



# **BUILDING CODE ACTION COMMITTEE MEETING ADM WORK GROUP**

**APRIL 11-12, 2019 MEETING**

**GROUP B 2019**

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## BCAC Code Change Proposals and Related Proposals

- Admin Committee (A)
- Related (X)

### Administrative Committee

Note: The table is in numeric order, however, the proposals are grouped by topic/item number.

Com	Code change	Sections	Topic	Item Number
A	ADM1-19	PART I — IEBC®: [A] 202 (New) PART II — IECC: 202 (New)	Change of occupancy	ADM 21
x	ADM2-19	PART I — IBC®: [A] 202; IEBC®: [A] 202, 202 (New); IFC®: [A] 202; IRC®: [RB] 202 PART II — IECC: SECTION C202, 202	Change of occupancy	ADM 21
x	ADM3-19	PART I — IEBC®: [A] 202; IBC®: [A] 202; IFC®: [A] 202; IRC®: [RB] 202 PART II — IECC: 202	Change of occupancy	ADM 21
x	ADM5-19	PART I — IBC®: [A] 202, 202 (New); IFC®: [A], (New) PART II — IRC®: [RB] 202, 202 (New), R302.2.1, R302.2.2, R302.2.3, R302.2.4, R302.2.6, R310.1 PART III — IECC: R202 (IRC N1101.6), TABLE R405.5.2(1) [IRC N1105.5.2(1)]	Townhouse	ADM 8
A	ADM6-19	IMC®: [A] 101.2; IPC®: 101.2; IEBC®: [A] 101.2; IFGC®: [A] 101.2	Scope exception	ADM 8
A	ADM9-19	PART I — 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; ISPSC®: [A] 101.3; IPMC®: [A] 101.3; IZC®: [A] 101.2; IWUIC®: [A] 101.3; ICCPC®: [A] 101.4, [A] 101.4.1 PART II — IECC: C101.3 PART III — IECC: R101.3 PART IV — IRC®: R101.3	Purpose/Intent	ADM 13
A	ADM10-19	PART I — IBC®: [A] 101.3; IEBC®: [A] 101.3; ISPSC®: [A] 101.3; IPMC®: [A] 101.3; IZC®: [A] 101.2	Intent	ADM 27

Com	Code change	Sections	Topic	Item Number
		PART II — IRC®: R101.3 PART III — IECC: C101.3 PART IV — IECC: R101.3		
A	ADM16-19	PART I — IBC®: SECTION 103, IFC®: SECTION 103, IPC®: SECTION 103, IMC®: SECTION 103, IFGC®: SECTION 103 IEBC®: SECTION 103 ISPSC®:SECTION 103, IPMC®: SECTION 103, IPSDC®: SECTION 103 IWUIC®: SECTION 103 PART II — IRC®: SECTION R103 PART III — IGCC®: 103 (New)	Code compliance agency	ADM 17
A	ADM24-19	PART I — IBC®: [A] 105.2 PART II — IRC®: R105.2	Permits required for storm shelters	ADM 26
A	ADM27-19	IMC®: SECTION 107 (New), [ IPC®: SECTION 107 (New), IPMC®: SECTION 104 (New), IFGC®: SECTION 107 (New), ISPSC®: SECTION 106 (New)	Fees	ADM 10
A	ADM28-19	IBC®: SECTION 107; IFC®: SECTION 106 IFGC®: SECTION 107, [ ISPSC®: SECTION 106, IPSDC®: SECTION 107, IWUIC®: SECTION 108	Construction documents	ADM 29
A	ADM31-19	PART I — IPC®: SECTION 108 IMC®: SECTION 108, IFGC®: SECTION 108, ISPSC®: SECTION 107, IPSDC®: SECTION 108, PART II — IECC: SECTION C106 (New) PART III — IECC: SECTION R106	Notice of approval	ADM 23
A	ADM32-19	PART I — IBC®: SECTION 108, IPC®: SECTION 110, IMC®: SECTION 110, IFGC®: SECTION 110 IEBC®: SECTION 107 IPSDC®: SECTION 110, IWUIC®: SECTION 112, [ ISPSC®: SECTION 106 PART II — IRC®: SECTION R107	TEMPORARY USES, EQUIPMENT AND STRUCTURES	ADM 14
A	ADM33-19	PART I — IBC®: SECTION 109, IFC®: SECTION 106, IEBC®: SECTION 108, IWUIC®: SECTION 109, IZC®: SECTION 111	Fees	ADM 11

Com	Code change	Sections	Topic	Item Number
		PART II — IECC: SECTION C104 PART III — IECC: SECTION R104, PART IV — IGCC®: 107		
A	ADM38-19	PART I — IBC®: SECTION 111 IEBC®: SECTION 110 (New), [ PART II — IRC®: SECTION R110 (New)	Certificate of occupancy	ADM 15
A	ADM39-19	PART I — IBC®: SECTION 112, IPC®: SECTION 108, IMC®: SECTION 108, IFGC®: SECTION 108, IEBC®: SECTION 111, IPSDC®: SECTION 108, IWUIC®: SECTION 113, ISPSC®: SECTION 107 PART II — IRC®: SECTION R111	Service Utilities	ADM 28
A	ADM40-19	PART I — IBC®: SECTION 113, IEBC®: SECTION 112 IFC®: SECTION 109, IWUIC®: SECTION 106 IPC®: SECTION 109 IMC®: SECTION 109, IFGC®: SECTION 109 ISPSC®:SECTION 108 IPMC®: SECTION 111 IPSDC®: SECTION 109 PART II — IRC®: SECTION R112 PART III — IECC: SECTION C109, PART IV — IECC: SECTION R109 PART V — IGCC®: SECTION 108	Means of Appeals	ADM 18
A	ADM41-19	PART I — IBC®: SECTION 115, IFC®: SECTION 112, IPC®:SECTION 108 IMC®: SECTION 108, IFGC®: SECTION 108 IEBC®: SECTION 114, ISPSC®: SECTION 107 IPMC®: SECTION 112 IPSDC®: SECTION 108, IWUIC®: SECTION 114 PART II — IRC®: SECTION R114 PART III — IECC: SECTION C108, PART IV — IECC: SECTION R108	Stop work area	ADM 16
A	ADM42-19	IBC®: SECTION 116, IFC®: SECTION 111, IEBC®: SECTION 115, IPMC®: SECTION 108,	Unsafe structures and equipment	ADM 9
A	ADM43-19	PART I — IBC®: Appendix B, IEBC®: APPENDIX A (New),	Board or appeals	ADM 25

Com	Code change	Sections	Topic	Item Number
		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®: Appendix A(New) PART II — IRC®: APPENDIX A (New), PART III — IECC: APPENDIX CA (New) PART IV — IECC: Appendix RA (New)		
A	S52-19	IBC: SECTION 106, 106.1, 106.2, 106.3.111.5 (New), SECTION 1607 (New), 1607.1 (New), 1607.7.5	Live load signs	ADM 7
A	EB71-19	IEBC: [A] 105.2, 603.1, 704.2 (New), 801.3 (New)	Non-fixed and moveable fixture	
A	CE29-19	PART I — IECC: Part I: C202 IECC: Part II: R202 (IRC N1101.6), R303.3 (IRC N1101.12), R403.5.1 (IRC N1103.5.1), R403.10.1 (IRC N1103.10.1)	Not use “accessible”	ADM 22
A	CCC-ADM1-19	IBC®: SECTION 101; IEBC®: SECTION 101; IFGC®: SECTION 101 IMC®: SECTION 101; IPC®: SECTION 101; IPSDC®: SECTION 101; IPMC®: SECTION 101; IRC®: SECTION R101; ISPSC®: SECTION 101; IZC®: SECTION 101; IGCC®: SECTION 101	Scope and General Requirements	ADM 1
A	CCC-ADM2-19	IBC Chapter 1 Part 2	Part 2 title match	ADM 2
A	CCC-ADM3-19	Chapter 1 of IFC, IPC, IMC, IIPSDC, IFGC, ISPSC, IPMC, IWUIC, IZC, IECC (C & R), IGCC	reorganization	ADM 3
A	CCC-ADM4-19	IFC 104	Title change	ADM 4

# 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 (pmgcac@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:** This is an editorial change that provides consistency between I-codes.

Proposal # 4028

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CCC-ADM1-19

# CCC-ADM2-19

IFC®: PART 2

**Proponent:** Michael O'Brian, representing FCAC (fcac@iccsafe.org)

## 2018 International Fire Code

Revise as follows:

### **PART 2** **ADMINISTRATIVE PROVISIONS ADMINISTRATION AND ENFORCEMENT**

**Reason:** This change to the title will bring consistency with title of Part 2 for all the codes except Performance Code. Currently the IFC is the only code that is different.

