

COUNCIL ACTION FORM

SUBJECT: TRIENNIEL UPDATES TO BUILDING, MECHANICAL, PLUMBING AND FIRE CODES

BACKGROUND:

On July 27, the City Council considered setting a public hearing for adoption of the City's updated Building Codes. After discussion, Council chose to request more detailed information regarding the proposed changes. A report giving a thorough description of these changes is attached, along with the actual Code language that would be considered at a public hearing.

During the public input portion of the July 27 meeting, Jim Gunning raised questions regarding what appeared to be discrepancies within the current Code. The Deputy Fire Chief met with Mr. Gunning on two occasions. He confirmed that the Code, as currently published, does in fact contain two previous chapters that should have been removed when the Building, Electrical, Mechanical & Plumbing codes were combined into Chapter 5 in 2007. Having these two chapters accessible from the City's website may have been a source of confusion for citizens, vendors, or contractors looking up Electrical or Plumbing codes. Those chapters will now be deleted through the attached changes.

Mr. Gunning also expressed some concern over the list of Top Ten Plumbing issues that have been circulated, feeling that some may not have been based on adopted Code. Staff provided him with a document that relates all ten items and lists to the corresponding Plumbing Code references.

One issue has received further changes by staff after the combined Boards' review. This regards the extent to which structures annexed into the City must be brought into compliance with adopted City plumbing codes. The attached proposal now requires that newly annexed structures must meet applicable plumbing code provisions at the time that they connect to the City water or sewer systems, and not at the time that they annex into the City. Any required changes to the structure's existing plumbing would be determined through an evaluation by the Building Official prior to connection to the City system.

During the July 27 meeting, Council requested a description of what defines a renovation versus a repair for home owners, including when a City permit is and is not required. The specific code sections used to answer these questions are shown in Attachment 1. More user-friendly information is presented on the City's web site to answer this question and to help building owners know whether or not they need a City building permit for a project. That information is shown on Attachment 2.

ALTERNATIVES:

1. Set August 24, 2010 as the date of public hearing to consider adoption of the attached changes to the Ames Municipal Code by adopting the 2009 editions of the International Building Code (IBC), International Fire Code (IFC), International Residential Code (IRC), International Existing Building Code (IEBC), International Mechanical Code (IMC), International Fuel Gas Code (IFGC), Uniform Plumbing Code (UPC), and local amendments.
2. Refer this item back to staff to work with the Building or Plumbing/Mechanical Code Board of Appeals, as appropriate, for additional review or public input.
3. Do not consider updating of the City's various building codes at this time.

MANAGER'S RECOMMENDED ALTERNATIVE:

Adoption of the current editions of the International Codes is a routine action performed by the City at regular three year intervals. By adopting the 2009 Codes, the City of Ames will continue to share the same minimum building, mechanical and plumbing codes as most other local, state and county governmental jurisdictions throughout the nation. Citizen input was solicited through a series of seven monthly public meetings with combined members of the City's Building, Electrical, and Plumbing and Mechanical Boards, at which significant code changes and specific related local amendments were considered. It appears that this action has the full support of all members of these three Boards.

Hopefully the attached Code language and the description of the proposed Code changes will answer questions raised by the Council and the public at the July 27 meeting.

With regards to interface between the updated codes and the City's Rental Housing Code, these proposed updates do not significantly alter the building, plumbing or mechanical code requirements that currently affect rental housing units. In the event that Council desires to consider modification of these requirements as applied to rental units, those changes would best be considered as part of the Rental Housing Code work session being arranged for late September. Any such changes made at that time would only affect Chapter 13 (Rental Housing), and not Chapter 5 of the Code.

Therefore, it is the recommendation of the City Manager that Council approve Alternative #1, setting August 24, 2010 as the date of public hearing to consider adoption of the attached changes to the Ames Municipal Code by adopting the 2009 editions of the International Building Code (IBC), International Fire Code (IFC), International Residential Code (IRC), International Existing Building Code (IEBC), International Mechanical Code (IMC), International Fuel Gas Code (IFGC), Uniform Plumbing Code (UPC), and local amendments.

