the *occupancy* of the structure and the nature of the unsafe condition.

Delete without substitution:

### **SECTION 407 NOTICES AND ORDERS**

Revise as follows:

**407.4 108.4 Notice to person responsible.** Whenever the *code official* determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 407.2 and 407.3 to the person responsible for the violation 108.4.1 and 108.4.2 to the owner or the owner's authorized agent, as specified in this code. Notices for condemnation procedures shall comply with Section 108.3.

**407.2 108.4.1 Form.** Such ~~notice prescribed in Section 407.1 shall~~ notice shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the *dwelling unit* or structure into compliance with the provisions of this code.
5. Inform the property *owner* or owner's authorized agent of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 106.3.

**407.3 108.4.2 Method of service.** Such notice shall be deemed to be properly served ~~if where~~ a copy thereof is served in accordance with one of the following methods: ~~delivered personally, or~~

1. A copy is delivered personally.
2. A copy is sent by certified or first-class registered mail addressed to the owner at the last known address with the return receipt requested.
3. A copy is delivered in any other manner as prescribed by local law.

If the certified or registered letter last known address. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

**407.4 108.5 Unauthorized tampering.** Signs, tags or seals posted or affixed by the *code official* shall not be mutilated, destroyed or tampered with, or removed without authorization from the *code official*.

Delete without substitution:

~~407.5 Penalties.~~ Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

Revise as follows:

**407.6 108.6 Transfer of ownership.** It shall be unlawful for the owner of any *dwelling unit* or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such *owner* or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the *code official* and shall furnish to the *code official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

Delete without substitution:

~~408.3 Notice.~~ Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner, owner's authorized agent or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall be placed on the condemned equipment. The notice shall be in the form prescribed in Section 107.2.

Revise as follows:

**408.4 108.7 Placarding.** Upon failure of the *owner*, owner's authorized agent or person responsible to comply with the notice provisions within the time given, the *code official* shall post on the *premises* or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the *premises*, operating the equipment or removing the placard. Such notice shall be posted in a conspicuous place in or about the structure affected by such notice. If the notice pertains to equipment, it shall be placed on the condemned equipment.

**408.4.4 108.7.1 Placard removal.** The *code official* shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the *code official* shall be subject to the penalties provided by this code.

**408.5 108.8 Prohibited occupancy.** Any occupied structure condemned and placarded by the *code official* shall be vacated as ordered by the *code official*. Any person who shall occupy a placarded *premises* or shall operate placarded equipment, and any *owner*, or owner's authorized agent ~~or person responsible for the premises~~ who shall let anyone occupy a placarded *premises* or operate placarded equipment shall be liable for the penalties provided by this code.

**408.6 108.9 Abatement methods. Restoration or abatement.** The structure or equipment determined to be unsafe by the code official is permitted to be restored to a safe condition. The owner, owner's authorized agent, operator or occupant of a building structure, premises or equipment deemed unsafe by the code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action. To the extent that repairs, alterations, or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions, or change of occupancy shall comply with the requirements of the International Existing Building Code.

**Reason:** The intent is the coordination of the requirements in the section dealing with **Unsafe Structures and Equipment** in the IBC, IFC, IEBC and IPMC.

- Consistently use "structure" instead of "building" or "building or structure"

- "Owner's authorized agent" was added extensively last cycle. A person responsible for the premises is an owner's authorized agent – so the language can be removed. "Operator" has not been removed because it is a defined term in the IPMC.
- Similar language for Unsafe Conditions (IBC 116.1, IFC 111.1.1, IEBC 115.1, IPMC 108.1)
- Similar language for Record (IBC 116.2, IFC 111.3, IEBC 115.2, IPMC 108.3)
- Similar language for Notice (IBC 116.3, IFC 111.4, IEBC 115.3, IPMC 108.4 & 108.5)
- Similar language for Method of service (IBC 116.4, IFC 111.5, IEBC 115.4, IPMC 107.3)
- IFC should include requirements for record, notice and method of service.
- IFC and IPMC has a section on abatement, and IBC and IEBC have a section on restoration. Both include provisions for bringing the structure into a safe condition, so both should be permitted/addressed in all four codes. (IBC 116.5, IFC 111.6, IEBC 115.5, IPMC 108.6)

The IPMC has some duplication of requirements in Section 107 and 108. It was decided that moving Section 107 into 108 would provide clarity and allow further coordination.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as "building/fire/code official".

#### SECTION 116 UNSAFE STRUCTURES AND EQUIPMENT

**[A] 116.1 Unsafe Conditions.** Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate *means of egress* facilities, inadequate light and ventilation, or that constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the *building official* deems necessary and as provided for in this section. A vacant structure that is not secured against unauthorized entry shall be deemed unsafe.

**[A] 116.2 Record.** The *building official* shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

**[A] 116.3 Notice.** If an unsafe condition is found, the *building official* shall serve on the *owner* of the structure or the owner's authorized agent, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the *building official* acceptance or rejection of the terms of the order.

**[A] 116.4 Method of service.** Such notice shall be deemed properly served where a copy thereof is served in accordance with one of the following methods:

1. A copy is delivered to the *owner* personally;
2. A copy is sent by certified or registered mail addressed to the *owner* at the last known address with the return receipt requested; or
3. A copy is delivered in any other manner as prescribed by local law.

If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's authorized agent shall constitute service of notice upon the *owner*.

**[A] 116.5 Restoration or Abatement.** Where the structure or equipment determined to be unsafe by the *building official* is restored to a safe condition. The *owner*, the owner's authorized agent, operator or occupant of a structure, premises or equipment deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action. To the extent that repairs, *alterations* or *additions* are made or a change of occupancy occurs during the restoration of the structure, such *repairs*, *alterations*, *additions* and change of occupancy shall comply with the requirements of Section 105.2.2 and the *International Existing Building Code*.

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

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-actioncommittee-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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which



included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>

The PMG CAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG CAC. In 2017-2018, the PMG CAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac>.

**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.

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Modified**

**Modify proposal as follows:**

**2018 International Fire Code**

**[A] 111.1 General.** If during the inspection of a premises, a structure, or any building system, in whole or in part, constitutes a clear and imminent threat to human life, safety or health, the *fire code official* shall issue such notice or orders to remove or remedy the conditions as shall be deemed necessary in accordance with this section, and shall refer the building to the building official structure or equipment department for any repairs, *alterations*, remodeling, removing or demolition required.

**Committee Reason:** The committee stated that the reason for the approval of the modification was the improvement of the language that corrects where if there is a violation of the code who is the entity that is responsible for follow up and correction. The committee stated that the reason for the approval of the proposal was based on the improvement to the consistency across the I-Codes for unsafe structures, it clarifies terminology and the ease of use at the local level. (Vote: 13-0)

**Assembly Action:**

**None**

### Final Action

**ADM42-19**

**AM**



<b>Date Submitted</b> 2/18/2021	<b>Section</b> 101.1	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

Appendix B and "Board of Appeals" provisions are marked reserved and do not exist in the 2020 FBC.

**Summary of Modification**

Revises the section to have a consistent set of requirements for the Board of Appeals.

**Rationale**

Please see attachment

Approved as submitted (AS)

2018 IBC

## APPENDIX B BOARD OF APPEALS

Revise as follows:

### SECTION B101 GENERAL

Delete without substitution:

~~[A] B101.1 Application. Applications for appeal shall be obtained from the building official. Applications shall be filed within 20 days after notice has been served.~~

Add new text as follows:

B101.1 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 113 (Means of Appeals). 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.

B101.2 Application for appeal. Any person shall have the right to appeal a decision of the building official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the building official within 20 days after the notice was served.

B101.2.1 Limitation of authority. The board shall not have authority to waive requirements of this code or interpret the administration of this code.

B101.2 Stays of enforcement. Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

Revise as follows:

[A] B101.2 B101.3 Membership of board. The board of appeals shall consist of persons 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 code official shall be an ex officio member of said board but shall not vote on any matter before the board, as follows:

1. One for 5 years; one for 4 years; one for 3 years; one for 2 years; and one for 1 year.
2. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.

~~The building official shall be an ex officio member of said board but shall have no vote on any matter before the board.~~

[A] B101.2.2 B101.3.1 Qualifications. The board of appeals shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction one from each of the following professions or disciplines:

1. ~~Registered design professional with architectural experience or a builder or superintendent of building construction with not fewer than 10 years of experience, 5 of which shall have been in responsible charge of work.~~
2. ~~Registered design professional with structural engineering experience.~~
3. ~~Registered design professional with mechanical and plumbing engineering experience or a mechanical contractor with not fewer than 10 years of experience, 5 of which shall have been in responsible charge of work.~~
4. ~~Registered design professional with electrical engineering experience or an electrical contractor with not fewer than 10 years of experience, 5 of which shall have been in responsible charge of work.~~
5. ~~Registered design professional with fire protection engineering experience or a fire protection contractor with not fewer than 10 years of experience, 5 of which shall have been in responsible charge of work.~~

[A] ~~B101.2.4~~ B101.3.2 Alternate members. The chief appointing authority ~~shall~~ is authorized to appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for 5 years, the same term or until a successor has been appointed.

Add new text as follows:

B101.3.3 Vacancies. Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

Revise as follows:

[A] ~~B101.2.4~~ B101.3.4 Chairperson. The board shall annually select one of its members to serve as chairperson.

[A] ~~B101.2.6~~ B101.3.5 Secretary. The chief administrative officer appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings ~~in the office of the chief administrative officer, which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.~~

[A] ~~B101.2.5~~ B101.3.6 Disqualification ~~Conflict~~ of member. interest. A member shall not hear an appeal in which that member has a with any personal, professional or financial interest. interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

[A] ~~B101.2.7~~ B101.3.7 Compensation of members. Compensation of members shall be determined by law.

Add new text as follows:

B101.3.8 Removal from the board. A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

Revise as follows:

[A] ~~B101.2.3~~ B101.4 Rules and procedures. The board ~~is authorized to~~ shall establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

[A] ~~B101.3~~ B101.5 Notice of meeting. The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic meetings.

[A] ~~B101.3.1~~ B101.5.1 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the building official and any person whose interests are affected shall be given an opportunity to be heard.

Add new text as follows:

B101.5.2 Quorum. Three members of the board shall constitute a quorum.

Delete without substitution:

~~[A] B101.3.2 Procedure. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.~~

Revise as follows:

~~[A] B101.3.3~~ B101.5.3 Postponed hearing. When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

Add new text as follows:

B101.6 Legal counsel. The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

Revise as follows:

[A] ~~B101.4~~ B101.7 Board decision. The board shall modify or reverse the decision of the *building official* by a concurring vote of two-thirds of its members. ~~The board shall only modify or reverse the decision of the code official by a concurring vote of three or more members.~~

[A] ~~B101.4.1~~ B101.7.1 Resolution. The decision of the board shall be by resolution. ~~Certified copies shall be~~ Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the ~~building code official~~.

[A] ~~B101.4.2~~ B101.7.2 Administration. The *building official* shall take immediate action in accordance with the decision of the board.

Add new text as follows:

B101.8 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

2018 International Existing Building Code

Add new text as follows:

## APPENDIX A BOARD OF APPEALS

### SECTION A101 GENERAL

A101.1 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 112. The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

A101.2 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

A101.2.1 Limitation of authority. The board shall not have authority to waive requirements of this code or interpret the administration of this code.

A101.2.2 Stays of enforcement. Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

A101.3 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 code official shall be an ex officio member of said board but shall not vote on any matter before the board.

A101.3.1 Qualifications. The board shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

A101.3.2 Alternate members. The chief appointing authority is authorized to appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate

members shall possess the qualifications required for board membership, and shall be appointed for the same term or until a successor has been appointed.

A101.3.3 Vacancies. Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

A101.3.4 Chairperson. The board shall annually select one of its members to serve as chairperson.

A101.3.5 Secretary. The chief appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.

A101.3.6 Conflict of interest. A member with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

A101.3.7 Compensation of members. Compensation of members shall be determined by law.

A101.3.8 Removal from the board. A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

A101.4 Rules and procedures. The board shall establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

A101.5 Notice of meeting. The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic intervals.

A101.5.1 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

A101.5.2 Quorum. Three members of the board shall constitute a quorum.

A101.5.3 Postponed hearing. When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

A101.6 Legal counsel. The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

A101.7 Board decision. The board shall only modify or reverse the decision of the code official by a concurring vote of three or more members.

A101.7.1 Resolution. The decision of the board shall be by resolution. Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the code official.

A101.7.2 Administration. The code official shall take immediate action in accordance with the decision of the board.

A101.8 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

2018 International Fuel Gas Code

Add new text as follows:

**APPENDIX A**  
**BOARD OF APPEALS**

**A101**  
**GENERAL**

**A101.1 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 109 (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**A101.2 Application for appeal.** Any person shall have the right to appeal a decision of the code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

**A101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**A101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

Revise as follows:

**[A] 109.2 A101.3 Membership of board.** The board of appeals shall consist of five voting members appointed by the chief appointing authority as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years and one for 1 year. Thereafter, each new of the jurisdiction. Each member shall serve for 5 [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 code official shall be an ex officio member of said board but shall not vote on any matter before the board.

**[A] 109.2.1 A101.3.1 Qualifications.** The board of appeals shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction, one from each of the following professions or disciplines.

1. Registered design professional who is a registered architect; or a builder or superintendent of building construction with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.
2. Registered design professional with structural engineering or architectural experience.
3. Registered design professional with fuel gas and plumbing engineering experience; or a fuel gas contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.
4. Registered design professional with electrical engineering experience; or an electrical contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.
5. Registered design professional with fire protection engineering experience; or a fire protection contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.

**[A] 109.2.2 A101.3.2 Alternate members.** The chief appointing authority shall is authorized to appoint two alternate members who shall be called by the board chairman chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for 5 years, the same term or until a successor has been appointed.

Add new text as follows:

**A101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

Revise as follows:

~~[A] 109.2.3~~ **A101.3.4 Chairman.** Chairperson. The board shall annually select one of its members to serve as chairman.

~~[A] 109.2.5~~ **A101.3.5 Secretary.** The chief administrative officer appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer, which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.

~~[A] 109.2.4~~ **A101.3.6 Disqualification** Conflict of member. interest. A member shall not hear an appeal in which that member has a with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

~~[A] 109.2.6~~ **A101.3.7 Compensation of members.** Compensation of members shall be determined by law.

Add new text as follows:

**A101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

Revise as follows:

~~[A] 109.4.1~~ **A101.4 Procedure.** Rules and procedures. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted, establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received. presented.

~~[A] 109.3~~ **A101.5 Notice of meeting.** The board shall meet upon notice from the chairman chairperson, within 10 days of the filing of an appeal, or at stated periodic meetings. intervals.

Add new text as follows:

**[A] A101.5.1 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

**A101.5.2 Quorum.** Three members of the board shall constitute a quorum.

Revise as follows:

~~[A] 109.5~~ **A101.5.3 Postponed hearing.** Where When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

Add new text as follows:

**A101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

Revise as follows:



[A] ~~409.6~~ A101.7 Board decision. The board shall only modify or reverse the decision of the code official by a concurring vote of three or more members.

[A] ~~409.6.1~~ A101.7.1 Resolution. The decision of the board shall be by resolution. ~~Certified copies shall be~~ Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the code official.

[A] ~~409.6.2~~ A101.7.2 Administration. The code official shall take immediate action in accordance with the decision of the board.

[A] ~~409.7~~ A101.8 Court review. Any person, whether or not a previous party ~~to~~ of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

2018 International Mechanical Code

Add new text as follows:

#### APPENDIX A BOARD OF APPEALS

#### SECTION A101 GENERAL

A101.1 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 109 (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

A101.2 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

A101.2.1 Limitation of authority. The board shall not have authority to waive requirements of this code or interpret the administration of this code.

A101.2.2 Stays of enforcement. Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

Revise as follows:

[A] ~~409.2~~ A101.3 Membership of board. The board ~~of appeals~~ shall consist of five voting members appointed by the chief appointing authority ~~as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years; and one for 1 year. Thereafter, each new~~ of the jurisdiction. Each member shall serve for 5 [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 code official shall be an ex officio member of said board but shall not vote on any matter before the board.

[A] ~~409.2.1~~ A101.3.1 Qualifications. The board ~~of appeals~~ shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction, one from each of the following professions or disciplines.

1. ~~Registered design professional who is a registered architect; or a builder or superintendent of building construction with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
2. ~~Registered design professional with structural engineering or architectural experience.~~
3. ~~Registered design professional with mechanical and plumbing engineering experience; or a mechanical contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
4. ~~Registered design professional with electrical engineering experience; or an electrical contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
5. ~~Registered design professional with fire protection engineering experience; or a fire protection contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~

[A] 409.2.2 A101.3.2 Alternate members. The chief appointing authority ~~shall~~ is authorized to appoint two alternate members who shall be called by the board ~~chairman~~ chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for ~~5 years, the same term~~ or until a successor has been appointed.

A101.3.3 Vacancies. Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

[A] 409.2.3 A101.3.4 ~~Chairman.~~ Chairperson. The board shall annually select one of its members to serve as ~~chairman.~~ chairperson.

[A] 409.2.5 A101.3.5 Secretary. The chief ~~administrative officer~~ appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings ~~in the office of the chief administrative officer, which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.~~

[A] 409.2.4 A101.3.6 ~~Disqualification~~ Conflict of member interest. A member ~~shall not hear an appeal in which that member has a~~ with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

[A] 409.2.6 A101.3.7 Compensation of members. Compensation of members shall be determined by law.

Add new text as follows:

A101.3.8 Removal from the board. A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

Revise as follows:

[A] 409.4.1 A101.4 ~~Procedure.~~ Rules and procedures. The board shall ~~adopt and make available to the public through the secretary procedures under which a hearing will be conducted.~~ establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be ~~received.~~ presented.

[A] 409.3 A101.5 Notice of meeting. The board shall meet upon notice from the chairman chairperson, within 10 days of the filing of an appeal, or at stated periodic meetings. intervals.

Add new text as follows:

[A] A101.5.1 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

A101.5.2 Quorum. Three members of the board shall constitute a quorum.

Revise as follows:

[A] ~~409.5~~ A101.5.3 Postponed hearing. When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

Add new text as follows:

A101.6 Legal counsel. The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

Revise as follows:

[A] ~~409.6~~ A101.7 Board decision. The board shall only modify or reverse the decision of the code official by a concurring vote of three or more members.

[A] ~~409.6.1~~ A101.7.1 Resolution. The decision of the board shall be by resolution. ~~Certified copies shall be~~ Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the code official.

[A] ~~409.6.2~~ A101.7.2 Administration. The code official shall take immediate action in accordance with the decision of the board.

[A] ~~409.7~~ A101.8 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

2018 International Plumbing Code

Add new text as follows:

## APPENDIX A BOARD OF APPEALS

### SECTION A101 GENERAL

A101.1 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 XXX (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

A101.2 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

A101.2.1 Limitation of authority. The board shall not have authority to waive requirements of this code or interpret the administration of this code.

A101.2.2 Stays of enforcement. Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

Revise as follows:

~~409.2 A101.3 Membership of board. The board of appeals shall consist of five voting members appointed by the chief appointing authority as follows: one for 5 years, one for 4 years, one for 3 years, one for 2 years and one for 1 year. Thereafter, each new of the jurisdiction. Each member shall serve for 5 [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 code official shall be an ex officio member of said board but shall not vote on any matter before the board.~~

~~409.2.4 A101.3.1 Qualifications. The board of appeals shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. one from each of the following professions or disciplines:~~

- ~~1. Registered design professional who is a registered architect; or a builder or superintendent of building construction with not less than 10 years' experience, 5 years of which shall have been in responsible charge of work.~~
- ~~2. Registered design professional with structural engineering or architectural experience.~~
- ~~3. Registered design professional with mechanical and plumbing engineering experience; or a mechanical and plumbing contractor with not less than 10 years' experience, 5 years of which shall have been in responsible charge of work.~~
- ~~4. Registered design professional with electrical engineering experience; or an electrical contractor with not less than 10 years' experience, 5 years of which shall have been in responsible charge of work.~~
- ~~5. Registered design professional with fire protection engineering experience; or a fire protection contractor with not less than 10 years' experience, 5 years of which shall have been in responsible charge of work.~~

~~409.2.2 A101.3.2 Alternate members. The chief appointing authority shall is authorized to appoint two alternate members who shall be called by the board chairman chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for 5 years the same term or until a successor has been appointed.~~

Add new text as follows:

A101.3.3 Vacancies. Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

Revise as follows:

~~409.2.3 A101.3.4 Chairman. Chairperson. The board shall annually select one of its members to serve as chairman, chairperson.~~

~~409.2.5 A101.3.5 Secretary. The chief administrative officer appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer, which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.~~

~~409.2.4 A101.3.6 Disqualification Conflict of member, interest. A member shall not hear an appeal in which that member has with any personal, professional or financial interest. interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.~~

~~409.2.6 A101.3.7 Compensation of members. Compensation of members shall be determined by law.~~

Add new text as follows:

A101.3.8 Removal from the board. A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

Revise as follows:

~~409.4.1 A101.4 Procedure. Rules and procedures.~~ The board shall ~~adopt and make available to the public through the secretary procedures under which a hearing will be conducted.~~ establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be ~~received.~~ presented.

~~409.3 A101.5~~ Notice of meeting. The board shall meet upon notice from the chairman chairperson, within 10 days of the filing of an appeal or at stated periodic ~~meetings.~~ intervals.

~~409.4 A101.5.1~~ Open hearing. ~~Hearings~~ All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

Add new text as follows:

A101.5.2 Quorum. Three members of the board shall constitute a quorum.

Revise as follows:

~~409.5 A101.5.3~~ Postponed hearing. When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

Add new text as follows:

A101.6 Legal counsel. The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

Revise as follows:

~~409.6 A101.7~~ Board decision. The board shall only modify or reverse the decision of the code official by a concurring vote of three or more members.

~~409.6.1 A101.7.1~~ Resolution. The decision of the board shall be by resolution. ~~Certified copies shall be~~ Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the code official.

~~409.6.2 A101.7.2~~ Administration. The code official shall take immediate action in accordance with the decision of the board.

~~409.7 A101.8~~ Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

## Code Change No: ADM43-19 Part I

### Original Proposal

**Section(s):** IBC: APPENDIX B; IEBC: APPENDIX A (New); IFC: APPENDIX A; IFGC: APPENDIX A (New); IMC: APPENDIX A (New); IPC: APPENDIX A (New); IPSDC: APPENDIX A (New); IPMC: APPENDIX A (New); ISPSC: APPENDIX A (New); IWUIC: SECTION 106 (New), SECTION A101 (New)

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgcac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

**THIS IS A 4 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART IV WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

2018 International Building Code

### APPENDIX B BOARD OF APPEALS

Revise as follows:

#### SECTION B101 GENERAL

Delete without substitution:

~~**[A] B101.1 Application.** Applications for appeal shall be obtained from the building official. Applications shall be filed within 20 days after notice has been served.~~

Add new text as follows:

**B101.1 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 113 (Means of Appeals). 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.

**B101.2 Application for appeal.** Any person shall have the right to appeal a decision of the building official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the building official within 20 days after the notice was served.

**B101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**B101.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

Revise as follows:

**[A] B101.2 B101.3 Membership of board.** The board of appeals shall consist of persons 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 code official shall be an ex officio member of said board but shall not vote on any matter before the board, as follows:

1. One for 5 years; one for 4 years; one for 3 years; one for 2 years; and one for 1 year.
2. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.

The building official shall be an ex officio member of said board but shall have no vote on any matter before the board.

**[A] B101.2.2 B101.3.1 Qualifications.** The board of appeals shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction one from each of the following professions or disciplines:

1. Registered design professional with architectural experience or a builder or superintendent of building construction with not fewer than 10 years of experience, 5 of which shall have been in responsible charge of work.
2. Registered design professional with structural engineering experience.
3. Registered design professional with mechanical and plumbing engineering experience or a mechanical contractor with not fewer than 10 years of experience, 5 of which shall have been in responsible charge of work.
4. Registered design professional with electrical engineering experience or an electrical contractor with not fewer than 10 years of experience, 5 of which shall have been in responsible charge of work.
5. Registered design professional with fire protection engineering experience or a fire protection contractor with not fewer than 10 years of experience, 5 of which shall have been in responsible charge of work.

**[A] B101.2.4 B101.3.2 Alternate members.** The chief appointing authority shall is authorized to appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for 5 years, the same term or until a successor has been appointed.