#### PART 2—ADMINISTRATIVE PROVISIONS

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”.

This proposal is submitted by the ICC Fire Code Action Committee (FCAC). 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/>

**Cost Impact:** This is an editorial change that provides consistency between I-codes.

Proposal # 4031

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CCC-ADM2-19



# 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; IPSC®: 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); ISPC®: 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 ~~113~~ 109 SERVICE UTILITIES

### SECTION ~~109~~ 110 BOARD OF APPEALS

### SECTION ~~110~~ 111 VIOLATIONS

### SECTION 112 STOP WORK ORDER

**SECTION ~~111~~ 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 ~~110~~ 107  
TEMPORARY EQUIPMENT, SYSTEMS AND USES**

**SECTION ~~107~~ 108  
INSPECTIONS AND TESTING**

**SECTION 109  
MEANS OF APPEAL**

**SECTION ~~108~~ 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 ~~110~~ 107  
TEMPORARY EQUIPMENT, SYSTEMS AND USES**

**SECTION ~~107~~ 108**

**INSPECTIONS AND TESTING**

**SECTION 109  
MEANS OF APPEAL**

**SECTION ~~108~~ 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 ~~110~~ 107  
TEMPORARY EQUIPMENT, SYSTEMS AND USES**

**SECTION ~~107~~ 108  
INSPECTIONS**

**SECTION 109  
MEANS OF APPEAL**

**SECTION ~~108~~ 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 ~~110~~ 107 (IFGC)  
TEMPORARY EQUIPMENT, SYSTEMS AND USES**

**SECTION ~~107~~ 108 (IFGC)  
INSPECTIONS AND TESTING**

**SECTION 109 (IFGC)  
MEANS OF APPEAL**

**SECTION ~~108~~ 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 ~~108~~ 107  
MEANS OF APPEAL**

**SECTION ~~107~~ 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 ~~111~~ 106  
MEANS OF APPEAL**

**SECTION ~~106~~ 107**

**VIOLATIONS**

**SECTION ~~107~~ 108**  
**NOTICES AND ORDERS**

**SECTION ~~112~~ 109**  
**STOP WORK ORDER**

**SECTION ~~108~~ 110**  
**UNSAFE STRUCTURES AND EQUIPMENT**

**SECTION ~~109~~ 111**  
**EMERGENCY MEASURES**

**SECTION ~~110~~ 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 ~~107~~ 106**  
**PERMITS**

**SECTION ~~108~~ 107**  
**PLANS AND SPECIFICATIONS**

**SECTION ~~112~~ 108**  
**TEMPORARY STRUCTURES AND USES**

**SECTION 109**  
**FEEES**

**SECTION 110**  
**INSPECTION AND ENFORCEMENT**

**SECTION 111**  
**CERTIFICATE OF COMPLETION**

**SECTION ~~113~~ 112**  
**SERVICE UTILITIES**

**SECTION ~~106~~ 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 ~~110~~ 106  
PERMITS AND APPROVALS**

**SECTION ~~111~~ 107  
FEES**

**SECTION ~~106~~ 108  
BOARD OF ADJUSTMENT**

**SECTION ~~107~~ 109  
HEARING EXAMINER**

**SECTION ~~108~~ 110  
HEARINGS, APPEALS AND AMENDMENTS**

**SECTION ~~109~~ 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 ~~C109~~ C108**  
**BOARD OF APPEALS**

**SECTION ~~C108~~ 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**  
**FEEES**

**SECTION R105**  
**INSPECTIONS**

**SECTION R106**  
**VALIDITY**

**SECTION R107**  
**REFERENCED STANDARDS**

**SECTION ~~R109~~ R108**  
**BOARD OF APPEALS**

**SECTION ~~R108~~ 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 ~~105~~ 104**  
**APPROVAL**

**SECTION ~~106~~ 105**  
**PERMITS**

**SECTION ~~104~~ 106**  
**CONSTRUCTION DOCUMENTS**

**SECTION 107**  
**INSPECTIONS**

**SECTION ~~109~~ 108**  
**CERTIFICATE OF OCCUPANCY**

## **SECTION ~~108~~ 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/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> (<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:** This is an editorial change that provides consistency between I-codes.

# CCC-ADM4-19

IFC®: SECTION 104

**Proponent:** Michael O'Brian, representing FCAC (fcac@iccsafe.org)

## 2018 International Fire Code

Revise as follows:

### **SECTION 104** **GENERAL AUTHORITY AND RESPONSIBILITIES DUTIES AND POWERS OF THE FIRE CODE** **OFFICIAL**

**Reason:** The change to the title in the IFC is for coordination with the same section in the IBC, IRC, IPC, IMC, IEBC, IPSDC, IFGC, IPMC, ISPSC. 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 Fire Code Action Committee (FCAC). 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/>

**Cost Impact:** This is an editorial change that provides consistency between I-codes.

Proposal # 4050

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CCC-ADM4-19

# S52-19

IBC: SECTION 106, 106.1, 106.2, 106.3, 111.5 (New), SECTION 1607 (New), 1607.1 (New), 1607.7.5

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org)

## 2018 International Building Code

**Delete without substitution:**

### ~~SECTION 106~~ ~~FLOOR AND ROOF DESIGN LOADS~~

~~[A] 106.1 Live loads posted.~~ In commercial or industrial buildings, for each floor or portion thereof designed for *live loads* exceeding 50 psf (2.40 kN/m<sup>2</sup>), such design *live loads* shall be conspicuously posted by the owner or the owner's authorized agent in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

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

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

**Revise as follows:**

### SECTION 111 CERTIFICATE OF OCCUPANCY

**Add new text as follows:**

111.5 Live load posted. A certificate of occupancy required shall not be issued until floor load signs, where required by Section 1607.1.1, and maximum weight of vehicles, where required by Section 1607.7.5, have been posted.

### SECTION 1607 LIVE LOADS

1607.1 General. Live loads are those loads defined in Chapter 2 of this code.

1607.1.1 Live loads posted. In commercial or industrial buildings, for each floor or portion thereof designed for live loads exceeding 50 psf (2.40 kN/m<sup>2</sup>), such design live loads shall be posted in a readily visible location by the owner or the owner's authorized agent in the portion of each story in which they apply. It shall be unlawful to remove or deface such notices.

**Revise as follows:**

**1607.7 Heavy vehicle loads.** Floors and other surfaces that are intended to support vehicle loads greater than a 10,000-pound (4536 kg) gross vehicle weight rating shall comply with Sections 1607.7.1 through 1607.7.5.

**1607.7.5 Posting.** The maximum weight of vehicles allowed into or on a garage or other structure shall be posted by the owner or the owner's authorized agent in ~~accordance with Section 106.1,~~ a readily visible location at the vehicle entrance of the building or other approved location. It shall be unlawful to remove or deface such notices.

**Reason:** The purpose of this code change is to restore the live load posting requirements to Chapter 16. These provisions had been moved to Section 106 by proposal S48-07/08 on the basis that they were administrative requirements rather than technical requirements. The BCAC reviewed the provisions and determined they are in fact technical construction requirements, not administrative enforcement requirements. It is noted they are tied to specific loading requirements in Chapter 16 and are the responsibility of the owner to provide, not the building department. Thus these requirements should be relocated to Chapter 16, with a note left in Section 110 for the building department to verify the loads have been posted. The terminology "commercial or industrial buildings" is existing text that has been in place for several code cycles and B-CAC decided to leave it unchanged. Further, separate provisions have been created for floor live loads and maximum vehicle weights. The reference to a "readily visible" location parallel those for stairway identification signs (Section 1023.9) and signage for public toilet facilities (Section 2902.4 and 2902.4.1). It is noted this signage is not tied to egress or accessibility requirements for the space. Therefore, it is not necessary to require the sign comply with ICC A117.1 or otherwise meet legibility requirements.

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>.

**Cost Impact:** This relocation of requirements may reduce the cost of construction because all necessary requirements are located in the appropriate Chapter.

Proposal # 4052

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S52-19

# ADM6-19

IMC®: [A] 101.2; IPC®: 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

**[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

**[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

**[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.

**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/codedevelopment-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:** This is an editorial change that provides consistency between I-codes.

# ADM5-19 Part I

IBC®: [A] 202, 202 (New); IFC®: [A], (New)

**Proponent:** Jeffrey Shapiro, P.E., 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 Building Code

Revise as follows:

**[A] 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 the foundation to roof and with open space on at least 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 with a yard or public way on not less than two sides.

## 2018 International Fire Code

**[A] 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 the foundation to roof and with open space 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 with a yard or public way on not less than two sides.

