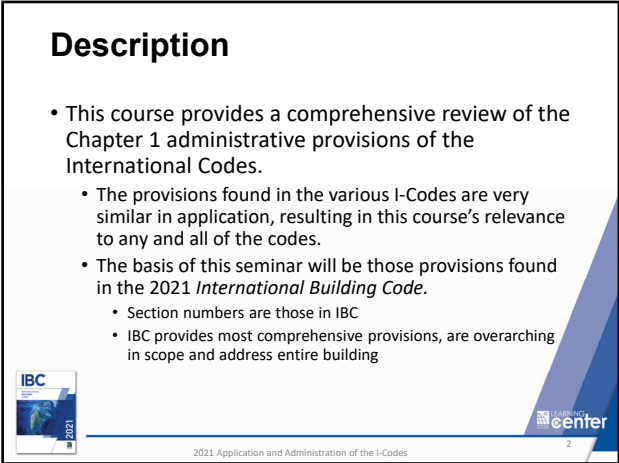
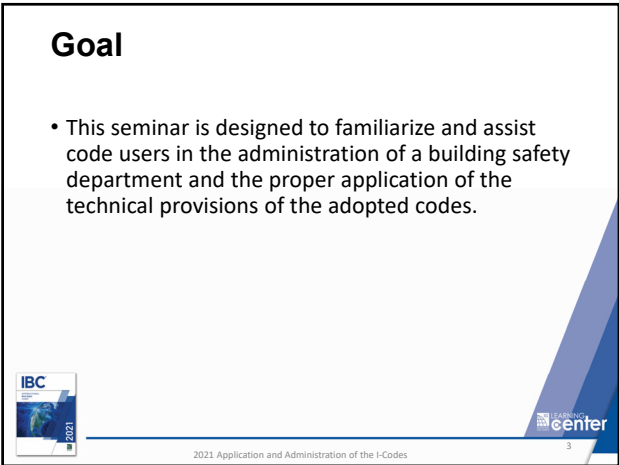


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Objectives

- Upon completion, participants will be better able to:
 - Understand the purpose of Chapter 1 as established in each of ICC's *International Codes*.
 - Identify those provisions that establish the scope and application of the technical code requirements.
 - Determine those decisions and actions necessary to the proper administration of a building safety department.





2021 Application and Administration of the I-Codes

4

4

Course Overview

Module 1	Overview and Scope of Chapter 1 in the <i>International Codes</i>
Module 2	Application of Chapter 1 to the <i>I-Codes'</i> Technical Provisions
Module 3	Administrative Functions as set forth in Chapter 1 of the <i>I-Codes</i>





2021 Application and Administration of the I-Codes

5

5

Overview and Scope of Chapter 1 in the International Codes

Module 1





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6

6

Modification/Replacement

- Although many jurisdictions modify or replace the provisions of Chapter 1 to varying degrees, the fundamental concepts and principles typically remain.
 - Some degree of direction must be provided to guide users in the proper application of the various *I-Codes*.
- Modifications to Chapter 1 typically address:
 - Special jurisdictional operations
 - References to other codes and standards
 - Relationship with higher jurisdictional authority





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7

7

Areas of Emphasis

- Chapter 1 primarily addresses two very important areas:
 - Application of code requirements based upon:
 - Minimum standard
 - AHJ interpretive authority
 - Alternate methods, materials and design
 - Coordination of potential conflicting provisions
 - Administrative functions, including:
 - Code official, plan reviewer and inspector functions
 - Board of appeals



2021 Application and Administration of the I-Codes



8

8

Scope – 101.2

- Provisions of IBC apply to the following aspects in regard to buildings and structures:

Construction	Equipment
Alteration	Use and occupancy
Relocation	Location
Enlargement	Maintenance
Replacement	Removal
Repair	Demolition





2021 Application and Administration of the I-Codes

9

9

Scope – 101.2, Exc.

- *International Building Code (IBC)* not intended to apply to:
 - One- and two-family dwellings
 - Townhouses
 - Structures accessory to such dwellings and townhouses
 - Limited-occupant care facilities and owner-occupied lodging houses
- Such structures are regulated by *International Residential Code (IRC)*





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10

10

Scope – 101.2, Exc.

- Where structure regulated under IRC, provisions of IBC do not apply unless specifically permitted/required by IRC, such as:
 - Expansive soils
 - High-wind conditions
 - High-seismic conditions
- In such situations, IBC applied only to extent as specified in IRC.
 - IRC continues to apply for all other aspects of building





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11

11

Scope – 101.2

- Scoping also key to proper application of individual provisions.
- Not all provisions apply to all buildings, therefore scope of each provision must be determined.
 - Format of I-Codes assists in scoping decisions through hierarchy of provisions, direct reference or other means.





2021 Application and Administration of the I-Codes

12

12

Scope – 101.2

- Examples of scoping process:
 - 907.4.2 **Manual fire alarm boxes.** *Where a manual fire alarm system is required by another section of the code, it shall be activated by:*
 - 905.3 **Required installations.** Standpipe systems shall be installed where required by Sections 905.3.1 through 905.3.8.
 - 202 **COMMON PATH OF EGRESS TRAVEL.** *That portion of exit access travel distance*
 - 1020.5 **Dead ends.** *Where more than one exit or exit access doorway is required (from a corridor),*
 - 202 **CHANGE OF OCCUPANCY.** *Either of the following shall be considered a change of occupancy, where this code requires a greater degree of safety, than is existing:*





2021 Application and Administration of the I-Codes 13

13

Application of Chapter 1 to the I-Codes' Technical Provisions

Module 2





2021 Application and Administration of the I-Codes 14

14

Appendices – 101.2.1

- Appendices not considered a part of the code unless specifically adopted.
- Appendix topics addressed separately from code for a variety of reasons, including:
 - Regional in nature
 - New methodology or issue not yet universally accepted
 - Significant, but not universal, support for inclusion in base document
 - Often addressed by local or state administrative authority
 - Not directly viewed as building construction issue
 - More comprehensive provisions than typically desired





2021 Application and Administration of the I-Codes 15

15

Appendices – 101.2.1

- Appendices, although not adopted, may serve as valuable guidelines in applying code provisions or evaluating alternative solutions.





2021 Application and Administration of the I-Codes 16

16

IBC Appendices

- Key appendices in IBC include:
 - A Employee Qualifications
 - B Board of Appeals
 - C Group U – Agricultural Buildings
 - D Fire Districts
 - E Supplementary Accessibility Requirements
 - G Flood-Resistant Construction
 - J Grading
 - L Earthquake Recording Instrumentation
 - M Tsunami-Generated Flood Hazard
 - N Replicable Buildings





2021 Application and Administration of the I-Codes 17

17

Appendices in Other I-Codes

- Key appendices in IRC include:
 - AF Radon Control Methods
 - AH Patio Covers
 - AJ Existing Buildings and Structures
 - AK Sound Transmission
 - AL Permit Fees
 - AM Home Day Care – R-3 Occupancy
 - AQ Tiny Houses
 - AR Light Straw-Clay Construction
 - AS Strawbale Construction
 - AT Solar-Ready Provisions
 - AV Board of Appeals





2021 Application and Administration of the I-Codes 18

18

Appendices in Other I-Codes

- Key appendices in IFC include:
 - B Fire-Flow Requirements for Buildings
 - D Fire Apparatus Access Roads
 - E Hazard Categories
 - H Hazardous Materials Management Plan
 - K Construction Requirements for Existing Ambulatory Care Facilities
 - M High-Rise Buildings – Retroactive Automatic Sprinkler Requirement
 - N Indoor Trade Shows and Exhibitions





2021 Application and Administration of the I-Codes 19

19

Purpose – 101.3

- Purpose of code is to establish **minimum standard** for reasonable level of:
 - Safety
 - Public health
 - General welfare
- Minimum standard is not necessarily consistent with:
 - Minimum standard of care
 - Quality of work
 - Personal preferences





2021 Application and Administration of the I-Codes 20

20

Purpose – 101.3

- Provisions intended to identify necessary requirements without mandating those that are unnecessary.
- “Minimum standard” concept is critical in code’s application.
- Most basic examples of minimum standard concept are:
 - Occupancy classifications
 - Type of construction classifications





2021 Application and Administration of the I-Codes 21

21

Purpose – 101.3 (cont.)