Add new text as follows:

**B101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

Revise as follows:

**[A] B101.2.4 B101.3.4 Chairperson.** The board shall annually select one of its members to serve as chairperson.

**[A] B101.2.6 B101.3.5 Secretary.** The chief ~~administrative officer~~ appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings ~~in the office of the chief administrative officer, which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.~~

**[A] ~~B404.2.5 B101.3.6 Disqualification Conflict of member interest.~~** A member shall not hear an appeal in which that member has a with any personal, professional or financial interest. interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**[A] ~~B404.2.7 B101.3.7 Compensation of members.~~** Compensation of members shall be determined by law.

Add new text as follows:

**B101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

Revise as follows:

**[A] ~~B404.2.3 B101.4 Rules and procedures.~~** The board is authorized to shall establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

**[A] ~~B404.3 B101.5 Notice of meeting.~~** The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic meetings.

**[A] ~~B404.3.4 B101.5.1 Open hearing.~~** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the building official and any person whose interests are affected shall be given an opportunity to be heard.

Add new text as follows:

**B101.5.2 Quorum.** Three members of the board shall constitute a quorum.

Delete without substitution:

**[A] ~~B404.3.2 Procedure.~~** The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

Revise as follows:

**[A] ~~B404.3.3 B101.5.3 Postponed hearing.~~** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

Add new text as follows:

**B101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.



Revise as follows:

**[A] B401.4 B101.7 Board decision.** The board shall modify or reverse the decision of the *building official* by a concurring vote of two-thirds of its members. The board shall only modify or reverse the decision of the code official by a concurring vote of three or more members.

**[A] B401.4.4 B101.7.1 Resolution.** The decision of the board shall be by resolution. Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the *building code official*.

**[A] B401.4.2 B101.7.2 Administration.** The *building official* shall take immediate action in accordance with the decision of the board.

Add new text as follows:

**B101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

2018 International Existing Building Code

Add new text as follows:

## **APPENDIX A** **BOARD OF APPEALS**

### **SECTION A101** **GENERAL**

**A101.1 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 112. The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**A101.2 Application for appeal.** Any person shall have the right to appeal a decision of the code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

**A101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**A101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

**A101.3 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 code official shall be an ex officio member of said board but shall not vote on any matter before the board.

**A101.3.1 Qualifications.** The board shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

**A101.3.2 Alternate members.** The chief appointing authority is authorized to appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for the same term or until a successor has been appointed.

**A101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

**A101.3.4 Chairperson.** The board shall annually select one of its members to serve as chairperson.

**A101.3.5 Secretary.** The chief appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.

**A101.3.6 Conflict of interest.** A member with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**A101.3.7 Compensation of members.** Compensation of members shall be determined by law.

**A101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

**A101.4 Rules and procedures.** The board shall establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

**A101.5 Notice of meeting.** The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic intervals.

**A101.5.1 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

**A101.5.2 Quorum.** Three members of the board shall constitute a quorum.

**A101.5.3 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

**A101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

**A101.7 Board decision.** The board shall only modify or reverse the decision of the code official by a concurring vote of three or more members.

**A101.7.1 Resolution.** The decision of the board shall be by resolution. Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the code official.

**A101.7.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.

**A101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

## 2018 International Fire Code

### APPENDIX A BOARD OF APPEALS

Revise as follows:

#### SECTION A101 GENERAL

**A101.1 Scope.** A board of appeals shall be established within the jurisdiction for the purpose of hearing applications for modification of the requirements of ~~the International Fire Code~~ this code pursuant to the provisions of Section ~~408 of the International Fire Code.~~ 109. The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the fire code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

Add new text as follows:

**A101.2 Application for appeal.** Any person shall have the right to appeal a decision of the fire code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the fire code official within 20 days after the notice was served.

**A101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**A102.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

Delete without substitution:

**A101.2 Membership.** The membership of the board shall consist of five voting members having the qualifications established by this section. Members shall be nominated by the fire code official or the chief administrative officer of the jurisdiction, subject to confirmation by a majority vote of the governing body. Members shall serve without remuneration or compensation, and shall be removed from office prior to the end of their appointed terms only for cause.

**A101.2.4 Design professional.** One member shall be a practicing design professional registered in the practice of engineering or architecture in the state in which the board is established.

**A101.2.2 Fire protection engineering professional.** ~~One member shall be a qualified engineer, technologist, technician or safety professional trained in fire protection engineering, fire science or fire technology. Qualified representatives in this category shall include fire protection contractors and certified technicians engaged in fire protection system design.~~

**A101.2.3 Industrial safety professional.** ~~One member shall be a registered industrial or chemical engineer, certified hygienist, certified safety professional, certified hazardous materials manager or comparably qualified specialist experienced in chemical process safety or industrial safety.~~

**A101.2.4 General contractor.** ~~One member shall be a contractor regularly engaged in the construction, alteration, maintenance, repair or remodeling of buildings or building services and systems regulated by the code.~~

**A101.2.5 General industry or business representative.** ~~One member shall be a representative of business or industry not represented by a member from one of the other categories of board members described in Sections A101.2.1 through A101.2.4.~~

Revise as follows:

**A101.3 Terms Membership of office, board.** ~~Members shall be appointed for terms of 4 years. Members shall not be reappointed to serve more than two consecutive full terms.~~

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

Delete without substitution:

**A101.3.1 Initial appointments.** ~~Of the members first appointed, two shall be appointed for a term of 1 year, two for a term of 2 years, one for a term of 3 years.~~

Add new text as follows:

**A101.3.1 Qualifications.** The board 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, and are not employees of the jurisdiction.

**A101.3.2 Alternate members.** The chief appointing authority is authorized to appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for the same term or until a successor has been appointed.

Revise as follows:

**A101.3.2 A101.3.3 Vacancies.** ~~Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made. Members appointed to fill a vacancy in an unexpired term shall be eligible for reappointment to two full terms.~~

Add new text as follows:

**A101.3.4 Chairperson.** The board shall annually select one of its members to serve as chairperson.

Revise as follows:

**A101.5 A101.3.5 Secretary of board.** The ~~fire code official~~ shall act as secretary of the board and shall keep ~~chief appointing authority~~ shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all its proceedings, which shall set forth the reasons for its decisions the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.

Delete without substitution:

**A101.9 Decisions.** Every decision shall be promptly filed in writing in the office of the fire code official and shall be open to public inspection. A certified copy shall be sent by mail or otherwise to the appellant, and a copy shall be kept publicly posted in the office of the fire code official for 2 weeks after filing.

Revise as follows:

**A101.8 A101.3.6 Conflict of interest.** Members with a material ~~A member with any personal, professional~~ or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

Add new text as follows:

**A101.3.7 Compensation of members.** Compensation of members shall be determined by law.

Revise as follows:

**A101.3.3 A101.3.8 Removal from office the board.** Members ~~A member~~ shall be removed from office the board prior to the end of their terms only for ~~cause. Continued absence of any member cause. Any member with continued absence from regular meetings meeting~~ of the board shall, may be removed at the discretion of the applicable governing body, render any such member liable to immediate removal from office. chief appointing authority.

**A101.40 A101.4 Procedures, Rules and procedures.** The board shall ~~be operated in accordance with the Administrative Procedures Act of the state in which it is established or shall establish rules and regulations for its own procedure not inconsistent~~ establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

**A101.7A101.5 Meetings, Notice of meetings.** The board shall meet at regular intervals, ~~to be determined by the chairman. In any event, the board shall meet upon notice from the chairperson, within 10 days after notice of appeal has been received.~~ the filing of an appeal or at stated periodic intervals.

Add new text as follows:

**A101.5.1 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the fire code official and any person whose interests are affected shall be given an opportunity to be heard.

Revise as follows:

**A101.4 A101.5.2 Quorum.** Three members of the board shall constitute a quorum. ~~In varying the application of any provisions of this code or in modifying an order of the fire code official, affirmative votes of the majority present, but not less than three, shall be required.~~

Add new text as follows:

**A101.5.3 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

Revise as follows:

**A101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for ~~consideration~~ consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

Add new text as follows:

**A101.7 Board decision.** The board shall only modify or reverse the decision of the fire code official by a concurring vote of three or more members.

**A101.7.1 Resolution.** The decision of the board shall be by resolution. Every decision shall be promptly filed in writing in the office of the fire code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the fire code official.

**A101.7.2 Administration.** The fire code official shall take immediate action in accordance with the decision of the board.

**A101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

## 2018 International Fuel Gas Code

Add new text as follows:

### **APPENDIX A** **BOARD OF APPEALS**

#### **A101** **GENERAL**

**A101.1 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 109 (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**A101.2 Application for appeal.** Any person shall have the right to appeal a decision of the code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

**A101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**A101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

Revise as follows:

**[A] 400.2 ~~A101.3~~ Membership of board.** The board of appeals shall consist of five voting members appointed by the chief appointing authority as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years and one for 1 year. Thereafter, each new of the jurisdiction. Each member shall serve for 5 [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 code official shall be an ex officio member of said board but shall not vote on any matter before the board.

**[A] 400.2.4 ~~A101.3.1~~ Qualifications.** The board of appeals shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction, ~~one from each of the following professions or disciplines.~~

- ~~1. Registered design professional who is a registered architect; or a builder or superintendent of building construction with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~2. Registered design professional with structural engineering or architectural experience.~~
- ~~3. Registered design professional with fuel gas and plumbing engineering experience; or a fuel gas contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~4. Registered design professional with electrical engineering experience; or an electrical contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~5. Registered design professional with fire protection engineering experience; or a fire protection contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~

**[A] 400.2.2 ~~A101.3.2~~ Alternate members.** The chief appointing authority ~~shall~~ is authorized to appoint two alternate members who shall be called by the board ~~chairman~~ chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for ~~5 years, the same term~~ or until a successor has been appointed.

Add new text as follows:

**A101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

Revise as follows:

**[A] 400.2.3 ~~A101.3.4~~ Chairman.** Chairperson. The board shall annually select one of its members to serve as ~~chairman.~~ chairperson.

**[A] 400.2.5 ~~A101.3.5~~ Secretary.** The chief ~~administrative officer~~ appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings ~~in the office of the chief administrative officer, which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.~~

**[A] 400.2.4 ~~A101.3.6~~ Disqualification Conflict of member, interest.** A member ~~shall not hear an appeal in which that member has a~~ with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**[A] 400.2.6 A101.3.7 Compensation of members.** Compensation of members shall be determined by law.

Add new text as follows:

**A101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

Revise as follows:

**[A] 400.4.4 A101.4 Procedure, Rules and procedures.** The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received. presented.

**[A] 400.3 A101.5 Notice of meeting.** The board shall meet upon notice from the chairman chairperson, within 10 days of the filing of an appeal, or at stated periodic meetings, intervals.

Add new text as follows:

**[A] A101.5.1 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

**A101.5.2 Quorum.** Three members of the board shall constitute a quorum.

Revise as follows:

**[A] 400.5 A101.5.3 Postponed hearing.** ~~Where~~ When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

Add new text as follows:

**A101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

Revise as follows:

**[A] 400.6 A101.7 Board decision.** The board shall only modify or reverse the decision of the code official by a concurring vote of three or more members.

**[A] 400.6.4 A101.7.1 Resolution.** The decision of the board shall be by resolution. ~~Certified copies shall be~~ Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the code official.

**[A] 400.6.2 A101.7.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.



**[A] 409.7 A101.8 Court review.** Any person, whether or not a previous party to of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

## 2018 International Mechanical Code

Add new text as follows:

### **APPENDIX A** **BOARD OF APPEALS**

#### **SECTION A101** **GENERAL**

**A101.1 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 109 (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**A101.2 Application for appeal.** Any person shall have the right to appeal a decision of the code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

**A101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**A101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

Revise as follows:

**[A] 409.2 A101.3 Membership of board.** The board of appeals shall consist of five voting members appointed by the chief appointing authority as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years; and one for 1 year. Thereafter, each new of the jurisdiction. Each member shall serve for 5 [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 code official shall be an ex officio member of said board but shall not vote on any matter before the board.

**[A] 409.2.4 A101.3.1 Qualifications.** The board of appeals shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction, one from each of the following professions or disciplines:

1. ~~Registered design professional who is a registered architect; or a builder or superintendent of building construction with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
2. ~~Registered design professional with structural engineering or architectural experience.~~
3. ~~Registered design professional with mechanical and plumbing engineering experience; or a mechanical contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
4. ~~Registered design professional with electrical engineering experience; or an electrical contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~

5. ~~Registered design professional with fire protection engineering experience; or a fire protection contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~

**[A] 409.2.2 A101.3.2 Alternate members.** The chief appointing authority shall ~~is authorized to~~ appoint two alternate members who shall be called by the board chairman chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for 5 years, the same term or until a successor has been appointed.

**A101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

**[A] 409.2.3 A101.3.4 Chairman. Chairperson.** The board shall annually select one of its members to serve as ~~chairman.~~ chairperson.

**[A] 409.2.5 A101.3.5 Secretary.** The chief administrative officer appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings ~~in the office of the chief administrative officer, which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.~~

**[A] 409.2.4 A101.3.6 Disqualification Conflict of member, interest.** A member ~~shall not hear an appeal in which that member has a~~ with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**[A] 409.2.6 A101.3.7 Compensation of members.** Compensation of members shall be determined by law.

Add new text as follows:

**A101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

Revise as follows:

**[A] 409.4.4 A101.4 Procedure. Rules and procedures.** The board shall ~~adopt and make available to the public through the secretary procedures under which a hearing will be conducted.~~ establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be ~~received.~~ presented.

**[A] 409.3 A101.5 Notice of meeting.** The board shall meet upon notice from the ~~chairman~~ chairperson, within 10 days of the filing of an appeal, or at stated periodic ~~meetings.~~ intervals.

Add new text as follows:

**[A] A101.5.1 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

**A101.5.2 Quorum.** Three members of the board shall constitute a quorum.

Revise as follows:

**[A] 409.5 A101.5.3 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

Add new text as follows:

**A101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

Revise as follows:

**[A] 409.6 A101.7 Board decision.** The board shall only modify or reverse the decision of the code official by a concurring vote of three or more members.

**[A] 409.6.4 A101.7.1 Resolution.** The decision of the board shall be by resolution. ~~Certified copies shall be~~ Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the code official.

**[A] 409.6.2 A101.7.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.

**[A] 409.7 A101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

## 2018 International Plumbing Code

Add new text as follows:

### **APPENDIX A** **BOARD OF APPEALS**

#### **SECTION A101** **GENERAL**

**A101.1 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 XXX (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**A101.2 Application for appeal.** Any person shall have the right to appeal a decision of the code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

**A101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**A101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

Revise as follows:

~~400.2~~ **A101.3 Membership of board.** The board of appeals shall consist of five voting members appointed by the chief appointing authority as follows: one for 5 years, one for 4 years, one for 3 years, one for 2 years and one for 1 year. Thereafter, each new of the jurisdiction. Each member shall serve for 5 [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 code official shall be an ex officio member of said board but shall not vote on any matter before the board.

~~400.2.4~~ **A101.3.1 Qualifications.** The board of appeals shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. ~~one from each of the following professions or disciplines:~~

- ~~1. Registered design professional who is a registered architect; or a builder or superintendent of building construction with not less than 10 years' experience, 5 years of which shall have been in responsible charge of work.~~
- ~~2. Registered design professional with structural engineering or architectural experience.~~
- ~~3. Registered design professional with mechanical and plumbing engineering experience; or a mechanical and plumbing contractor with not less than 10 years' experience, 5 years of which shall have been in responsible charge of work.~~
- ~~4. Registered design professional with electrical engineering experience; or an electrical contractor with not less than 10 years' experience, 5 years of which shall have been in responsible charge of work.~~
- ~~5. Registered design professional with fire protection engineering experience; or a fire protection contractor with not less than 10 years' experience, 5 years of which shall have been in responsible charge of work.~~

~~400.2.2~~ **A101.3.2 Alternate members.** The chief appointing authority ~~shall~~ is authorized to appoint two alternate members who shall be called by the board ~~chairman~~ chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for ~~5 years~~ the same term or until a successor has been appointed.

Add new text as follows:

**A101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

Revise as follows:

~~400.2.3~~ **A101.3.4 Chairman. Chairperson.** The board shall annually select one of its members to serve as ~~chairman.~~ chairperson.

~~400.2.5~~ **A101.3.5 Secretary.** The chief ~~administrative officer~~ appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer, which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.

~~400.2.4~~ **A101.3.6 Disqualification Conflict of member. interest.** A member shall not hear an appeal in which that member has with any personal, professional or financial ~~interest.~~ interest in a matter before the

board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**409.2.6 A101.3.7 Compensation of members.** Compensation of members shall be determined by law.

Add new text as follows:

**A101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

Revise as follows:

**409.4.4 A101.4 Procedure. Rules and procedures.** The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received. presented.

**409.3 A101.5 Notice of meeting.** The board shall meet upon notice from the ~~chairman~~ chairperson, within 10 days of the filing of an appeal or at stated periodic ~~meetings.~~ intervals.

**409.4 A101.5.1 Open hearing. Hearings** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

Add new text as follows:

**A101.5.2 Quorum.** Three members of the board shall constitute a quorum.

Revise as follows:

**409.5 A101.5.3 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

Add new text as follows:

**A101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

Revise as follows:

**409.6 A101.7 Board decision.** The board shall only modify or reverse the decision of the code official by a concurring vote of three or more members.

**409.6.4 A101.7.1 Resolution.** The decision of the board shall be by resolution. ~~Certified copies shall be~~ Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the code official.

**409.6.2 A101.7.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.

~~409.7~~ **A101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

## 2018 International Private Sewage Disposal Code

Add new text as follows:

### **APPENDIX A** **BOARD OF APPEALS**

#### **SECTION A101** **GENERAL**

**A101.1 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 109 (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**A101.2 Application for appeal.** Any person shall have the right to appeal a decision of the code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

**A101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**A101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

Revise as follows:

**[A] 409.2 A101.3 Membership of board.** The board of appeals shall consist of five voting members appointed by the chief appointing authority as follows: one for 5 years, one for 4 years, one for 3 years, one for 2 years and one for 1 year. Thereafter, each new of the jurisdiction. Each member shall serve for 5 [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 code official shall be an ex officio member of said board but shall not vote on any matter before the board.

**[A] 409.2.4 A101.3.1 Qualifications.** The board of appeals shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction, one from each of the following professions or disciplines:

1. Registered design professional who is a registered architect; or a builder or superintendent of building construction with not less than 10 years' experience, 5 years of which shall have been in responsible charge of work.
2. Registered design professional with structural engineering or architectural experience.
3. Registered design professional with mechanical and plumbing engineering experience; or a mechanical and plumbing contractor with not less than 10 years' experience, 5 years of which shall have been in responsible charge of work.

4. ~~Registered design professional with electrical engineering experience; or an electrical contractor with not less than 10 years' experience, 5 years of which shall have been in responsible charge of work.~~
5. ~~Registered design professional with fire protection engineering experience; or a fire protection contractor with not less than 10 years' experience, 5 years of which shall have been in responsible charge of work.~~

**[A] 400.2.2 A101.3.2 Alternate members.** The chief appointing authority shall ~~is authorized to~~ appoint two alternate members who shall be called by the board ~~chairman~~ chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for ~~5 years~~ the same term or until a successor has been appointed.

Add new text as follows:

**A101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

Revise as follows:

**[A] 400.2.3 A101.3.4 Chairman. Chairperson.** The board shall annually select one of its members to serve as ~~chairman.~~ chairperson.

**[A] 400.2.5 A101.3.5 Secretary.** The chief ~~administrative officer~~ appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings ~~in the office of the chief administrative officer, which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.~~

**[A] 400.2.4 A101.3.6 Disqualification Conflict of a member. interest.** A member ~~shall not hear an appeal in which that member has with~~ any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**[A] 400.2.6 A101.3.7 Compensation of members.** Compensation of members shall be determined by law.

Add new text as follows:

**A101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

Revise as follows:

**[A] 400.4.4 A101.4 Procedure. Rules and procedures.** The board shall ~~adopt and make available to the public through the secretary procedures under which a hearing will be conducted.~~ establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be ~~received.~~ presented.

**[A] 400.3 A101.5 Notice of meeting.** The board shall meet upon notice from the ~~chairman~~ chairperson, within 10 days of the filing of an appeal or at stated periodic ~~meetings.~~ intervals.

Add new text as follows:

**[A] A101.5.1 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

**A101.5.2 Quorum.** Three members of the board shall constitute a quorum.

Revise as follows:

**[A] 409.5 A101.5.3 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

Add new text as follows:

**A101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

Revise as follows:

**[A] 409.6 A101.7 Board decision.** The board shall only modify or reverse the decision of the code official by a concurring vote of three or more members.

**[A] 409.6.4 A101.7.1 Resolution.** The decision of the board shall be by resolution. ~~Certified copies shall be~~ Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the code official.

**[A] 409.6.2 A101.7.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.

**[A] 409.7 A101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

## 2018 International Property Maintenance Code

Add new text as follows:

### **APPENDIX A** **BOARD OF APPEALS**

#### **SECTION A101** **GENERAL**

**A101.1 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 111 (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.



**A101.2 Application for appeal.** Any person shall have the right to appeal a decision of the code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

**A101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

Revise as follows:

**[A] 444.8 A101.2.2 Stays of enforcement.** Appeals of notice and orders ~~(other, other than Imminent Danger notices)~~ notices, shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

**[A] 444.2A101.3 Membership of board.** The board of appeals shall consist of ~~not less than three members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The 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 code official shall be an ex-officio ex officio member of said board but shall not vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.~~

Add new text as follows:

**A101.3.1 Qualifications.** The board shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

Revise as follows:

**[A] 444.2.4 A101.3.2 Alternate members.** The chief appointing authority ~~shall appoint not less than is authorized to appoint~~ two alternate members who shall be called by the board ~~chairman~~ chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for the same term or until a successor has been appointed.

Add new text as follows:

**A101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

Revise as follows:

**[A] 444.2.2 A101.3.4 Chairman. Chairperson.** The board shall annually select one of its members to serve as ~~chairman.~~ chairperson.

**[A] 444.2.4 A101.3.5 Secretary.** The chief ~~administrative officer~~ appointing authority shall designate a qualified ~~person clerk~~ to serve as secretary to the board. The secretary shall file a detailed record of all proceedings ~~in the office of the chief administrative officer, which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.~~

**[A] 444.2.3 A101.3.6 Disqualification Conflict of member interest.** A member ~~shall not hear an appeal in which that member has a~~ with any personal, professional or financial interest in a matter before the

board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**[A] 444.2.5 A101.3.7 Compensation of members.** Compensation of members shall be determined by law.

Add new text as follows:

**A101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

Revise as follows:

**[A] 444.4.1 A101.4 Procedure. Rules and procedures.** The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received. presented.

**[A] 444.3 A101.5 Notice of meeting.** The board shall meet upon notice from the chairman chairperson, within 20 10 days of the filing of an appeal, or at stated periodic meetings. intervals.

Add new text as follows:

**[A] A101.5.1 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

**A101.5.2 Quorum.** Three members of the board shall constitute a quorum.

Revise as follows:

**[A] 444.5 A101.5.3 Postponed hearing.** When the full board is five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

Add new text as follows:

**A101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

Revise as follows:

**[A] 444.6 A101.7 Board decision.** The board shall only modify or reverse the decision of the code official only by a concurring vote of a majority of the total number of appointed board three or more members.

**[A] 444.6.1 A101.7.1 Records and copies. Resolution.** The decision of the board shall be recorded. Copies shall be by resolution. Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the code official.

**[A] 444.6.2 A101.7.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.

**[A] 444.7 A101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

## 2018 International Swimming Pool and Spa Code

Add new text as follows:

### **APPENDIX A BOARD OF APPEALS**

#### **SECTION A101 GENERAL**

**A101.1 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 108 (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**A101.2 Application for appeal.** Any person shall have the right to appeal a decision of the code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

**A101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**A101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

Revise as follows:

**[A] 408.2 A101.3 Membership of board.** The board of appeals shall consist of five voting members appointed by the chief appointing authority as follows: one for 5 years, one for 4 years, one for 3 years, one for 2 years and one for 1 year. Thereafter, each new of the jurisdiction. Each member shall serve for 5 [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 code official shall be an ex officio member of said board but shall not vote on any matter before the board.

**[A] 408.2.4 A101.3.1 Qualifications.** The board of appeals shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction, one from each of the following professions or disciplines:

1. Registered design professional who is a registered architect, or a builder or superintendent of building construction with not less than 10 years' experience, 5 years of which shall have been in responsible charge of work.
2. Registered design professional with structural engineering or architectural experience.