**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:

- 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, twofamily houses (duplexes) and buildings consisting of three or more townhouse units."
- Section R302.2 states: Townhouses. Walls separating townhouse units shall be constructed in accordance with Section R302.2.1 or R302.2.2.
- 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:

- *[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.*
- *[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.*
- *[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.*
- *[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:** Clarifies current code provisions with no intended technical change.



# ADM5-19 Part II

IRC®: [RB] 202, [RB] 202, 202 (New), R302.2.1, R302.2.2, R302.2.3, R302.2.4, R302.2.6, R310.1

Proponent: Jeffrey Shapiro, P.E., International Code Consultants, representing Self (jeff.shapiro@intlcodeconsultants.com)

## 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.
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  $\frac{5}{8}$ -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.

**Reason:** 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:

- 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.*
- Section R302.2 states: **Townhouses.** Walls separating townhouse units shall be constructed in accordance with Section R302.2.1 or R302.2.2.
- 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:

- [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.*
- [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.*
- [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.*
- [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.*

In preparing this proposal, each of the 67 occurrences of the term "townhouse" was reviewed to determine whether the term was being used in a manner that applied to the entire structure or individual dwelling units within the structure, and this proposal recommends changes only to those sections where clarifications are needed to clearly convey the current intent of the code with respect to the updated definitions.

**Cost Impact:** No technical changes are intended by this proposal. The intent is simply to clarify terminology.



# ADM5-19 Part III

IECC: R202 (IRC N1101.6), TABLE R405.5.2(1) [IRC N1105.5.2(1)]

Proponent: Jeffrey Shapiro, P.E., International Code Consultants, representing Self (jeff.shapiro@intlcodeconsultants.com)

## 2018 International Energy Conservation Code

### SECTION R202 (IRC N1101.6) GENERAL DEFINITIONS

Add new definition as follows:

**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.

Revise as follows:

TABLE R405.5.2(1) [IRC N1105.5.2(1)]

#### SPECIFICATIONS FOR THE STANDARD REFERENCE AND PROPOSED DESIGNS

Portions of table not shown remain unchanged.

BUILDING COMPONENT	STANDARD REFERENCE DESIGN	PROPOSED DESIGN
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- h. For residences with conditioned basements, R-2 and R-4 residences, and for ~~townhouses~~ townhouse units, the following formula shall be used to determine glazing area:

$$AF = A_s \times FA \times F$$

where:

$AF$	=	Total glazing area.
$A_s$	=	Standard reference design total glazing area.
$FA$	=	(Above-grade thermal boundary gross wall area)/(above-grade boundary wall area + 0.5 × below-grade boundary wall area).
$F$	=	(above-grade thermal boundary wall area)/(above-grade thermal boundary wall area + common wall area) or 0.56, whichever is greater.

and where:

Thermal boundary wall is any wall that separates conditioned space from unconditioned space or ambient conditions.

Above-grade thermal boundary wall is any thermal boundary wall component not in contact with soil.

Below-grade boundary wall is any thermal boundary wall in soil contact.

Common wall area is the area of walls shared with an adjoining dwelling unit.

$L$  and  $CFA$  are in the same units.

**Reason:** 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:

- 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**.*
- Section R302.2 states: **Townhouses.** Walls separating **townhouse units** shall be constructed in accordance with Section R302.2.1 or R302.2.2.
- 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:

- [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.*
- [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.*
- [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.*
- [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.*

In preparing this proposal, each of the 67 occurrences of the term “townhouse” was reviewed to determine whether the term was being used in a manner that applied to the entire structure or individual dwelling units within the structure, and this proposal recommends changes only to those sections where clarifications are needed to clearly convey the current intent of the code with respect to the updated definitions.

**Cost Impact:** No technical changes are intended by this proposal. The intent is simply to clarify terminology.

## ADM42-19

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] 111.4, [A] 111.3; 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, 108.7, SECTION 107, 107.1, 107.2, 107.3, 107.4, 107.5, 107.6, 108.3, 108.4, 108.4.1, 108.5, 108.6

**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)

## 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 # 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

### 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 311~~ 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] ~~111.4~~ 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] ~~111.3~~ 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

### 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

### 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.

~~108.7~~ **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 107~~ ~~NOTICES AND ORDERS~~

Revise as follows:

~~108.4~~ **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 ~~107.2 and 107.3~~ 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.

~~108.4.1~~ **108.4.1 Form.** Such ~~notice prescribed in Section 107.1~~ 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.

~~108.4.2~~ **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.

~~108.5~~ **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:

~~108.6~~ **108.6 Penalties.** Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

Revise as follows:

~~108.6~~ **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:**

~~**108.3 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:**

~~**108.4**~~ **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.

~~**108.4.1**~~ **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.

~~**108.5**~~ **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.

~~**108.6**~~ ~~**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 bring 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:** This is an editorial change that provides consistency between I-codes.

# ADM27-19

IMC@: SECTION 107 (New), [A] 106.5, 107.2 (New), [A] 106.5.2, 107.3 (New), [A] 106.5.1, 107.5 (New), [A] 106.5.3, 107.6 (New); IPC@: SECTION 107 (New), 106.6, 107.2 (New), 106.6.2, 107.3 (New), 106.6.1, 107.5 (New), 106.6.3, 107.6 (New); IPMC@: SECTION 104 (New), [A] 103.5, 104.2 (New); IFGC@: SECTION 107 (New), [A] 106.6, 107.2 (New), [A] 106.6.2, 107.3 (New), [A] 106.6.1, 107.5 (New), [A] 106.6.3, 107.6 (New); ISPSC@: SECTION 106 (New), [A] 105.6, [A] 105.6.2, 106.2 (New), 106.3 (New), [A] 105.6.1, 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] **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

### 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 400 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 Property Maintenance Code

### SECTION 104 FEEs

Revise as follows:

[A] ~~103.5~~ 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

## 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.

# 2018 International Swimming Pool and Spa Code

## SECTION 106 FEES

### Revise as follows:

~~[A] 105.6 106.1 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] 105.6.2 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] 105.6.4~~ **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, IPSDC, 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 107FEES**

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



# ADM33-19 Part I

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] 106.3, [A] 106.4, [A] 106.5; 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] 109.3, [A] 109.4, [A] 109.5; IZC®: SECTION 111, [A] 111.1, 111.2

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@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

### 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 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.

Revise as follows:

**[A] ~~106.3~~ 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] ~~106.4~~ 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] ~~106.5~~ 106.6 Refunds.** The applicable governing authority is authorized to establish a refund policy.

## 2018 International Existing Building Code

### 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

### 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] ~~109.3~~ 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] ~~109.4~~ 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] ~~109.5~~ 109.6 Refunds.** The applicable governing authority is authorized to establish a refund policy.

## 2018 International Zoning Code

### 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.

- 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 109FEES

**[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/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>.

**Cost Impact:** This is an editorial change that provides consistency between I-codes.

Proposal # 4056

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ADM33-19 Part I

# ADM33-19 Part II

IECC: SECTION C104, C104.1, C104.2, C104.3, C104.3, C104.4, C104.5

**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)

## 2018 International Energy Conservation Code

Revise as follows:

### SECTION C104 FEES

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

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

**C104.3 Permit valuations.** The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued. If, in the opinion of the code official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the code official. Final building permit valuation shall be set by the code official.

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

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

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

**Reason:** 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 109FEES

**[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/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>.

**Cost Impact:** This is an editorial change that provides consistency between I-codes.

# ADM33-19 Part III

IECC: SECTION R104, R104.1, R104.2, R104.3, R104.3, R104.4, R104.5

**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)

## 2018 International Energy Conservation Code

Revise as follows:

### SECTION R104 FEES

~~R104.1 Fees. Payment of fees.~~ A permit shall not be issued until the fees prescribed in ~~Section R104.2~~ 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.

~~R104.2 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.

~~R104.3 Permit valuations.~~ The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued. If, in the opinion of the code official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the code official. Final building permit valuation shall be set by the code official.

~~R104.3 R104.4 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.

~~R104.4 R104.5 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.

~~R104.5 R104.6 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 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 109FEES

**[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/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>.

**Cost Impact:** This is an editorial change that provides consistency between I-codes.



# ADM33-19 Part IV

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)

## 2018 International Green Construction Code

Add new text as follows:

### 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 109FEES

**[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/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>.

**Cost Impact:** This is an editorial change that provides consistency between I-codes.

# ADM9-19 Part I

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; ISPSC®: [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 (pmgac@iccsafe.org); Michael O'Brian, FCAC, representing FCAC (fcac@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

**[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

**[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

**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

**[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

**[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

**[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

**[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

~~[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

~~[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

~~[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

### [A] 101.4 Intent. Purpose.

~~[A] 101.4.1 Building.~~ 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/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:** This is an editorial change that provides consistency between I-codes.

