

# **City of Ketchikan**

## **Proposed Building Code Adoptions Synopsis**

Seventh Revision September 10, 2009

### **Intent:**

The intent of the new building code adoptions is to mirror the State of Alaska Administrative Building Code Statutes. However, many of the building codes adopted by the State have been amended to reflect Alaska regional concerns. Many of these State amendments to the Building Codes will also apply to our local jurisdiction and be included in the new code adoptions by the City. Therefore, we will be able to provide continuity to the building industry so that architects, engineers, builders and the general public will be supplied with the same rules of the road.

In addition to adopting the newer codes and amendments, the City of Ketchikan will be able to become independent of the State Fire Marshals Office by applying for a municipal deferment. Currently, all commercial permit applications that are applied for in the City of Ketchikan must also be sent to the State Fire Marshals Office for a life safety plan review. By becoming deferred, the city's building and fire department will be able to perform both functions thus eliminating the need to apply to two jurisdictions.

### **A general brief code history:**

In 1997, there existed three major competing regional code groups in America that published similar codes but with regional differences. The western States (including our City and State) adopted the *Uniform Building Codes* published by the International Council of Building Officials (ICBO). The ICBO codes had been adopted by the City for decades, and were generally updated in a cycle of six (6) to nine (9) years. The other two major code publishers were the *Building Officials and Code Administrators International (BOCA)* and the *Southern Building Code Congress International (SBCCI)*. After the 1997 code cycle, the three main competing Code Publishers (ICBO adopted by the western states; BOCA adopted by the midwest and northeast coastal states, and SBCCI by the southern states, agreed to combine forces and create a national code agency with a single family of codes that would be published under a new parent organization called the *International Code Council (I.C.C)*. The Uniform Codes were the predominant model codes publications that were used to establish the baseline for the International Codes. In the year 2000, the new International Family of Codes were published by ICC and adopted by the State of Alaska Fire Marshals Office to replace the previous uniform codes. Unfortunately conflicts soon arose between the State Fire Marshals Office and the Department of Labor and Workforce Development, who are responsible for adopting the electrical and plumbing/fuel gas codes.

Unfortunately, the family of codes that we had adopted for decades, known as the Uniform Codes, such as the Uniform Building Code, The Uniform Plumbing Code, the Uniform Fire Code, the Uniform Mechanical Code, the Uniform Housing Code, the National Electrical

Code etc., are now considered legacy codes and no longer published with the exception of the uniform plumbing code. Both State Departments had been in agreement that the Uniform Codes were a consensus family of codes, but with the adoption of the newer International codes, this consensus is no longer accepted. It should be noted here that the National Electrical code had been a stand-alone code that was acknowledged by all three regional model code publishers who did not publish an electrical code.

The conflict arises between the State Fire Marshals office and the Department of Labor for the following reasons:

1. The new International codes included a new International Electrical Code (IEC) for administration purposes, which referred to the National Electrical Code but would supersede the National Electrical Code. The Department of Labor chose to retain the National Electrical Code as the stand-alone electrical code.
2. The International codes split the plumbing and fuel gas codes into two separate volumes called the International Plumbing Code and International fuel Gas Code whereas the Uniform Plumbing Code makes no such distinction. Furthermore, the Uniform Plumbing Code, which is still endorsed by the International Association of Plumbing and Mechanical Officials (IAPMO), is recognized as the official code by that organization, and IAPMO does not recognize the International codes. The Department of Labor recognizes IAPMO and chose to retain the Uniform Plumbing Code.
3. The International Mechanical Code, which was designed to replace the Uniform Mechanical Code, was no longer accepted by IAPMO. The Department of Labor Challenged the State Fire Marshals office over their rights to adopt the International Mechanical Code.

A lawsuit soon developed over which jurisdiction would enforce and/or adopt which code as the State Code. The lawsuit was settled after 2003 with the outcome generally accepted by other municipalities and the State legislature. The two State Jurisdictions continue negotiations over the code adoptions, but the governing code adoptions pursuant to State Administrative Statutes are as follows:

State Fire Marshal Office: International Building Code (IBC), 2006 Edition

International Fire Code (IFC), 2006 Edition.

International Mechanical Code (IMC), 2006 Edition.

International Fuel Gas Code (IFG) (portions) 2006 Edition.

Department of Labor: Uniform Plumbing Code (UPC) includes fuel gas, 2006 Ed.

National Electric Code (NEC), 2008 Edition.

City of Ketchikan: International Residential Code (IRC), 2006 Edition

**Conclusion:**

1. Whole Sections of Title 19 (Building codes) need to be repealed in entirety (predominantly the Uniform Codes), due to the completely new codes being proposed for adoption (International Codes). We need to adopt the new commercial International codes, with local amendments, and amendments that mirror State amendments that apply to our jurisdiction. We also need to adopt the newer Edition of the National Electrical code (2008), and the Uniform Plumbing Code (2006). It should be noted here that the proposed codes reflect general continuances of the older codes, but are organized differently and mostly published by a different entity.
2. Since the International Fire code, Building Code, Mechanical code, Residential Code, Energy code, and Fuel gas code refers to the International Electrical Code, and International Plumbing code, we will need to amend the international family of codes in order to delete these references and add references to the Uniform Plumbing Code (U.P.C.)(2006 Edition), and the National Electrical Code (N.E.C.) (2008 Edition)

**PROPOSED BUILDING CODE ADOPTIONS  
TO TITLE 19 OF THE  
KETCHIKAN MUNICIPAL CODE**

**Chapter 19.04- Building code**

Section 19.04.010 Building Code Adoption. PROPOSED: Repeal entirely (a) and adopt the International Building Code (I.B.C) (2006 Edition, third printing) Chapters 1-12, 14-28, 30-35 and Appendices A, and J. These chapters and appendices may be amended from time to time to reflect State Fire Marshal and local jurisdiction amendments to the IBC.