3. ~~Registered design professional with mechanical and plumbing engineering experience; or a mechanical and plumbing contractor with not less than 10 years' experience, 5 years of which shall have been in responsible charge of work.~~
4. ~~Registered design professional with electrical engineering experience; or an electrical contractor with not less than 10 years' experience, 5 years of which shall have been in responsible charge of work.~~
5. ~~Registered design professional with pool or spa experience; or a contractor with not less than 10 years' experience, 5 years of which shall have been in responsible charge of work.~~

**[A] 408.2.2 A101.3.2 Alternate members.** The chief appointing authority ~~shall~~ is authorized to appoint two alternate members who shall be called by the board ~~chairman~~ chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for ~~5 years~~ the same term or until a successor has been appointed.

Add new text as follows:

**A101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

Revise as follows:

**[A] 408.2.3 A101.3.4 ~~Chairman.~~ Chairperson.** The board shall annually select one of its members to serve as ~~chairman.~~ chairperson.

**[A] 408.2.5 A101.3.5 Secretary.** The chief ~~administrative officer~~ appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings ~~in the office of the chief administrative officer, which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.~~

**[A] 408.2.4 A101.3.6 ~~Disqualification Conflict of member, interest.~~** A member ~~shall not hear an appeal in which that member has with~~ any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**[A] 408.2.6 A101.3.7 Compensation of members.** Compensation of members shall be determined by law.

Add new text as follows:

**A101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

Revise as follows:

**[A] 408.4.4A101.4 ~~Procedure. Rules and procedures.~~** The board shall ~~adopt and make available to the public through the secretary procedures under which a hearing will be conducted.~~ establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be ~~received.~~ presented.

**[A] 408.3A101.5 Notice of meeting.** The board shall meet upon notice from the ~~chairman~~ chairperson, within 10 days of the filing of an appeal or at stated periodic ~~meetings.~~ intervals.

**[A] 408.4 A101.5.1 Open hearing. Hearings** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

Add new text as follows:

**A101.5.2 Quorum.** Three members of the board shall constitute a quorum.

Revise as follows:

**[A] 408.5 A101.5.3 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

Add new text as follows:

**A101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

Revise as follows:

**[A] 408.6 A101.7 Board decision.** The board shall only modify or reverse the decision of the code official by a concurring vote of three or more members.

**[A] 408.6.4 A101.7.1 Resolution.** The decision of the board shall be by resolution. ~~Certified copies shall be~~ Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the code official.

**[A] 408.6.2 A101.7.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.

**[A] 408.7 A101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

## 2018 International Wildland-Urban Interface Code

Revise as follows:

### SECTION 106 APPEALS

**[A] 106.1 General.** ~~To determine the suitability of alternative materials and methods and to provide for reasonable interpretations of the provisions of this code, there shall be and hereby is created a board of appeals consisting of five members who are qualified by experience and training to pass judgment on pertinent matters. The code official, building official and fire chief shall be ex officio members, and the code official shall act as secretary of the board. The board of appeals shall be appointed by the legislative body and shall hold office at their discretion. The board shall adopt reasonable rules and regulations for conducting its investigations and shall render decisions and findings in writing to the code official, with a duplicate copy to the applicant.~~

Add new text as follows:

## APPENDIX A BOARD OF APPEALS

### SECTION A101 GENERAL

**A101.1 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 106 (Means of Appeals). 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.

**A101.2 Application for appeal.** Any person shall have the right to appeal a decision of the code official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

**A101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**A101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

**A101.3 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 code official shall be an ex officio member of said board but shall not vote on any matter before the board.

**A101.3.1 Qualifications.** The board shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

**A101.3.2 Alternate members.** The chief appointing authority is authorized to appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for the same term or until a successor has been appointed.

**A101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

**A101.3.4 Chairperson.** The board shall annually select one of its members to serve as chairperson.

**A101.3.5 Secretary.** The chief appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.

**A101.3.6 Conflict of interest.** A member with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**A101.3.7 Compensation of members.** Compensation of members shall be determined by law.

**A101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

**A101.4 Rules and procedures.** The board shall establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

**A101.5 Notice of meeting.** The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic intervals.

**A101.5.1 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

**A101.5.2 Quorum.** Three members of the board shall constitute a quorum.

**A101.5.3 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

**A101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

**A101.7 Board decision.** The board shall only modify or reverse the decision of the code official by a concurring vote of three or more members.

**A101.7.1 Resolution.** The decision of the board shall be by resolution. Every decision shall be promptly filed in writing in the office of the code official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the code official.

**A101.7.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.

**A101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

**Reason:** The intent of this proposal is to have a consistent set of requirements for the Board of Appeals. The right for someone to have an appeal is addressed in a separate proposal for Means of Appeals. Currently the IBC and IFC have these requirements in an appendix, while other codes either don't have it at all or have it in the text. It was felt that appendix was a more appropriate place to allow for the jurisdiction to establish their own criteria, or to use this appendix as a template.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as "building/fire/code official".

## APPENDIX A BOARD OF APPEALS

### SECTION A101 GENERAL

**A101.1 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 XXX (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the *code official* pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**A101.2 Application for appeal.** Any person shall have the right to appeal a decision of the *code official* to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the *code official* within 20 days after the notice was served.

**A101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**A101.2.2 Stays of enforcement.** Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

**A101.3 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 *code official* shall be an ex officio member of said board but shall not vote on any matter before the board.

**A101.3.1 Qualifications.** The board shall consist of five individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

**A101.3.2 Alternate members.** The chief appointing authority may appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for the same term or until a successor has been appointed.

**A101.3.3 Vacancies.** Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

**A101.3.4 Chairperson.** The board shall annually select one of its members to serve as chairperson.

**A101.3.5 Secretary.** The chief appointing authority shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member and any failure of a member to vote.

**A101.3.6 Conflict of interest.** A member with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

**A101.3.7 Compensation of members.** Compensation of members shall be determined by law.

**A101.3.8 Removal from the board.** A member shall be removed from the board prior to the end of their terms only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

**A101.4 Rules and procedures.** The board shall establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

**A101.5 Notice of meeting.** The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic intervals.

**A101.5.1 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the *code official* and any person whose interests are affected shall be given an opportunity to be heard.

**A101.5.2 Quorum.** Three members of the board shall constitute a quorum.

**A101.5.3 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

**A101.6 Legal counsel.** The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.



**A101.7 Board decision.** The board shall only modify or reverse the decision of the *code official* by a concurring vote of three or more members.

**A101.7.1 Resolution.** The decision of the board shall be by resolution. Every decision shall be promptly filed in writing in the office of the *code official* within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the *code official*.

**A101.7.2 Administration.** The *code official* shall take immediate action in accordance with the decision of the board.

**A101.8 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC) and the ICC Plumbing/Mechanical/Gas Code Action Committee (PMG CAC).

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-actioncommittee-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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

The PMG CAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG CAC. In 2017-2018, the PMG CAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac>.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. This is an editorial correlation and an option for jurisdictions to follow.

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee stated that the reasons for the approval of the proposal were that it standardizes the language across the I-Codes, it provides another tool and it gives appropriate guidance as an appendix to establish a board of appeals. (Vote: 13-0)

**Assembly Action:**

**None**

### Final Action

ADM43-19 Part I

AS

<b>Date Submitted</b> 2/18/2021	<b>Section</b> 107.1	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

IBC: [A] 107.1; IFC: [A] 105.4.2; IEBC: [A] 106.1; IPC: [A] 106.3.1; IMC: [A] 106.3.1; IFGC: [A] 106.3.1; ISPSC: [A] 105.3; IPSDC: [A] 106.2.1; IWUIC: [A] 108.1

Majority of these sections are marked reserved under the 2020 FBC.

**Summary of Modification**

This only clarifies that the building official can accept digital documents

**Rationale**

Other than the IFC, there is nothing in the administrative sections of the codes allowing digital formats of construction document sets. Most building departments in the country accept digital applications, plans and other submittal documents. This should be recognized in the text of the codes.

Approved as submitted (AS)

#### 2018 International Building Code

[A] 107.1 General. Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical report and other data shall be submitted in two or more sets, or in a digital format where allowed by the building official, with each *permit* application. The *construction documents* shall be prepared by a *registered design professional* where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a *registered design professional*.

**Exception:** The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a *registered design professional* if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

#### 2018 International Existing Building Code

[A] 106.1 General. Submittal documents consisting of construction documents, special inspection and structural observation programs, investigation and evaluation reports, and other data shall be submitted in two or more sets, or in a digital format where allowed by the building official, with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *code official* is authorized to require additional construction documents to be prepared by a registered design professional.

**Exception:** The *code official* is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

#### 2018 International Plumbing Code

[A] 106.3.1 Construction documents. Construction documents, engineering calculations, diagrams and other such data shall be submitted in two or more sets, or in a digital format where allowed by the building official, with each application for a permit. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional where required by state law. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. Construction documents for buildings more than two stories in height shall indicate where penetrations will be made for pipes, fittings and components and shall indicate the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.

**Exception:** The code official shall have the authority to waive the submission of construction documents, calculations or other data if the nature of the work applied for is such that reviewing of construction documents is not necessary to determine compliance with this code.

#### 2018 International Mechanical Code

[A] 106.3.1 Construction documents. *Construction documents*, engineering calculations, diagrams and other data shall be submitted in two or more sets, or in a digital format where allowed by the building official, with each application for a permit. The code official shall require *construction documents*, computations and specifications to be prepared and designed by a *registered design professional* where required by state law. Where special conditions exist, the code official is authorized to require additional *construction documents* to be prepared by a *registered design professional*. *Construction documents* shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this

code. *Construction documents* for buildings more than two stories in height shall indicate where penetrations will be made for mechanical systems, and the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.

**Exception:** The code official shall have the authority to waive the submission of *construction documents*, calculations or other data if the nature of the work applied for is such that reviewing of *construction documents* is not necessary to determine compliance with this code.

#### 2018 International Fuel Gas Code

[A] 106.3.1 Construction documents. *Construction documents*, engineering calculations, diagrams and other data shall be submitted in two or more sets, or in a digital format where allowed by the building official, with each application for a permit. The code official shall require *construction documents*, computations and specifications to be prepared and designed by a registered design professional where required by state law. *Construction documents* shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. *Construction documents* for buildings more than two stories in height shall indicate where penetrations will be made for installations and shall indicate the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.

**Exception:** The code official shall have the authority to waive the submission of *construction documents*, calculations or other data if the nature of the work applied for is such that reviewing of *construction documents* is not necessary to determine compliance with this code.



## Code Change No: ADM46-19 Part I

### Original Proposal

Section(s): IBC: [A] 107.1; IFC: [A] 105.4.2; IEBC: [A] 106.1; IPC: [A] 106.3.1; IMC: [A] 106.3.1; IFGC: [A] 106.3.1; ISPSC: [A] 105.3; IPSDC: [A] 106.2.1; IWUIC: [A] 108.1

**Proponent:** Micah Chappell, representing Department of Construction and Inspections  
(micah.chappell@seattle.gov)

**THIS IS A 4 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART IV WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

#### 2018 International Building Code

**[A] 107.1 General.** Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical report and other data shall be submitted in two or more sets, or in a digital format where allowed by the building official, with each *permit* application. The *construction documents* shall be prepared by a *registered design professional* where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a *registered design professional*.

**Exception:** The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a *registered design professional* if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

#### 2018 International Fire Code

**[A] 105.4.2 Information on construction documents.** *Construction documents* shall be drawn to scale on suitable material. ~~Electronic media documents~~ Documents in a digital format are allowed to be submitted where *approved* by the *fire code official*. *Construction documents* shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations as determined by the *fire code official*.

#### 2018 International Existing Building Code

**[A] 106.1 General.** Submittal documents consisting of construction documents, special inspection and structural observation programs, investigation and evaluation reports, and other data shall be submitted in two or more sets, or in a digital format where allowed by the building official, with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *code official* is authorized to require additional construction documents to be prepared by a registered design professional.

**Exception:** The *code official* is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature

of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

#### 2018 International Plumbing Code

**[A] 106.3.1 Construction documents.** Construction documents, engineering calculations, diagrams and other such data shall be submitted in two or more sets, or in a digital format where allowed by the building official, with each application for a permit. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional where required by state law. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. Construction documents for buildings more than two stories in height shall indicate where penetrations will be made for pipes, fittings and components and shall indicate the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.

**Exception:** The code official shall have the authority to waive the submission of construction documents, calculations or other data if the nature of the work applied for is such that reviewing of construction documents is not necessary to determine compliance with this code.

#### 2018 International Mechanical Code

**[A] 106.3.1 Construction documents.** *Construction documents*, engineering calculations, diagrams and other data shall be submitted in two or more sets, or in a digital format where allowed by the building official, with each application for a permit. The code official shall require *construction documents*, computations and specifications to be prepared and designed by a *registered design professional* where required by state law. Where special conditions exist, the code official is authorized to require additional *construction documents* to be prepared by a *registered design professional*. *Construction documents* shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. *Construction documents* for buildings more than two stories in height shall indicate where penetrations will be made for mechanical systems, and the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.

**Exception:** The code official shall have the authority to waive the submission of *construction documents*, calculations or other data if the nature of the work applied for is such that reviewing of *construction documents* is not necessary to determine compliance with this code.

#### 2018 International Fuel Gas Code

**[A] 106.3.1 Construction documents.** *Construction documents*, engineering calculations, diagrams and other data shall be submitted in two or more sets, or in a digital format where allowed by the building official, with each application for a permit. The code official shall require *construction documents*, computations and specifications to be prepared and designed by a registered design professional where required by state law. *Construction documents* shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. *Construction documents* for buildings more than two stories in height shall indicate where penetrations will be made for installations and shall indicate the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.

**Exception:** The code official shall have the authority to waive the submission of *construction documents*, calculations or other data if the nature of the work applied for is such that reviewing of *construction documents* is not necessary to determine compliance with this code.

**2018 International Swimming Pool and Spa Code**

**[A] 105.3 Construction documents.** Construction documents, engineering calculations, diagrams and other such data shall be submitted in two or more sets, or in a digital format where allowed by the building official, with each application for a permit. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional where required by state law. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code.

**2018 International Private Sewage Disposal Code**

**[A] 106.2.1 Construction documents.** An application for a permit shall be accompanied by not less than two copies of construction documents drawn to scale, or in a digital format where allowed by the building official, with sufficient clarity and detail dimensions showing the nature and character of the work to be performed. Specifications shall include pumps and controls, dose volume, elevation differences (vertical lift), pipe friction loss, pump performance curve, pump model and pump manufacturer. The code official is permitted to waive the requirements for filing construction documents where the work involved is of a minor nature. Where the quality of the materials is essential for conformity to this code, specific information shall be given to establish such quality, and this code shall not be cited, or the term "legal" or its equivalent used as a substitute for specific information.

**2018 International Wildland-Urban Interface Code**

**[A] 108.1 General.** Plans, engineering calculations, diagrams and other data shall be submitted in not fewer than two sets, or in a digital format where allowed by the building official, with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the code official is authorized to require additional documents to be prepared by a registered design professional.

**Exception:** Submission of plans, calculations, construction inspection requirements and other data, if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

**Reason:** Other than the IFC, there is nothing in the administrative sections of the codes allowing digital formats of construction document sets. Most building departments in the country accept digital applications, plans and other submittal documents. This should be recognized in the text of the codes.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. This only clarifies that the building official can accept digital documents. There is no increase in cost to anyone.

<b>Report of Committee Action Hearings</b>
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**Committee Action:****Approved as Submitted**

**Committee Reason:** The committee stated that the reason for the approval of the proposal was that the language addition updates the section for the current use of technology and provides the option of allowing the submission of documents in digital format. (Vote: 12-1)

**Assembly Action:****None**

<b>Final Action</b>
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**ADM46-19 Part I****AS**



<b>Date Submitted</b> 2/19/2021	<b>Section 101</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

Majority of the code sections as referenced in the code change are marked reserved under the 2020 FBC-Plumbing, Mechanical, Fuel Gas and Energy.

**Summary of Modification**

This proposal re-orders the sections in Part 2 to be consistent with the order currently in the IBC, IEBC, IRC, and IBC

**Rationale**

Please see attachment

Please see attachment

## CCC-ADM3-19

IFC®: SECTION 101, SECTION 102, SECTION 103, SECTION 104, SECTION 105, SECTION 106, SECTION 107, SECTION 108, SECTION 113, SECTION 109, SECTION 110, SECTION 112, SECTION 111; IPC®: SECTION 101, SECTION 102, SECTION 103, SECTION 104, SECTION 105, SECTION 106, SECTION 110, SECTION 107, SECTION 109, SECTION 108; IMC®: SECTION 101, SECTION 102, SECTION 103, SECTION 104, SECTION 105, SECTION 106, SECTION 110, SECTION 107, SECTION 109, SECTION 108; IPSDC®: SECTION 101, SECTION 102, SECTION 103, SECTION 104, SECTION 105, SECTION 106, SECTION 110, SECTION 107, SECTION 109, SECTION 108; IFGC®: SECTION 101 (IFGC), SECTION 102 (IFGC), SECTION 103 (IFGC), SECTION 104 (IFGC), SECTION 105 (IFGC), SECTION 106 (IFGC), SECTION 110 (IFGC), SECTION 107 (IFGC), SECTION 109 (IFGC), SECTION 108 (IFGC); ISPSC®: SECTION 101, SECTION 102, SECTION 103, SECTION 104, SECTION 105, SECTION 106, SECTION 108, SECTION 107; IPMC®: SECTION 101, SECTION 102, SECTION 103, SECTION 104, SECTION 105, SECTION 111, SECTION 106, SECTION 107, SECTION 112, SECTION 108, SECTION 109, SECTION 110; IWUC®: SECTION 101, SECTION 102, SECTION 103, SECTION 104, SECTION 105, SECTION 107, SECTION 108, SECTION 112, SECTION 109, SECTION 110, SECTION 111, SECTION 113, SECTION 106, SECTION 114; IZC®: SECTION 101, SECTION 102, SECTION 103, SECTION 104, SECTION 105, SECTION 110, SECTION 111, SECTION 106, SECTION 107, SECTION 108, SECTION 109; IECC: SECTION C101, SECTION C102, SECTION C103, SECTION C104, SECTION C105, SECTION C106, SECTION C107, SECTION C109, SECTION C108, SECTION R101, SECTION R102, SECTION R103, SECTION R104, SECTION R105, SECTION R106, SECTION R107, SECTION R109, SECTION R108; IGCC®: SECTION 101, SECTION 102, SECTION 103, SECTION 105, SECTION 106, SECTION 104, SECTION 107, SECTION 109, SECTION 108

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

## 2018 International Fire Code

Revise as follows:

### SECTION 101 SCOPE AND GENERAL REQUIREMENTS

### SECTION 102 APPLICABILITY

### SECTION 103 DEPARTMENT OF FIRE PREVENTION

### SECTION 104 GENERAL AUTHORITY AND RESPONSIBILITIES

### SECTION 105 PERMITS

### SECTION 106 FEES

### SECTION 107 INSPECTIONS

### SECTION 108 MAINTENANCE

### SECTION ~~109~~ 109 SERVICE UTILITIES

### SECTION ~~109~~ 110 BOARD OF APPEALS

### SECTION ~~110~~ 111 VIOLATIONS

### SECTION 112 STOP WORK ORDER

**SECTION ~~44~~ 113**  
**UNSAFE BUILDINGS**

**2018 International Plumbing Code**

**SECTION 101**  
**GENERAL**

**SECTION 102**  
**APPLICABILITY**

**SECTION 103**  
**DEPARTMENT OF PLUMBING INSPECTION**

**SECTION 104**  
**DUTIES AND POWERS OF THE CODE OFFICIAL**

**SECTION 105**  
**APPROVAL**

**SECTION 106**  
**PERMITS**

**SECTION ~~44~~ 107**  
**TEMPORARY EQUIPMENT, SYSTEMS AND USES**

**SECTION ~~47~~ 108**  
**INSPECTIONS AND TESTING**

**SECTION 109**  
**MEANS OF APPEAL**

**SECTION ~~48~~ 110**  
**VIOLATIONS**

**2018 International Mechanical Code**

**SECTION 101**  
**GENERAL**

**SECTION 102**  
**APPLICABILITY**

**SECTION 103**  
**DEPARTMENT OF MECHANICAL INSPECTION**

**SECTION 104**  
**DUTIES AND POWERS OF THE CODE OFFICIAL**

**SECTION 105**  
**APPROVAL**

**SECTION 106**  
**PERMITS**

**SECTION ~~44~~ 107**  
**TEMPORARY EQUIPMENT, SYSTEMS AND USES**

**SECTION ~~47~~ 108**

**INSPECTIONS AND TESTING****SECTION 109  
MEANS OF APPEAL****SECTION ~~408~~ 110  
VIOLATIONS****2018 International Private Sewage Disposal Code****SECTION 101  
GENERAL****SECTION 102  
APPLICABILITY****SECTION 103  
DEPARTMENT OF PRIVATE SEWAGE DISPOSAL INSPECTION****SECTION 104  
DUTIES AND POWERS OF THE CODE OFFICIAL****SECTION 105  
APPROVAL****SECTION 106  
PERMITS****SECTION ~~440~~ 107  
TEMPORARY EQUIPMENT, SYSTEMS AND USES****SECTION ~~407~~ 108  
INSPECTIONS****SECTION 109  
MEANS OF APPEAL****SECTION ~~408~~ 110  
VIOLATIONS****2018 International Fuel Gas Code****SECTION 101 (IFGC)  
GENERAL****SECTION 102 (IFGC)  
APPLICABILITY****SECTION 103 (IFGC)  
DEPARTMENT OF INSPECTION****SECTION 104 (IFGC)  
DUTIES AND POWERS OF THE CODE OFFICIAL****SECTION 105 (IFGC)  
APPROVAL****SECTION 106 (IFGC)  
PERMITS**

~~SECTION 440-107~~ (IFGC)  
TEMPORARY EQUIPMENT, SYSTEMS AND USES

~~SECTION 407-108~~ (IFGC)  
INSPECTIONS AND TESTING

SECTION 109 (IFGC)  
MEANS OF APPEAL

~~SECTION 408-110~~ (IFGC)  
VIOLATIONS

**2018 International Swimming Pool and Spa Code**

SECTION 101  
GENERAL

SECTION 102  
APPLICABILITY

SECTION 103  
DEPARTMENT OF BUILDING SAFETY

SECTION 104  
DUTIES AND POWERS OF THE CODE OFFICIAL

SECTION 105  
PERMITS

SECTION 106  
INSPECTIONS

~~SECTION 408-107~~  
MEANS OF APPEAL

~~SECTION 407-108~~  
VIOLATIONS

**2018 International Property Maintenance Code**

SECTION 101  
GENERAL

SECTION 102  
APPLICABILITY

SECTION 103  
DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION

SECTION 104  
DUTIES AND POWERS OF THE CODE OFFICIAL

SECTION 105  
APPROVAL

~~SECTION 444-106~~  
MEANS OF APPEAL

~~SECTION 406-107~~

**VIOLATIONS****SECTION ~~407~~ 108  
NOTICES AND ORDERS****SECTION ~~442~~ 109  
STOP WORK ORDER****SECTION ~~408~~ 110  
UNSAFE STRUCTURES AND EQUIPMENT****SECTION ~~409~~ 111  
EMERGENCY MEASURES****SECTION ~~440~~ 112  
DEMOLITION****2018 International Wildland-Urban Interface Code****SECTION 101  
SCOPE AND GENERAL REQUIREMENTS****SECTION 102  
APPLICABILITY****SECTION 103  
ENFORCEMENT AGENCY****SECTION 104  
AUTHORITY OF THE CODE OFFICIAL****SECTION 105  
COMPLIANCE ALTERNATIVES****SECTION ~~407~~ 106  
PERMITS****SECTION ~~408~~ 107  
PLANS AND SPECIFICATIONS****SECTION ~~442~~ 108  
TEMPORARY STRUCTURES AND USES****SECTION 109  
FEES****SECTION 110  
INSPECTION AND ENFORCEMENT****SECTION 111  
CERTIFICATE OF COMPLETION****SECTION ~~443~~ 112  
SERVICE UTILITIES****SECTION ~~406~~ 113  
APPEALS****SECTION 114**

**STOP WORK ORDER****2018 International Zoning Code****SECTION 101  
GENERAL****SECTION 102  
EXISTING BUILDINGS AND USES****SECTION 103  
PLANNING COMMISSION****SECTION 104  
DUTIES AND POWERS OF THE ZONING CODE OFFICIAL****SECTION 105  
COMPLIANCE WITH THE CODE****SECTION ~~44~~ 106  
PERMITS AND APPROVALS****SECTION ~~44~~ 107  
FEES****SECTION ~~46~~ 108  
BOARD OF ADJUSTMENT****SECTION ~~47~~ 109  
HEARING EXAMINER****SECTION ~~48~~ 110  
HEARINGS, APPEALS AND AMENDMENTS****SECTION ~~49~~ 111  
VIOLATIONS****2018 International Energy Conservation Code****SECTION C101  
SCOPE AND GENERAL REQUIREMENTS****SECTION C102  
ALTERNATIVE MATERIALS, DESIGN AND METHODS OF CONSTRUCTION AND EQUIPMENT****SECTION C103  
CONSTRUCTION DOCUMENTS****SECTION C104  
FEES****SECTION C105  
INSPECTIONS****SECTION C106  
VALIDITY****SECTION C107  
REFERENCED STANDARDS**



~~SECTION C400~~ C108  
BOARD OF APPEALS

~~SECTION C400~~ C109  
STOP WORK ORDER

SECTION R101  
SCOPE AND GENERAL REQUIREMENTS

SECTION R102  
ALTERNATIVE MATERIALS, DESIGN AND METHODS OF CONSTRUCTION AND EQUIPMENT

SECTION R103  
CONSTRUCTION DOCUMENTS

SECTION R104  
FEES

SECTION R105  
INSPECTIONS

SECTION R106  
VALIDITY

SECTION R107  
REFERENCED STANDARDS

~~SECTION R400~~ R108  
BOARD OF APPEALS

~~SECTION R400~~ R109  
STOP WORK ORDER

## 2018 International Green Construction Code

SECTION 101  
GENERAL

SECTION 102  
APPLICABILITY

SECTION 103  
DUTIES AND POWERS OF THE AUTHORITY HAVING JURISDICTION

~~SECTION 405~~ 104  
APPROVAL

~~SECTION 406~~ 105  
PERMITS

~~SECTION 404~~ 106  
CONSTRUCTION DOCUMENTS

SECTION 107  
INSPECTIONS

~~SECTION 409~~ 108  
CERTIFICATE OF OCCUPANCY

## SECTION ~~408~~ 109 BOARD OF APPEALS

**Reason:** This proposal re-orders the sections in Part 2 to be consistent with the order currently in the IBC, IEBC and IRC IBC

- 101 General
- 102 Application
- 103 Department of Building Safety
- 104 Duties and Powers of Building Official
- 105 Permits
- (IBC only) 106 Floor and Roof Design Loads
- 107 Submittal Documents
- 108 Temporary Structures and Uses
- 109 Fees
- 110 Inspections
- 111 Certificate of Occupancy
- 112 Service Utilities
- 113 Board of Appeals
- 114 Violations
- 115 Stop Work Order
- 116 Unsafe Structures and Equipment

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC) and the ICC Plumbing/Mechanical/Gas Code Action Committee (PMG CAC)

The 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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-actioncommittee-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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at: <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx> (<http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>)

The PMG CAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG CAC. In 2017-2018, the PMG CAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac/>

**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.

Proposal #4047

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CCC-ADM3-19

<b>Date Submitted</b> 2/19/2021	<b>Section</b> 1704.2.1	<b>Proponent</b> Mo Madani
<b>Chapter</b> 17	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

Section 1704 is marked reserved under the 2020 FBC-B.