- Code change process, in part, available to periodically revise appropriate levels of compliance.
- *I-Codes* constantly under review and modification through governmental consensus process.
 - Such process leaves final determination of code provisions in hands of public safety officials.





2021 Application and Administration of the I-Codes 22

22

Purpose – 101.3 (cont.)



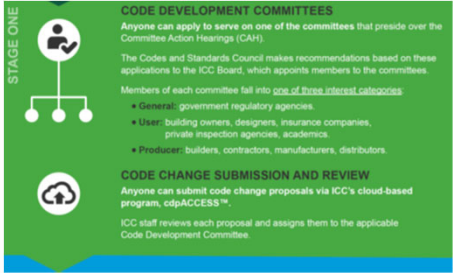
The International Code Council develops the International Codes, a coordinated, modern set of building codes used in all 50 U.S. states and many other countries. Changes to the I-Codes are made through a transparent and inclusive consensus-based process that complies with the OMB Circular A-119.



2021 Application and Administration of the I-Codes 23

23

Purpose – 101.3 (cont.)





STAGE ONE

CODE DEVELOPMENT COMMITTEES
Anyone can apply to serve on one of the committees that preside over the Committee Action Hearings (CAH).
The Codes and Standards Council makes recommendations based on these applications to the ICC Board, which appoints members to the committees.
Members of each committee fall into one of three interest categories:

- General: government regulatory agencies.
- User: building owners, designers, insurance companies, private inspection agencies, academics.
- Practitioner: builders, contractors, manufacturers, distributors.

CODE CHANGE SUBMISSION AND REVIEW
Anyone can submit code change proposals via ICC's cloud-based program, cdpACCESS™.
ICC staff reviews each proposal and assigns them to the applicable Code Development Committee.



2021 Application and Administration of the I-Codes 24

24

Purpose – 101.3 (cont.)

STAGE TWO

CAH



Public Comment Submission and Review

PCH

COMMITTEE ACTION HEARINGS
At the CAH, code development committees approve, approve with modifications or disapprove each code change proposal.
Any participants may challenge the committee actions. ICC members vote on these challenges online. Approved challenges result in an automatic public comment to be considered at the PCH.

PUBLIC COMMENT SUBMISSION AND REVIEW
Anyone can submit public comments via edgACCESS™ on the results of the CAH.

PUBLIC COMMENT HEARINGS
At the PCH, eligible voters discuss and vote on code change proposals.
Eligible voters work for government agencies protecting the public's health and safety and have no financial stake in the outcome.



2021 Application and Administration of the I-Codes 25

25

Purpose – 101.3 (cont.)

STAGE THREE



Online Governmental Consensus Vote

New Edition Published

ONLINE GOVERNMENTAL CONSENSUS VOTE
Following the PCH, eligible voters vote online. The final vote count combines the in-person PCH and online votes. The Validation Committee reviews and the ICC Board confirms the final results. •

NEW EDITION PUBLISHED
An updated edition of the International Codes is published every three years.

*Appeals process available where rules were not followed, not for technical reasons.





2021 Application and Administration of the I-Codes 26

26

Purpose – 101.3 (cont.)

- Requirements address reasonable levels of:
 - Structural strength
 - Means of egress facilities
 - Stability
 - Sanitation
 - Light and ventilation
 - Energy conservation
 - Life safety and property protection from hazards of fire, explosion and dangerous conditions
 - Safety to fire fighters and emergency responders during emergency operations

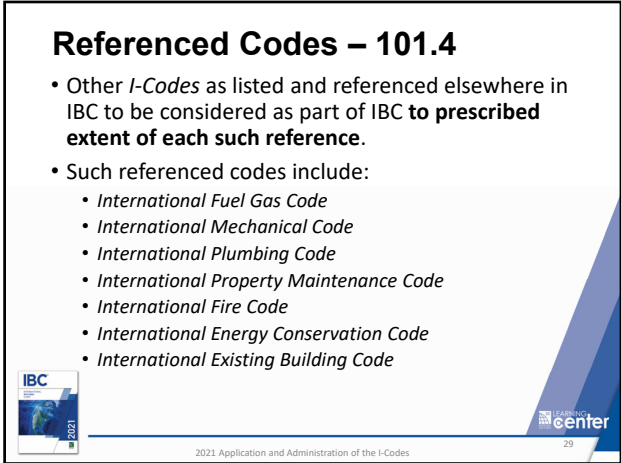


2021 Application and Administration of the I-Codes 27

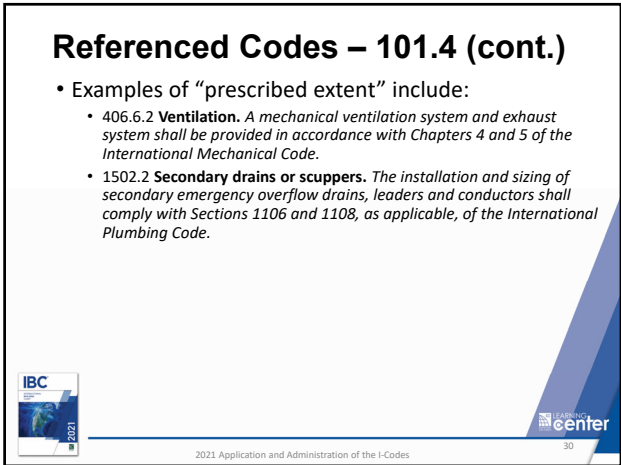
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29



30

Referenced Codes – 101.4 (cont.)

- In addition, many references are made to an entire code document, however in such cases only those relevant provisions of the referenced code are applicable.
 - 428.1 **Scope.** Except as specified, higher education laboratories shall comply with all applicable provisions of the *International Fire Code*.





2021 Application and Administration of the I-Codes31

31

Conflicting Provisions – 102.1

- Where, in a specific case, different code provisions specify different materials, methods of construction, or other requirements, **most restrictive** to govern.
- Where there is a conflict between a *general* requirement and a *specific* requirement, **specific** requirement to apply.
 - Applicable regardless if specific is more restrictive or less restrictive than general requirement.





2021 Application and Administration of the I-Codes32

32

Conflicting Provisions – 102.1

- The best examples of general/specific conflicts are found in IBC Chapter 4.
 - Detailed requirements for specific building types, occupancies, features and hazards are established.
- An example of a more restrictive/less restrictive conflict deals with the minimum required width/capacity of means of egress components.
 - In many cases, such conflicts are identified in the code and the proper application is established.





2021 Application and Administration of the I-Codes33

33

Other Laws – 102.2

- Requirements of code do not nullify any provisions of local, state or federal law.
- Examples of local, state or federal laws superseding the code include:
 - Zoning ordinances that require building setbacks.
 - State laws not allowing jurisdictions to impose residential sprinkler requirements
 - Federal mandates that specified group homes comply with NFPA 101





2021 Application and Administration of the I-Codes 34

34

Referenced Standards – 102.4

- Codes and standards referenced in IBC to be considered as part of IBC **to prescribed extent of each such reference.**
- Entire standard may be referenced as applicable, or only that portion of the standard that is specifically addressing the code provision under consideration.





2021 Application and Administration of the I-Codes 35

35

Referenced Standards – 102.4 (cont.)

- Examples of “prescribed extent” include:
 - 412.3.6 **Fire suppression.** *Aircraft hangars shall be provided with a fire suppression system designed in accordance with NFPA 409 based on the classification given in IBC Table 412.3.6.*
 - 1030.6.2 **Smoke-protected assembly seating.** *A life safety evaluation, complying with NFPA 101, shall be done for a facility utilizing the reduced width requirements of IBC Table 1030.6.2.*
- Extent of each reference standard can be identified by code sections listed in Chapter 35.





