

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: November 8, 2010
	Agenda Item No. 22 Roll Call No. <u>10-1837</u> Communication No. <u>10-661</u> Submitted by: Phil Delafield Community Development Director

AGENDA HEADING:

Amend Chapter 26 of the Municipal Code to adopt the 2009 editions of the International Building Code; International Residential Code; International Existing Building Code; International Mechanical Code; International Fuel Gas Code; International Energy Conservation Code and the Uniform Plumbing Code.

SYNOPSIS:

Approval of this action amends Chapter 26 of Municipal Ordinance by amending and adopting the most recent published editions of the following codes:

- | | |
|--------------------------------------------------|----------------------------------------------------|
| 2009 International Building Code (IBC) | 2009 International Fuel Gas Code (IFGC) |
| 2009 International Residential Code (IRC) | 2009 Uniform Plumbing Code (UPC) |
| 2009 International Mechanical Code (IMC) | 2009 International Energy Conservation Code (IECC) |
| 2009 International Existing Building Code (IEBC) | |

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

The City of Des Moines Building & Fire Board of Appeals has reviewed and recommends adoption, renewal, and amendment of the codes listed in this section. Adoption of these codes assures the City’s construction and fire codes remain current and up to date with nationally recognized safety standards.

Each of the referenced codes was reviewed by subcommittees composed of Permit and Development Center staff and members from the Building and Fire Code Board of Appeals. The subcommittees reviewed each code for significant changes that would impact the community. Records of each code review process have been organized in the 2009 Code Adoption Binder (CAB). The CAB includes outlines of significant code changes, subcommittee position, recommended amendments, supporting information, and revised Chapters 26 and 46 of the Des Moines Municipal Code.

Stakeholders were notified of the code adoption process by a mass mailing, which can be found in the CAB, and by a posting on the City of Des Moines website. The mailing included instructions for submitting written public comment by mail or through the website. No comments were received by either method.

Public hearings were held on April 8 and May 13 where staff gave presentations outlining significant portions of the proposed codes and recommended amendments. During the two hearings, board members listened to public comment on various topics.

Public comments from several homebuilders, the Iowa Association of Realtors, Habitat for Humanity, Rottlund Homes, and the Des Moines Homebuilders Association were in opposition of adopting the 2009 IRC fire sprinkler provisions. The main point of opposition was the extra cost associated with fire sprinklers. Following this hearing, a survey was conducted to determine how other municipalities in the metro area were addressing residential fire sprinklers. Ankeny, Urbandale, West Des Moines, and Clive have implemented amendments that trigger fire sprinklers when residential structures exceed 8,000 square feet. The board moved to amend residential fire sprinkler code language in a similar fashion. This item will be addressed again in the next code adoption process. Setting an 8,000 square foot threshold allows more time for education and policy development necessary for a successful transition to additional residential fire sprinkler protection.

This is the first time the International Energy Conservation Code (IECC) will be adopted by the City. The State of Iowa now requires this code to be enforced by code enforcement agencies statewide. By adopting the IECC, the City has the ability to enforce the code without as much impact from state energy code amendments.

All other codes have been previously adopted and implemented, some for more than 10 years. Adopting the most current editions of these codes allows the City to keep its construction standards consistent with those of the nationally recognized codes. This is an important component in maintaining the City's high Insurance Services Organization (ISO) rating.

Through the adoption process, the codes have been amended to be consistent with those of other code enforcement divisions throughout the metro area. See the following for a summary of those amendments and proposed adoptions.

Article I:

Includes all administrative provisions common to the codes. This includes structure of the Permit and Development Center and Building & Fire Code Board of Appeals, requirements for permits and fees, inspections, licensing criteria, and enforcement provisions. The major content of this article is unchanged but has been reordered to increase usability and to be more navigable.

Article II: Reserved.

Article III:

Adopts the IRC, IBC, IEBC, and IECC. The IRC, IBC, and IEBC are currently adopted by reference and will be upgraded to the latest edition. The IECC is a newly adopted code as described above. The most prominent amendment to the IRC is that for fire sprinklers. The remaining amendments are consistent with those amendments previously in the ordinance, but have been reworked for clarity.

Article IV:

Adopts the NEC and contains electrical code amendments. The content of these provisions were not changed during this code adoption process. The electrical code was recently updated due to State of Iowa Code adoption mandates and therefore needed no further attention.

Articles V:

Adopts the IMC and IFGC. Amendments were made that clarify how gas piping size is calculated and locations where rigid gas piping materials are required.

Article VI:

Adopts the UPC. This is consistent with the State of Iowa plumbing code adoption. Redundant amendments were deleted from this article to improve usability and other amendments such as plumbing fixture count requirements were made consistent with the State adopted plumbing code.

Article VII:

Regulates steam and power operating equipment and remains unchanged.

PREVIOUS COUNCIL ACTION(S):

Date: July 23, 2007

Roll Call Number: 07-1433

Action: [Building](#) and Building regulations. Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

These recommended changes to the Municipal Code of the City of Des Moines and adoption of the 2009 Codes were unanimously approved by the Building and Fire Code Board of Appeals.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

New editions of the building codes are published every 3 years. The Community Development Department anticipates future code adoptions to occur on a 3 year cycle.

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