**Summary of Modification**

Clarifies there can be more than one approved agency on a project

**Rationale**

Several agencies and special inspectors may be responsible for providing quality assurance on a project. There is a misperception among some engineers that if they provide special inspections for one particular scope of work, that they must provide special inspections for all scopes of work because they would be recognized as “the” approved agency per section 1704.2.1. This proposal clarifies that there can be more than one approved agency on a project.

Please see attachment

# CCC-IBC1-19

IBC®: 1704.2.1

**Proponent:** Gregory Robinson, representing National Council of Structural Engineers Associations (NCSEA) (grobinson@lbyd.com)

## 2018 International Building Code

**Revise as follows:**

**1704.2.1 Special inspector qualifications.** Prior to the start of the construction, the *approved agencies* shall provide written documentation to the *building official* demonstrating the competence and relevant experience or training of the *special inspectors* who will perform the *special inspections* and tests during construction. Experience or training shall be considered to be relevant where the documented experience or training is related in complexity to the same type of *special inspection* or testing activities for projects of similar complexity and material qualities. These qualifications are in addition to qualifications specified in other sections of this code.

The *registered design professional in responsible charge* and engineers of record involved in the design of the project are permitted to act as ~~the~~ an *approved agency* and their personnel are permitted to act as special inspectors for the work designed by them, provided they qualify as special inspectors.

**Reason:** Several agencies and special inspectors may be responsible for providing quality assurance on a project. There is a misperception among some engineers that if they provide special inspections for one particular scope of work, that they must provide special inspections for all scopes of work because they would be recognized as "the" approved agency per section 1704.2.1. This proposal clarifies that there can be more than one approved agency on a project.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction  
This is a clarification only. No change in cost of work.

Proposal #4383

CCC-IBC1-19

## Sub Code: Energy Conservation

### CA9101/ADM40-19 Part I

32

**Date Submitted** 2/17/2021  
**Chapter** 1

**Section** 109  
**Affects HVHZ** Yes

**Proponent** Mo Madani  
**Attachments** Yes

**TAC Recommendation** Denied – Consent  
**Commission Action** Pending Review

**Staff Classification** Overlap

#### Comments

**General Comments** No

#### **Related Modifications**

IECC: SECTION R109, R109.1, R109.2, R109.3, R109.4

These sections are marked reserved under the 2020 FBC-EC.

#### **Summary of Modification**

Revises the section to establish consistent language throughout the code.

#### **Rationale**

Please see attached file

Approved as submitted (AS)

Revise as follows:

**SECTION R109  
BOARD MEANS OF APPEALS**

**R109.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The ~~code official~~ shall be an ex-officio member of said board but shall not have a vote on any matter before the board. The board of appeals shall be appointed by the applicable governing body authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the code official.

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

**R109.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.

Revise as follows:

**R109.4 Administration.** The code official shall take immediate action in accordance with the decision of the board.



## Code Change No: ADM40-19 Part I

### Original Proposal

Section(s): IBC: SECTION 113, [A] 113.1, [A] 113.2, [A] 113.3, 113.4 (New); IEBC: SECTION 112, [A] 112.1, [A] 112.2, [A] 112.3, 113.4 (New); IFC: SECTION 109, [A] 109.1, [A] 109.2, [A] 109.3, 109.4 (New); IWUIC: SECTION 106, [A] 106.1, [A] 106.2, 106.3 (New), 106.4; IPC: SECTION 109, 109.1 (New), 109.2, 109.3, 109.4, SECTION 110, 110.1; IMC: SECTION 109, 109.1 (New), [A] 109.2, [A] 109.1.1, 109.3 (New), 109.4, SECTION 110, [A] 110.1; IFGC: SECTION 109 (IFGC), 109.1, [A] 109.2, 109.3, 109.4, SECTION 110, [A] 110.1; ISPC: SECTION 108, 108.1, [A] 108.2, 108.3, 108.4, SECTION 109, [A] 109.1; IPMC: SECTION 111, 111.1, [A] 111.2, 111.3, 111.4, [A] 111.5, SECTION 112, [A] 112.1; IPSDC: SECTION 109, 109.1, [A] 109.2, 109.3, 109.4, SECTION 110, [A] 110.1

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

**THIS IS A 5 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART IV WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. PART V WILL BE HEARD BY THE IgCC CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

2018 International Building Code

Revise as follows:

### SECTION 113 BOARD MEANS OF APPEALS

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

**[A] 113.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good 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 and are not employees of the jurisdiction.

Add new text as follows:

**113.4 Administration.** The building official shall take immediate action in accordance with the decision of the board.

## 2018 International Existing Building Code

Revise as follows:

**SECTION 112  
BOARD 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 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.

**[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 equally good 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 and are not employees of the jurisdiction.

Add new text as follows:

**113.4 Administration.** The code official shall take immediate action in accordance with the decision of the board.

## 2018 International Fire Code

Revise as follows:

**SECTION 109  
BOARD MEANS OF APPEALS**

**[A] 109.1 Board of appeals established.** 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 body authority and shall hold office at its pleasure. ~~The fire code official shall be an ex officio member of said board but shall not have a vote on any matter before the board.~~ The board 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] 109.2 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 ~~hereunder~~ thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent ~~method of protection or safety~~ 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] 109.3 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*, and are not employees of the jurisdiction.

Add new text as follows:

**109.4 Administration.** The fire code official shall take immediate action in accordance with the decision of the board.

2018 International Wildland-Urban Interface Code

Revise as follows:

#### **SECTION 106 MEANS OF APPEALS**

**[A] 106.1 General.** ~~To determine the suitability of alternative materials and methods and to provide for reasonable interpretations of the provisions~~ 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 is created a board of appeals consisting of five members who are qualified by experience and training to pass judgment on pertinent matters. The code official, ~~building official~~ and fire chief shall be ex officio members, and the code official shall act as secretary of the board. ~~The appeals.~~ The board of appeals shall be appointed by the legislative body applicable governing authority and shall hold office at ~~their discretion, its pleasure.~~ The board shall adopt reasonable rules and regulations of procedure for conducting its investigations business and shall render all decisions and findings in writing to the ~~code official, appellant~~ with a duplicate copy to the ~~applicant code official.~~

**[A] 106.2 Limitations of authority.** ~~The board of appeals shall not have authority relative to interpretation of the administrative provisions of this code and~~ 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.

Add new text as follows:

**106.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.

Revise as follows:

**106.4 Administration.** The code official shall take immediate action in accordance with the decision of the board.

2018 International Plumbing Code

Revise as follows:

#### **SECTION 109 MEANS OF APPEAL APPEALS**

Add new text as follows:

**109.1 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:

**109.1109.2 Application for appeal. Limitations on authority.** Any person shall have the right to appeal a decision of the code official to the board of appeals. 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 application shall be filed on a form obtained from the code official within 20 days after the notice was served. board shall not have authority to waive requirements of this code or interpret the administration of this code.

**109.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.

**109.4 Administration.** The code official shall take immediate action in accordance with the decision of the board.

### **SECTION 110 BOARD OF APPEALS**

**109.2110.1 Membership of board.** The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years, one for 4 years, one for 3 years, one for 2 years and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.

**2018 International Mechanical Code**

Revise as follows:

### **SECTION 109 MEANS OF APPEAL APPEALS**

Add new text as follows:

**109.1 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] 109.4109.2 Application for appeal. Limitations on authority.** A person shall have the right to appeal a decision of the code official to the board of appeals. 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 application shall be filed on a form obtained from the code official within 20 days after the notice was served. board shall not have authority to waive requirements of this code or interpret the administration of this code.

Delete without substitution:

**[A] 109.1.1 Limitation of authority.** The board of appeals shall not have authority relative to interpretation of the administration of this code nor shall such board be empowered to waive requirements of this code.

Add new text as follows:

**109.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.

Revise as follows:

**109.4 Administration** The code official shall take immediate action in accordance with the decision of the board.

#### **SECTION 110 BOARD OF APPEALS**

**[A] 400.2 110.1 Membership of board.** The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years; and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.

#### **2018 International Fuel Gas Code**

Revise as follows:

#### **SECTION 109 (IFGC) MEANS OF APPEAL**

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

**[A] 400.4 109.2 Application for appeal. Limitations on authority.** A person shall have the right to appeal a decision of the code official to the board of appeals. 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 application shall be filed on a form obtained from the code official within 20 days after the notice was served. board shall not have authority to waive requirements of this code or interpret the administration of this code.

**109.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.

**109.4 Administration.** The code official shall take immediate action in accordance with the decision of the board.

#### **SECTION 110 BOARD OF APPEALS**

**[A] 400.2 110.1 Membership of board.** The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.

## 2018 International Swimming Pool and Spa Code

Revise as follows:

### SECTION 108 MEANS OF APPEAL

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

**[A] 108.1 108.2 Application for appeal. Limitations on authority.** Any person shall have the right to appeal a decision of the code official to the board of appeals. 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 application shall be filed on a form obtained from the code official within 20 days after the notice was served. board shall not have authority to waive requirements of this code or interpret the administration of this code.

**108.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.

**108.4 Administration.** The code official shall take immediate action in accordance with the decision of the board.

### SECTION 109 BOARD OF APPEALS

**[A] 408.2 109.1 Membership of board.** The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years, one for 4 years, one for 3 years, one for 2 years and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.

## 2018 International Property Maintenance Code

Revise as follows:

### SECTION 111 MEANS OF APPEAL

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

**[A] 411.1 111.2 Application for appeal. Limitations on authority.** Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. 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 the or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code are adequately satisfied by other means, 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 and are not employees of the jurisdiction.

**111.4 Administration.** The code official shall take immediate action in accordance with the decision of the board.

**[A] 111.5 Stays of enforcement.** Appeals of notice and orders (other than *Imminent Danger* notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

## **SECTION 112 BOARD OF APPEALS**

**[A] 112.1 Membership of board.** The board of appeals shall consist of not less than three members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The *code official* shall be an ex-officio member but shall not vote on any matter before the board. The board shall be appointed by the chief appointing authority and shall serve staggered and overlapping terms.

### **2018 International Private Sewage Disposal Code**

Revise as follows:

## **SECTION 109 MEANS OF APPEAL**

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

**[A] 109.2 Application for appeal. Limitations on authority.** Any person shall have the right to appeal a decision of the code official to the board of appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has 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 application shall be filed on a form obtained from the code official within 20 days after the notice was served. board shall not have authority to waive requirements of this code or interpret the administration of this code.

**109.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.

**109.4 Administration.** The code official shall take immediate action in accordance with the decision of the board.

## **SECTION 110 BOARDS OF APPEALS**

**[A] 110.1 Membership of board.** The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years, one for 4 years, one for 3 years, one for 2 years and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.

**Reason:** The intent is to establish consistent language for the means of appeal throughout the code. The constitution of the board of appeals will be addressed in another change. There is some slight difference in the fire code in the section on limitations on authority and qualification where some differences given the scope of the code are appropriate to remain. The IPMC includes an additional section for stays of enforcement.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as "building/fire/code official".

### SECTION 113 MEANS OF APPEALS

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

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

**[A] 113.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training 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.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC) and the 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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>.

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at: <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

The PMGCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMGCAC. In 2017-2018, the PMGCAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac/>.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. This is an editorial proposal with no change to construction requirements.

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee stated that the reason for approval was based on the improvement of the language to correlate all the I-Codes. (Vote: 12-0)

**Assembly Action:**

**None**



Final Action

ADM40-19 Part I AS

<b>Date Submitted</b> 2/17/2021	<b>Section 108</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

IECC: SECTION 108, 108.1, 108.2, 108.3, 108.4 (New)

These sections are marked reserved under the 2020 FBC-EC.

**Summary of Modification**

Revises the section to establish consistent language for the means of appeal throughout the code.

**Rationale**

Please see attached file (AS)

Approved as submitted (AS)

Revise as follows:

**SECTION 108  
BOARD MEANS OF APPEALS**

**108.1 General.** Appeals 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 made to a Board of Appeals as determined by the 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.

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

**108.3 Qualifications.** The members of the board of appeals related to interpretation of this code shall be shall consist of members who are qualified by experience and training in the matters covered by this code and shall not be to pass on matters pertaining to building construction and are not employees of the jurisdiction.

Add new text as follows:

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

## Code Change No: ADM40-19 Part V

### Original Proposal

**Section(s):** IGCC: SECTION 108, 108.1, 108.2, 108.3, 108.4 (New)

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgcac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

**THIS IS A 5 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART IV WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. PART V WILL BE HEARD BY THE IGCC CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

**2018 International Energy Conservation Code**

**Revise as follows:**

### **SECTION 108 BOARD MEANS OF APPEALS**

**108.1 General. Appeals** 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 made to a Board of Appeals as determined by the 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.

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

**108.3 Qualifications.** The members of the board of appeals related to interpretation of this code shall be shall consist of members who are qualified by experience and training in the matters covered by this code and shall not be to pass on matters pertaining to building construction and are not employees of the jurisdiction.

**Add new text as follows:**

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

**Reason:** The intent is to establish consistent language for the means of appeal throughout the code. The constitution of the board of appeals will be addressed in another change. There is some slight difference in the fire code in the section on limitations on authority and qualification where some differences given the scope of the code are appropriate to remain. The IPMC includes on additional section for stays of enforcement.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as “building/fire/code official”.

#### SECTION 113 MEANS OF APPEALS

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

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

**[A] 113.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training 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.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC) and the ICC Plumbing/Mechanical/Gas Code Action Committee (PMG CAC).

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-actioncommittee-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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>.

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at: <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

The PMG CAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG CAC. In 2017-2018, the PMG CAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac>.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction  
This is an editorial proposal with no change to construction requirements.

#### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** This proposal brings consistency to the IgCC with regards to the appeals process as it is addressed in other codes. (Vote: 5-0)

**Assembly Action:**

**None**

#### Final Action

ADM40-19 Part V

AS

## Sub Code: Existing Building

CA9020/ADM8-19

34

**Date Submitted** 2/16/2021  
**Chapter** 1

**Section** 101.2.1  
**Affects HVHZ** Yes

**Proponent** Mo Madani  
**Attachments** Yes

**TAC Recommendation** Denied – Consent  
**Commission Action** Pending Review

**Staff Classification** Overlap

### Comments

**General Comments** No

### Related Modifications

101.2.1(New)

The IFC is not part of the FBC.

### Summary of Modification

Adds new section "Application of Fire Code"

### Rationale

The ICC family of codes have a conflict between the IEBC and the IFC. Chapter 11 of the IFC establishes the minimum level for all existing buildings and these requirements shall apply prior to the IEBC requirements.

Approved as Modified (AM)

Original MOD

**Add new text as follows:**

**101.2.1 Application of fire code. The construction requirements for existing buildings in Chapter 11 of the International Fire Code shall be applied prior to the provisions of this code.**

**Committee Action:**

**Approved as Modified**

Modify proposal as follows:

101.2.1 Application of fire code. ~~Where work regulated by this code is also regulated by the~~ construction requirements for existing buildings in Chapter 11 of the *International Fire Code* shall be applied prior to the provisions of this code such work shall comply with applicable requirements in both codes.

## Code Change No: ADM8-19

### Original Proposal

**Section(s):** IEBC: 101.2.1 (New)

**Proponents:** Anthony Apfelbeck, representing City of Altamonte Springs (ACApfelbeck@altamonte.org)

**2018 International Existing Building Code**

**Add new text as follows:**

**101.2.1 Application of fire code.** The construction requirements for existing buildings in Chapter 11 of the *International Fire Code* shall be applied prior to the provisions of this code.

**Reason:** The ICC family of codes have a conflict between the IEBC and the IFC. Chapter 11 of the IFC establishes the minimum level for all existing buildings and these requirements shall apply prior to the IEBC requirements.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. Clarifies the existing intent of the code. Provides no impact to cost over the existing provisions.

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Modified**

**Modify proposal as follows:**

**101.2.1 Application of fire code.** ~~Where work regulated by this code is also regulated by the construction requirements for existing buildings in Chapter 11 of the *International Fire Code* shall be applied prior to the provisions of this code, such work shall comply with applicable requirements in both codes.~~

**Committee Reason:** The committee stated that the modification meets the needs of the fire code official and helps designers know the requirements. Additionally, it provides a holistic approach to the codes with specific language that prevents conflicts. (Vote: 12-1)

**Assembly Action:**

**None**

### Final Action

**ADM8-19**

**AM**



<b>Date Submitted</b> 2/16/2021	<b>Section</b> 104.2.1	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

IEBC: [A] 104.2.1, [A] 109.3.3; IBC: [A] 104.2.1, [A] 110.3.3

These sections are reserved under the 2020 FBC.

**Summary of Modification**

Revises the section for consistency with phrasing used throughout

**Rationale**

This proposal could be considered editorial because it makes these two sections consistent with other sections in the IEBC that reference both the IBC and IRC, "as applicable."

It is appropriate to reference the IRC in these sections because existing dwellings are subject to the IEBC. When existing dwellings are required to be brought into compliance with the flood resistant construction requirements (substantial improvement or substantial damage), the IEBC refers to IRC Section R322 for those requirements (see sections 404.3, 405.2.5, 502.3, 503.2, 507.3, 701.3, 1103.3, 1201.4, 1301.3.3 and 1402.6).

Approved as Submitted (AS)

**Revise as follows:**

[A] 104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas. For applications for reconstruction, rehabilitation, repair, *alteration*, *addition* or other improvement of *existing buildings* or structures located in *flood hazard areas*, the building official shall determine where the proposed work constitutes *substantial improvement* or repair of *substantial damage*. Where the building official determines that the proposed work constitutes *substantial improvement* or repair of *substantial damage*, and where required by this code, the building official shall require the building to meet the requirements of Section 1612 of the *International Building Code* or Section R322 of the *International Residential Code*, as applicable.

[A] 109.3.3 Lowest floor elevation. For *additions* and *substantial improvements* to *existing buildings* in *flood hazard areas*, on placement of the lowest floor, including basement, and prior to further vertical construction, the elevation documentation required in the *International Building Code* or *International Residential Code*, as applicable, shall be submitted to the *code official*.

**2018 International Building Code**

[A] 104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas. For applications for reconstruction, rehabilitation, *repair*, *alteration*, *addition* or other improvement of existing buildings or structures located in *flood hazard areas*, the *building official* shall determine if the proposed work constitutes substantial improvement or *repair of substantial damage*. Where the *building official* determines that the proposed work constitutes *substantial improvement* or *repair of substantial damage*, and where required by this code, the *building official* shall require the building to meet the requirements of Section 1612 or Section R322 of the *International Residential Code*, as applicable.

[A] 110.3.3 Lowest floor elevation. In *flood hazard areas*, upon placement of the lowest floor, including the *basement*, and prior to further vertical construction, the elevation certification required in Section 1612.4 or *International Residential Code*, as applicable, shall be submitted to the *building official*.

## Code Change No: ADM18-19

### Original Proposal

**Section(s):** IEBC: [A] 104.2.1, [A] 109.3.3; IBC: [A] 104.2.1, [A] 110.3.3

**Proponent:** Gregory Wilson, representing Federal Emergency Management Agency (gregory.wilson2@fema.dhs.gov); Rebecca Quinn, RCQuinn Consulting, on behalf of Federal Emergency Management Agency, representing Federal Emergency Management Agency (rcquinn@earthlink.net)

#### 2018 International Existing Building Code

Revise as follows:

**[A] 104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas.** For applications for reconstruction, rehabilitation, repair, alteration, addition or other improvement of *existing buildings* or structures located in *flood hazard areas*, the building official shall determine where the proposed work constitutes *substantial improvement* or repair of *substantial damage*. Where the building official determines that the proposed work constitutes *substantial improvement* or repair of *substantial damage*, and where required by this code, the building official shall require the building to meet the requirements of Section 1612 of the *International Building Code* or Section R322 of the *International Residential Code*, as applicable.

**[A] 109.3.3 Lowest floor elevation.** For additions and substantial improvements to existing buildings in flood hazard areas, on placement of the lowest floor, including basement, and prior to further vertical construction, the elevation documentation required in the *International Building Code* or *International Residential Code*, as applicable, shall be submitted to the code official.

#### 2018 International Building Code

**[A] 104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas.** For applications for reconstruction, rehabilitation, repair, alteration, addition or other improvement of existing buildings or structures located in *flood hazard areas*, the building official shall determine if the proposed work constitutes substantial improvement or repair of *substantial damage*. Where the building official determines that the proposed work constitutes *substantial improvement* or repair of *substantial damage*, and where required by this code, the building official shall require the building to meet the requirements of Section 1612 or Section R322 of the *International Residential Code*, as applicable.

**[A] 110.3.3 Lowest floor elevation.** In *flood hazard areas*, upon placement of the lowest floor, including the *basement*, and prior to further vertical construction, the elevation certification required in Section 1612.4 or *International Residential Code*, as applicable, shall be submitted to the building official.

**Reason:** This proposal could be considered editorial because it makes these two sections consistent with other sections in the IEBC that reference both the IBC and IRC, "as applicable."