2021 Application and Administration of the I-Codes 36

36

Referenced Standards – 102.4

- An example of a limited applicable standard is the IBC’s reference to ICC A117.1 for accessibility purposes.
- Only those portions of the A117.1 standard that have scoping language in the IBC are applicable.
 - Accessible stairways are not required by the IBC to comply with A117.1, therefore only compliance with the IBC is required to provide the necessary accessibility.
 - Previous examples include recreational facilities, which were only recently scoped in the IBC.





2021 Application and Administration of the I-Codes 37

37

Referenced Standards – 102.4

- Where conflicts occur between provisions of code and referenced codes and standards, provisions of code to apply.
 - Code requirements to apply whether referenced standard provisions more restrictive or less restrictive.
 - While most conflicts result in the code’s application being more restrictive than that of the standard, there are cases (particularly in the structural provisions) where the code provisions are less restrictive.





2021 Application and Administration of the I-Codes 38

38

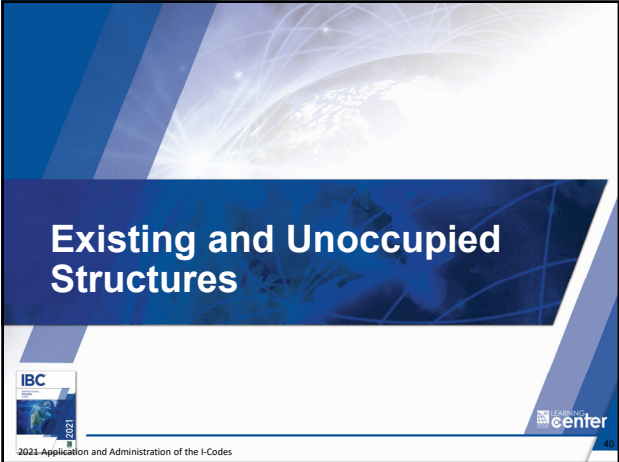
Referenced Standards – 102.4

- Several examples of code provisions superseding those of referenced standard include requirements related to automatic sprinkler protection:
 - Covered balconies and decks of dwelling units and sleeping units in Type V construction.
 - Open-ended corridors and stairways where no separation is provided between the corridor and the building.
 - Attic protection in Type III, IV and V multi-family buildings with substantial roof height.

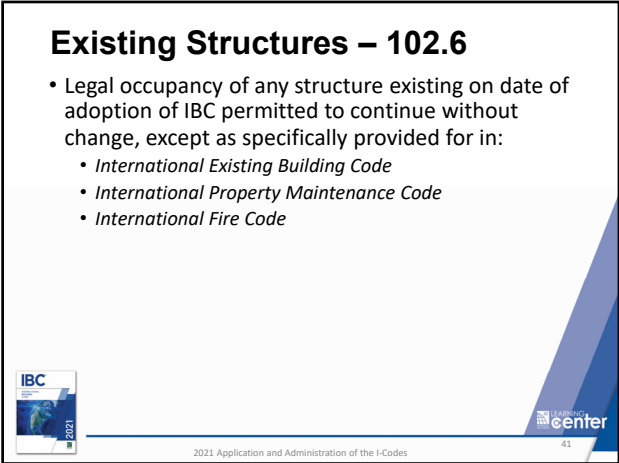


2021 Application and Administration of the I-Codes 39

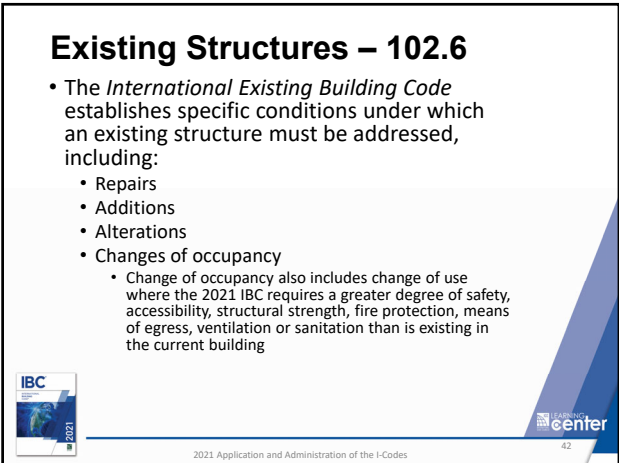
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42

Existing Structures – 102.6

- The *International Property Maintenance Code* establishes minimum maintenance standards for basic:
 - Equipment
 - Light
 - Ventilation
 - Heating
 - Sanitation
 - Fire safety





2021 Application and Administration of the I-Codes

43

43

Existing Structures – 102.6

- The *International Fire Code* sets forth requirements for existing buildings constructed prior to adoption of the current code to ensure fire and life safety to the occupants.
- Such upgrades addressed include:
 - Fire alarm and fire sprinkler systems
 - Means of egress upgrades
 - Multiple conditions in Group I-2 occupancies





2021 Application and Administration of the I-Codes

44

44

Not Previously Occupied – 102.6.1

- A building, or portion of a building, that has not been previously occupied or used for its intended purpose, is to comply with code:
 - For new construction, or
 - With current permit for such occupancy.
- Building considered as new structure until it is occupied in whole or in part.
 - Tenant build-outs permitted to comply with code adopted at time of initial construction unless permit has expired.
 - If expired, then current code is applicable.





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45

45

Previously Occupied – 102.6.2

- The legal occupancy of a building on date of adoption of new code is permitted to continue without change, except as provided in:
 - IFC, or
 - IPMC, or
 - As deemed necessary by building official for the general safety and welfare of the occupants and the public.





2021 Application and Administration of the I-Codes

46

46

Duties of the Building Official





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47

47

Code Compliance Agency – 103

- Code Compliance Agency is created as enforcement agency.
- Building official appointed to apply IBC and other codes/standards.
- Building official to appoint staff members, including technical officers and other employees.
 - Such employees to have powers as delegated by building official.
 - Duties and powers established in Section 104 apply to building official as well as designated employees.





2021 Application and Administration of the I-Codes

48

48

Code Compliance Agency – 103

- The official in charge is recognized by the code as the:
 - Building official IBC, IRC
 - Fire code official IFC
 - Code official IECC, IEBC, IPC, IMC
- The title used in the jurisdiction may differ from that set forth in the code.





2021 Application and Administration of the I-Codes 49

49

Duties of Building Official – 104.1

- Building official authorized and directed to enforce provisions of IBC.
- Building official charged with many responsibilities, including:
 - Administrative functions
 - Leadership of staff
 - Training activities





2021 Application and Administration of the I-Codes 50

50

Duties of Building Official – 104.1

- Building official also has **authority to interpret IBC**, as well as adopt policies and procedures to clarify IBC’s application.
- Interpretation authority can be as broad as established by the building official, and includes:
 - Provisions intended to be interpreted on a case-by-case basis, including those where code requires an “approved” solution, and
 - Established criteria where tolerance may be considered.





2021 Application and Administration of the I-Codes 51

51

Duties of Building Official – 104.1

- *I-Codes* contain both performance and prescriptive provisions.
 - Interpretative authority applicable to both types of provisions.
- Performance provisions establish intended goals and/or results with no specific criteria for compliance.
- Prescriptive provisions are often consensus-based with limited or no actual data to support specific threshold established.





