

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	December 19, 2016
	Agenda Item No.	45
	Roll Call No.	<u>16-2176</u>
	Communication No.	<u>16-700</u>
	Submitted by:	Phillip Delafield, Community Development Director

AGENDA HEADING:

2nd reading to amend Chapters 26 and 46 of the Municipal Code to adopt the 2015 editions of the International Building Code; International Residential Code; International Existing Building Code; International Fire Code; International Mechanical Code; International Energy Conservation Code; Uniform Plumbing Code; National Fuel Gas Code; and the 2014 editions of the National Electric Code and Liquefied Petroleum Gas Code.

SYNOPSIS:

Approval of this action amends Chapters 26 and 46 of Municipal Ordinance by amending and adopting the most recent published editions of the following codes:

- 2015 International Fire Code (IFC)
- 2015 International Building Code (IBC)
- 2015 International Residential Code (IRC)
- 2015 International Mechanical Code (IMC)
- 2015 International Existing Building Code (IEBC)
- 2015 Uniform Plumbing Code (UPC)
- 2015 International Energy Conservation Code (IECC)
- 2014 National Electric Code (NEC)
- 2015 National Fuel Gas Code (NFPA 54)
- 2014 Liquefied Petroleum Gas Code (NFPA 58)

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- The third reading is requested to be waived to meet adoption timeframes identified in Iowa laws for the adoption of referenced standards. This reading also includes a schedule of fees with updated municipal code references and an optional expedited plan checking fee. The intent of the expedited plan checking fee is to provide an option for applicants to pay an additional fee to enable their projects to be escalated in priority. This option is common in other cities of similar size. The fee structure is based on the fee charged in Kansas City for similar services. The fee is double the typical plan check fee with a minimum of \$1,000. This option provides developers an additional means of expediting City review processes.

- The City of Des Moines Building & Fire Board of Appeals has reviewed and recommends adoption of the codes and amendments listed in this section. Adoption of these codes follows the recommendation of the Central Iowa Code Consortium, an effort that was initiated through Capital Crossroads. Adopting these codes and amendments supports the City's goals for sustainable governance and reducing energy consumption through a unified code adoption process.
- A memorandum of understanding (MOU) supporting the Central Iowa Code Consortium efforts to promote a uniform code adoption for the Des Moines metro area was signed by 18 local communities. Seven (7) code committees composed of 49 government and industry stakeholder seats reviewed the codes and over 200 recommended amendments. This process involved 87 public meetings and resulted in a unified code adoption recommendation.
- The Des Moines Building and Fire Code Board of Appeals reviewed this proposal, held public meetings, and recommended adoption of the listed codes and amendments.

The following summarizes amendments to Chapter 46:

Chapter 46 is the City Fire Code. The fire code, like the other codes, went through the Central Iowa Code Consortium (CICC) process. CICC recommendations have been incorporated into Chapter 46 with the most notable changes being the following:

1. Address and building identification has been changed to require more signage (larger numbers) when buildings are located a greater distance from the public street.
2. Fire Command Centers are now required for extremely large buildings or buildings with a large occupant capacity.
3. Speculative Warehousing/High Piled Storage requirements have been added to allow buildings greater flexibility in storage practices and easier adaptive reuse.
4. Special Event requirements have been added to address street use events, food trucks, exhibits and other special uses.

The following summarizes amendments to Chapter 26, the City's construction regulations:

Article I:

Includes all administrative provisions common to the codes. It includes structure of the Permit and Development Center and Building & Fire Code Board of Appeals, requirements for permits and fees, inspections, and enforcement provisions. The major content of this article is unchanged.

Article II:

Adopts the energy conservation code and includes amendments consistent with the State adopted IECC.

Article III:

Adopts the IRC, IBC, and IEBC. The IRC, IBC, and IEBC are currently adopted by reference and will be upgraded to the latest edition. Amendments included in this article are consistent with those proposed by the Central Iowa Code Consortium. Notable amendments include the following:

1. Provisions that require sheetrock or fire sprinkler protection on the bottom side of all floor joists in single-family homes, or test information showing exposed joists remain structurally sound for 26 minutes under fire conditions.
2. Provisions that relax in-home daycare provisions to allow up to eight (8) children to receive care in the typical single-family home. This provision also grandfathers all child development homes registered with the State Department of Human Services on or before January 1, 2017. Under these provisions, homes registered with the State may continue to care for up to 16 children. This article also contains amendments specific to the City of Des Moines such as skywalk provisions, condo/cooperative conversions, swimming pool enclosure requirements, and provisions for construction related obstructions in the City right of way.

Article IV:

Adopts the NEC and contains electrical code amendments. The electrical code is updated when mandated by the State of Iowa and includes State amendments.

Article V:

Adopts the IMC, National Fuel Gas Code, and Liquefied Petroleum Gas Code. These codes are adopted by the State of Iowa Plumbing and Mechanical Systems Board. The adoption of these codes and proposed amendments is consistent with the State and the Central Iowa Code Consortium.

Article VI:

Adopts the UPC. This is consistent with the State of Iowa Plumbing and Mechanical Systems Board and Central Iowa Code Consortium. Additional provisions are included in this article that pertain to backflow prevention mandated by Des Moines Water Works.

Article VII:

Regulates steam and power operating equipment and remains unchanged.

Article VIII:

Regulates construction of signs and billboards and remain unchanged. These provisions are likely to change with the zoning ordinance rewrite.

PREVIOUS COUNCIL ACTION(S):

Date: December 5, 2016

Roll Call Number: [16-2102](#), [16-2103](#), and [16-2104](#)

Action: [On](#) adoption by reference of the 2015 Editions of the International Fire Code, Building Code, Existing Building Code, Energy Conservation Code, Residential Code, Mechanical Code, Uniform Plumbing Code and National Fuel Gas Code; and 2014 Editions of National Electrical Code and Liquefied Petroleum Gas Code. ([Council Communication No. 16671](#)) Moved by Gatto to adopt; refer to the City Manager to report back in 6 months regarding metro-wide adoption of these codes. Motion Carried 7-0.

- (A) [First](#) consideration of ordinance repealing Chapter 26 of the Municipal Code and enacting a new Chapter 26; adoption of building codes; enforcement of penalties for the violation of the building codes, and repealing conflicting ordinances. Moved by Gatto that this ordinance be considered and given first vote for passage. Motion carried 7-0.

(B) First consideration of ordinance repealing Chapter 46 of the Municipal Code and enacting a new Chapter 46 regarding adoption of the International Fire Code and amendments and additions. Moved by Gatto that this ordinance be considered and given first vote for passage. Motion carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Building & Fire Code Board of Appeals

Date: October 27, 2016

Resolution Number: N/A

Action: These changes to the Municipal Code of the City of Des Moines and adoption of the 2015 Codes were recommended by the Building and Fire Code Board of Appeals.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

New editions of the construction codes are published every three (3) years. Keeping current editions of the codes adopted allows City regulations to keep up with the latest construction methods and technologies. Staff time will be dedicated to Central Iowa Code Consortium processes for future code adoptions, the next round expected to take place in 2018.

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