It is appropriate to reference the IRC in these sections because existing dwellings are subject to the IEBC. When existing dwellings are required to be brought into compliance with the flood resistant construction requirements (substantial improvement or substantial damage), the IEBC refers to IRC Section R322 for those requirements (see sections 404.3, 405.2.5, 502.3, 503.2, 507.3, 701.3, 1103.3, 1201.4, 1301.3.3 and 1402.6).

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. No additional cost. The proposal references existing requirements; it makes this section consistent with phrasing used throughout to refer to compliance based on whether the IBC or IRC is applicable.

Report of Committee Action  
Hearings

Committee Action: Approved as Submitted

Committee Reason: The committee stated that the approval was based on the improvement provided by the new language that correlates the existing sections of the IBC and IEBC to the appropriate requirements in the IRC. (Vote: 13-0)

Assembly Action: None

Final Action

ADM18-19 AS

<b>Date Submitted</b> 2/16/2021	<b>Section</b> 105.7.14	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

IFC: [A] 105.7.14, 105.6.22

These are noted reserved under the 2020 FBC-EB.

**Summary of Modification**

Revises the section to add clarity to a section that is often misinterpreted

**Rationale**

Code change F311-16 revised these two permits attempting to clarify that the 500 square feet referenced in each permit is the size of the high-piled storage area, not the size of the building. This code change adds further clarification as this is an item that is often misinterpreted.

Section 105.7.14 is revised to clarify that it is not the structure that must exceed 500 square feet, but rather the high-piled combustible storage area. So, it will now state that it is a structure with high-piled combustible occupying an area greater than 500 square feet.

The revision in Section 105.6.22 is editorial to merely correct the terminology and reference the defined term of "high-piled combustible storage."

Approved as submitted (AS)

**Revise as follows:**

[A] 105.7.14 High-piled combustible storage. A construction permit is required for the installation of or modification to a structure exceeding with more than 500 square feet (46 m<sup>2</sup>), including aisles, ~~for of~~ high-piled combustible storage. Maintenance performed in accordance with this code is not considered to be a modification and does not require a construction permit.

105.6.22 High-piled storage. An operational permit is required to use a building or portion thereof with more than 500 square feet (46 m<sup>2</sup>), including aisles, of *high-piled combustible storage*.

## Code Change No: ADM25-19

### Original Proposal

**Section(s): IFC: [A] 105.7.14, 105.6.22**

**Proponent:** Kevin Scott, representing KH Scott & Associates LLC (khscottassoc@gmail.com); Jeffrey Hugo, representing National Fire Sprinkler Association (hugo@nfsa.org)

#### 2018 International Existing Building Code

**Revise as follows:**

**[A] 105.7.14 High-piled combustible storage.** A construction permit is required for the installation of or modification to a structure exceeding with more than 500 square feet (46 m<sup>2</sup>), including aisles, ~~for~~ of high-piled combustible storage. Maintenance performed in accordance with this code is not considered to be a modification and does not require a construction permit.

**105.6.22 High-piled storage.** An operational permit is required to use a building or portion thereof with more than 500 square feet (46 m<sup>2</sup>), including aisles, *of high-piled combustible storage.*

**Reason:** Code change F311-16 revised these two permits attempting to clarify that the 500 square feet referenced in each permit is the size of the high-piled storage area, not the size of the building. This code change adds further clarification as this is an item that is often misinterpreted.

Section 105.7.14 is revised to clarify that it is not the structure that must exceed 500 square feet, but rather the high-piled combustible storage area. So, it will now state that it is a structure with high-piled combustible occupying an area greater than 500 square feet.

The revision in Section 105.6.22 is editorial to merely correct the terminology and reference the defined term of "high-piled combustible storage."

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. Clarification of code requirement, does not change application.

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee stated that the approval was based on the proponent's published reason. (Vote: 13-0)

**Assembly Action:**

**None**

### Final Action

**ADM25-19**

**AS**

<b>Date Submitted</b> 2/17/2021	<b>Section</b> 109.3.10	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

IEBC: 109.3.10 (New)

This section is reserved under the 2020 FBC-EB.

**Summary of Modification**

adds the requirements of as-built elevation documentation

**Rationale**

Submission of elevation documentation prior to the final inspection is required in both the IBC (Section 110.3.11.1) and IRC (Section R109.1.6.1). When a determination is made that work constitutes substantial improvement or that damage is substantial damage, buildings must be brought into compliance with the flood resistant construction requirements of IBC Section 1612 or IRC Section R322, as applicable. As with new construction, communities must require as-built elevation documentation, usually submitted on FEMA Elevation Certificates. Elevation Certificates with surveyed as-built elevations are required when property owners get flood insurance from the National Flood Insurance Program.



Approved as Submitted (AS)

**Add new text as follows:**

**109.3.10 Flood hazard documentation. Where a building is located in a flood hazard area, documentation of the elevation of the lowest floor as required in the *International Building Code* or the *International Residential Code*, as applicable, shall be submitted to the building official prior to the final inspection.**

## Code Change No: ADM34-19

### Original Proposal

**Section(s):** IEBC: 109.3.10 (New)

**Proponent:** Gregory Wilson, representing Federal Emergency Management Agency (gregory.wilson2@fema.dhs.gov); Rebecca Quinn, RCQuinn Consulting, on behalf of Federal Emergency Management Agency, representing Federal Emergency Management Agency (rcquinn@earthlink.net)

**2018 International Existing Building Code**

**Add new text as follows:**

**109.3.10 Flood hazard documentation.** Where a building is located in a flood hazard area, documentation of the elevation of the lowest floor as required in the *International Building Code* or the *International Residential Code*, as applicable, shall be submitted to the building official prior to the final inspection.

**Reason:** Submission of elevation documentation prior to the final inspection is required in both the IBC (Section 110.3.11.1) and IRC (Section R109.1.6.1). When a determination is made that work constitutes substantial improvement or that damage is substantial damage, buildings must be brought into compliance with the flood resistant construction requirements of IBC Section 1612 or IRC Section R322, as applicable. As with new construction, communities must require as-built elevation documentation, usually submitted on FEMA Elevation Certificates. Elevation Certificates with surveyed as-built elevations are required when property owners get flood insurance from the National Flood Insurance Program.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. The requirement is administrative, to submit documentation which is already required by communities that participate in the NFIP.

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee stated that the reason for approval was based on the proponent's reason statement. (Vote: 11-2)

**Assembly Action:**

**None**

### Final Action

**ADM34-19**

**AS**

<b>Date Submitted</b> 2/15/2021	<b>Section 202</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 2	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Correlates Directly	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

This code change is already covered by the 2020 FBC-EB.

**Summary of Modification**

Revises definition of "change of occupancy"

**Rationale**

Please add attached file

Approved as Modified (AM)

Original MOD

**Revise as follows:**

**[A] CHANGE OF OCCUPANCY.** A change in the use of a building or a portion of a building that results in any of the following:

1. A change of occupancy classification.
2. A change from one group to another group within an occupancy classification.
3. Any change in use within a group for which there is a change in application of the requirements of ~~this code~~ the International Building Code.

**Committee Action:**

**Approved as Modified**

Modify proposal as follows:

**[A] CHANGE OF OCCUPANCY.** A change in the use of a building or a portion of a building that results in any of the following:

1. A change of occupancy classification.
2. A change from one group to another group within an occupancy classification.
3. Any change in use within a group for which there is a change in application of the requirements ~~the~~ International Building Code ~~code~~ requirements.

## Code Change No: ADM1-19 Part I

### Original Proposal

**Section(s): IEBC: [A] 202**

**Proponents:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@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 IECC-COMMERCIAL CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

**2018 International Existing Building Code**

**Revise as follows:**

**[A] CHANGE OF OCCUPANCY.** A change in the use of a building or a portion of a building that results in any of the following:

1. A change of occupancy classification.
2. A change from one group to another group within an occupancy classification.
3. Any change in use within a group for which there is a change in application of the requirements of ~~this code~~ the International Building Code.

**Reason:** The IBC establishes occupancies, thus the IBC and not "this code" should be referenced for a change in use. The IEBC and IECC do not include occupancy classifications. ADM 9-16 Part 1 was a BCAC revised to this definition for consistency between codes. A floor modification changed "specific occupancy classification" to "change in application of the requirements of this code". A public comment changed this definition to a list. The question that has been raised is in the IEBC is this should reference IBC or IEBC/IECC.

This proposal is submitted by the ICC Building Code Action Committee (BCAC) and the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC).

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/codedevelopment-process/building-code-actioncommittee-bcac>.

This proposal is submitted by the ICC Building Code Action Committee (BCAC) and the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC).

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/codedevelopment-process/building-code-actioncommittee-bcac>.

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction  
This is an editorial item.

<b>Report of Committee Action Hearings</b>
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**Committee Action:****Approved as Modified****Modify proposal as follows:****[A] CHANGE OF OCCUPANCY.** A change in the use of a building or a portion of a building that results in any of the following:

1. A change of occupancy classification.
2. A change from one group to another group within an occupancy classification.
3. Any change in use within a group for which there is a change in application of the requirements of the ~~International Building Code~~ code requirements.

**Committee Reason:** The committee stated that the proposal as modified cleans up the language and makes the intent of the definition clear to industry. Additionally it was stated that it works better within the code body by capturing all the code provisions. (Vote: 13-0)

**Assembly Action:****None**

<b>Final Action</b>
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**ADM1-19 Part I****AM**

<b>Date Submitted</b> 3/15/2021	<b>Section 406</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 2901	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Correlates Directly	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

A406, [BS] A406.1

Seismic

**Summary of Modification**

This proposal revises the Chapter A4 administrative requirements to better align with IEBC Section 106 and with practices already adopted by the local building department.

**Rationale**

This proposal revises the Chapter A4 administrative requirements to better align with IEBC Section 106 and with practices already adopted by the local building department.

The reference to “engineering investigation” is removed to avoid confusion (Chapter A4 does not explicitly require any such investigation) and because the “design” should already account for existing conditions, which are required to be documented per Section A406.2.

Approved as Modified by Public Comment 1

Original Proposal:

## 2018 International Existing Building Code

Revise as follows:

### SECTION A406 INFORMATION REQUIRED TO BE ON THE PLANS CONSTRUCTION DOCUMENTS

**[BS] A406.1 General.** The plans shall show all information necessary for plan review and for construction, and shall accurately reflect the results of the engineering investigation and design, design, and shall otherwise comply with all requirements established by the code official. The plans shall contain a note that states that this retrofit was designed in compliance with the criteria of this chapter.

Modified Proposal PC1:

## 2018 International Existing Building Code

**[BS] A406.1 General.** The plans shall show all information necessary for plan review and for construction, and shall accurately reflect the results of the design, and shall otherwise comply with all requirements established by the code official. The plans shall contain a note that states that this retrofit was designed in compliance with the criteria of this chapter.

**Commenter's Reason:** The IBC-S committee approved EB164 as submitted. During testimony, however, some committee members questioned the referent of the proposed word "otherwise," some suggested that the phrase involving that word is unnecessary, and some suggested that the "otherwise" phrase is actually an important part of the proposal.

Everyone, however, agreed (as the committee's reason statement says) that the proposal is valuable for removing an improper and confusing requirement regarding whether to put engineering investigation findings on the plans (especially since IEBC Chapter A4 does not require an engineering investigation). Therefore, this comment is meant to focus on the portion that everyone agreed on, and give the ICC members a choice between the proposal as submitted and the proposal as modified by this comment.



## Code Change No: **EB164-19**

### Original Proposal

**Section(s):** SECTION A406, [BS] A406.1

**Proponent:** David Bonowitz, representing Self (dbonowitz@att.net)

**THIS CODE CHANGE WILL BE HEARD BY THE IBC STRUCTURAL COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THIS COMMITTEE.**

**2018 International Existing Building Code**

**Revise as follows:**

### SECTION A406 INFORMATION REQUIRED TO BE ON THE PLANS CONSTRUCTION DOCUMENTS

**[BS] A406.1 General.** The plans shall show all information necessary for plan review and for construction and shall accurately reflect the results of the engineering investigation and design. design, and shall otherwise comply with all requirements established by the code official. The plans shall contain a note that states that this retrofit was designed in compliance with the criteria of this chapter.

**Reason:** This proposal revises the Chapter A4 administrative requirements to better align with IEBC Section 106 and with practices already adopted by the local building department.

The reference to "engineering investigation" is removed to avoid confusion (Chapter A4 does not explicitly require any such investigation) and because the "design" should already account for existing conditions, which are required to be documented per Section A406.2.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. This proposal is consistent with Section 106 and is also consistent with local building department practices and therefore will not have an effect on cost.

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The proposal was approved based upon the proponents reason statement. Additionally, the revisions delete unnecessary requirements for field investigation notes on the drawings.  
(Vote: 11-3)

**Assembly Action:**

**None**

Public Comments
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*Public Comment 1:*

**David Bonowitz, representing Self (dbonowitz@att.net) requests As Modified by Public Comment**

**Modify as follows:**

**2018 International Existing Building Code**

**[BS] A406.1 General.** The plans shall show all information necessary for plan review and for construction, and shall accurately reflect the results of the design, and shall otherwise comply with all requirements established by the code official. The plans shall contain a note that states that this retrofit was designed in compliance with the criteria of this chapter.

**Commenter's Reason:** The IBC-S committee approved EB164 as submitted. During testimony, however, some committee members questioned the referent of the proposed word "otherwise," some suggested that the phrase involving that word is unnecessary, and some suggested that the "otherwise" phrase is actually an important part of the proposal.

Everyone, however, agreed (as the committee's reason statement says) that the proposal is valuable for removing an improper and confusing requirement regarding whether to put engineering investigation findings on the plans (especially since IEBC Chapter A4 does not require an engineering investigation). Therefore, this comment is meant to focus on the portion that everyone agreed on, and give the ICC members a choice between the proposal as submitted and the proposal as modified by this comment.

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

Final Action
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**EB164-19**

**AMPC1**

## Sub Code: Mechanical

CA9012/ADM6-19

40

Date Submitted 2/16/2021  
Chapter 1

Section 101.2  
Affects HVHZ Yes

Proponent Mo Madani  
Attachments Yes

TAC Recommendation Denied – Consent  
Commission Action Pending Review

Staff Classification Overlap

### Comments

General Comments No

### Related Modifications

Original text of the code change is not consistent with that of the 2020 FBC. IMC: [A] 101.2; and IPC: [A] 101.2 are marked reserved in the 2020 FBC.

### Summary of Modification

The intent of this proposal is coordination in the exception.

### Rationale

The intent of this proposal is coordination in the exception. This language was revised in the IBC by ADM2-13, ADM32-16 and ADM33-16.

**Approved as Submitted (AS)****Revise as follows:**

[A] 101.2 Scope. This code shall regulate the design, installation, maintenance, *alteration* and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This code shall also regulate those mechanical systems, system components, *equipment* and appliances specifically addressed herein. The installation of fuel gas distribution piping and *equipment*, fuel gas-fired appliances and fuel gas-fired *appliance* venting systems shall be regulated by the International Fuel Gas Code.

**Exception:** Detached one- and two-family dwellings and ~~multiple single-family dwellings~~ ( townhouses ) not more than three stories ~~high above grade plane in height~~ with a separate means of egress, and their accessory structures ~~not more than three stories above grade plane in height~~, shall comply with this code or the International Residential Code.

**2018 International Plumbing Code****Revise as follows:**

[A] 101.2 Scope. The provisions of this code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction. This code shall regulate nonflammable medical gas, inhalation anesthetic, vacuum piping, nonmedical oxygen systems and sanitary and condensate vacuum collection systems. The installation of fuel gas distribution piping and equipment, fuel-gas-fired water heaters and water heater venting systems shall be regulated by the International Fuel Gas Code. Provisions in the appendices shall not apply unless specifically adopted.

**Exception:** Detached one- and two-family dwellings and ~~multiple single-family dwellings~~ ( townhouses ) not more than three stories ~~high above grade plane in height~~ with a separate means of egress, and their accessory structures ~~not more than three stories above grade plane in height~~, shall comply with this code or the International Residential Code.

**2018 International Existing Building Code****Revise as follows:**

[A] 101.2 Scope. The provisions of the this code shall apply to the *repair, alteration, change of occupancy, addition to and relocation of existing buildings*.

**Exception:** Detached one- and two-family dwellings and ~~multiple single-family dwellings~~ (townhouses) not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with this code or the International Residential Code.

**2018 International Fuel Gas Code****Revise as follows:**

[A] 101.2 Scope. This code shall apply to the installation of fuel-gas *piping* systems, fuel gas appliances, gaseous hydrogen systems and related accessories in accordance with Sections 101.2.1 through 101.2.5.

**Exception:** Detached one- and two-family dwellings and multiple single-family dwellings ( townhouses ) not more than three stories high above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with this code or the International Residential Code

## Code Change No: ADM6-19

### Original Proposal

**Section(s):** IMC: [A] 101.2;  
IPC: [A] 101.2;  
IEBC: [A] 101.2;  
IFGC: [A] 101.2

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgcac@iccsafe.org)

#### 2018 International Mechanical Code

##### Revise as follows:

**[A] 101.2 Scope.** This code shall regulate the design, installation, maintenance, *alteration* and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This code shall also regulate those mechanical systems, system components, *equipment* and appliances specifically addressed herein. The installation of fuel gas distribution piping and *equipment*, fuel gas-fired appliances and fuel gas-fired *appliance* venting systems shall be regulated by the International Fuel Gas Code.

**Exception:** Detached one- and two-family dwellings and ~~multiple single family dwellings ( townhouses )~~ not more than three stories high above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with this code or the International Residential Code.

#### 2018 International Plumbing Code

##### Revise as follows:

**[A] 101.2 Scope.** The provisions of this code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction. This code shall regulate nonflammable medical gas, inhalation anesthetic, vacuum piping, nonmedical oxygen systems and sanitary and condensate vacuum collection systems. The installation of fuel gas distribution piping and equipment, fuel-gas-fired water heaters and water heater venting systems shall be regulated by the International Fuel Gas Code. Provisions in the appendices shall not apply unless specifically adopted.

**Exception:** Detached one- and two-family dwellings and ~~multiple single family dwellings ( townhouses )~~ not more than three stories high above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with this code or the International Residential Code.

#### 2018 International Existing Building Code

##### Revise as follows:

**[A] 101.2 Scope.** The provisions of the this code shall apply to the *repair, alteration, change of occupancy, addition to and relocation of existing buildings.*

**Exception:** Detached one- and two-family dwellings and ~~multiple single-family dwellings~~ (townhouses) not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with this code or the International Residential Code.

## 2018 International Fuel Gas Code

Revise as follows:

**[A] 101.2 Scope.** This code shall apply to the installation of fuel-gas *pipng* systems, fuel gas appliances, gaseous hydrogen systems and related accessories in accordance with Sections 101.2.1 through 101.2.5.

**Exception:** Detached one- and two-family dwellings and ~~multiple single-family dwellings~~ (townhouses) not more than three stories ~~high above grade plane in height~~ with a separate means of egress, and their accessory structures ~~not more than three stories above grade plane in height~~, shall comply with this code or the International Residential Code.

**Reason:** The intent of this proposal is coordination in the exception. This language was revised in the IBC by ADM2-13, ADM32-16 and ADM33-16.

### IBC

**[A] 101.2 Scope.** The provisions of this code shall apply to the construction, *alteration*, relocation, enlargement, replacement, *repair*, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

**Exception:** Detached one- and two-family ~~dwellings and townhouses~~ not more than three ~~stories above grade plane~~ in height with a separate ~~means of egress~~, and their accessory structures not more than three ~~stories above grade plane~~ in height, shall comply with this code or the *International Residential Code*.

This same language is in IFC, IMC, IPC, IEBC and IFGC and was not consistently changed. As IFC Section 1001.1 is scoped to the IBC Egress Code Committee this will be addressed next cycle.

### IFC (Group A – handle next cycle.)

**1001.1 General.** Buildings or portions thereof shall be provided with a *means of egress* system as required by this chapter. The provisions of this chapter shall control the design, construction and arrangement of *means of egress* components required to provide an *approved means of egress* from structures and portions thereof. Sections 1003 through 1030 shall apply to new construction. Section 1031 shall apply to existing buildings.

**Exception:** Detached one- and two-family dwellings ~~and multiple single-family dwellings~~ (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures ~~not more than three stories above grade plane in height~~, shall comply with this code or the International Residential Code.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

This proposal is submitted by the ICC Building Code Action Committee (BCAC) and the ICC Plumbing/Mechanical/Gas Code Action Committee (PMG CAC)

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-action-committee-bcac>.

The PMG CAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG CAC. In 2017-2018, the PMG CAC held one face-

to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac>.

**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.

<p align="center"><b>Report of Committee Action Hearings</b></p>
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**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee stated that the proposal makes the code more consistent across the I-Codes which makes it easier for the code user to interpret the requirements. (Vote: 13-0)

**Assembly Action:**

**None**

<p align="center"><b>Final Action</b></p>
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**ADM6-19**

**AS**



<b>Date Submitted</b> 2/16/2021	<b>Section 107</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

Sections 107 is marked reserved under the FBC-P, FBC-M and FBC-FG.

**Summary of Modification**

Revises the section for consistency between i-codes

**Rationale**

This proposal is submitted by the ICC Plumbing/Mechanical/Gas Code Action Committee (PMG CAC). The PMG CAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG CAC. In 2017-2018, the PMG CAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at:  
<https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac>.

Approved as Submitted (AS)

2018 IMC

Add new text as follows:

**SECTION 107**  
**FEES**

Revise as follows:

~~[A] 106.5 107.1 Fees. Payment of fees. A permit shall not be issued valid until the fees prescribed in Section 106.5.2 by law have been paid, nor shall an An amendment to a permit shall not be released until the additional fee, if any, due to an increase of the mechanical system, has been paid.~~

Add new text as follows:

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

Delete without substitution:

~~[A] 106.5.2 Fee schedule. The fees for mechanical work shall be as indicated in the following schedule.~~

~~{JURISDICTION TO INSERT  
APPROPRIATE SCHEDULE}~~

Add new text as follows:

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

**Revise as follows:**

~~[A] 106.5.1-107.4 Work commencing before permit issuance. Any person who commences any work on a mechanical system before obtaining the necessary permits shall be subject to 100 percent of the usual permit fee a fee established by the code official that shall be~~ in addition to the required permit fees.

**Add new text as follows:**

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

**Delete without substitution:**

~~[A] 106.5.3 Fee refunds. The code official shall authorize the refunding of fees as follows.~~

- ~~1. The full amount of any fee paid hereunder that was erroneously paid or collected.~~
- ~~2. Not more than [SPECIFY PERCENTAGE] percent of the permit fee paid where work has not been done under a permit issued in accordance with this code.~~
- ~~3. Not more than [SPECIFY PERCENTAGE] percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.~~

~~The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.~~

**Add new text as follows:**

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

2018 International Plumbing Code

**Add new text as follows:**

**SECTION 107**  
**FEES**

**Revise as follows:**

~~106.6 107.1 Fees. Payment of fees. A permit shall not be issued valid until the fees prescribed in Section 106.6.2 by law have been paid, and an An amendment to a permit shall not be released until the additional fee, if any, due to an increase of the plumbing systems, has been paid.~~

**Add new text as follows:**

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

**Delete without substitution:**

~~106.6.2 Fee schedule. The fees for all plumbing work shall be as indicated in the following schedule:~~

~~{JURISDICTION TO INSERT APPROPRIATE SCHEDULE}~~

Revise as follows:

~~106.6.4~~ 107.4 Work commencing before permit issuance. Any person who commences any work on a ~~plumbing~~ mechanical system before obtaining the necessary permits shall be subject to ~~100 percent of the usual permit a fee established by the code official that shall be~~ in addition to the required permit fees.

Add new text as follows:

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

Delete without substitution:

~~106.6.3 Fee refunds. The code official shall authorize the refunding of fees as follows:~~

- ~~1. The full amount of any fee paid hereunder that was erroneously paid or collected.~~
- ~~2. Not more than [SPECIFY PERCENTAGE] percent of the permit fee paid where work has been done under a permit issued in accordance with this code.~~
- ~~3. Not more than [SPECIFY PERCENTAGE] percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.~~

~~-~~

~~The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.~~

Add new text as follows:

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

2018 International Fuel Gas Code

Add new text as follows:

**SECTION 107**  
**FEES**

Revise as follows:

~~[A] 106.6 107.1 Fees. Payment of fees. A permit shall not be issued valid until the fees prescribed in Section 106.6.2 by law have been paid, nor shall an An amendment to a permit shall not be released until the additional fee, if any, due to an increase of the installation, has been paid.~~

Add new text as follows:

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

Delete without substitution:

~~[A] 106.6.2 Fee schedule. The fees for work shall be as indicated in the following schedule.~~

~~[JURISDICTION TO INSERT APPROPRIATE SCHEDULE]~~

Add new text as follows:

107.3 Permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as plumbing equipment and permanent systems. If, in the opinion of the code official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the code official. Final building permit valuation shall be set by the code official.