2021 Application and Administration of the I-Codes52

52

Performance Provisions

- *Approved barrier* within an interior exit stairway to *prevent persons from unintentionally continuing into levels below.*
- Egress doors to be *readily openable* from egress side *without the use of a key or special knowledge or effort.*
- Path of egress travel to be marked by *readily visible exit signs to clearly indicate* direction of egress travel in cases where *exit or path of egress travel is not immediately visible to the occupants.*





2021 Application and Administration of the I-Codes53

53

Performance Provisions

- Performance-based provisions also include those provisions where a standard of performance is established through reference to an applicable standard, such as:
 - ASTM E119 or UL 263 for fire-resistance ratings
 - NFPA 286, ASTM E84 or UL 723 for interior wall and ceiling finish classification





2021 Application and Administration of the I-Codes54

54

Prescriptive Provisions

- Many of the IBC provisions are considered as prescriptive in nature, including:
 - The means of egress illumination level shall be *not less than 1 footcandle*.
 - Automatic sprinkler system required in stories containing *Group A-2 occupancies* where *fire area has an occupant load of 300 or more*:
 - However, it is possible that both the occupancy classification and the occupant load determination could be performance-based decisions.
 - A fire wall in a Group B building of Type IIB construction shall have a *minimum 2-hour fire-resistance rating*.





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55

55

Prescriptive Provisions

- Even though provisions are prescriptive in nature, they often tend to represent a performance-based result, such as:
 - Means of egress illumination
 - Occupant load based requirements





2021 Application and Administration of the I-Codes

56

56

Duties of Building Official – 104.1

- Such interpretations, policies and procedures to meet **intent and purpose** of IBC.
 - Key to proper application based on understanding of provision's intent.
- No allowance to waive requirements specifically set forth in code.





2021 Application and Administration of the I-Codes

57

57

Liability – 104.8

- Building official, board of appeals members and employees charged with enforcement of code are not personally rendered liable civilly or criminally for any damage to persons or property as a result of an act or omission in discharge of official duties.
 - Requires that individual is acting in **good faith and without malice** in discharge of required duties
- Building official responsibility is still subject to superseding local, state and federal laws.





2021 Application and Administration of the I-Codes58

58

Liability – 104.8

- Major difference in responsibility based upon if action is considered as an:
 - Intentional tort, or
 - Negligence
- Intentional torts involve conduct the person intended to occur.
- Negligence assumes no intent involved, however harm was caused and there was a breach of duty of care.





2021 Application and Administration of the I-Codes59

59

Legal Defense – 104.8.1

- Any suit or criminal complaint filed due to an act performed by jurisdictional officer or employee in lawful discharge of duties and under provisions of code to be defended by legal representatives of jurisdiction.
 - Representation to be provided until final termination of proceedings.
- Building official or any subordinate to not be liable for cost in any action, suit or proceeding.





2021 Application and Administration of the I-Codes60

60

Modifications – 104.10

- Building official has authority to grant modifications to code where:
 - Practical difficulties in complying with provisions
 - Granted only on a case-by-case basis (does not create precedence)
 - Application submitted by owner or owner’s agent





2021 Application and Administration of the I-Codes

61

61

Modifications – 104.10 (cont.)

- Building official must find that:
 - Special individual reason makes strict letter of code impractical
 - Modification meets **intent and purpose** of code
 - Such modification does not lessen:
 - Health
 - Accessibility
 - Life safety and fire safety
 - Structural requirements
- Details of action granting modification to be recorded and entered into department files.





2021 Application and Administration of the I-Codes

62

62

Modifications – 104.10 (cont.)

- Differs from use of Section 104.11 for alternate materials, methods and design in that:
 - Allows for amendment or exception to specific code requirement
 - Applies where there are practical difficulties in complying with code
 - Granted on a case-by-case basis
- Consistent with Section 104.11 regarding:
 - Meets intent and purpose of code
 - Does not lessen health, accessibility, life and fire safety or structural requirements.





2021 Application and Administration of the I-Codes

63

63

Alternates – 104.11

- Provisions of code not intended to prevent installation of any material, or prohibit any method or design not specifically prescribed by code where:
 - Such alternate has been approved by code official
 - Proposed design is satisfactory and complies with **intent** of code





2021 Application and Administration of the I-Codes 64

64

Alternates – 104.11 (cont.)

- Method, material or work is equivalent of that prescribed in code for:
 - Quality
 - Strength
 - Effectiveness
 - Fire resistance
 - Durability
 - Safety
- Where alternate not approved, building official to respond in writing stating reasons for decision.





2021 Application and Administration of the I-Codes 65

65

Alternates – 104.11 (cont.)

- Design alternates can often be evaluated based upon applicable prescriptive provisions in the code.
- In evaluating design alternatives, it is necessary to determine intent.
- It is helpful to address the following questions:
 - What is the hazard?
 - How does code specifically address hazard?
 - How does alternate address hazard?
 - Is equal or better result accomplished?





2021 Application and Administration of the I-Codes 66

66

Alternates – 104.11 (cont.)

- Alternates involving materials or methods of construction must often be evaluated based upon testing or engineering judgements, many of which are established in research reports.





2021 Application and Administration of the I-Codes 67

67

Research Reports – 104.11.1

- Supporting data, where necessary to assist in approval of assemblies or materials not specifically addressed in code, to consist of valid research reports from approved sources.
- Building official to identify approved sources, typically based upon reliability and accuracy.
- ICC Evaluation Service is one of a number of agencies that provide research reports for alternative materials and methods.
 - Acceptance of such reports is subject to that of the building official.



2021 Application and Administration of the I-Codes 68



68

Importance of Evaluation

Many new and innovative products continually enter the construction marketplace:

“With modern technology advancing at a record pace, new and innovative building products are being introduced to the market everyday. There are thousands of manufacturers producing millions of building products that drive the market and influence the latest building trends.”

www.globalcontractors.org/Building_Knowledge.html





2021 Application and Administration of the I-Codes 69

69

Basis for Approval

If these components/products/systems are not in the code, then...

...HOW ARE THEY APPROVED?





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70

70

Research Reports

- The code allows for innovative products to be used in construction
- ICC-ES also provides/creates criteria that enables the use of innovative products.
- Code officials have the authority and responsibility to review and approve alternative materials, methods, research and test reports.




2021 Application and Administration of the I-Codes

71

71

What information is on an ICC-ES Evaluation Report?

- **CSI Division Number** - ICC-ES Evaluation Reports, and the building products represented in them, are organized according to the Construction Specifications Institute's (CSI) Master format system.
- **Report Holder** - The name and address of the company or organization that has applied for the Evaluation Report.
- **Evaluation Subject** - The specific product(s) covered by the report.
- **Evaluation Scope** - The code(s) that were used to evaluate the product.
- **Properties Evaluated** - A brief description of the properties the product was evaluated against such as fire resistance and wind resistance. This section also shows if the product can be used for structural purposes.



2021 Application and Administration of the I-Codes

72

72


What information is on an ICC-ES Evaluation Report?

1 Uses - Identifies the scope of the Evaluation Report and relates the product evaluated to code provisions.

2 Description - Provides a general description of the product and its features, such as length, thickness, etc.

3 Installation - Identifies general and often specific requirements to help the inspector ensure the product is installed properly according to the code requirements or acceptance criteria.

4 Conditions of Use - Statement that the product, as described in the Evaluation Report, complies with or is a suitable alternative to the requirements of the applicable code and a list of conditions under which the report is issued.



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73

73

What information is on an ICC-ES Evaluation Report?

5 Evidence Submitted - Data (i.e. test reports, calculations, installation instructions) that was used in evaluating the product.

6 Identification - Information that can be used to identify the product, including the manufacturer's name, product code, Evaluation Report number, etc.



2021 Application and Administration of the I-Codes


74

74

How are ICC-ES Evaluation Reports Developed?

Basis for evaluation

- Code provisions
 - Where code provisions are applicable, the code is the basis for evaluation.
- Acceptance criteria
 - Where the code does not address the product or system, or is not clear about the requirements, specific acceptance criteria are developed as the basis for evaluation.



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75



75

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25

How are ICC-ES Acceptance Criteria Developed?

- The process begins when an application for new evaluation report is submitted to ICC-ES
- The application is reviewed relative to code requirements and existing acceptance criteria (AC)
- In some cases, products can be evaluated using an existing AC with little or no modification to that AC
- When this isn't the case a new AC is developed
- ICC-ES staff works with the report applicant to draft appropriate AC requirements





2021 Application and Administration of the I-Codes 76

76

How are ICC-ES Acceptance Criteria Developed?