# ADM9-19 Part II

IECC: C101.3

**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)

## 2018 International Energy Conservation Code

Revise as follows:

**C101.3 Intent. Purpose.** ~~This code shall regulate the design and construction.~~ The purpose of this code is to establish minimum requirements to provide a reasonable level of health, safety and general welfare by regulating the design, construction and operation of buildings for the effective use and conservation of energy over the useful life of each building. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. ~~This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.~~

**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/>

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



# ADM9-19 Part III

IECC: R101.3

**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)

## 2018 International Energy Conservation Code

Revise as follows:

**R101.3 Intent. Purpose.** ~~This code shall regulate the design and construction.~~ The purpose of this code is to establish minimum requirements to provide a reasonable level of health, safety and general welfare by regulating the design, construction and operation of buildings for the effective use and conservation of energy over the useful life of each building. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. ~~This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.~~

**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/>

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





# ADM9-19 Part IV

IRC®: R101.3

**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)

## 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, explosion 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/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/>

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



# ADM32-19 Part I

IBC®: SECTION 108, [A] 108.1, [A] 108.2, [A] 108.3, [A] 108.4; IPC®: SECTION 110, 110.1, 110.2, 110.3, 110.4; IMC®: SECTION 110, [A] 110.1, [A] 110.2, [A] 110.3, [A] 110.4; IFGC®: SECTION 110 (IFGC), [A] 110.1, [A] 110.2, [A] 110.3, [A] 110.4; IEBC®: SECTION 107, [A] 107.1, [A] 107.2, [A] 107.3, [A] 107.4; IPSDC®: SECTION 110, [A] 110.1, [A] 110.2, [A] 110.3, [A] 110.4; IWUIC®: SECTION 112, [A] 112.1, [A] 112.2, 112.3, [A] 112.3; ISPSC®: SECTION 106, 106.1, 106.2, 106.3, 106.4

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Michael O'Brian, FCAC, representing FCAC (fcac@iccsafe.org); Pennie Feehan, representing Plumbing, Mechanical, and Fuel Gas Code Action Committee (pmgcac@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 108 TEMPORARY USES, EQUIPMENT AND STRUCTURES~~AND USES~~

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

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

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

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

## 2018 International Plumbing Code

### SECTION 110 TEMPORARY USES, EQUIPMENT, AND SYSTEMS~~AND USES~~

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

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

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

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

## 2018 International Mechanical Code

### SECTION 110 TEMPORARY USES, EQUIPMENT, AND SYSTEMS~~AND USES~~

[A] 110.1 **General.** The code official is authorized to issue a permit for temporary uses, equipment, systems and uses, or systems. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The code official is authorized to grant extensions for demonstrated cause.

[A] 110.2 **Conformance.** Temporary uses, equipment, and systems and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the ~~public~~ health, safety and general welfare.

[A] 110.3 **Temporary utilities.** The code official is authorized to give permission to temporarily supply utilities, sources of energy, fuel, power, water systems or sewer systems before an installation has been fully completed and the final ~~certificate of completion approval~~ has been issued. The part covered by the temporary ~~certificate approval~~ shall comply with the requirements specified for temporary lighting, heat or power in ~~the~~ this code.

[A] 110.4 **Termination of approval.** The code official is authorized to terminate such permit for temporary uses, equipment, systems or uses system and to order the ~~temporary equipment, systems or uses same~~ to be discontinued.

## 2018 International Fuel Gas Code

### SECTION 110 (IFGC) TEMPORARY USES, EQUIPMENT, AND SYSTEMS ~~AND USES~~

[A] 110.1 **General.** The code official is authorized to issue a permit for temporary uses, equipment, systems and uses, or systems. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The code official is authorized to grant extensions for demonstrated cause.

[A] 110.2 **Conformance.** Temporary uses, equipment, and systems and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the ~~public~~ health, safety and general welfare.

[A] 110.3 **Temporary utilities.** The code official is authorized to give permission to temporarily supply utilities, sources of energy, fuel, power, water systems or sewer systems before an installation has been fully completed and the final ~~certificate of completion approval~~ has been issued. The part covered by the temporary ~~certificate approval~~ shall comply with the requirements specified for temporary lighting, heat or power in ~~the~~ this code.

[A] 110.4 **Termination of approval.** The code official is authorized to terminate such permit for ~~a~~ temporary structure uses equipment, or use system and to order the ~~temporary structure or use same~~ to be discontinued.

## 2018 International Existing Building Code

### SECTION 107 TEMPORARY STRUCTURES AND USES ~~USES, EQUIPMENT, AND SYSTEMS~~

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

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

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

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

## 2018 International Private Sewage Disposal Code

### SECTION 110 TEMPORARY USES, EQUIPMENT, AND SYSTEMS ~~AND USES~~

[A] 110.1 **General.** The code official is authorized to issue a permit for temporary uses, equipment, systems and uses, or systems. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The code official is authorized to grant extensions for demonstrated cause.

[A] 110.2 **Conformance.** Temporary uses, equipment, and systems and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the ~~public~~ health, safety and general welfare.

[A] 110.3 **Temporary utilities.** The code official is authorized to give permission to temporarily supply utilities, sources of energy, fuel, power, water systems or sewer systems before an installation has been fully completed and the final ~~certificate of completion approval~~ has been issued. The part covered by the temporary ~~certificate approval~~ shall comply with the requirements specified for temporary lighting, heat or power in ~~the~~ this code.

[A] 110.4 **Termination of approval.** The code official is authorized to terminate such permit for ~~a~~ temporary structure uses equipment, or use system and to order the ~~temporary structure or use same~~ to be discontinued.

## 2018 International Wildland-Urban Interface Code

## SECTION 112 TEMPORARY STRUCTURES AND USES, EQUIPMENT, AND SYSTEMS

**[A] 112.1 General.** The code official is authorized to issue a permit for temporary ~~structures and temporary uses,~~ uses, equipment, or systems. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The code official is authorized to grant extensions for demonstrated cause.

**[A] 112.2 Conformance.** Temporary ~~structures and uses,~~ equipment, and systems shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the ~~public~~ health, safety and general welfare.

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

**[A] ~~112.3~~ 112.4 Termination of approval.** The code official is authorized to terminate such permit for ~~a temporary structure uses equipment, or use system~~ and to order the ~~temporary structure or use same~~ to be discontinued.

## 2018 International Swimming Pool and Spa Code

### SECTION 106 TEMPORARY USES, EQUIPMENT, AND SYSTEMS

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

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

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

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

**Reason:** The purpose of this proposal is coordination between codes for the section on temporary structures. The word use is moved to the front. The allowances for temporary connection under inspection and testing address more than just utilities, so the language in this section should match. The phrase "certificate of completion" is not defined, so "approved" would be a better choice.

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

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 108

#### TEMPORARY USES, EQUIPMENT, AND SYSTEMS

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

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

**[A] 108.3 Temporary utilities.** The building official is authorized to give permission to temporarily supply utilities, sources of energy, fuel, power, water systems or sewer systems before an installation has been fully completed and the final approval has been issued. The part covered by the

temporary approval shall comply with the requirements specified for temporary lighting, heat or power in this code.

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

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable 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>.

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

# ADM32-19 Part II

IRC®: SECTION R107, R107.1, R107.2, R107.3, R107.4

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

## 2018 International Residential Code

Revise as follows:

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

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

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

**R107.3 Temporary power.** The building official is authorized to give permission to temporarily supply ~~and use power in part of an electric installation before such installation~~ utilities, sources of energy, fuel, power, water systems or sewer systems before an installation has been fully completed and the final ~~certificate of completion approval~~ approval has been issued. The part covered by the temporary ~~certificate approval~~ approval shall comply with the requirements specified for temporary lighting, heat or power in ~~NFPA 70: this code.~~

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

#### Reason:

The purpose of this proposal is coordination between codes for the section on temporary structures. The word use is moved to the front. The allowances for temporary connection under inspection and testing address more than just utilities, so the language in this section should match.

The phrase "certificate of completion" is not defined, so "approved" would be a better choice.

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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 108

#### TEMPORARY USES, EQUIPMENT, AND SYSTEMS

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

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

[A] 108.3 Temporary utilities. The building official is authorized to give permission to temporarily supply utilities, sources of energy, fuel, power, water systems or sewer systems before an installation has been fully completed and the final approval has been issued. The part covered by the temporary approval shall comply with the requirements specified for temporary lighting, heat or power in this code.

[A] 108.4 Termination of approval. The building official is authorized to terminate such permit for temporary uses equipment, or system and to order



the same to be discontinued.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable 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>.

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**Cost Impact:** This is an editorial change that provides consistency between I-codes.