Revise as follows:

~~[A] 106.6.1-107.4 Work commencing before permit issuance. Any person who commences any work on an installation a mechanical system before obtaining the necessary permits shall be subject to 100 percent of the usual permit fee a fee established by the code official that shall be in addition to the required permit fees.~~

Add new text as follows:

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

Delete without substitution:

~~[A] 106.6.3 Fee refunds. The code official shall authorize the refunding of fees as follows.~~

~~-~~

- ~~1. The full amount of any fee paid hereunder that was erroneously paid or collected.~~
- ~~2. Not more than [SPECIFY PERCENTAGE] percent of the permit fee paid where work has not been done under a permit issued in accordance with this code.~~

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

-

~~The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.~~

**Add new text as follows:**

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

## Code Change No: ADM27-19

### Original Proposal

Section(s): IMC: SECTION 107 (New), [A] 107.1, 107.2 (New), [A] 106.5.2, 107.3 (New), [A] 107.4, 107.5 (New), [A] 106.5.3, 107.6 (New); IPC: SECTION 107 (New), 107.1, 107.2 (New), 106.6.2, 107.3 (New), 107.4, 107.5 (New), 106.6.3, 107.6 (New); IPMC: SECTION 104 (New), [A] 104.1, 104.2 (New); IFGC: SECTION 107 (New), [A] 107.1, 107.2 (New), [A] 106.6.2, 107.3 (New), [A] 107.4, 107.5 (New), [A] 106.6.3, 107.6 (New); ISPSC: SECTION 106 (New), [A] 106.1, [A] 105.6.2, 106.2 (New), 106.3 (New), [A] 106.4, 106.5 (New), [A] 105.6.3, 106.6 (New)

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgcac@iccsafe.org)

#### 2018 International Mechanical Code

Add new text as follows:

#### SECTION 107 FEES

Revise as follows:

~~[A] 406.5 107.1 Fees. Payment of fees. A permit shall not be issued valid until the fees prescribed in Section 106.5.2 by law have been paid, nor shall an amendment to a permit shall not be released until the additional fee, if any, due to an increase of the mechanical system, has been paid.~~

Add new text as follows:

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

Delete without substitution:

~~[A] 406.5.2 Fee schedule. The fees for mechanical work shall be as indicated in the following schedule.~~

[JURISDICTION TO INSERT  
APPROPRIATE SCHEDULE]

Add new text as follows:

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

Revise as follows:

**[A] 406.5.1-107.4 Work commencing before permit issuance.** Any person who commences any work on a mechanical system before obtaining the necessary permits shall be subject to 100 percent of the usual permit fee a fee established by the code official that shall be in addition to the required permit fees.

Add new text as follows:

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

Delete without substitution:

**[A] 406.5.3 Fee refunds.** The code official shall authorize the refunding of fees as follows:

1. ~~The full amount of any fee paid hereunder that was erroneously paid or collected.~~
2. ~~Not more than [SPECIFY PERCENTAGE] percent of the permit fee paid where work has not been done under a permit issued in accordance with this code.~~
3. ~~Not more than [SPECIFY PERCENTAGE] percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.~~

~~The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.~~

Add new text as follows:

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

## 2018 International Plumbing Code

Add new text as follows:

### **SECTION 107** **FEES**

Revise as follows:

**406.6 107.1 Fees. Payment of fees.** A permit shall not be ~~issued~~ valid until the fees prescribed in ~~Section 106.6.2 by law~~ have been paid, and an ~~an~~ Amendment to a permit shall not be released until the additional fee, if any, ~~due to an increase of the plumbing systems~~, has been paid.

Add new text as follows:

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

Delete without substitution:

**406.6.2 Fee schedule.** The fees for all plumbing work shall be as indicated in the following schedule:

~~[JURISDICTION TO INSERT APPROPRIATE SCHEDULE]~~

Revise as follows:



~~406.6.4~~ **107.4 Work commencing before permit issuance.** Any person who commences any work on a plumbing mechanical system before obtaining the necessary permits shall be subject to 100 percent of the usual permit a fee established by the code official that shall be in addition to the required permit fees.

Add new text as follows:

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

Delete without substitution:

~~406.6.3 Fee refunds.~~ The code official shall authorize the refunding of fees as follows:

- ~~1. The full amount of any fee paid hereunder that was erroneously paid or collected.~~
- ~~2. Not more than [SPECIFY PERCENTAGE] percent of the permit fee paid where work has been done under a permit issued in accordance with this code.~~
- ~~3. Not more than [SPECIFY PERCENTAGE] percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.~~

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Add new text as follows:

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

## 2018 International Property Maintenance Code

Add new text as follows:

### **SECTION 104** **FEES**

Revise as follows:

**[A] 403.5-104.1 Fees.** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule established by the applicable governing authority.

[JURISDICTION TO INSERT APPROPRIATE SCHEDULE.]

Add new text as follows:

**104.2 Refunds.** The code official is authorized to establish a refund policy.

## 2018 International Fuel Gas Code

Add new text as follows:

**SECTION 107**  
**FEES**

Revise as follows:

**[A] 406.6 107.1 Fees. Payment of fees.** A permit shall not be issued valid until the fees prescribed in Section 106.6.2 by law have been paid, nor shall an amendment to a permit shall not be released until the additional fee, if any, due to an increase of the installation, has been paid.

Add new text as follows:

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

Delete without substitution:

**[A] 406.6.2 Fee schedule.** The fees for work shall be as indicated in the following schedule.

[JURISDICTION TO INSERT APPROPRIATE SCHEDULE]

Add new text as follows:

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

Revise as follows:

**[A] 406.6.4 107.4 Work commencing before permit issuance.** Any person who commences any work on an installation a mechanical system before obtaining the necessary permits shall be subject to 400 percent of the usual permit fee a fee established by the code official that shall be in addition to the required permit fees.

Add new text as follows:

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

Delete without substitution:

**[A] 406.6.3 Fee refunds.** The code official shall authorize the refunding of fees as follows.

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than [SPECIFY PERCENTAGE] percent of the permit fee paid where work has not been done under a permit issued in accordance with this code.

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

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Add new text as follows:

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

## 2018 International Swimming Pool and Spa Code

Add new text as follows:

### **SECTION 106** **FEES**

Revise as follows:

**[A] 405.6106.1 Fees. Payment of fees.** A permit shall not be valid until the fees prescribed by law have been paid. An amendment to a permit shall not be released until the additional fee, if any, has been paid.

Delete without substitution:

**[A] 405.6.2 Fee schedule.** The fees for work shall be as indicated in the following schedule:

~~[JURISDICTION TO INSERT APPROPRIATE SCHEDULE]~~

Add new text as follows:

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

**106.3 Permit valuations.** The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as mechanical equipment and permanent systems. If, in the opinion of the code official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the code official. Final building permit valuation shall be set by the code official.

Revise as follows:

**[A] 405.6.4 106.4 Work commencing before permit issuance.** Any person who commences any work on a mechanical system before obtaining the necessary permits shall be subject to a fee as indicated in the adopted fee schedule and would established by the code official that shall be in addition to the required permit fees.

Add new text as follows:

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

Delete without substitution:

**[A] 105.6.3 Fee refunds.** The code official shall authorize the refunding of fees as follows:

- ~~1. The full amount of any fee paid hereunder that was erroneously paid or collected.~~
- ~~2. Not more than [SPECIFY PERCENTAGE] percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.~~
- ~~3. Not more than [SPECIFY PERCENTAGE] percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.~~

~~The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.~~

Add new text as follows:

**106.6 Refunds.** The code official is authorized to establish a refund policy.

**Reason:** There are two different proposals to address consistency in the Fees section – the end result would be coordination between all codes. The IPC, IMC, IPSC, IFGC and ISPC include sections on Fees in the permit section. Each requires the insertion of a table for fees and sets a policy for refunds. If the jurisdiction is on a code for 3 to 6 years, this would prohibit them from adjusting their fees. What the policy is for refunds should also be determined by the department. The current text does not address permit valuations or related fees.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as "building/fire/code official".

IMC

#### SECTION 107 FEES

**[A] 107.1 Payment of Fees.** A permit shall not be valid until the fees prescribed by law have been paid. An amendment to a permit shall not be released until the additional fee, if any, has been paid.

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

**[A] 107.3 Permit valuations.** The applicant for a *permit* shall provide an estimated *permit* value at time of application. *Permit* valuations shall include total value of work, including materials and labor, for which the *permit* is being issued, such as mechanical equipment and permanent systems. If, in the opinion of the *code official*, the valuation is underestimated on the application, the *permit* shall be denied, unless the applicant can show detailed estimates to meet the approval of the *code official*. Final building *permit* valuation shall be set by the *code official*.

**[A] 107.4 Work commencing before permit issuance.** Any person who commences any work on a mechanical system before obtaining the necessary permits shall be subject to a fee established by the *code official* that shall be in addition to the required permit fees.

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

**[A] 107.6 Refunds.** The *code official* is authorized to establish a refund policy.

This proposal is submitted by the ICC Plumbing/Mechanical/Gas Code Action Committee (PMG CAC). The PMG CAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG CAC. In 2017-2018, the PMG CAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac>.

**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.

**Report of Committee Action  
Hearings**

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee stated that the reason for approval was that it helps correlate all the I-Codes together and makes it easier to understand where the requirements are located. It was also stated that some were opposed to the change because it uses different language for the applicable governing official and this should be consistent. (Vote: 8-5)

**Assembly Action:**

**None**

**Final Action**

**ADM27-19**

**AS**

## Sub Code: Non-Applicable

CA9024/ADM14-19

42

Date Submitted 2/16/2021  
Chapter 1

Section 102.3  
Affects HVHZ No

Proponent Mo Madani  
Attachments Yes

TAC Recommendation Denied – Consent  
Commission Action Pending Review

Staff Classification Non-Applicable

### Comments

General Comments No

### Related Modifications

Not Applicable IPMC: [A] 102.3 (New)

### Summary of Modification

This MOD not applicable to the Florida Building code because it a modification to the Property Maintenance Code

### Rationale

Please see attachment

Approved as Modified (AM)

Original MOD

## 2018 International Property Maintenance Code

### Add new text as follows:

**[A] 102.3 Application of other codes.** Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the *International Building Code, International Existing Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Residential Code, International Plumbing Code* and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the *International Zoning Code*.

Where structural engineering analysis is used to determine if an unsafe structural condition exists, the nominal strengths, nominal loads, load effects, required strengths and limit states shall be in accordance with the regulation or code under which the structure was constructed.

#### **Exceptions:**

1. If the regulation or code under which the structure was constructed is not known, it shall be permitted to apply any regulation or code that the code official determines to be representative of the requirements under which the structure was constructed.
2. If applying currently adopted code provisions indicates that there is not an unsafe structural condition, it shall be permitted to apply currently adopted code provisions.

### **Committee Action:**

**Approved as Modified**

### Modify proposal as follows:

**[A] 102.3 Application of other codes.** Where structural engineering analysis is used to determine if an unsafe structural condition exists, the nominal strengths, nominal loads, load effects, required strengths and limit states shall be in accordance with the regulation or code under which the structure was constructed.

#### **Exceptions:**

1. If the regulation or code under which the structure was constructed is not known, it shall be permitted to apply any regulation or code that the code official determines to be representative of the requirements under which the structure was constructed.
2. If applying currently adopted code provisions indicates that there is not an unsafe structural condition, it shall be permitted to apply currently adopted code provisions.

Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the *International Building Code, International Existing Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Residential Code, International Plumbing Code* and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the *International Zoning Code*.

**102.6 Structural analysis.** Where structural analysis is used to determine if an unsafe structural condition exists, the analysis shall be permitted to use nominal strengths, nominal loads, load effects, required strengths and limit states in accordance with the requirements under which the structure was constructed or in accordance with any subsequent requirement.

**201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in the *International Building Code, International Existing Building Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, International Residential Code, International Zoning Code* or NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes.

Exception: When used within this code, the terms *unsafe* and *dangerous* shall have only the meanings ascribed to them in this code and shall not have the meanings ascribed to them by the *International Existing Building Code*.



## Code Change No: ADM14-19

### Original Proposal

**Section(s):** IPMC: [A] 102.3 (New)

**Proponents:** Benchmark Harris, representing Self (bharris@huckabee-inc.com)

**2018 International Property Maintenance Code**

**Add new text as follows:**

**[A] 102.3 Application of other codes.** Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the *International Building Code, International Existing Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Residential Code, International Plumbing Code* and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the *International Zoning Code*.

Where structural engineering analysis is used to determine if an unsafe structural condition exists, the nominal strengths, nominal loads, load effects, required strengths and limit states shall be in accordance with the regulation or code under which the structure was constructed.

**Exceptions:**

1. If the regulation or code under which the structure was constructed is not known, it shall be permitted to apply any regulation or code that the code official determines to be representative of the requirements under which the structure was constructed.
2. If applying currently adopted code provisions indicates that there is not an unsafe structural condition, it shall be permitted to apply currently adopted code provisions.

**Reason:** 2018 IPMC Sections 304.1.1, 305.1.1 and 306.1.1 indicate that unsafe conditions occur if structural engineering analysis determines that certain conditions exist, using the terms "nominal strengths", "nominal loads", "load effects", "required strengths" in those provisions.

These terms are not defined in Chapter 2 "Definitions" of the 2018 IPMC.

2018 IPMC Section 201.3 states, "Where terms are not defined in this code and are defined in the International Building Code, International Existing Building Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, International Residential Code, International Zoning Code or NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes."

These terms are not defined in Chapter 2 "Definitions" of the 2018 IEBC, 2018 IFC, 2018 IFGC, 2018 IPC, 2018 IRC, or the 2018 IZC. However, 2018 IBC Chapter 2 has the following relevant definitions:

**LIMIT STATE.** A condition beyond which a structure or member becomes unfit for service and is judged to no longer useful for its intended function (serviceability limit state) or to be unsafe (strength limit state).

**LOADS:** Forces or other actions that result from the weight of building materials, occupants and their possessions, environmental effects, differential movement and restrained dimensional changes. Permanent loads are those loads in which variations over time are rare or of small magnitude, such as dead loads. All other loads are variable loads (see "Nominal Loads").

**LOAD EFFECTS:** Forces and deformations produced in structural members by applied loads.

**NOMINAL LOADS:** The magnitudes of the loads specified in Chapter 16 (dead, live, soil, wind, snow, rain, flood and earthquake).

**STRENGTH** (for Chapter 21).

Required strength. Strength of a member or cross section required to resist factored loads.

**STRENGTH** (for Chapter 16).

Required strength. Strength of a member, cross section or connection required to resist factored loads or related internal moments and forces in such combinations as stipulated by those provisions.

The following term is defined in Chapter 2 of the 2018 IMC but it is not considered relevant to this structural application:

**STRENGTH, ULTIMATE.** The highest stress level that the component will tolerate without rupture.

The definitions in the 2018 IBC make the structural provisions in the 2018 IBC the applicable standard when determining if a structure is unsafe. This is not how the IPMC is actually applied in jurisdictions throughout the country, though, because many building officials agree that existing buildings should not be considered dangerous when the requirements for new buildings simply increase with time, which does occur. This would create a large economic burden on Owners that are otherwise maintaining their facilities according to the original design.

For example, TMS 402 recently approved completely removing the Empirical Design Appendix which had provisions for unreinforced masonry design. The next edition of TMS 402 will therefore no longer allow Empirical Design. The Empirical Design method was a simplified method that primarily limited span to thickness ratios without as formal a structural analysis as is required for the Allowable Stress Design or Strength Design methods. The Empirical Design provisions were permitted and have been used in the design of a great many buildings across the entire country for generations, even though it became recognized over time that the methodology did not necessarily provide as high a level of structural reliability that is required for masonry designed using the Allowable Stress Design or Strength Design methods. If not modified, the IPMC provisions would make "unsafe" any Empirically designed structure where this is the case.

Many Building Officials and even ICC Staff have indicated that they believe the intent of the IPMC was to apply the structural requirements which originally applied to the design when the structure was constructed. This is rational and how many Building Officials actually interpret the current language. The justification for this interpretation seems to be 2018 IPMC Section 102.2 Maintenance; however, that provision does not explicitly waive the structural engineering requirements in Sections 304.1.1, 305.1.1 and 306.1.1 which Chapter 2 indicates are associated with the 2018 IBC Definitions, making the definitions of these terms the definitions in the 2018 IBC.

This proposed change would correct this unintended problem by clearly stating that the applicable code is the original code.

It is quite often unknown what the original code or structural provisions were when a building was constructed. It is also quite often unknown when the building was constructed. This proposed change therefore allows a Building Official to use their judgment in making the determination of which structural code provisions are sufficiently representative of what they understand to be the applicable provisions when the structure was constructed.

The proposed exception allows use of the current IBC when the code provisions allow construction that was not previously permitted. This is appropriate and rational considering that building codes sometimes recognize greater strengths of materials and/or required loads are reduced. For example, the allowable flexural strengths of unreinforced masonry in some of the original versions of TMS 402 are much lower than the allowable flexural strengths of unreinforced masonry in the more recent versions. This increase in recognized strength was based on test data that accumulated with time and an extensive structural reliability index study. It should be permitted for an Owner to use the current building code to justify existing conditions as not being "unsafe" if that's possible.

This proposed language is most appropriate in Section 102.3 rather than another Section in the IPMC because:

1. There are 3 separate sections in which numerous conditions deemed "unsafe" are listed, with many of these conditions using the structural engineering terms in question: 304.11, 305.11 and 306.11. It would be cumbersome to add all of the proposed language to each one of these 3 sections. Furthermore, this issue is related to provisions in Chapter 2 "Definitions" and involves the applicability of other codes.
2. It would not be appropriate to simply add the proposed language to 301 because Section 301 covers general requirements for property maintenance whereas the issue is related to provisions in Chapter 2 "Definitions" and involves the applicability of other codes.
3. Section 102.7 Reference Standards is not a suitable location either, because that provision is related to specific standards that are referenced whereas actual names of the original building codes are not explicitly named (or "referenced") in the IPMC, considering that they vary from project to project.
4. Section 102.3 is titled "Application of other codes" and is the most suitable location for the clarification of which regulation or code should be applied in the structural engineering analysis to determine if an unsafe condition exists.

If this proposed change is approved, it is suggested that ICC Staff add Commentary language to Sections 304.1.1, 305.1.1 and 306.1.1 that calls attention to the new language in Section 102.3.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction  
This proposal is related to existing buildings, not new construction.

Report of Committee Action Hearings
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Committee Action:

Approved as Modified

Modify proposal as follows:

~~[A] 102.3 Application of other codes. Where structural engineering analysis is used to determine if an unsafe structural condition exists, the nominal strengths, nominal loads, load effects, required strengths and limit states shall be in accordance with the regulation or code under which the structure was constructed.~~

Exceptions:

- ~~1. If the regulation or code under which the structure was constructed is not known, it shall be permitted to apply any regulation or code that the code official determines to be representative of the requirements under which the structure was constructed.~~
- ~~2. If applying currently adopted code provisions indicates that there is not an unsafe structural condition, it shall be permitted to apply currently adopted code provisions.~~

Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the *International Building Code*, *International Existing Building Code*, *International Energy Conservation Code*, *International Fire Code*, *International Fuel Gas Code*, *International Mechanical Code*, *International Residential Code*, *International Plumbing Code* and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the *International Zoning Code*.

102.6 Structural analysis. Where structural analysis is used to determine if an unsafe structural condition exists, the analysis shall be permitted to use nominal strengths, nominal loads, load effects, required strengths and limit states in accordance with the requirements under which the structure was constructed or in accordance with any subsequent requirement.

**201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in the *International Building Code*, *International Existing Building Code*, *International Fire Code*, *International Fuel Gas Code*, *International Mechanical Code*, *International Plumbing Code*, *International Residential Code*, *International Zoning Code* or NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes.

Exception: When used within this code, the terms *unsafe* and *dangerous* shall have only the meanings ascribed to them in this code and shall not have the meanings ascribed to them by the *International Existing Building Code*.

**Committee Reason:** The committee stated that the approval of the modifications to reorganize the structural provisions improves the application and clarifies the language. Approval of the proposal was based upon the proponent's published reason statement. (Vote: 13-0)

Assembly Action:

None

Final Action
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ADM14-19

AM

<b>Date Submitted</b> 2/16/2021	<b>Section 103</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Non-Applicable	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

IGCC: 103 (New), 103.1 (New), 103.2 (New), 103.3 (New)

**Summary of Modification**

IGCC is not applicable to Florida Building Code

**Rationale**

There are many different names for the title of this section, but all include provisions for the creation of the code compliance agency. The department's responsibilities are more than just 'enforcement' of the code. The fill in the blank for the name allows for the agency to develop a name appropriate to their jurisdiction and responsibilities.

In some of the codes there will be a move from this section to General Authority and responsibilities section so that requirements for liability and legal defense will be in a consistent location.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as "building/fire/code official".

Approved as Submitted (AS)

Add new text as follows:

**SECTION 103**  
**CODE COMPLIANCE AGENCY**

**103.1 Creation of agency. The [INSERT NAME OF DEPARTMENT] is hereby created and the official in charge thereof shall be known as the *authority having jurisdiction (AHJ)*. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.**

**103.2 Appointment. The *authority having jurisdiction (AHJ)* shall be appointed by the chief appointing authority of the jurisdiction.**

**103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *authority having jurisdiction (AHJ)* shall have the authority to appoint a deputy *authority having jurisdiction (AHJ)*, other related technical officers, inspectors and other employees as shall be necessary. Such employees shall have powers as delegated by the *authority having jurisdiction (AHJ)*.**

## Code Change No: ADM16-19 Part III

### Original Proposal

**Section(s):** IGCC: 103 (New), 103.1 (New), 103.2 (New), 103.3 (New)

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgcac@iccsafe.org); David Collins (sehpcac@iccsafe.org)

**THIS IS A 3 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IGCC CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

**2018 International Green Construction Code**

**Add new text as follows:**

### **SECTION 103 CODE COMPLIANCE AGENCY**

**103.1 Creation of agency.** The [INSERT NAME OF DEPARTMENT] is hereby created and the official in charge thereof shall be known as the *authority having jurisdiction (AHJ)*. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

**103.2 Appointment.** The *authority having jurisdiction (AHJ)* shall be appointed by the chief appointing authority of the jurisdiction.

**103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *authority having jurisdiction (AHJ)* shall have the authority to appoint a deputy *authority having jurisdiction (AHJ)*, other related technical officers, inspectors and other employees as shall be necessary. Such employees shall have powers as delegated by the *authority having jurisdiction (AHJ)*.

**Reason:** There are many different names for the title of this section, but all include provisions for the creation of the code compliance agency. The department's responsibilities are more than just 'enforcement' of the code. The fill in the blank for the name allows for the agency to develop a name appropriate to their jurisdiction and responsibilities.

In some of the codes there will be a move from this section to *General Authority and responsibilities* section so that requirements for liability and legal defense will be in a consistent location.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as "building/fire/code official".

### **SECTION 103 CODE COMPLIANCE AGENCY**

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

**103.2 Appointment.** The *code official* shall be appointed by the chief appointing authority of the jurisdiction.

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

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC) and the ICC Plumbing/Mechanical/Gas Code Action Committee (PMG CAC).

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>.

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at: <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

The PMG CAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG CAC. In 2017-2018, the PMG CAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac>.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. This is an editorial change with no change to construction requirements.

#### Report of Committee Action Hearings

**Committee Action:**

Approved as Submitted

**Committee Reason:** This proposal provides consistency and correlation between codes. (Vote: 5-0)

**Assembly Action:**

None

#### Final Action

ADM16-19 Part III

AS

<b>Date Submitted</b> 2/17/2021	<b>Section 107</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Non-Applicable	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

IGCC: 107 (New), 107.1 (New), 107.2 (New), 107.3 (New), 107.4 (New), 107.5 (New), 107.6 (New)

**Summary of Modification**

International Green Construction Code is not applicable to the Florida Building Code

**Rationale**

Please see attachment



Approved as submitted (AS)

Add new text as follows:

**SECTION 107**  
**FEES**

107.1 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.

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

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

107.4 Work commencing before permit issuance. Any person who commences any work before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees.