- Proposed AC are posted on the ICC-ES website for 30 days prior to the Evaluation Committee Hearing to allow comments from interested parties
- Proposed new and revised AC are balloted to the ICC-ES Evaluation Committee
- The ICC-ES Evaluation Committee, composed of representatives of ICC governmental members, has an open and unbiased process that includes holding public hearings, reviewing comments and voting on proposed AC






2021 Application and Administration of the I-Codes 77

77

The ICC-ES Mark

- Once a product has been successfully evaluated and has been issued a report, it can display the ICC-ES Mark.
- The Mark may be included on the product or packaging
- Products must include the evaluation report number to reference the report for details and verify code applicability



2021 Application and Administration of the I-Codes 78

78

IBC

2021

2021 Application and Administration of the I-Codes

79

Tests – 104.11.2

- Building official has authority to require tests as evidence of code compliance:
 - Where there is insufficient evidence available, or
 - There is evidence that a material or method does not conform, or
 - As necessary to substantiate compliance claims.

79

IBC

2021

2021 Application and Administration of the I-Codes

80

Tests – 104.11.2 (cont.)

- Tests to be made without expense to the jurisdiction.
- Test methods to be as specified by code or by other recognized test standards.
- In absence of recognized and accepted test methods, building official to approve testing procedures.
- Tests to be performed by an approved agency.
- Reports of tests to be retained by building official for period required for retention of records.

80

IBC

2021

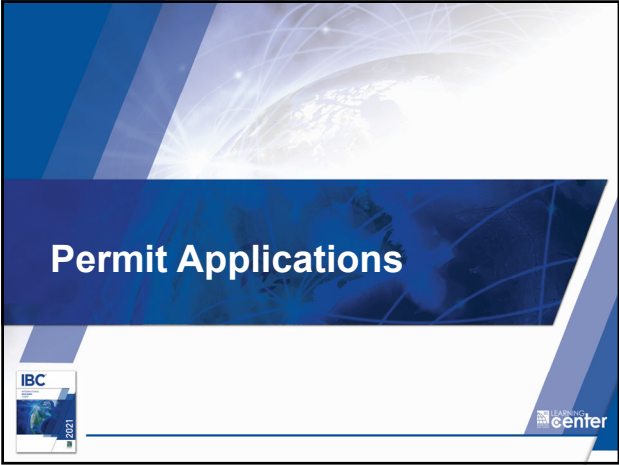
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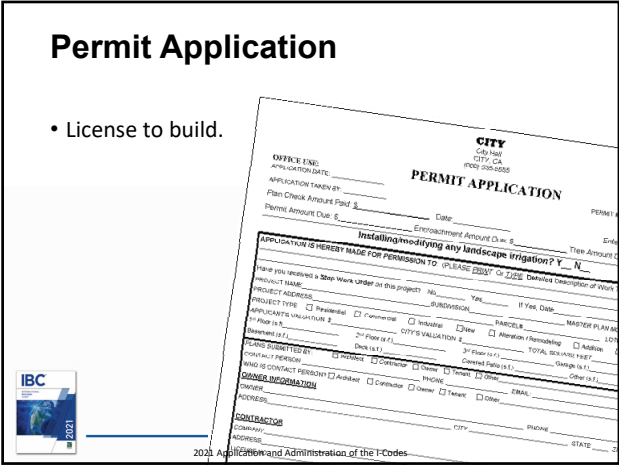
Administration Functions as set forth in Chapter 1 of the I-Codes

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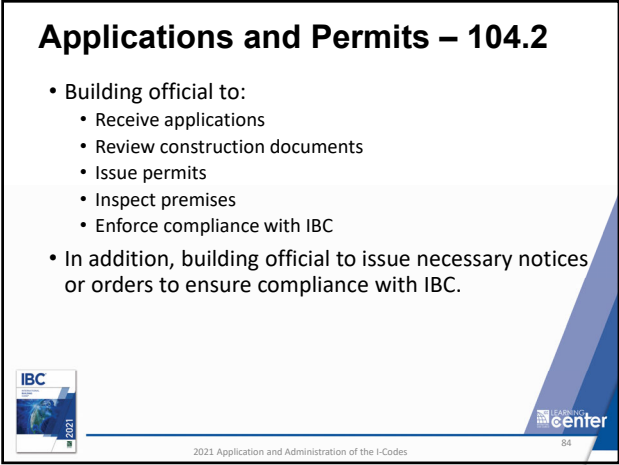
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Required Permits – 105.1

- As a general rule, permits are required for the following work:
 - New construction
 - Addition
 - Alteration
 - Movement
 - Demolition
 - Change of occupancy
 - Electrical, fuel gas, mechanical and plumbing





2021 Application and Administration of the I-Codes

85

Annual Permits – 105.1.1

- Instead of issuing individual permits for each alteration, building official authorized to issue annual permits where one or more qualified tradespersons are employed.
 - Tradespersons to be in the building or on the premises.
- Only applicable to approved electrical, gas, mechanical and plumbing installations.
- Annual permit holder to maintain detailed record of alteration made under annual permit.





2021 Application and Administration of the I-Codes

86

Reviewing Permit Applications

- One of the most common errors in the permit application process is the failure to get complete information.
- The potential issues include:
 - Does the application for a permit contain all the necessary ownership or responsible party information?
 - Does the applicant have the authority to apply for the permit?
 - If a contractor is applying for the permit, does the owner consent to the conditions of the permit? Is there a copy of the contract?





2021 Application and Administration of the I-Codes

87

Reviewing Permit Applications

- The potential issues also include:
 - Are the plans complete?
 - Is the lot buildable?
 - Are copies of regulations for construction given to the permit holder?
 - If the permit is rejected because it is incomplete, is the applicant told what he or she must do to finish the process?
 - Is more than one type of permit required?



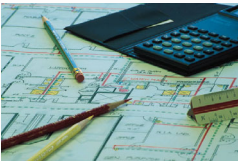


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88

Reviewing Permit Applications

- The potential issues also include:
 - If the building is a commercial structure, is there an architectural seal on the plans?
 - Do the contractors comply with the license and bond requirements?





2021 Application and Administration of the I-Codes

89

Issuance of Permits

- A major concern is the failure to clearly describe the parameters of the permit and failure to establish an expiration date.
- Issues that may need to be addressed include:
 - What is the scope of the permit?
 - When does the permit expire?
 - What information is contained on the permit regarding inspections?





2021 Application and Administration of the I-Codes

90

Applications and Permits – 104.4

- Building official to:
 - Make required inspections, or
 - Accept reports of inspection by approved agencies or individuals.
- Building official also authorized to engage expert opinion as necessary to report on unusual technical issues that arise.






2021 Application and Administration of the I-Codes 91

91

Emergency Repairs – 105.2.1

- Where equipment replacement and repairs must be performed in an emergency situation, permit application to be submitted within next working day (to building official).





2021 Application and Administration of the I-Codes 92

92

Public Service Agencies – 105.2.2

- Permit not required for installation, alteration or repair of generation, transmission, distribution or metering, or other related equipment, that is under ownership and control of public service agencies.





2021 Application and Administration of the I-Codes 93

93

Application for Permit – 105.3

- To obtain permit, applicant must file application.
- Building official to examine application within a reasonable time period.
 - If denied, reason to be given in writing
 - If acceptable, permit to be issued as soon as practical
- Application to be deemed abandoned after 180 days unless:
 - Application has been pursued in good faith, or
 - Permit has been issued.
- One or more 90-day extensions permitted.





2021 Application and Administration of the I-Codes 94

94

Validity of Permit – 105.4

- Issuance of permit not to be construed as an approval for any violation.
 - Permits presuming to give authority to violate code provisions are not valid.
- Permit issuance based on construction documents and other data shall not prevent building official from requiring such documents to be corrected.
- Building official authorized to prevent occupancy or use of structure where in violation of code.