Proposal # 5796

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ADM32-19 Part II

# ADM38-19 Part I

IBC®: SECTION 111 (New), [A] 111.1 (New), [A] 111.2 (New), [A] 111.3 (New), [A] 111.4 (New); IEBC®: SECTION 110 (New), [A] 110.1 (New), [A] 110.2 (New), [A] 110.3 (New), [A] 110.4 (New)

**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. ~~#~~ 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

### 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/codedevelopment-process/building-code-actioncommittee-bcac>.

**Cost Impact:** This is an editorial change that provides consistency between I-codes.

# ADM38-19 Part II

IRC®: SECTION R110 (New), R110.1 (New), R110.2 (New), R110.3 (New), R110.4 (New), R110.5 (New)

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org)

## 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. # 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/codedevelopment-process/building-code-actioncommittee-bcac>.

**Cost Impact:** This is an editorial change that provides consistency between I-codes.



# ADM41-19 Part I

IBC®: SECTION 115, [A] 115.1, [A] 115.2, 115.3, [A] 115.3; 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] 114.3; 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)

**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] ~~115.3~~ 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. fines established by the authority having jurisdiction.~~

## 2018 International Fire Code

### 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 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 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

### 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 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. fines established by the authority having jurisdiction.

## **2018 International Swimming Pool and Spa Code**

## **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

### 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:

### 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/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:** This is an editorial change that provides consistency between I-codes.

Proposal # 4060

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ADM41-19 Part I

# ADM41-19 Part II

IRC®: SECTION R114, R114.1, R114.2, R114.3 (New), , R114.2

**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 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:

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~~**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/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:** This is an editorial change that provides consistency between I-codes.

# ADM41-19 Part III

IECC: SECTION C108, C108.1, C108.2, C108.3, C108.4

**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)

## 2018 International Energy Conservation Code

Revise as follows:

### SECTION C108 STOP WORK ORDER

**C108.1 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.

**C108.2 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.

**C108.3 Emergencies.** Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

**C108.4 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 as set by the applicable governing authority.~~ 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:** This is an editorial change that provides consistency between I-codes.

# ADM41-19 Part IV

IECC: 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)

## 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 ~~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:** This is an editorial change that provides consistency between I-codes.

Proposal # 5730

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ADM41-19 Part IV

# ADM16-19 Part I

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] 103.4, [A] 103.4.1; IPC®: SECTION 103, 103.1, 103.2, 103.3, 103.4, 103.4.1; IMC®: SECTION 103, [A] 103.1, [A] 103.2, [A] 103.3, [A] 103.4, [A] 103.4.1; IFGC®: SECTION 103 (IFGC), [A] 103.1, [A] 103.2, [A] 103.3, [A] 103.4, [A] 103.4.1; 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] 103.4, [A] 103.4.1; IPMC®: SECTION 103, [A] 103.1, [A] 103.2, [A] 103.3, [A] 103.4, [A] 103.4.1; IPSDC®: SECTION 103, [A] 103.1, [A] 103.2, [A] 103.3, [A] 103.4, [A] 103.4.1; 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)

**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**

Add new text as follows:

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

Revise as follows:

[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

### **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] ~~103.4.1~~ 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

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

Add new text as follows:

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.

Revise as follows:

**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

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

Add new text as follows:

[A] 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.

Revise as follows:

[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

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

Add new text as follows:

[A] 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.

Revise as follows:

[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

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

Add new text as follows:

[A] 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.

Revise as follows:

[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

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

Add new text as follows:

[A] 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.

Revise as follows:

[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] ~~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 any act or by reason of an act or omission in the discharge of official duties.

[A] ~~103.4.1~~ **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

**SECTION 103**  
**DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION CODE COMPLIANCE AGENCY**

Add new text as follows:

[A] 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.

Revise as follows:

[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)~~ code official, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the code official.

[A] ~~103.4~~ 104.7 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] ~~103.4.1~~ 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

**SECTION 103**  
**DEPARTMENT OF PRIVATE SEWAGE DISPOSAL INSPECTION CODE COMPLIANCE AGENCY**

Add new text as follows:

[A] 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.

Revise as follows:

[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] ~~103.4~~ 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] ~~103.4.1~~ 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

**SECTION 103**  
**ENFORCEMENT CODE COMPLIANCE AGENCY**

Add new text as follows:

[A] 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.

Revise as follows:

**[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 ~~(a) 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/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:** This is an editorial change with no change to construction requirements.

Proposal # 4064

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ADM16-19 Part I

# ADM16-19 Part II

IRC®: SECTION R103, R103.1, R103.2, R103.3

**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)

## 2018 International Residential Code

Revise as follows:

### SECTION R103 ~~DEPARTMENT OF BUILDING SAFETY~~ CODE COMPLIANCE AGENCY

Add new text as follows:

**R103.1 Creation of agency.** The [INSERT NAME OF DEPARTMENT] is hereby created and the official in charge thereof shall be known as the building official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Revise as follows:

**R103.2 Appointment.** The building official shall be appointed by the chief appointing authority of the jurisdiction.

**R103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, ~~the other~~ related technical officers, inspectors ~~– plan examiners~~ and other employees. Such employees shall have powers as delegated by the building 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/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:** This is an editorial change with no change to construction requirements.

Proposal # 5731

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ADM16-19 Part II

# ADM16-19 Part III

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, representing SEHPCAC (sehpcac@iccsafe.org)

## 2018 International Green Construction Code

Add new text as follows:

### 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/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:** This is an editorial change with no change to construction requirements.

Proposal # 5732

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ADM16-19 Part III

# ADM40-19 Part I

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), 109.1, 109.3, 109.4, SECTION 110, 109.2; IMC®: SECTION 109, 109.1 (New), [A] 109.1, [A] 109.1.1, 109.3 (New), 109.4, SECTION 110, [A] 109.2; IFGC®: SECTION 109 (IFGC), 109.1, [A] 109.1, 109.3, 109.4, SECTION 110, [A] 109.2; ISPSC®: SECTION 108, 108.1, [A] 108.1, 108.3, 108.4, SECTION 109, [A] 108.2; IPMC®: SECTION 111, 111.1, [A] 111.1, 111.3, 111.4, [A] 111.8, SECTION 112, [A] 111.2; IPSCD®: SECTION 109, 109.1, [A] 109.1, 109.3, 109.4, SECTION 110, [A] 109.2

**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)

**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:

112.4 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

## 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:**

~~409-1 109.2 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**

**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] 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.~~

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**

**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] ~~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.

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] ~~109.2~~ 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**

### **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 ~~there under~~ 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] ~~108.2~~ 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**

### **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] ~~111.1~~ 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] ~~111.8~~ 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] ~~111.2~~ 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**

### **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] ~~109.1~~ 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 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] ~~109.2~~ 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.

**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 (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:** This is an editorial proposal with no change to construction requirements.

# ADM40-19 Part II

IRC®: SECTION R112, R112.1, R112.2, R112.3, R112.4

**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)

## 2018 International Residential Code

Revise as follows:

### SECTION R112 BOARD MEANS OF APPEALS

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

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

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

**R112.4 Administration.** The *building official* shall take immediate action in accordance with the decision of the board.

**Reason:** 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 (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:** This is an editorial proposal with no change to construction requirements.

# ADM40-19 Part III

IECC: SECTION C109, C109.1, C109.2, C109.3, C109.4

**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)

## 2018 International Energy Conservation Code

Revise as follows:

### SECTION C109 BOARD MEANS OF APPEALS

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

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

**C109.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.

**C109.4 Administration.** The code official 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 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 (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:** This is an editorial proposal with no change to construction requirements.

# ADM40-19 Part IV

IECC: SECTION R109, R109.1, R109.2, R109.3, R109.4

**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)

## 2018 International Energy Conservation Code

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.

**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 (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:** This is an editorial proposal with no change to construction requirements.

Proposal # 5735

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ADM40-19 Part IV

# ADM40-19 Part V

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 (pmgac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

## 2018 International Green Construction Code

Revise as follows:

### SECTION 108 BOARDMEANS 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 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 (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:** This is an editorial proposal with no change to construction requirements.

Proposal # 5737

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ADM40-19 Part V

# ADM1-19 Part I

IEBC@: [A] 202 (New)

**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 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:** This is an editorial item.

Proposal # 4071

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ADM1-19 Part I

# ADM1-19 Part II

IECC: 202 (New)

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

## 2018 International Energy Conservation Code

Revise as follows:

**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 the 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:** This is an editorial item.