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

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

## Code Change No: ADM33-19 Part IV

### Original Proposal

**Section(s):** IGCC: 107 (New), 107.1 (New), 107.2 (New), 107.3 (New), 107.4 (New), 107.5 (New), 107.6 (New)

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

**THIS IS A 4 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART IV WILL BE HEARD BY THE IGCC CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

**2018 International Green Construction Code**

**Add new text as follows:**

### **SECTION 107** **FEES**

**107.1 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.

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

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

**107.4 Work commencing before permit issuance.** Any person who commences any work before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees.

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

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

**Reason:** There are two different proposals to address consistency in the Fees section – the end result would be coordination between all codes. The intent is consistency in language for 'Fees' within the codes – IBC, IFC, IEBC, IWUIC, IZC, Energy – Commercial and Residential.

- Payment of fees – consistent title, always two sentences
- Schedule of permit fees – IBC currently also includes "structures", while IFC and IEBC also includes "alterations". IWUIC and Energy do not include anything. Eliminate the laundry list and make all codes consistent.

- Permit valuation: added valuation to IWUIC and Energy; permits can be for other than just buildings
- Work commencing before permit issuance – remove redundant language
- Refunds – no change
- The IZC currently has a section on fees that is very limited. It was not clear what should be added other than a section on refunds.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as "building/fire/code official".

IBC

#### SECTION 109 FEES

**[A] 109.1 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.

**[A] 109.2 Schedule of permit fees.** Where a *permit* is required, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

**[A] 109.3 Permit valuations.** The applicant for a *permit* shall provide an estimated *permit* value at time of application. *Permit* valuations shall include total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the *building official*, the valuation is underestimated on the application, the *permit* shall be denied, unless the applicant can show detailed estimates to meet the approval of the *building official*. Final building *permit* valuation shall be set by the *building official*.

**[A] 109.4 Work commencing before permit issuance.** Any person who commences any work before obtaining the necessary *permits* shall be subject to a fee established by the *building official* that shall be in addition to the required *permit* fees.

**[A] 109.5 Related fees.** The payment of the fee for the construction, *alteration*, removal or demolition for work done in connection to or concurrently with the work authorized by a *permit* shall not relieve the applicant or holder of the *permit* from the payment of other fees that are prescribed by law.

**[A] 109.6 Refunds.** The *building official* is authorized to establish a refund policy.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable and Energy and High Performance Code Action Committee (SEHPCAC).

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-actioncommittee-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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

**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.

Report of Committee Action  
Hearings

Committee Action: Approved as Submitted

Committee Reason: This proposal clarifies the code and brings consistency across the codes. (Vote: 4-1)

Assembly Action: None

Final Action

ADM33-19 Part IV AS

## Sub Code: Plumbing

### CA9069/ADM31-19 Part I

45

**Date Submitted** 2/17/2021  
**Chapter** 1

**Section 108**  
**Affects HVHZ** Yes

**Proponent** Mo Madani  
**Attachments** Yes

**TAC Recommendation** Denied – Consent  
**Commission Action** Pending Review

**Staff Classification** Overlap

#### Comments

**General Comments** No

#### **Related Modifications**

Section 108 is marked reserved under the 2020 FBC-P, FBC-M and FBC-FGC.

#### **Summary of Modification**

Gives "Notice of Approval" its own section

#### **Rationale**

Please see attachment

Approved as submitted (AS)

2018 IPC

Add new text as follows:

**SECTION 108**  
**NOTICE OF APPROVAL**

Revise as follows:

~~107.5~~**108.1** Approval. After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

~~107.5.1~~**108.2** Revocation. The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure, premise or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

2018 International Mechanical Code

Add new text as follows:

**SECTION 108**  
**NOTICE OF APPROVAL**

Revise as follows:

**[A] 107.4**~~108.1~~ Approval. After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

**[A] 107.4.1**~~108.2~~ Revocation. The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, on the basis of incorrect information supplied, or where it is determined that the building or structure, premise or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

2018 International Fuel Gas Code

Add new text as follows:

**SECTION 108**  
**NOTICE OF APPROVAL**

Revise as follows:

**[A] 107.4**~~108.1~~ Approval. After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

**[A] 107.4.1-108.2 Revocation.** The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, or on the basis of incorrect information supplied or where it is determined that the building or structure, premise, or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

## Code Change No: ADM31-19 Part I

### Original Proposal

Section(s): IPC: SECTION 108, 108.1, 108.2; IMC: SECTION 108, [A] 108.1, [A] 108.2; IFGC: SECTION 108, [A] 108.1, [A] 108.2; ISPC: SECTION 107, [A] 107.1, [A] 107.2; IPSDC: SECTION 108, [A] 108.1, [A] 108.2

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

**THIS IS A 3 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

#### 2018 International Plumbing Code

Add new text as follows:

#### SECTION 108 NOTICE OF APPROVAL

Revise as follows:

**407.5-108.1 Approval.** After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

**407.5-4-108.2 Revocation.** The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure, premise or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

#### 2018 International Mechanical Code

Add new text as follows:

#### SECTION 108 NOTICE OF APPROVAL

Revise as follows:

**[A] 407.4-108.1 Approval.** After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

**[A] 407.4-4-108.2 Revocation.** The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, on the basis of incorrect information supplied, or where it is determined that the building or structure, premise or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.



**2018 International Fuel Gas Code**

Add new text as follows:

**SECTION 108**  
**NOTICE OF APPROVAL**

Revise as follows:

**[A] ~~407.4~~108.1 Approval.** After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

**[A] ~~407.4.4~~108.2 Revocation.** The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, or on the basis of incorrect information supplied or where it is determined that the building or structure, premise, or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

**2018 International Swimming Pool and Spa Code**

Add new text as follows:

**SECTION 107**  
**NOTICE OF APPROVAL**

Revise as follows:

**[A] ~~406.47~~107.1 Approval.** After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

**[A] ~~406.47.4~~107.2 Revocation.** The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, or on the basis of the incorrect information supplied, or where it is determined that the building or structure, premise, system or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

**2018 International Private Sewage Disposal Code**

Add new text as follows:

**SECTION 108**  
**NOTICE OF APPROVAL**

Revise as follows:

**[A] ~~407.7~~108.1 Approval.** After the prescribed inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

**[A] ~~407.7.4~~108.2 Revocation.** The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, on the basis of incorrect information supplied, or where it is determined that the building or structure, premise or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

**Reason:** Several of the codes have requirements for a Notice of Approval. This should be in its own section similar to Certificate of Occupancy in the IBC, IRC and IEBC, so it can be readily located.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

This proposal is submitted by the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC) and the ICC Plumbing/Mechanical/Gas Code Action Committee (PMGCAC).

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

The PMGCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMGCAC. In 2017-2018, the PMGCAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac>.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction  
This is an editorial change.

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee stated that the reason for approval was that the proposal provides consistency through the I-Codes by using standard terminology and it is also consistent with previous actions. (Vote: 13-0)

**Assembly Action:**

**None**

### Final Action

**ADM31-19 Part I**

**AS**

<b>Date Submitted</b> 2/17/2021	<b>Section</b> 108.1	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

Section 108 is marked reserved under the 2020 FBC-P, FBC-M and FBC-FGC.

**Summary of Modification**

Gives "Notice of Approval" its own section

**Rationale**

Please see attachment

Approved as submitted (AS)

2018 IPC

**Add new text as follows:**

**SECTION 108**  
**NOTICE OF APPROVAL**

**Revise as follows:**

~~107.5~~ **108.1** Approval. After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

~~107.5.1~~ **108.2** Revocation. The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure, premise or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

2018 International Mechanical Code

**Add new text as follows:**

**SECTION 108**  
**NOTICE OF APPROVAL**

**Revise as follows:**

[A] ~~107.4~~ **108.1** Approval. After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

[A] ~~107.4.1~~ **108.2** Revocation. The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, on the basis of incorrect information supplied, or where it is determined that the building or structure, premise or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

2018 International Fuel Gas Code

**Add new text as follows:**

**SECTION 108**  
**NOTICE OF APPROVAL**

**Revise as follows:**

[A] ~~107.4~~ **108.1** Approval. After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

[A] ~~107.4.1~~ **108.2** Revocation. The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, or on the basis of incorrect information supplied or where it is determined that the building or structure, premise, or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.



## Code Change No: ADM31-19 Part II

### Original Proposal

Section(s): IPC: SECTION 108, 108.1, 108.2; IMC: SECTION 108, [A] 108.1, [A] 108.2; IFGC: SECTION 108, [A] 108.1, [A] 108.2; ISPC: SECTION 107, [A] 107.1, [A] 107.2; IPSDC: SECTION 108, [A] 108.1, [A] 108.2

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

**THIS IS A 3 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

#### 2018 International Plumbing Code

Add new text as follows:

#### SECTION 108 NOTICE OF APPROVAL

Revise as follows:

**407.5-108.1 Approval.** After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

**407.5.4-108.2 Revocation.** The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure, premise or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

#### 2018 International Mechanical Code

Add new text as follows:

#### SECTION 108 NOTICE OF APPROVAL

Revise as follows:

**[A] 407.4-108.1 Approval.** After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

**[A] 407.4.4-108.2 Revocation.** The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, on the basis of incorrect information supplied, or where it is determined that the building or structure, premise or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

**2018 International Fuel Gas Code**

Add new text as follows:

**SECTION 108**  
**NOTICE OF APPROVAL**

Revise as follows:

**[A] ~~407.4~~108.1 Approval.** After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

**[A] ~~407.4.4~~108.2 Revocation.** The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, or on the basis of incorrect information supplied or where it is determined that the building or structure, premise, or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

**2018 International Swimming Pool and Spa Code**

Add new text as follows:

**SECTION 107**  
**NOTICE OF APPROVAL**

Revise as follows:

**[A] ~~406.47~~107.1 Approval.** After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

**[A] ~~406.47.4~~107.2 Revocation.** The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, or on the basis of the incorrect information supplied, or where it is determined that the building or structure, premise, system or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

**2018 International Private Sewage Disposal Code**

Add new text as follows:

**SECTION 108**  
**NOTICE OF APPROVAL**

Revise as follows:

**[A] ~~407.7~~108.1 Approval.** After the prescribed inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

**[A] ~~407.7.4~~108.2 Revocation.** The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, on the basis of incorrect information supplied, or where it is determined that the building or structure, premise or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

**Reason:** Several of the codes have requirements for a Notice of Approval. This should be in its own section similar to Certificate of Occupancy in the IBC, IRC and IEBC, so it can be readily located.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

This proposal is submitted by the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC) and the ICC Plumbing/Mechanical/Gas Code Action Committee (PMGCAC).

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

The PMGCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMGCAC. In 2017-2018, the PMGCAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac>.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction  
This is an editorial change.

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee stated that the reason for approval was that the proposal provides consistency through the I-Codes by using standard terminology and it is also consistent with previous actions. (Vote: 13-0)

**Assembly Action:**

**None**

### Final Action

**ADM31-19 Part II**

**AS**



## Sub Code: Residential

### CA9022/ADM9-19 Part IV

47

**Date Submitted** 2/16/2021  
**Chapter** 1

**Section** 101.3  
**Affects HVHZ** Yes

**Proponent** Mo Madani  
**Attachments** Yes

**TAC Recommendation** Denied – Consent  
**Commission Action** Pending Review

**Staff Classification** Overlap

#### Comments

**General Comments** No

#### **Related Modifications**

R101.3

This section is reserved under the 2020 FBC-R.

#### **Summary of Modification**

The purpose of this proposal is for consistency in language for the sections on “Intent” or “Purpose” in the family of codes.

#### **Rationale**

Please see attachment

Approved as Modified (AM)

Original MOD

**Revise as follows:**

**R101.3 Intent Purpose.** The purpose of this code is to establish minimum requirements to safeguard the public provide a reasonable level of safety, health and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

**Committee Action:**

**Approved as Modified**

**Modify proposal 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 and property from fire, explosions and other hazards and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

## Code Change No: ADM9-19 Part IV

### Original Proposal

#### Section(s): IRC: R101.3

**Proponents:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgcac@iccsafe.org); Michael O'Brian, FCAC, representing FCAC (fcac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

**THIS IS A 4 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. PART IV WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

#### 2018 International Residential Code

##### Revise as follows:

**R101.3 Intent Purpose.** The purpose of this code is to establish minimum requirements to safeguard the public provide a reasonable level of safety, health and general welfare through affordability, structural strength, means of egress ~~facilities~~, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards ~~attributed to the built environment~~, 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 on "Intent" or "Purpose" in the family of codes. The title of the section should be revised to be consistent with the text, which is "purpose." The phrase "health, safety and general welfare" is used in several different configurations. A change from "public" to "general" would show that this is intended for everyone – by using "public" it could be read to not include employees.

IECC - The last line in the current Intent section is unique to the IECC, and redundant. It is proposed to deleting it for consistency.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC) and the ICC Plumbing/Mechanical/Gas Code Action Committee (PMG CAC).

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/codedevelopment-process/building-code-actioncommittee-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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>.

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to,

how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

The PMG CAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG CAC. In 2017-2018, the PMG CAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac>.

**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.

### Report of Committee Action Hearings

#### Committee Action:

Approved as Modified

#### Modify proposal 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 and property from fire, explosions and other hazards and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

**Committee Reason:** The committee submitting the code change has a valid issue regarding standardizing the intent of the code across the code family, while addressing the requirements of each individual code. (Vote: 9-2)

**Modification reason:** It would be very hard to design a house for an explosion. That is not the purpose of the International Residential Code.

#### Assembly Action:

None

### Final Action

ADM9-19 Part IV

AM

<b>Date Submitted</b> 2/16/2021	<b>Section</b> 105.2	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

Comments

General Comments No

Related Modifications

IRC: R105.2

This section is noted reserved under the 2020 FBC-R.

Summary of Modification

Revises the section to reflect Other than storm shelters, one-story detached accessory structures being exempt from permits

Rationale

Please see attachment

Approved as Submitted (AS)

**Revise as follows:**

**R105.2 Work exempt from permit. Exemption from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this *jurisdiction*. *Permits* shall not be required for the following:**

Building:

1. ~~One-~~ Other than storm shelters, one-story detached accessory structures, provided that the floor area does not exceed 200 square feet (18.58 m2).
2. Fences not over 7 feet (2134 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
10. Decks not exceeding 200 square feet (18.58 m2) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

Electrical:

1. Listed cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.
3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.

5. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Gas:

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Steam, hot- or chilled-water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.



## Code Change No: ADM24-19 Part II

### Original Proposal

**Section(s): IRC: R105.2**

**Proponent:** Marc Levitan, representing the ICC 500 Development Committee; Pataya Scott, representing Federal Emergency Management Agency (pataya.scott@fema.dhs.gov); Ed Kulik, representing ICC Building Code Action Committee (bcac@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.**

**2018 International Residential Code**

**Revise as follows:**

**R105.2 Work exempt from permit.** Exemption from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this *jurisdiction*. *Permits* shall not be required for the following:

**Building:**

1. ~~One-~~ Other than storm shelters, one-story detached accessory structures, provided that the floor area does not exceed 200 square feet (18.58 m<sup>2</sup>).
2. Fences not over 7 feet (2134 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
10. Decks not exceeding 200 square feet (18.58 m<sup>2</sup>) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

**Electrical:**

1. Listed cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.
3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
5. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

**Gas:**

1. Portable heating, cooking or clothes drying appliances.

2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

**Mechanical:**

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Steam, hot- or chilled-water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

**Plumbing:**

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

**Reason:** The list of 'Work exempted from permit' in the IBC includes detached accessory structures not greater than 120 square feet; the IRC exempts the same detached accessory structures, but sets the area threshold at 200 square feet. Some detached storm shelters – especially prefabricated units – may be smaller than 120 (or 200) square feet, and classified as accessory structures in accordance with administrative provisions described above. It should also be noted that storm shelters may serve as multi-function buildings such as garden sheds (residential) and light storage (residential and commercial). However, unlike other accessory structures where function is incidental, the storm shelter's primary function is to provide life safety protection from extreme wind events. As such, storm shelter construction and installation should always require a building permit to provide quality assurance for the life safety protection of all potential storm shelter occupants.

Non-permitted storm shelter installation is unfortunately common for residential prefabricated models which are frequently installed after the residential building has been occupied. Some Midwestern jurisdictions only permit storm shelters when they are installed under FEMA-sponsored rebate programs, but all storm shelters should provide consumers with the same level of life safety protection and associated security. Unpermitted prefabricated shelters are most vulnerable to inadequate anchorage because in most cases proper installation is not verified through an independent field inspection. For above ground storm shelters, the existing slab must meet manufacturer's minimum requirements to resist uplift and overturning during an extreme wind event. Accordingly, ICC 500 Section 106.3.1 requires special inspection to verify 1) the capacity of anchors that are post-installed in hardened concrete and 2) the adequacy of the existing slab to meet specifications provided by the manufacturer. For in-ground storm shelters, inadequate anchorage can result in shelters being dislodged when groundwater rises around them.

This proposal is submitted by the ICC Building Code Action Committee (BCAC) and the ICC 500 Storm Shelter Standard Development committee.

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-actioncommittee-bcac>.

The ICC 500 Standards Development committee is responsible for the development of the ICC/NSSA Standard for the Design and Construction of Storm Shelters. The committee is currently working on the development of the 2020 edition. In 2017 the ICC 500 committee held 7 open conference calls. In addition, there were numerous Working Group meetings and conference calls, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/standards-development/is-stm>.

**Cost Impact:** The code change proposal will increase the cost of construction increases the cost for installing storm shelters by the cost of the permit fee, but only in jurisdictions that currently allow installation without permits.

Report of Committee Action  
Hearings

Committee Action:

Approved as Submitted

Committee Reason: It seems reasonable to require a permit for storm shelters, though the embedded exception is awkward. (Vote: 6-4)

Assembly Action:

None

Final Action

ADM24-19 Part II

AS

<b>Date Submitted</b> 2/17/2021	<b>Section 110</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

IRC: SECTION R110, R110.1, R110.2, R110.3, R110.4, R110.5

These sections are reserved under the 2020 FBC-R.

**Summary of Modification**

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

**Rationale**

The intent of this proposal is to coordinate requirements in the Change of Occupancy Section.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at:

<https://www.iccsafe.org/codes-tech-support/codes/codedevelopment-process/building-code-actioncommittee-bcac>.

Approved as Modified (AM)

Original MOD

Revise as follows:

**SECTION R110  
CERTIFICATE OF OCCUPANCY**

**R110.1 Use and ~~Change of~~ occupancy.** A building or structure shall not be used or occupied in whole or in part, and a ~~change of occupancy or change of use~~ of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the *jurisdiction*. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the *jurisdiction* shall not be valid.

**Exceptions:**

1. Certificates of occupancy are not required for work exempt from permits under Section R105.2.
2. Accessory buildings or structures.

**R110.2 Change in use.** Changes in the character or use of an existing structure shall not be made except as specified in Sections 407 and 408 of the International Existing Building Code.

**R110.3 Certificate issued.** After the *building official* inspects the building or structure and does not find violations of the provisions of this code or other laws that are enforced by the department of building safety, the *building official* shall issue a certificate of occupancy containing the following:

1. The ~~building~~ *permit* number.
2. The address of the structure.
3. The name and address of the owner or the owner's authorized agent.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code.
6. The name of the *building official*.
7. The edition of the code under which the *permit* was issued.
8. ~~If~~ Where an automatic sprinkler system is provided and whether the sprinkler system is required.
9. Any special stipulations and conditions of the building *permit*.

**R110.4 Temporary occupancy.** The *building official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the *permit*, provided that such portion or portions shall be occupied safely. The *building official* shall set a time period during which the temporary certificate of occupancy is valid.

**R110.5 Revocation.** The *building official* shall, ~~in writing, is authorized to~~ suspend or revoke a certificate of occupancy ~~or completion~~ issued under the provisions of this code, in writing, wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code. the provisions of this code or other ordinance of the jurisdiction.

**Committee Action:**

**Approved as Modified**

Modify proposal as follows:

R110.1 ~~Use and change~~ Change of occupancy. A building or structure shall not be used or occupied in whole or in part, and a *change of occupancy* of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the *jurisdiction*. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the *jurisdiction* shall not be valid.

Exceptions:

1. Certificates of occupancy are not required for work exempt from permits under Section R105.2.
2. Accessory buildings or structures.

## Code Change No: ADM38-19 Part II

### Original Proposal

**Section(s):** IRC: SECTION R110, R110.1, R110.2, R110.3, R110.4, R110.5

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@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.**

**2018 International Residential Code**

**Revise as follows:**

### SECTION R110 CERTIFICATE OF OCCUPANCY

**R110.1 ~~Use and Change of occupancy.~~** A building or structure shall not be used or occupied ~~in whole or in part~~, and a ~~change of occupancy or change of use~~ of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the *jurisdiction*. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the *jurisdiction* shall not be valid.

**Exceptions:**

1. Certificates of occupancy are not required for work exempt from permits under Section R105.2.
2. Accessory buildings or structures.

**R110.2 Change in use.** Changes in the character or use of an existing structure shall not be made except as specified in Sections 407 and 408 of the International Existing Building Code.

**R110.3 Certificate issued.** After the *building official* inspects the building or structure and does not find violations of the provisions of this code or other laws that are enforced by the department of ~~building safety~~, the *building official* shall issue a certificate of occupancy containing the following:

1. The ~~building permit~~ number.
2. The address of the structure.
3. The name and address of the owner or the owner's authorized agent.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code.
6. The name of the *building official*.
7. The edition of the code under which the *permit* was issued.
8. ~~If~~ Where an automatic sprinkler system is provided and whether the sprinkler system is required.
9. Any special stipulations and conditions of the building *permit*.

**R110.4 Temporary occupancy.** The *building official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the *permit*, provided that such portion or portions shall be occupied safely. The *building official* shall set a time period during which the temporary certificate of occupancy is valid.

**R110.5 Revocation.** The *building official* ~~shall, in writing, is authorized to suspend or revoke a certificate of occupancy or completion issued under the provisions of this code, in writing, wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code, the provisions of this code or other ordinance of the jurisdiction.~~

**Reason:** The intent of this proposal is to coordinate requirements in the Change of Occupancy Section.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-action-committee-bcac>.

**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.

#### Report of Committee Action Hearings

**Committee Action:**

**Approved as Modified**

**Modify proposal as follows:**

**R110.1 Use and change Change of occupancy.** A building or structure shall not be used or occupied in whole or in part, and a *change of occupancy* of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the *jurisdiction*. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the *jurisdiction* shall not be valid.

**Exceptions:**

1. Certificates of occupancy are not required for work exempt from permits under Section R105.2.
2. Accessory buildings or structures.

**Assembly Action:**

**None**

#### Final Action

ADM38-19 Part II

AM



<b>Date Submitted</b> 2/17/2021	<b>Section 114</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

IRC: SECTION R114, R114.1, R114.2, R114.3 (New), R114.3

These sections are marked reserved under the 2020 FBC-R.

**Summary of Modification**

Revises the section to provide consistency in the Stop Work Order section

**Rationale**

Please see attachment

Approved as submitted (AS)

Revise as follows:

**SECTION R114  
STOP WORK ORDER**

**R114.1** ~~Notice to owner or the owner's authorized agent. Authority. Upon notice from Where the building official that work on any building or structure is being executed finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in an a dangerous or unsafe and dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's authorized agent or to the person performing the work and shall state the conditions under which work will be permitted to resume.the building official is authorized to issue a stop work order.~~

**R114.2** Issuance. The stop work order shall be in writing and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

Add new text as follows:

**R114.3** Emergencies. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

Revise as follows:

**R114.2 R114.3** Unlawful continuance. Failure to comply. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.fines established by the authority having jurisdiction.

## Code Change No: ADM41-19 Part II

### Original Proposal

**Section(s):** IRC: SECTION R114, R114.1, R114.2, R114.3 (New), R114.3

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgcac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

**THIS IS A 4 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART IV WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

**2018 International Residential Code**

**Revise as follows:**

#### SECTION R114 STOP WORK ORDER

**R114.1 Notice to owner or the owner's authorized agent. Authority.** Upon notice from Where the building official that work on any building or structure is being executed finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in an a dangerous or unsafe and dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's authorized agent or to the person performing the work and shall state the conditions under which work will be permitted to resume. the building official is authorized to issue a stop work order.

**R114.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

**Add new text as follows:**

**R114.3 Emergencies.** Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

**Revise as follows:**

**~~R114.2~~ R114.3 Unlawful continuance. Failure to comply.** Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law. finest established by the authority having jurisdiction.