2021 Application and Administration of the I-Codes 95

95

Expiration of Permit – 105.5

- Permit becomes invalid unless work on site commenced within 180 days after its issuance.
- Permit also invalid if work is suspended or abandoned for period of 180 days after time work commenced.
- Building official authorized to grant, in writing, one or more extensions of not more than 180 days each.
 - Justifiable cause for such extensions to be demonstrated.





2021 Application and Administration of the I-Codes 96

96

Expiration of Permit – 105.5

- Time limits typically enacted to address:
 - Abandoned projects
 - Applicable code editions





2021 Application and Administration of the I-Codes97

97

Suspension or Revocation – 105.6

- Building official authorized to suspend or revoke a permit wherever permit issued:
 - In error, or
 - On basis of incorrect, inaccurate or incomplete information, or
 - In violation of any jurisdictional ordinance or regulation, or
 - In violation of provisions of IBC.






2021 Application and Administration of the I-Codes98

98

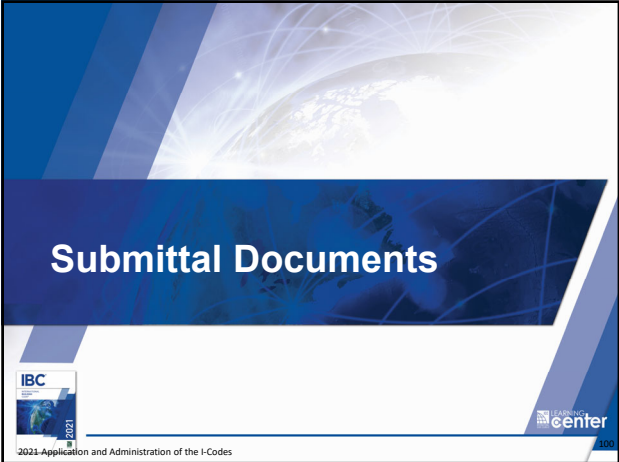
Placement of Permit – 105.7

- The building permit or copy to be kept on the site of the work until completion of the project.

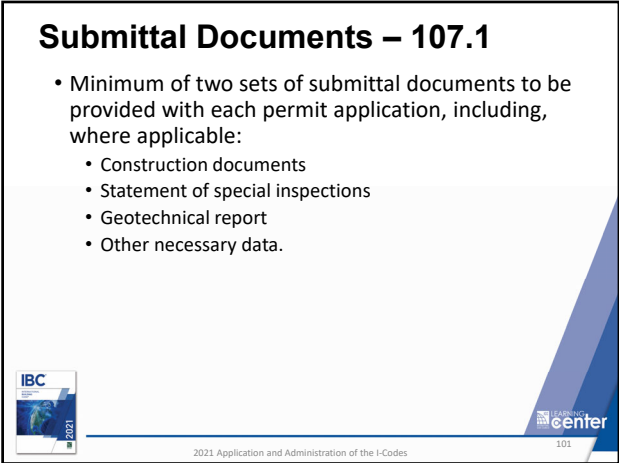


2021 Application and Administration of the I-Codes99

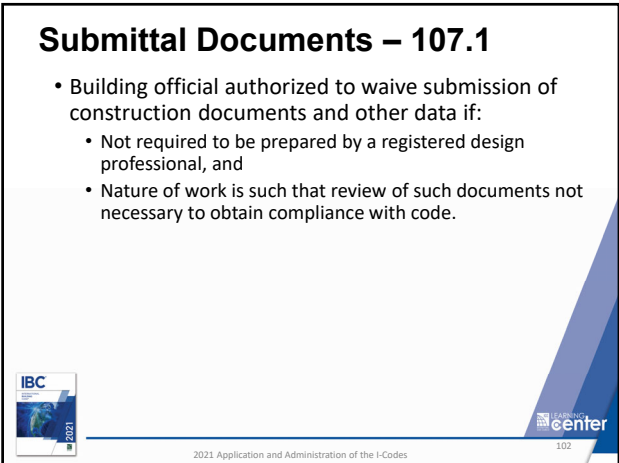
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101



102

Submittal Documents – 107.1

- Construction documents shall be prepared by a registered design professional where required by statutes of jurisdiction where project is to be constructed.
- Where special conditions exist, building official authorized to require additional construction documents to be prepared by a registered design professional.



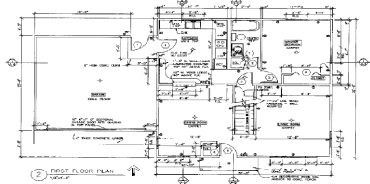


2021 Application and Administration of the I-Codes 103

103

Construction Documents – 107.2

- Construction documents to be of sufficient clarity to indicate location, nature and extent of work.
- Must show in detail that it will conform to provisions of code and all applicable laws and ordinance.





2021 Application and Administration of the I-Codes 104

104

Construction Documents – 107.2

- Specific requirements include:
 - Shop drawings for fire protection systems
 - Means of egress system
 - Exterior wall envelope
 - Exterior balconies and elevated walking surfaces
 - Site plane, including design flood elevations
 - Structural information
 - Relocatable buildings





2021 Application and Administration of the I-Codes 105

105

Examination of Documents – 107.3

- Submittal documents to be reviewed and ascertained whether construction described meets code requirements and other laws.





2021 Application and Administration of the I-Codes 106

106

Document Approvals – 107.3.1

- When building official issues a permit, the construction documents to be approved:
 - In writing, or
 - By stamp as
 - “Reviewed for Code Compliance.”
- One set of construction documents retained by building official, other returned to applicant and kept at site of work.
 - At site, documents to be open to inspection by building official or authorized representative.





2021 Application and Administration of the I-Codes 107

107

Phased Approvals – 107.3.3

- Building official authorized to issue permit for construction of foundation or other part of building or structure prior to submittal of all construction documents.
- Holder of foundation (or other) permit to proceed at their own risk, without assurance that permit for entire structure to be granted.





2021 Application and Administration of the I-Codes 108

108

Design Professional – 107.3.4

- Where required that documents be prepared by a registered design professional, building official authorized to require owner to designate a registered design professional in responsible charge.
- Role is to review and coordinate submittal documents prepared by others, including phased and deferred submittal items, for compatibility with design of building.





2021 Application and Administration of the I-Codes 109

109

Deferred Submittals – 107.3.4.1

- Deferred submittal items to have prior approval of building official.
- Such deferrals to be listed on construction documents for review by building official.
 - Such items shall not be installed until deferred submittal documents approved by building official.
- Examples of deferred submittals may include:
 - Trusses
 - Fire protection systems
 - Selected MEP systems





2021 Application and Administration of the I-Codes 110

110

Amended Documents – 107.4

- Work is to be installed in accordance with approved construction documents.
- Any changes made during construction that are not in compliance with approved documents shall be resubmitted for approval as an amended set construction documents.
 - Field judgement should be used in identifying items that may not need to be resubmitted