Proposal # 5738

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ADM1-19 Part II

# ADM2-19 Part I

IBC®: [A] 202; IEBC®: [A] 202, 202 (New); IFC®: [A] 202; IRC®: [RB] 202

**Proponent:** Kevin Duerr-Clark, NYS Department of State, representing NYS Department of State (kevin.duerr-clark@dos.ny.gov); Gary Traver, representing NYS Department of State (gary.traver@dos.ny.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 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:

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 Existing Building Code

**[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.~~

Add new definition as follows:

**CHANGE OF USE.** A change in the use of a building or a portion of a building, within the same group and classification that results in 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:

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:** 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. However, the combined definition for Change of Use and Change of Occupancy does not support that distinction.

The definition for a Change of Occupancy contains within it the definition for a Change of Use. This leads some code users to believe that both terms are interchangeable. The 2018 code takes a step to clarify this by separating the definition into 3 bullet points, but it does not go far enough.

Removing the third bullet from the definition of Change of Occupancy and adding a new definition for Change of Use, which is based on the language of the third bullet, would provide clarity and simplify enforcement.

**Cost Impact:** This is simply a clarification of existing code provisions and does not carry a cost impact.

Proposal # 4320

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ADM2-19 Part I

# ADM2-19 Part II

IECC: SECTION C202, 202

**Proponent:** Kevin Duerr-Clark, NYS Department of State, representing NYS Department of State (kevin.duerr-clark@dos.ny.gov); Gary Traver, representing NYS Department of State (gary.traver@dos.ny.gov)

## 2018 International Energy Conservation Code

### SECTION C202 GENERAL DEFINITIONS

**Revise as follows:**

**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 the application of the requirements of this code.~~

**Reason:** 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. However, the combined definition for Change of Use and Change of Occupancy does not support that distinction.

The definition for a Change of Occupancy contains within it the definition for a Change of Use. This leads some code users to believe that both terms are interchangeable. The 2018 code takes a step to clarify this by separating the definition into 3 bullet points, but it does not go far enough.

Removing the third bullet from the definition of Change of Occupancy and adding a new definition for Change of Use, which is based on the language of the third bullet, would provide clarity and simplify enforcement.

**Cost Impact:** This is simply a clarification of existing code provisions and does not carry a cost impact.

Proposal # 5745

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ADM2-19 Part II

# ADM3-19 Part I

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

**Proponent:** 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); 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

**[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

**[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:** 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.

Proposal # 5215

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ADM3-19 Part I

# ADM3-19 Part II

IECC: 202

**Proponent:** 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); 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)

## 2018 International Energy Conservation Code

Revise as follows:

**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. 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.~~

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.

**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:** 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.

Proposal # 5746



# CE29-19 Part I

IECC: Part I: C202

IECC: Part II: R202 (IRC N1101.6), R303.3 (IRC N1101.12), R403.5.1 (IRC N1103.5.1), R403.10.1 (IRC N1103.10.1)

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org)

## 2018 International Energy Conservation Code

### SECTION C202 GENERAL DEFINITIONS

**Revise as follows:**

**NETWORKED GUESTROOM CONTROL SYSTEM.** A control system, ~~accessible~~ with access from the front desk or other central location associated with a Group R-1 building, that is capable of identifying the occupancy status of each guestroom according to a timed schedule, and is capable of controlling HVAC in each hotel and motel guestroom separately.

**Reason:** The reason for this change is that "accessible" is typically understood to be reachable by a person using a wheelchair. This is not the case in the sections shown to be revised. The revised language will clarify where the requirement is intended for inspection or repair. Last cycle, CE137-16 Part 1 was approved by the commercial energy and disapproved by the residential energy. The IECC residential committee's reason was "These terms are going to be too difficult to explain to contractors."

The term 'accessible' is defined in the IBC and relates to elements and facilities that serve or have special accommodations for persons with mobility impairments. The IPC and IMC use the term "Access (to)" or "Ready Access" for access to equipment which is proposed here for the IECC. A similar proposal was approved for the all the other codes.

One new definition in the Commercial Energy picked up "accessible". That should be revised.

This proposal is submitted by the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC). 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:** This is an editorial issue with no code changes.

Proposal # 4072

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CE29-19 Part I

# CE29-19 Part II

IECC: R202 (IRC N1101.6), R303.3 (IRC N1101.12), R403.5.1 (IRC N1103.5.1), R403.10.1 (IRC N1103.10.1)

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org)

## 2018 International Energy Conservation Code

### SECTION R202 (IRC N1101.6) GENERAL DEFINITIONS

Revise as follows:

**ACCESSIBLE.** ~~Admitting close approach as a result of not being guarded by locked doors, elevation or other effective means (see "Readily accessible").~~

**READILY ACCESSIBLE.**

~~Capable of being reached quickly for operation, renewal or inspection without requiring those to whom ready access is requisite to climb over or remove obstacles or to resort to portable ladders or access equipment (see "Accessible").~~

**READY ACCESS (TO)** That which enables a device, appliance or equipment to be directly reached, without requiring the removal or movement of any panel, or similar obstruction.

**ACCESS (TO)** That which enables a device, appliance or equipment to be reached by ready access or by a means that first requires the removal or movement of a panel, or similar obstruction.

**R303.3 (IRC N1101.12) Maintenance information.** Maintenance instructions shall be furnished for equipment and systems that require preventive maintenance. Required regular maintenance actions shall be clearly stated and incorporated on a readily ~~accessible~~ visible label. The label shall include the title or publication number for the operation and maintenance manual for that particular model and type of product.

**R403.5.1 (IRC N1103.5.1) Heated water circulation and temperature maintenance systems (Mandatory).** Heated water circulation systems shall be in accordance with Section R403.5.1.1. Heat trace temperature maintenance systems shall be in accordance with Section R403.5.1.2. Automatic controls, temperature sensors and pumps shall be ~~accessible in a location with access~~. Manual controls shall be ~~readily accessible in a location with ready access~~.

**R403.10.1 (IRC N1103.10.1) Heaters.** The electric power to heaters shall be controlled by a ~~readily accessible~~ an on-off switch that is an integral part of the heater mounted on the exterior of the heater, or external to and within 3 feet (914 mm) of the ~~heater~~. heater in a location with ready access. Operation of such switch shall not change the setting of the heater thermostat. Such switches shall be in addition to a circuit breaker for the power to the heater. Gas-fired heaters shall not be equipped with continuously burning ignition pilots.

**Reason:** The reason for this change is that "accessible" is typically understood to be reachable by a person using a wheelchair. This is not the case in the sections shown to be revised. The revised language will clarify where the requirement is intended for inspection or repair. Last cycle, CE137-16 Part 1 was approved by the commercial energy and disapproved by the residential energy. The IECC residential committee's reason was "These terms are going to be too difficult to explain to contractors."

The term 'accessible' is defined in the IBC and relates to elements and facilities that serve or have special accommodations for persons with mobility impairments. The IPC and IMC use the term "Access (to)" or "Ready Access" for access to equipment which is proposed here for the IECC. A similar proposal was approved for the all the other codes.

One new definition in the Commercial Energy picked up "accessible". That should be revised.

This proposal is submitted by the ICC Sustainable, Energy and High Performance Code Action Committee (SEHPCAC). 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:** This is an editorial issue with no code changes.

Proposal # 5784



# ADM31-19 Part I

IPC®: SECTION 108, 107.5, 107.5.1; IMC®: SECTION 108, [A] 107.4, [A] 107.4.1; IFGC®: SECTION 108, [A] 107.4, [A] 107.4.1; ISPSC®: SECTION 107, [A] 106.17, [A] 106.17.1; IPSDC®: SECTION 108, [A] 107.7, [A] 107.7.1

**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)

**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:

~~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.

## 2018 International Swimming Pool and Spa Code

Add new text as follows:

### SECTION 107 NOTICE OF APPROVAL

**Revise as follows:**

**[A] ~~106.17.1~~ 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] ~~106.17.1~~ 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] ~~107.7~~ 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] ~~107.7.1~~ 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.

**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 (PMG CAC).

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:** This is an editorial change.

# ADM31-19 Part II

IECC: SECTION C106 (New), C105.7, C105.7.1

**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); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

## 2018 International Energy Conservation Code

Add new text as follows:

### SECTION C106 NOTICE OF APPROVAL

Revise as follows:

~~C105.7.1~~ **C106.1 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*.

~~C105.7.1~~ **C106.2 Revocation.** The *code official* is authorized to suspend or revoke, in writing, 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 (PMG CAC).

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:** This is an editorial change.

Proposal # 5739

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ADM31-19 Part II

# ADM31-19 Part III

IECC: SECTION R106, R105.7, R105.7.1

**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); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

## 2018 International Energy Conservation Code

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.

**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 (PMG CAC).

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:** This is an editorial change.