Attachment 1

International Building Code (IBC) - Chapter 34 - Existing Buildings

3401.2 Maintenance.

Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by this code shall be maintained in conformance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of buildings and structures. To determine compliance with this subsection, the building official shall have the authority to require a building or structure to be reinspected. The requirements of this chapter shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures.

3401.3 Compliance with other codes.

Alterations, repairs, additions and changes of occupancy to existing structures shall comply with the provisions for alterations, repairs, additions and changes of occupancy in the International Fire Code, International Fuel Gas Code, International Mechanical Code, [Uniform] Plumbing Code, International Residential Code and [National] Electrical Code.

3403.1 Existing buildings or structures.

Additions or alterations to any building or structure shall comply with the requirements of the code for new construction. Additions or alterations shall not be made to an existing building or structure that will cause the existing building or structure to be in violation of any provisions of this code. An existing building plus additions shall comply with the height and area provisions of Chapter 5. Portions of the structure not altered and not affected by the alteration are not required to comply with the code requirements for a new structure.

3403.2 Structural.

Additions or alterations to an existing structure shall not increase the force in any structural element by more than 5 percent, unless the increased forces on the element are still in compliance with the code for new structures, nor shall the strength of any structural element be decreased to less than that required by this code for new structures. Where repairs are made to structural elements of an existing building, and uncovered structural elements are found to be unsound or otherwise structurally deficient, such elements shall be made to conform to the requirements for new structures.

3403.3 Nonstructural.

Nonstructural alterations or repairs to an existing building or structure are permitted to be made of the same materials of which the building or structure is constructed, provided that they do not adversely affect any structural member or the fire-resistance rating of any part of the building or structure.

3403.4 Stairways.

An alteration or the replacement of an existing stairway in an existing structure shall not be required to comply with the requirements of a new stairway as outlined in Section 1009 where the existing space and construction will not allow a reduction in pitch or slope.

3406.1 Conformance.

No change shall be made in the use or occupancy of any building that would place the building in a different division of the same group of occupancy or in a different group of occupancies, unless such building is made to comply with the requirements of this code for such division or group of occupancy. Subject to the approval of the building official, the use or occupancy of existing buildings shall be permitted to be changed and the building is allowed to be occupied for purposes in other groups without conforming to all the requirements of this code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

Attachment 2

Inspections Division

Permit Questions

Do I need a Building Permit?

- **Building permits are required for all new buildings** - new homes, commercial buildings, garages, sheds over 120 square feet in floor area - all new buildings constructed within the city limits of the City of Ames

Are you constructing a new building?

You need a permit!

- **Building permits are required for all new additions to existing buildings** - room additions, garage additions, second story additions, decks, porches with or without roofs - permits are required for all new floor area added to an existing home, commercial building, garage, shed, barn, storage building

Are you adding a new addition to an existing building?

You need a permit!

- **Building permits are required for all interior remodeling** of existing homes, apartments, commercial, industrial, storage buildings - all changes to the inside of all buildings requires a building permit, unless you answer no to all the questions in the section below.

You need a permit! Unless you answer NO to ALL of these questions:

___Am I removing more than 32 square feet of sheetrock or plaster from any wall?

___Am I going to fur out and finish a basement wall?

___Am I building a new interior or exterior wall?

___Am I removing an existing interior or exterior wall?

___Am I making repairs that include the cutting away of a part of any wall or partition?

___Am I removing or cutting any structural beam or load-bearing support?

___Am I going to cut an opening for a window or doorway in an existing wall?

___Am I installing a replacement window or door in an opening that needs to be made larger or smaller?

___Am I changing the location of a doorway?

___Am I going to replace a window in a sleeping room on any floor of the house?

___Am I rearranging any parts of the building that affect the way people get in or out of the building?

- If you answered YES to ANY of these questions, then

YOU NEED A BUILDING PERMIT!