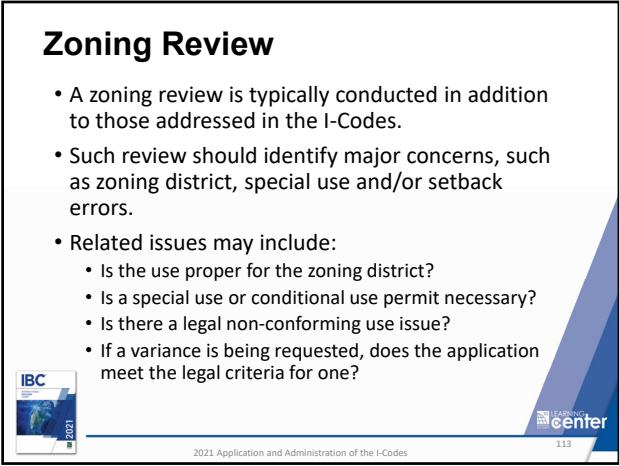


2021 Application and Administration of the I-Codes 111

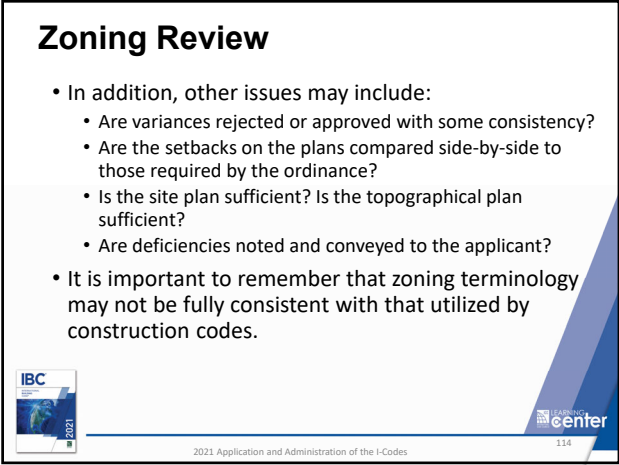
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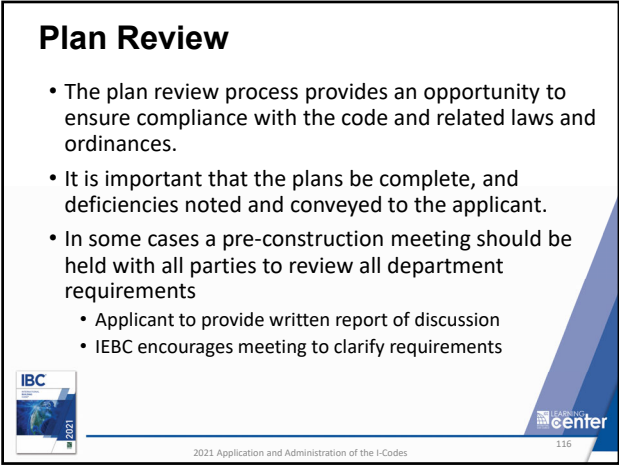
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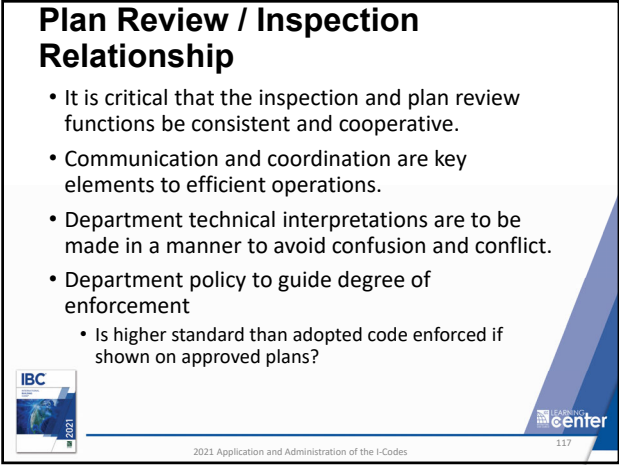
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115






116



117

Retention of Documents – 107.5

- One set of approved construction documents to be retained by building official for at least 180 days from date of completion of work.
 - Unless state or local laws required otherwise.






2021 Application and Administration of the I-Codes 118

118

Temporary Structures – 108.1

- Building official authorized to issue a permit for temporary structures and temporary uses.
- Such permits to be limited to:
 - Time of service, but
 - Not for more than 180 days.
- Building official may grant extensions for demonstrated cause.





2021 Application and Administration of the I-Codes 119

119

Temporary Structures – 108.2

- Temporary structures and uses to comply with Sections 108 and 3103:
 - Tents, umbrella structures and other membrane structures erected for less than 180 days also to comply with IFC.
 - Such structures and uses to conform with IBC as necessary to ensure public health, safety and general welfare.
 - Permit required where over 120 square feet, or where means of egress serves 10 or more persons.
 - Construction documents, including site plan, to be submitted with permit application.





2021 Application and Administration of the I-Codes 120

120

Fees – 109.1, 109.3

- Permit not to be issued until applicable fees are paid.
- Applicant to provide estimated total value of work, which shall include:
 - Materials and labor, including all trades.
- If building official deems valuation is underestimated, permit to be denied unless applicant can provide detailed documentation.
- Final building permit valuation to be set by the building official.






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121

121

Work w/o Permit – 109.4

- Any person starting work before obtaining necessary permits to be subject to a fee established by building official.
 - Such fee to be set by building official.





2021 Application and Administration of the I-Codes

122

122

Right of Entry



2021 Application and Administration of the I-Codes

123

123

Identification – 104.5

- Building official to carry proper identification when inspecting structures or premises when performing duties.





2021 Application and Administration of the I-Codes124

124

Right of Entry – 104.6

- Building official authorized to enter structure or premises at reasonable times to inspect or perform duties established by IBC in order to:
 - Make an inspection to enforce code provisions, or
 - Address a reasonable concern that a condition exists that is in violation of IBC that makes structure or premises:
 - Unsafe,
 - Dangerous, or
 - Hazardous





2021 Application and Administration of the I-Codes125

125

Right of Entry – 104.6 (cont.)

- When attempting to enter a structure or premise, building official to present credentials to occupant and request entry.
- If entry denied, building official to use necessary remedies as provided by law to secure entry.
 - Valid warrant typically required





2021 Application and Administration of the I-Codes126

126

Right of Entry – 104.6 (cont.)

- Where structure or premises is unoccupied, building official to first make reasonable effort to locate owner or other person having authority or control of the structure or premises.
- Once such individual is located, entry must be requested.
 - If entry refused, action must be taken in accordance with applicable laws to secure access to the structure or premises.





2021 Application and Administration of the I-Codes127

127

Right of Entry Basis

- The fourth amendment of the U.S. Constitution provides *“the right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, shall not be violated, and no Warrants shall be issued, but upon probable cause supported by Oath or affirmation and particularly describing the place to be searched and the persons or things being seized.”*






2021 Application and Administration of the I-Codes128

128

Leading Right of Entry Cases

- Camara v. San Francisco (1967) – apartment building and health/safety inspection
- See v. Seattle (1967) – commercial warehouse fire inspection

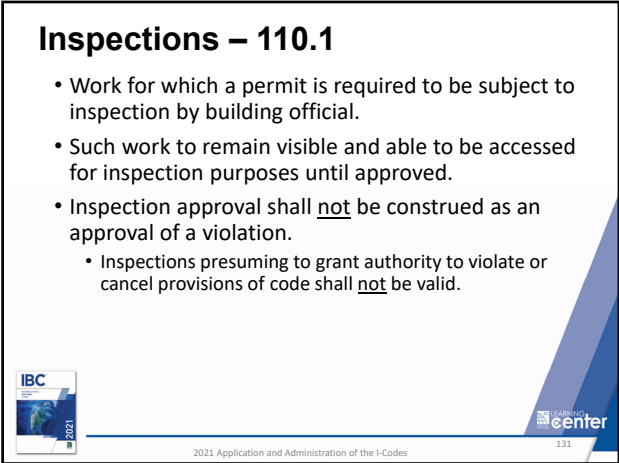


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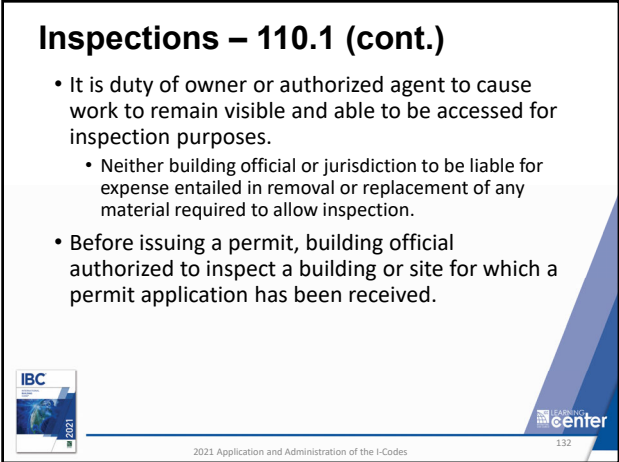
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130





131



132

Inspection Agencies – 110.4

- Building official authorized to accept reports of approved inspection agencies, provided such agencies satisfy requirements as to qualifications and reliability.