Proposal # 5740

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ADM31-19 Part III

# ADM43-19 Part I

IBC®: B, SECTION B101, [A] B101.1, B101.1 (New), B101.2 (New), B101.2.1 (New), B101.2 (New), [A] B101.2, [A] B101.2.2, [A] B101.2.1, B101.3.3 (New), [A] B101.2.4, [A] B101.2.6, [A] B101.2.5, [A] B101.2.7, B101.3.8 (New), [A] B101.2.3, [A] B101.3, [A] B101.3.1, B101.5.2 (New), [A] B101.3.2, [A] B101.3.3, B101.6 (New), [A] B101.4, [A] B101.4.1, [A] B101.4.2, B101.8 (New); IEBC®: APPENDIX A (New), SECTION A101 (New), A101.1 (New), A101.2 (New), A101.2.1 (New), A101.2.2 (New), A101.3 (New), A101.3.1 (New), A101.3.2 (New), A101.3.3 (New), A101.3.4 (New), A101.3.5 (New), A101.3.6 (New), A101.3.7 (New), A101.3.8 (New), A101.4 (New), A101.5 (New), A101.5.1 (New), A101.5.2 (New), A101.5.3 (New), A101.6 (New), A101.7 (New), A101.7.1 (New), A101.7.2 (New), A101.8 (New); IFC®: A, SECTION A101, A101.1, A101.2 (New), A101.2.1 (New), A102.2.2 (New), A101.2, A101.2.1, A101.2.2, A101.2.3, A101.2.4, A101.2.5, A101.3, A101.3.1, A101.3.1 (New), A101.3.2 (New), A101.3.2, A101.3.4 (New), A101.5, A101.9, A101.8, A101.3.7 (New), A101.3.3, A101.10, A101.7, A101.5.1 (New), A101.4, A101.5.3 (New), A101.6, A101.7 (New), A101.7.1 (New), A101.7.2 (New), A101.8 (New); IFGC®: APPENDIX A (New), A101 (New), A101.1 (New), A101.2 (New), A101.2.1 (New), A101.2.2 (New), [A] 109.2, [A] 109.2.1, [A] 109.2.2, A101.3.3 (New), [A] 109.2.3, [A] 109.2.5, [A] 109.2.4, [A] 109.2.6, A101.3.8 (New), [A] 109.4.1, [A] 109.3, [A] 109.4, A101.5.2 (New), [A] 109.5, A101.6 (New), [A] 109.6, [A] 109.6.1, [A] 109.6.2, [A] 109.7; IMC®: APPENDIX A (New), SECTION A101 (New), A101.1 (New), A101.2 (New), A101.2.1 (New), A101.2.2 (New), [A] 109.2, [A] 109.2.1, [A] 109.2.2, A101.3.3, [A] 109.2.3, [A] 109.2.5, [A] 109.2.4, [A] 109.2.6, A101.3.8 (New), [A] 109.4.1, [A] 109.3, [A] 109.4, A101.5.2 (New), [A] 109.5, A101.6 (New), [A] 109.6, [A] 109.6.1, [A] 109.6.2, [A] 109.7; IPC®: APPENDIX A (New), SECTION A101 (New), A101.1 (New), A101.2 (New), A101.2.1 (New), A101.2.2 (New), 109.2, 109.2.1, 109.2.2, A101.3.3 (New), 109.2.3, 109.2.5, 109.2.4, 109.2.6, A101.3.8 (New), 109.4.1, 109.3, 109.4, A101.5.2 (New), 109.5, A101.6 (New), 109.6, 109.6.1, 109.6.2, 109.7; IPSDC®: APPENDIX A (New), SECTION A101 (New), A101.1 (New), A101.2 (New), A101.2.1 (New), A101.2.2 (New), [A] 109.2, [A] 109.2.1, [A] 109.2.2, A101.3.3 (New), [A] 109.2.3, [A] 109.2.5, [A] 109.2.4, [A] 109.2.6, A101.3.8 (New), [A] 109.4.1, [A] 109.3, [A] 109.4, A101.5.2 (New), [A] 109.5, A101.6 (New), [A] 109.6, [A] 109.6.1, [A] 109.6.2, [A] 109.7; IPMC®: APPENDIX A (New), SECTION A101 (New), A101.1 (New), A101.2 (New), A101.2.1 (New), [A] 111.8, [A] 111.2, A101.3.1 (New), [A] 111.2.1, A101.3.3 (New), [A] 111.2.2, [A] 111.2.4, [A] 111.2.3, [A] 111.2.5, A101.3.8 (New), [A] 111.4.1, [A] 111.3, [A] 111.4, A101.5.2 (New), [A] 111.5, A101.6 (New), [A] 111.6, [A] 111.6.1, [A] 111.6.2, [A] 111.7; ISPSC®: APPENDIX A (New), SECTION A101 (New), A101.1 (New), A101.2 (New), A101.2.1 (New), A101.2.2 (New), [A] 108.2, [A] 108.2.1, [A] 108.2.2, A101.3.3 (New), [A] 108.2.3, [A] 108.2.5, [A] 108.2.4, [A] 108.2.6, A101.3.8 (New), [A] 108.4.1, [A] 108.3, [A] 108.4, A101.5.2 (New), [A] 108.5, A101.6 (New), [A] 108.6, [A] 108.6.1, [A] 108.6.2, [A] 108.7; IWUIC®: SECTION 106, [A] 106.1, A (New), SECTION A101 (New), A101.1 (New), A101.2 (New), A101.2.1 (New), A101.2.2 (New), A101.3 (New), A101.3.1 (New), A101.3.2 (New), A101.3.3 (New), A101.3.4 (New), A101.3.5 (New), A101.3.6 (New), A101.3.7 (New), A101.3.8 (New), A101.4 (New), A101.5 (New), A101.5.1 (New), A101.5.2 (New), A101.5.3 (New), A101.6 (New), A101.7 (New), A101.7.1 (New), A101.7.2 (New), A101.8 (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)

**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] ~~B101.2.1~~ **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

### 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 ~~108 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.

**A101.2.1 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.

~~**A101.10**~~ **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.

~~**A101.7**~~ **A101.5 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

## 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] ~~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 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] ~~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:

**[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] ~~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] ~~109.6~~ 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] ~~109.6.1~~ 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] ~~109.6.2~~ A101.7.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.

**[A] ~~109.7~~ 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] ~~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 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] ~~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.

**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] ~~109-2-3~~ **A101.3.4 Chairman. Chairperson.** The board shall annually select one of its members to serve as chairman chairperson.

[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.

[A] ~~109-4~~ **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] ~~109-5~~ **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] ~~109-6~~ **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] ~~109-6.1~~ **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] ~~109-6.2~~ **A101.7.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.

[A] ~~109-7~~ **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:

~~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.

~~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 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.~~

~~109-2.2~~ **A101.3.2 Alternate members.** The chief appointing authority ~~shall be 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:

~~109-2-3~~ **A101.3.4 Chairman.** ~~Chairperson.~~ The board shall annually select one of its members to serve as ~~chairman.~~ chairperson.

~~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.

~~109-2-4~~ **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.

~~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:

~~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.

~~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.

~~109-4~~ **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:

~~109-5~~ **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:

~~109-6~~ **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.

~~109-6-1~~ **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.

~~109-6-2~~ **A101.7.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.

~~109-7~~ **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] ~~409-2.1~~ **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 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] ~~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:

[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 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] ~~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] 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.

Add new text as follows:

[A] 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.

Revise as follows:

~~[A] 109-4 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] 109-5 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] 109-6 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] 109-6.1 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] 109-6.2 A101.7.2 Administration.~~ The code official shall take immediate action in accordance with the decision of the board.

~~[A] 109-7 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] ~~111-8~~ **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 ~~appeals~~ board.

[A] ~~111-2~~ **A101.3 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 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] ~~111-2-1~~ **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 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] ~~111-2-2~~ **A101.3.4 Chairman- Chairperson.** The board shall annually select one of its members to serve as ~~chairman chairperson.~~

[A] ~~111-2-4~~ **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] ~~111-2-3~~ **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] ~~111-2-5~~ **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] ~~111-4-1~~ **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] ~~111-3~~ **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] ~~111-5~~ **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] ~~411.6~~ 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] ~~411.6.1~~ 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] ~~411.6.2~~ A101.7.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.

**[A] ~~411.7~~ 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] ~~408.2.1~~ 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 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] ~~108-2.2~~ **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] ~~108-2.3~~ **A101.3.4 Chairman. Chairperson.** The board shall annually select one of its members to serve as ~~chairman~~ chairperson.

[A] ~~108-2.5~~ **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] ~~108-2.4~~ **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.

[A] ~~108-2.6~~ **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] ~~108-4.1~~ **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] ~~108-3~~ **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.