**Reason:** The intent of this proposal is consistency in the Stop Work Order section. Some of the codes have the stop work order buried under the violation section. For consistency it should be its own section. The amount of fees should be removed from the stop work order section so that jurisdictions could update their fee schedule as appropriate and not be associated only with code adoptions. This also addressed the different ways that fees are set.

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.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals."

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as "building/fire/code official".

#### SECTION 109 STOP WORK ORDER

**[A] 109.1 Authority.** Where the code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

**[A] 109.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

**[A] 109.3 Emergencies.** Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

**[A] 109.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the authority having jurisdiction.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC) and the ICC Plumbing/Mechanical/Gas Code Action Committee (PMG CAC).

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. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-actioncommittee-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 safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>.

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at: <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

The PMG CAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance the International Codes or portions thereof that were under the purview of the PMG CAC. In 2017-2018, the PMG CAC held one face-to-face meeting and 11 conference call meetings. Numerous interested parties attended the committee meetings and offered their input. Related documentation and reports are posted on the PMGCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/pmg-code-action-committee-pmgcac>.

**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.

#### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The proposed language is a clarification, is more logical and provides the code official with better tools to resolve issues and stop unsafe work. (Vote: 11-0)

**Assembly Action:**

**None**

#### Final Action



<b>Date Submitted</b> 2/18/2021	<b>Section</b> 106.1	<b>Proponent</b> Mo Madani
<b>Chapter</b> 1	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** No**Related Modifications**

IRC: R106.1

This section is marked reserved under the 2020 FBC-R.

**Summary of Modification**

This only clarifies that the building official can accept digital documents

**Rationale**

Other than the IFC, there is nothing in the administrative sections of the codes allowing digital formats of construction document sets. Most building departments in the country accept digital applications, plans and other submittal documents. This should be recognized in the text of the codes.

Approved as submitted (AS)

**Revise as follows:**

**R106.1 Submittal documents.** Submittal documents consisting of *construction documents*, and other data shall be submitted in two or more sets, or in a digital format where allowed by the building official, with each application for a *permit*. The *construction documents* shall be prepared by a registered *design professional* where required by the statutes of the *jurisdiction* in which the project is to be constructed. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a registered *design professional*.

**Exception:** The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a registered *design professional* if it is found that the nature of the work applied for is such that reviewing of *construction documents* is not necessary to obtain compliance with this code.

## Code Change No: ADM46-19 Part II

### Original Proposal

**Section(s):** IRC: R106.1

**Proponent:** Micah Chappell, representing Department of Construction and Inspections  
(micah.chappell@seattle.gov)

**THIS IS A 4 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-COMMERCIAL CODE COMMITTEE. PART IV WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

**2018 International Residential Code**

**Revise as follows:**

**R106.1 Submittal documents.** Submittal documents consisting of *construction documents*, and other data shall be submitted in two or more sets, or in a digital format where allowed by the building official, with each application for a *permit*. The *construction documents* shall be prepared by a registered *design professional* where required by the statutes of the *jurisdiction* in which the project is to be constructed. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a registered *design professional*.

**Exception:** The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a registered *design professional* if it is found that the nature of the work applied for is such that reviewing of *construction documents* is not necessary to obtain compliance with this code.

**Reason:** Other than the IFC, there is nothing in the administrative sections of the codes allowing digital formats of construction document sets. Most building departments in the country accept digital applications, plans and other submittal documents. This should be recognized in the text of the codes.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. This only clarifies that the building official can accept digital documents. There is no increase in cost to anyone.

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee approved this proposal based on the proponents published reason statement. This proposal allows local approval if the jurisdiction isn't comfortable with it. It reduces work, time and cost of approvals and will bring the ICC into the 21st Century. (Vote: 11-0)

**Assembly Action:**

**None**

### Final Action

**ADM46-19 Part II**

**AS**



<b>Date Submitted</b> 2/16/2021	<b>Section 202</b>	<b>Proponent</b> Mo Madani
<b>Chapter</b> 2	<b>Affects HVHZ</b> Yes	<b>Attachments</b> Yes
<b>TAC Recommendation</b> Denied – Consent	<b>Staff Classification</b> Overlap	
<b>Commission Action</b> Pending Review		

**Comments****General Comments** Yes**Related Modifications**

IRC: [RB] 202, R302.2.1, R302.2.2, R302.2.3, R302.2.4, R302.2.6, R310.1

Original text for this code change is not consistent with that of the 2020 FBC-R. The wording of section R302.2 are R310.1 are not consistent with that of the 2020 FBC-R.

**Summary of Modification**

Correlation with proposed changes to the IRC to clarify use of the term "townhouse" in both codes.

**Rationale**

Please see attached file

**Comment Period History**

<b>Proponent</b> Joseph Belcher	<b>Submitted</b> 6/28/2021	<b>Attachments</b> No
<b>Comment:</b>		
The Florida Home Builders Association (FHBA) requests denial of this code change. The provisions in the code incorporate statutory provisions related to townhouses.		

CA9010-G1

Approved as Modified per Public Comment 1 (AMPC1)

Original MOD

**Revise as follows:**

**[RB] BUILDING.** Any one- or two-family dwelling or ~~townhouse, or~~ portion thereof, ~~including townhouses,~~ used or intended to be used for human habitation, for living, sleeping, cooking or eating purposes, or any combination thereof, or any *accessory structure*. For the definition applicable in Chapter 11, see Section N1101.6.

**[RB] TOWNHOUSE.** ~~A single-family dwelling unit constructed in a group of building that contains three or more attached townhouse units in which each unit extends from foundation to roof and with a yard or public way on not less than two sides, constructed in a group, and used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes.~~

**Add new definition as follows:**

**TOWNHOUSE UNIT.** A single-family dwelling unit in a townhouse that extends from foundation to roof and that has a yard or public way on not less than two sides.

**Revise as follows:**

**R302.2.1 Double walls.** Each *townhouse unit* shall be separated from other townhouse units by two 1-hour fire-resistance-rated wall assemblies tested in accordance with ASTM E119, UL 263 or Section 703.3 of the International Building Code.

**R302.2.2 Common walls.** Common walls separating ~~townhouses~~ *townhouse units* shall be assigned a fire-resistance rating in accordance with Item 1 or 2. The common wall shared by two ~~townhouses~~ *townhouse units* shall be constructed without plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be in accordance with Chapters 34 through 43. Penetrations of the membrane of common walls for electrical outlet boxes shall be in accordance with Section R302.4.

1. Where a fire sprinkler system in accordance with Section P2904 is provided, the common wall shall be not less than a 1-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119, UL 263 or Section 703.3 of the International Building Code.
2. Where a fire sprinkler system in accordance with Section P2904 is not provided, the common wall shall be not less than a 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119, UL 263 or Section 703.3 of the International Building Code.

**R302.2.3 Continuity.** The fire-resistance-rated wall or assembly separating ~~townhouses~~ *townhouse units* shall be continuous from the foundation to the underside of the roof sheathing, deck or slab. The fire-resistance rating shall extend the full length of the wall or assembly, including wall extensions through and separating attached enclosed *accessory structures*.

**R302.2.4 Parapets for townhouses.** Parapets constructed in accordance with Section R302.2.5 shall be constructed for *townhouses* as an extension of exterior walls or common walls separating townhouse units in accordance with the following:

1. Where roof surfaces adjacent to the wall or walls are at the same elevation, the parapet shall extend not less than 30 inches (762 mm) above the roof surfaces.
2. Where roof surfaces adjacent to the wall or walls are at different elevations and the higher roof is not more than 30 inches (762 mm) above the lower roof, the parapet shall extend not less than 30 inches (762 mm) above the lower roof surface.

**Exception:** A parapet is not required in the preceding two cases where the roof covering complies with a minimum Class C rating as tested in accordance with ASTM E108 or UL 790 and the roof decking or sheathing is of noncombustible materials or fire-retardant-treated wood for a distance of 4 feet (1219 mm) on each side of the wall or walls, or one layer of 5/8-inch (15.9 mm) Type X gypsum board is installed directly beneath the roof decking or sheathing, supported by not less than nominal 2-inch (51 mm) ledgers attached to the sides of the roof framing members, for a distance of not less than 4 feet (1219 mm) on each side of the wall or walls and any openings or penetrations in the roof are not within 4 feet (1219 mm) of the common walls. Fire-retardant-treated wood shall meet the requirements of Sections R802.1.5 and R803.2.1.2.

3. A parapet is not required where roof surfaces adjacent to the wall or walls are at different elevations and the higher roof is more than 30 inches (762 mm) above the lower roof. The common wall construction from the lower roof to the underside of the higher roof deck shall have not less than a 1-hour fire-resistance rating. The wall shall be rated for exposure from both sides.

**R302.2.6 Structural independence.** Each individual *townhouse unit* shall be structurally independent.

**Exceptions:**

1. Foundations supporting exterior walls or common walls.
2. Structural roof and wall sheathing from each unit fastened to the common wall framing.
3. Nonstructural wall and roof coverings.
4. Flashing at termination of roof covering over common wall.
5. *Townhouses* *Townhouse units* separated by a common wall as provided in Section R302.2.2, Item 1 or 2.

**R310.1 Emergency escape and rescue opening required.** *Basements, habitable attics* and every sleeping room shall have not less than one operable emergency escape and rescue opening. Where *basements* contain one or more sleeping rooms, an emergency escape and rescue opening shall be required in each sleeping room. Emergency escape and rescue openings shall open directly into a public way, or to a *yard* or court that opens to a public way.

**Exceptions:**

1. Storm shelters and basements used only to house mechanical equipment not exceeding a total floor area of 200 square feet (18.58 m<sup>2</sup>).
2. Where the *dwelling unit* or *townhouse unit* is equipped with an automatic sprinkler system installed in accordance with Section P2904, sleeping rooms in basements shall not be required to have emergency escape and rescue openings provided that the basement has one of the following:
  - 2.1. One means of egress complying with Section R311 and one emergency escape and rescue opening.
  - 2.2. Two means of egress complying with Section R311.

*Public Comment 1:*

Modify as follows:

**[RB] TOWNHOUSE.** A *building* that contains three or more attached *townhouse units*, ~~constructed in a group, and used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes.~~



## Code Change No: ADM5-19 Part II

### Original Proposal

Section(s): IRC: [RB] 202, R302.2.1, R302.2.2, R302.2.3, R302.2.4, R302.2.6, R310.1

**Proponents:** Jeffrey Shapiro, P.E., International Code Consultants, representing Self  
(jeff.shapiro@intlcodeconsultants.com)

**THIS IS A 3 PART CODE CHANGE. PART I WILL BE HEARD BY THE ADMINISTRATIVE CODE COMMITTEE. PART II WILL BE HEARD BY THE IRC-BUILDING CODE COMMITTEE. PART III WILL BE HEARD BY THE IECC-RESIDENTIAL CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.**

2018 International Residential Code

Revise as follows:

**[RB] BUILDING.** Any one- or two-family dwelling or townhouse, or portion thereof, including ~~townhouses~~, used or intended to be used for human habitation, for living, sleeping, cooking or eating purposes, or any combination thereof, or any *accessory structure*. For the definition applicable in Chapter 11, see Section N1101.6.

**[RB] TOWNHOUSE.** ~~A single-family dwelling unit constructed in a group of building that contains three or more attached townhouse units in which each unit extends from foundation to roof and with a yard or public way on not less than two sides, constructed in a group, and used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes.~~

Add new definition as follows:

**TOWNHOUSE UNIT.** A single-family dwelling unit in a townhouse that extends from foundation to roof and that has a yard or public way on not less than two sides.

Revise as follows:

**R302.2.1 Double walls.** Each *townhouse unit* shall be separated from other *townhouse units* by two 1-hour fire-resistance-rated wall assemblies tested in accordance with ASTM E119, UL 263 or Section 703.3 of the International Building Code.

**R302.2.2 Common walls.** Common walls separating ~~townhouses~~ *townhouse units* shall be assigned a fire-resistance rating in accordance with Item 1 or 2. The common wall shared by two ~~townhouses~~ *townhouse units* shall be constructed without plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be in accordance with Chapters 34 through 43. Penetrations of the membrane of common walls for electrical outlet boxes shall be in accordance with Section R302.4.

1. Where a fire sprinkler system in accordance with Section P2904 is provided, the common wall shall be not less than a 1-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119, UL 263 or Section 703.3 of the International Building Code.

- Where a fire sprinkler system in accordance with Section P2904 is not provided, the common wall shall be not less than a 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119, UL 263 or Section 703.3 of the International Building Code.

**R302.2.3 Continuity.** The fire-resistance-rated wall or assembly separating ~~townhouses~~ townhouse units shall be continuous from the foundation to the underside of the roof sheathing, deck or slab. The fire-resistance rating shall extend the full length of the wall or assembly, including wall extensions through and separating attached enclosed *accessory structures*.

**R302.2.4 Parapets for townhouses.** Parapets constructed in accordance with Section R302.2.5 shall be constructed for *townhouses* as an extension of exterior walls or common walls separating townhouse units in accordance with the following:

- Where roof surfaces adjacent to the wall or walls are at the same elevation, the parapet shall extend not less than 30 inches (762 mm) above the roof surfaces.
- Where roof surfaces adjacent to the wall or walls are at different elevations and the higher roof is not more than 30 inches (762 mm) above the lower roof, the parapet shall extend not less than 30 inches (762 mm) above the lower roof surface.

**Exception:** A parapet is not required in the preceding two cases where the roof covering complies with a minimum Class C rating as tested in accordance with ASTM E108 or UL 790 and the roof decking or sheathing is of noncombustible materials or fire-retardant-treated wood for a distance of 4 feet (1219 mm) on each side of the wall or walls, or one layer of 5/8-inch (15.9 mm) Type X gypsum board is installed directly beneath the roof decking or sheathing, supported by not less than nominal 2-inch (51 mm) ledgers attached to the sides of the roof framing members, for a distance of not less than 4 feet (1219 mm) on each side of the wall or walls and any openings or penetrations in the roof are not within 4 feet (1219 mm) of the common walls. Fire-retardant-treated wood shall meet the requirements of Sections R802.1.5 and R803.2.1.2.

- A parapet is not required where roof surfaces adjacent to the wall or walls are at different elevations and the higher roof is more than 30 inches (762 mm) above the lower roof. The common wall construction from the lower roof to the underside of the higher roof deck shall have not less than a 1-hour fire-resistance rating. The wall shall be rated for exposure from both sides.

**R302.2.6 Structural independence.** Each ~~individual~~ townhouse unit shall be structurally independent.

**Exceptions:**

- Foundations supporting exterior walls or common walls.
- Structural roof and wall sheathing from each unit fastened to the common wall framing.
- Nonstructural wall and roof coverings.
- Flashing at termination of roof covering over common wall.
- Townhouses* *Townhouse units* separated by a common wall as provided in Section R302.2.2, Item 1 or 2.

**R310.1 Emergency escape and rescue opening required.** *Basements, habitable attics* and every sleeping room shall have not less than one operable emergency escape and rescue opening. Where *basements* contain one or more sleeping rooms, an emergency escape and rescue opening shall be required in each sleeping room. Emergency escape and rescue openings shall open directly into a public way, or to a *yard* or court that opens to a public way.

**Exceptions:**

- Storm shelters and basements used only to house mechanical equipment not exceeding a total floor area of 200 square feet (18.58 m2).

2. Where the *dwelling unit* or *townhouse unit* is equipped with an automatic sprinkler system installed in accordance with Section P2904, sleeping rooms in basements shall not be required to have emergency escape and rescue openings provided that the basement has one of the following:
  - 2.1. One means of egress complying with Section R311 and one emergency escape and rescue opening.
  - 2.2. Two means of egress complying with Section R311.

**Reason:** Correlation with proposed changes to the IRC to clarify use of the term "townhouse" in both codes. In the IBC, there are currently eight uses of the term "townhouse," including three in the preamble. If this change is approved, it will be necessary to editorially revise only one of those current occurrences, the one in Section 2308.1, which will need to be revised as follows to use the term "townhouse unit." *Detached one- and two-family dwellings and townhouse units not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the International Residential Code.*

From the IRC proposal reason statement:

The IRC currently contains the terms "townhouse" and "townhouse unit," but only "townhouse" is defined. Here are examples of a few of the locations where the term "townhouse unit" is currently used:

1. **Preamble "Effective Use of the International Residential Code," which states: The International Residential Code (IRC)** was created to serve as a complete, comprehensive code regulating the construction of single-family houses, two-family houses (duplexes) and buildings consisting of three or more townhouse units."
2. Section R302.2 states: Townhouses. Walls separating townhouse units shall be constructed in accordance with Section R302.2.1 or R302.2.2.
3. Appendix K uses the term "townhouse units" throughout to describe individual dwelling units within a townhouse. The term "townhouse" is currently used interchangeably as referencing either a single dwelling unit or as a structure with three or more such units, even though the current definition does not accommodate the latter. Literally, the current definition of "townhouse" is a "townhouse unit," yet previously approved code changes that introduced the term "townhouse unit" clearly demonstrate the confusion. I've also experienced this confusion when attempting to teach townhouse requirements to students in code classes.

This proposal will clarify the term "townhouse" as applying to structures that contain three or more dwelling units. This is consistent with how the IRC uses the term "dwelling" to reference a building with one or two dwelling units. Some of the text in the "dwelling" definition has been reproduced in the proposed "townhouse" definition, even though it's arguably poorly written. My objective was consistency, not fixing existing problems with the "dwelling" definition. It should be noted that, while the term "dwelling" currently captures buildings with up to two dwelling units, there is no term that currently defines a structure with more than two dwelling units. The updated definition of "townhouse" fills that hole.

To accommodate the need for a term that applies to individual dwelling units in a townhouse building, the proposal adds a new definition of "townhouse unit." The new definition is correlated with and uses the term "dwelling unit." For reference, the current IRC definitions of "dwelling" and "dwelling unit" are provided below, along with clean versions of the proposed "townhouse" and "townhouse unit" definitions for comparison:

1. [RB] DWELLING. Any building that contains one or two dwelling units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes.
2. [RB] DWELLING UNIT. A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. For the definition applicable in Chapter 11, see Section N1101.6.
3. [RB] TOWNHOUSE. A building that contains three or more attached townhouse units constructed in a group, and used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes.
4. [RB] TOWNHOUSE UNIT. A single-family dwelling unit in a townhouse that extends from foundation to roof and with a yard or public way on not less than two sides.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction  
Clarifies current code provisions with no intended technical change.

#### Report of Committee Action Hearings

**Committee Action:**

**Disapproved**

**Committee Reason:** Although this is a good start, the committee disapproved this proposal so that the proponent could further develop it. (Vote: 11-0)

**Assembly Action:**

**None**

Public Comments
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*Public Comment 1:*

**Micah Chappell, representing Washington Association of Building Officials**  
**(micah.chappell@seattle.gov)**

**Modify as follows:**

**[RB] TOWNHOUSE.** ~~A building that contains three or more attached townhouse units, constructed in a group, and used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes.~~

**Commenter's Reason:** We support the proponent's changes to the townhouse requirements outlined in this proposal. However, the second phrase of the proposed *townhouse* definition can be eliminated because the *townhouse* definition is now a "container" for townhouse units, not the actual units themselves. This information could be relocated to the definition of *townhouse unit*, but it is not necessary. A *townhouse unit* is considered a *dwelling unit* and *dwelling unit* is included in the definition of *dwelling*, which already includes the language in question.

**Cost Impact:** The net effect of the public comment and code change proposal will not increase or decrease the cost of construction. The public comment change clarifies the relationship between the new definitions created by the proponent. It has no monetary impact.

Final Action
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ADM5-19 Part II

AMPC1



# TAC: Code Administration

Total Mods for **Code Administration** in : 1

Total Mods for report: 53

## Sub Code: Building

CA9088/ADM35-19

53

**Date Submitted** 2/17/2021  
**Chapter** 1

**Section** 110.3.5  
**Affects HVHZ** Yes

**Proponent** Mo Madani  
**Attachments** Yes

**TAC Recommendation** Pulled of Consent by Interested Entity  
**Commission Action** Pending Review

**Staff Classification** Correlates Directly

### Comments

**General Comments** Yes

### Related Modifications

TAC Action - Denied - Consent

### Summary of Modification

Adds new section "110.3.5 Type IV-A, IV-B, and IV-C connection protection inspection."

### Rationale

please see attachment

## Comment Period History

**Proponent** Greg Johnson **Submitted** 6/11/2021 **Attachments** No

### Comment:

I am submitting this comment on behalf of the American Wood Council (AWC).

AWC believes that all provisions of the International Codes addressing mass timber buildings (Type IV-A; Type IV-B; Type IV-C buildings) must be adopted together to assure the interrelated fire and structural safety requirements that were developed by the International Code Council's Ad Hoc Committee on Tall Wood Buildings (TWB) and codified through ICC's code rigorous development process are maintained.

Review of the reason statements in the ICC monograph for the package of TWB changes demonstrate exhaustive fire testing to support the conclusions of the committee.

Building and fire code officials, firefighters, homebuilders, fire science experts, material interests, and designers all participated in the TWB and similarly supported the package of changes in testimony.

Adm35-19 This modification establishes the appropriate inspection time for fire-resistance rated connections in mass timber buildings.

## Comment Period History

CA9088-G2

<b>Proponent</b>	Joseph Belcher	<b>Submitted</b>	6/27/2021	<b>Attachments</b>	No
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**Comment:**

The Florida Concrete and Associated Products (FICAP) Association request denial of the proposed code change.

Approved as Submitted (AS)

**Add new text as follows:**

110.3.5 Type IV-A, IV-B, and IV-C connection protection inspection. In buildings of Type IV-A, IV-B, and IV-C Construction, where connection fire resistance ratings are provided by wood cover calculated to meet the requirements of Section 2304.10.1, inspection of the wood cover shall be made after the cover is installed, but before any other coverings or finishes are installed.

## Code Change No: ADM35-19

### Original Proposal

**Section(s): IBC: 110.3.5 (New)**

**Proponent:** Stephen DiGiovanni, representing ICC Ad Hoc Committee on Tall Wood Buildings (TWB) (TWB@iccsafe.org)

**2018 International Building Code**

**Add new text as follows:**

**110.3.5 Type IV-A, IV-B, and IV-C connection protection inspection.** In buildings of Type IV-A, IV-B, and IV-C Construction, where connection fire resistance ratings are provided by wood cover calculated to meet the requirements of Section 2304.10.1, inspection of the wood cover shall be made after the cover is installed, but before any other coverings or finishes are installed.

**Reason:** The TWB determined that the proper construction of the fire resistance rating of mass timber structural elements was important enough, as demonstrated in a series of TWB proposals including this one, to warrant a specific requirement to inspect mass timber connections. The proposal complements the other code change submissions (e.g. Chapters, 7 "Fire and Smoke Protection Features", 17 "Special Inspections and Tests", and 23 "Wood"), and recognizes that building officials have the ability to inspect the protection of connections as part of the normal permit inspection process (e.g. footing and foundations, slabs, framing, etc.). The TWB, following input by code officials, did not feel this provision warranted being incorporated into Chapter 17 "Special Inspections and Tests" as this field inspection process did not require any special expertise for inspection nor tools for testing that were outside the capabilities of building officials today. However, the TWB did believe that some form of inspection should take place since the connections of the structural members, and their protection to achieve a fire resistance rating, represent a significant component to the entire design of mass timber buildings.

The Ad Hoc Committee for Tall Wood Buildings (AHC-TWB) was created by the ICC Board of Directors to explore the building science of tall wood buildings with the scope to investigate the feasibility of and take action on developing code changes for these buildings. Members of the AHC-TWB were appointed by the ICC Board of Directors. Since its creation in January, 2016, the AHC-TWB has held multiple open meetings and numerous Work Group conference calls. Related documentation and reports of the TWB are posted on the AHC-TWB website at <https://www.iccsafe.org/codes-tech-support/cs/icc-ad-hoc-committee-on-tall-wood-buildings/>.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction. Since all of the code proposals related to Mass Timber products are to address new types of building construction, in theory this will not increase the cost of construction, but rather provides design options not currently provided for in the code. The committee took great care to not change the requirements of the pre-existing construction types, and our changes do not increase the cost of construction using those pre-existing construction types.

### Report of Committee Action Hearings

**Committee Action:**

**Approved as Submitted**

**Committee Reason:** The committee stated that the reason for the approval was based on the proponent's reason statement. It was specifically stated that the new section was important for the safety of structures and that its addition is absolutely necessary for the use of these new types of building construction. (Vote: 13-0)

**Assembly Action:**

**None**

### Final Action

**ADM35-19**

**AS**