2021 Application and Administration of the I-Codes133

133

Inspection Requests – 110.5

- It shall be duty of holder of building permit, or authorized agent, to notify building official when work is ready for inspection.
- It shall be duty of permit holder to provide access to, and means for inspection of, such work as required by code.





2021 Application and Administration of the I-Codes134

134

Approval Required – 110.6

- Work shall not be done beyond point indicated in each successive inspection without first obtaining building official approval.
- Building official, upon notification, to make requested inspections and shall:
 - Indicate approval of the portion of the work that has been completed, or
 - Notify the permit holder or agent that the work fails to comply with the code.
- Any noncomplying portions to be corrected and not covered until authorized by building official.





2021 Application and Administration of the I-Codes135

135

Inspection

- The inspection process provides an opportunity during the construction process to identify code violations, including deviations from the approved site and architectural plans.
- Major issues include:
 - How is the inspection information collected, recorded and preserved?
 - Are deviations from the plans noted and ordered corrected?
 - How are appropriate parties notified of any violations, and under what circumstances are stop work orders issued?





2021 Application and Administration of the I-Codes 136

136

Renovation

- Major concerns regarding renovations include:
 - Have the proper permits been obtained?
 - Are there any zoning issues, such as setback requirements, etc.?
 - Is a permit even necessary?
 - Will the renovation extinguish a legal non-conforming use?
 - Is a variance required?
 - Are there adequate records from the past?





2021 Application and Administration of the I-Codes 137

137

Change of Occupancy – 111.1

- Building shall not be used or occupied, and a change of occupancy shall not be made, until building official has issued a certificate of occupancy.
 - Certificates of occupancy not required for work exempt from permits per Section 105.2.
- Issuance of a certificate of occupancy shall not be construed as approval of a violation of the code.





2021 Application and Administration of the I-Codes 138

138

Change of Occupancy – 202

- Either of following to be considered as a change of occupancy where the code requires a greater degree of safety, accessibility, structural strength, fire protection, means of egress, ventilation or sanitation than is existing in the current building:
 - Any change in occupancy classification, or
 - Any change in purpose, or level of activity within, a building.





2021 Application and Administration of the I-Codes 139

139

Change of Occupancy

- When a change of occupancy occurs, it may be necessary to do an inspection in order to evaluate the existing use(s).
- Potential issues may include:
 - How does the new owner know he or she needs an inspection?
 - Does the inspector notify the new owner about the maximum capacity for the structure?
 - How is the issue of outstanding building or property maintenance code violations handled?



2021 Application and Administration of the I-Codes 140

140

Certificate of Occupancy





2021 Application and Administration of the I-Codes 141

141

Issuance of Certificate – 111.2

- After building official performs inspections and finds no code violations or other laws enforced by building department, certificate of occupancy shall be issued.
- Following information to be contained on C/O:
 - Building permit number
 - Address of structure
 - Name and address of owner or owner’s agent
 - Description of that portion of structure for which C/O is issued





2021 Application and Administration of the I-Codes 142

142

Certificate Issuance – 111.2 (cont.)

- Information to also be contained on C/O:
 - Statement of compliance with code requirements for occupancy as classified
 - Name of building official
 - Edition of code under which permit was issued
 - Occupancy classification
 - Type of construction
 - Design occupant load
 - If sprinkler is provided, where it is required
 - Any special stipulations and conditions of permit.





2021 Application and Administration of the I-Codes 143

143

Temporary Occupancy – 111.3

- Building official authorized to issue temporary certificate of occupancy before completion of all work covered by permit provided such portions can be occupied safely.
- Time period for validity of temporary certificate of occupancy to be established by building official.





2021 Application and Administration of the I-Codes 144

144

Certificate of Occupancy

- Where a temporary certificate of occupancy is issued, it is important that the full C/O be obtained as soon as possible.
- Issues may include:
 - Are there any outstanding requirements, and how are they to be addressed?
 - Is there an adequate remedy, if the owner doesn't comply? What about a bond or a letter of credit?





2021 Application and Administration of the I-Codes 145

145

Revocation of Certificate – 111.3

- Building official authorized to suspend or revoke a certificate of occupancy:
 - Where certificate issued in error, or
 - On the basis of incorrect information supplied, or
 - Where it is determined that building, or portion of building, is in violation of code or other regulations.
- Such revocation shall be in writing.



2021 Application and Administration of the I-Codes 146

146

Appeals





2021 Application and Administration of the I-Codes 147

147

Means of Appeals – 113.1

- Board of appeals shall be created to hear and decide appeals of orders, decisions and determinations of building official relative to application and interpretation of the code.
- Board to be appointed by applicable governing authority and shall hold office at its pleasure.
- Board to adopt rules of procedure for conducting its business.





2021 Application and Administration of the I-Codes148

148

Limitations on Authority – 113.2

- Appeals to be limited to:
 - Claim that true intent of code incorrectly interpreted, or
 - Provisions of code do not fully apply, or
 - Equally good or better form of construction proposed.
- Board shall not have authority to waive requirements of code.





2021 Application and Administration of the I-Codes149

149

Qualifications of Board – 113.3

- Board of appeals to consist of members qualified by experience and training to address matters related to building construction.
- Members not to be employees of jurisdiction.



2021 Application and Administration of the I-Codes150

150

IBC

2021

2021 Application and Administration of the I-Codes

151

Appendix Provisions – App. B

- Where specifically adopted, Appendix B provides additional criteria for a board of appeals.
- Provisions address:
 - Membership and alternate members
 - Qualifications of members
 - Rules and procedures
 - Meeting notices
 - Board decisions

151

IBC

2021

2021 Application and Administration of the I-Codes

152

Violations

152

IBC

2021

2021 Application and Administration of the I-Codes

153



Violations – 114

- Unlawful to do any work in violation of code.
- Building official authorized to serve notice of violation as applicable.
 - Such order to direct discontinuation of illegal action or condition and abatement of violation.
- If no prompt compliance with notice of violation, building official authorized to enlist legal counsel to institute appropriate proceeding at law.
- Violations to be subject to penalties as prescribed by law.

153

Stop Work Order – 115

- Building official authorized to issue stop work order.
- Stop work order to be in writing, and issued to owner, owner’s agent or person performing work.
- Upon issuance, work shall immediately cease.
- Order to state:
 - Reason for order, and
 - Conditions under which cited work permitted to resume
- If work continues, persons subject to penalties as prescribed by law.





2021 Application and Administration of the I-Codes154

154

Unsafe Structures – 116.1

- Building deemed unsafe if:
 - Inadequate means of egress, or
 - Inadequate light and ventilation, or
 - Constitutes a fire hazard, or
 - Otherwise dangerous to human life or public welfare, or
 - Involve illegal or improper occupancy, or
 - Inadequate maintenance.
- Unsafe structures to be taken down and removed, or made safe.
- Vacant structure not secured is deemed unsafe.





2021 Application and Administration of the I-Codes155

155

Notice of Unsafe Structure – 116.3

- Building official to file report on unsafe condition.
- Written notice to be properly served on owner, agent or person in control of structure.
 - Notice to describe the condition that is unsafe and specifies required repairs or improvements to abate unsafe condition, or requires unsafe structure to be demolished within a set period of time.
- Repairs, alterations, additions and/or change of occupancy to comply with IEBC.





2021 Application and Administration of the I-Codes156

156

Conclusion


- This concludes the presentation addressing the provisions of administrative provisions found in Chapter 1 of the various I-Codes.
- Through the proper use of these provisions, the code can be applied in a manner that is:
 - Efficient
 - Consistent
 - Legal



2021 Application and Administration of the I-Codes 157

157

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158

158

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159

159

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160

160

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161

161