[A] ~~108-4~~ **A101.5.1 Open hearing. Hearings.** ~~All 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] ~~108-5~~ **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] ~~108-6~~ **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] ~~108-6.1~~ **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] ~~108-6.2~~ **A101.7.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.

[A] ~~108-7~~ **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

## 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:

## 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/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:** This is an editorial correlation and an option for jurisdictions to follow.

# ADM43-19 Part II

IRC®: APPENDIX A (New), SECTION A101 (New), A101.1 (New), A101.2 (New), A101.2.1 (New), A101.2.2 (New), A101.3 (New), A101.3.1 (New), A101.3.2 (New), A101.3.3 (New), A101.3.4 (New), A101.3.5 (New), A101.3.6 (New), A101.3.7 (New), A101.3.8 (New), A101.4 (New), A101.5 (New), A101.5.1 (New), A101.5.2 (New), A101.5.3 (New), A101.6 (New), A101.7 (New), A101.7.1 (New), A101.7.2 (New), A101.8 (New)

**Proponent:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Pennie Feehan (pmgcac@iccsafe.org); Michael O'Brian (fcac@iccsafe.org)

## 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.

**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.

**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/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:** This is an editorial correlation and an option for jurisdictions to follow.

# ADM43-19 Part III

IECC: APPENDIX CA (New), SECTION CA101 (New), CA101.1 (New), CA101.2 (New), CA101.2.1 (New), CA101.2.2 (New), CA101.3 (New), CA101.3.1 (New), CA101.3.2 (New), CA101.3.3 (New), CA101.3.4 (New), CA101.3.5 (New), CA101.3.6 (New), CA101.3.7 (New), CA101.3.8 (New), CA101.4 (New), CA101.5 (New), CA101.5.1 (New), CA101.5.2 (New), CA101.5.3 (New), CA101.6 (New), CA101.7 (New), CA101.7.1 (New), CA101.7.2 (New), CA101.8 (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)

## 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.

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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.

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**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.

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**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/>

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**Cost Impact:** This is an editorial correlation and an option for jurisdictions to follow.

# ADM43-19 Part IV

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 (pmgac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

## 2018 International Energy Conservation Code

Add new text as follows:

### APPENDIX RA BOARD OF APPEALS-RESIDENTIAL

#### 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 R109 (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 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:** This is an editorial correlation and an option for jurisdictions to follow.

# ADM24-19 Part I

IBC®: [A] 105.2 (New)

**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 Building Code

Revise as follows:

**[A] 105.2 Work exempt from permit.** Exemptions 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 used as tool and storage sheds, playhouses and similar uses, provided that the floor area is not greater than 120 square feet (11 m<sup>2</sup>).
2. Fences not over 7 feet (2134 mm) high.
3. Oil derricks.
4. 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 or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18 925 L) and the ratio of height to diameter or width is not greater than 2:1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or *story* below and are not part of an *accessible route*.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated *swimming pools* accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, are not greater than 5,000 gallons (18 925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family *dwellings*.
12. Window awnings in Group R-3 and U occupancies, 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.
13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

### Electrical:

1. **Repairs and maintenance:** Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles.
2. **Radio and television transmitting stations:** The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. **Temporary testing systems:** A *permit* shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

### Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

### Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (0.75 kW) or less.

### Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe,



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 that 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/codedevelopment-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:** Increases the cost for installing storm shelters by the cost of the permit fee, but only in jurisdictions that currently allow installation without permits.

# ADM24-19 Part II

IRC®: R105.2 (New)

**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)

## 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.

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**Cost Impact:** Increases the cost for installing storm shelters by the cost of the permit fee, but only in jurisdictions that currently allow installation without permits.

# ADM10-19 Part I

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 (pmgcac@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

**[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

**[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

**[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

**[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 (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 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:** This is an editorial change that provides consistency between I-codes.

Proposal # 4074

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ADM10-19 Part I

# ADM10-19 Part III

IECC: C101.3

**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)

## 2018 International Energy Conservation Code

Revise as follows:

**C101.3 Intent.** ~~This code shall regulate the design and construction~~ The purpose of this code is to establish minimum requirements to provide a reasonable level of health, safety, property protection and general welfare by regulating the design, construction and operation of buildings for the effective use and conservation of energy over the useful life of each building. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

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

# ADM10-19 Part IV

IECC: R101.3

**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)

## 2018 International Energy Conservation Code

Revise as follows:

**R101.3 Intent.** ~~This code shall regulate the design and construction~~ The purpose of this code is to establish minimum requirements to provide a reasonable level of health, safety, property protection and general welfare by regulating the design, construction and operation of buildings for the effective use and conservation of energy over the useful life of each building. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

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

# ADM10-19 Part II

IRC®: R101.3

**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 Residential Code

Revise as follows:

**R101.3 Intent.** The purpose of this code is to establish minimum requirements to safeguard the public safety, health and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and ~~safety to life for providing a reasonable level of life safety~~ and property ~~protection from fire and other hazards attributed~~ the hazards of fire, explosion or dangerous conditions attributed to the built environment, and to provide safety to fire fighters and emergency responders during emergency operations.

**Reason:** The purpose of this proposal is for consistency in language for the sections 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 (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 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:** This is an editorial change that provides consistency between I-codes.

Proposal # 5741



# ADM39-19 Part I

IBC®: SECTION 112, [A] 112.1, [A] 112.2, [A] 112.3; IPC®: SECTION 108, 107.7, 107.6, 108.3; IMC®: SECTION 108, [A] 107.6, [A] 107.5, 108.3; IFGC®: SECTION 108, [A] 107.6, [A] 107.5, 108.3; IEBC®: SECTION 111, [A] 111.1, [A] 111.2, [A] 111.3; IPSDC®: SECTION 108, [A] 107.9, [A] 107.8, 108.3; IWUIC®: SECTION 113, [A] 113.1, 113.2, [A] 113.2; ISPSC®: SECTION 107, [A] 106.19, [A] 106.18, 107.3

**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)

**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

### **SECTION 108 SERVICE UTILITIES**

~~107-7~~ **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.

~~107-6~~ **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

### **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 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

### **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

### **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 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

### **SECTION 108** **SERVICE UTILITIES**

**[A] ~~107-9~~ 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] ~~107-8~~ 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

### 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] ~~113.2~~ 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~~ approval required by Section ~~113.1~~ 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

### SECTION 107 SERVICE UTILITIES

**[A] ~~106.19~~ 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] ~~106.18~~ 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, IWUIC). 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:** This is an editorial change that provides consistency between I-codes.

# ADM39-19 Part II

IRC®: SECTION R111, R111.1, R111.2, R111.3

**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)

## 2018 International Residential Code

Revise as follows:

### SECTION R111 SERVICE UTILITIES

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

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

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

**Reason:** The 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, IWUIC). 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:** This is an editorial change that provides consistency between I-codes.

Proposal # 5801

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ADM39-19 Part II

# ADM28-19

IBC®: SECTION 107; IFC®: SECTION 106, [A] 105.4, [A] 105.4.1, [A] 105.4.1.1, [A] 105.4.2, [A] 105.4.2.1, [A] 105.4.3, [A] 105.4.4, [A] 105.4.4.1, [A] 105.4.5, [A] 105.4.6; IPC®: SECTION 107, 106.3.1, 106.5.6; IMC®: SECTION 107, [A] 106.3.1, [A] 106.4.6; IFGC®: SECTION 107, [A] 106.3.1, [A] 106.5.6; ISPSC®: SECTION 106, [A] 105.3, [A] 105.5.6; IPSDC®: SECTION 107, [A] 106.2.1, [A] 106.3.6; 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 (pmgcac@iccsafe.org)

## 2018 International Building Code

Revise as follows:

### SECTION 107 SUBMITTAL CONSTRUCTION DOCUMENTS

## 2018 International Fire Code

### 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] ~~105.4.1~~ **106.1 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] ~~105.4.1.1~~ **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] ~~105.4.2~~ **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] ~~105.4.2.1~~ **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] ~~105.4.3~~ **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] ~~105.4.4~~ **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] ~~105.4.4.1~~ **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] ~~105.4.5~~ **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] ~~105.4.6~~ **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

### SECTION 107 CONSTRUCTION DOCUMENTS

~~106.3.1~~ **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.

~~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.

## 2018 International Mechanical Code

### 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. 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

### 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.



## 2018 International Swimming Pool and Spa Code

### SECTION 106 CONSTRUCTION DOCUMENTS

[A] ~~105.3~~ 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] ~~105.5.6~~ 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

### SECTION 107 CONSTRUCTION DOCUMENTS

[A] ~~106.2.1~~ 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] ~~106.3.6~~ 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

### 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/codedevelopment-process/building-code-actioncommittee-bcac>.

**Cost Impact:** This is an editorial change only.