Section 19.04.020 Climatic and Geographic Design Criteria. PROPOSED: repeal and readopt to read: Seismic Design Category B;  $S_s=0.261$  (0.2 sec),  $S_1=0.167$  (1.0 sec): Ground Snow Load = 55 psf; Roof Design Snow Load = 40 psf: Wind load: 110 mph, 3 second gusts, exposure D, or C greater than 600 feet from the waterfront; (buffering determined D or C by Senior City Project Engineer); 120 mph, 3 second gusts less than 600 feet to waterfront (buffering determined by City Senior Project Engineer). Frost line is 32 inches for frost susceptible materials with 12 inches minimum bury over the top of base footings where percolation drainage materials are provided. (Meets structural foundation bury code): Miscellaneous Sections: Weathering-moderate; Termite-none; Decay-severe; Winter Design Temperature-14 degrees; Ice Shield- not required; Flood Hazard (FEMA) -April 16, 1990 Firm; Air Freezing Index-550; Mean Annual

Temp-45 degrees. These determinations are based on the most recent NOAA and USGS mapping indexes and known local historical data.

Section 19.04.030 NEW SECTION PROPOSED. Site Development. Appendix 33 of the 1997 Edition of the Uniform Building Code will be replaced as currently adopted by section 19.04.010 of the KMC, to Chapter 18 of the 2006 IBC and appendix J to reflect continuity. The permit to Work in the Right of Way has been replaced by the Permit to Excavate and can be obtained at the City Public Works Engineering Division.

Site Development permit-expiration. Current Site development permit expirations do not exist. The time line shall be 12 months with 6-month extensions, if applied for and sufficient cause demonstrated.

Section 19.04.060 Board of Appeals—Terms of office. (NO PROPOSED CHANGES)

Section 19.04.090 Building permit-expiration. PROPOSED AMENDMENTS. The current code allows a one year expiration, with a single extension of 180 days in writing showing cause. The new code allows for a one year expiration, with multiple extensions allowed, for periods not more than 180 days each with justifiable cause demonstrated.

Section 19.04.100 Demolition Permit (fees). This Section will be expanded to reflect a new permit, separate from the building permit application now in service. A demolition plan will be required to include safety plans, fire plans, asbestos surveys, site plans, excavation, traffic and pedestrian protection, etc.

### **Chapter 19.12-Electrical Code**

Section 19.12.010 The 1999 edition of the National Electrical Code (NFPA 70) will be changed to the 2008 Edition, to reflect Department of Labor, State Statutes. The other sections within Chapter 19.12 will remain in place.

### **Chapter 19.16-Housing Code**

Section 19.16.010 PROPOSED CHANGE. The 1997 Uniform Housing Code will be changed to the 2006 Edition of the International Residential Code (IRC) Chapters 1-24, 33-43, and appendices A, B, C, E, G, J, and Q. This code will govern single residential dwelling units up to and including tri-plex residential dwellings and town homes. This code will be proposed as a stand-alone code for dwellings with the exclusion of the International Plumbing Code chapters. Where the IRC references the International Plumbing Code in other provisions, the 2006 Edition of the Uniform Plumbing Code shall be substituted.

## **Chapter 19.20-Numbering of Buildings**

Section 19.20.030 PROPOSED CHANGE. Number of size from 3 inches is proposed to be amended to read 4 inches.

## **Chapter 19.22-Plumbing Code (NEW Chapter)**

Section 19.22.010 PROPOSED NEW SECTION. The 2006 Edition of the Uniform Plumbing Code, Published by IAPMO, is proposed for all commercial buildings, and residential buildings.. This code is proposed to reflect State Statutes.

## **Chapter 19.24-Mechanical Code**

Section 19.24.010 PROPOSED CHANGE. The 1997 edition of the Uniform Mechanical Code is to be replaced by the International Mechanical Code, 2006 edition with amendments that mirror the State Fire Marshals office.

## **Chapter 19.28-Dangerous Buildings**

Section 19.28.010 NO PROPOSED CHANGE. The 1997 Uniform Code for the Abatement of Dangerous Buildings will remain at this time.

## **ENERGY EFFICIENCY-**

Adopt the 2006 edition of the International Energy Conservation Code with amendments to reflect City of Ketchikan specific climatic conditions. The Building Energy Efficiency Standards (BEES), as prescribed by Alaska Housing Finance Corporation has been changed to reflect the aforementioned IECC code with local climatic conditions. The IECC only considers two regional determinants for the whole State, whereas as AHFC recognizes 5.. The new proposed amended energy code uses actual Heating Degree days for this region and the insulation values will be commensurate with actual conditions by their amendments to the IECC. For example: insulation values for the City of Ketchikan could be R-38 for roof/ceiling assemblies instead of R-49 (IECC). R-21 for walls, and R-30 for floor assemblies above crawl spaces. By adopting this code, homeowners may be qualified to forgo AHFC independent inspections by fee inspectors.

**Open code review Meetings have been held at the Public Works Department, Ted Ferry Civic Center, and the Ketchikan Home Builders office, for the public, professional**

designers, contractors, Ketchikan Utility departments, Fire Department, State Fire Marshals office, State Department of Labor, union representatives, and other stake holders. Through the public comment period, we have addressed concerns in the codes voiced by the same. The proposed Code Adoption Ordinance represents the culmination of all comments received to date, with seven revisions to the proposed codes (synopsis) posted on the City Web site.

**Final public comments are being solicited.** The legal department has reviewed and approved the proposed code adoptions and amendments. The final code adoptions draft has been produced in ordinance form, and is made available on the City Web page for review, and will be closed for further comments on October 12, 2009.

Further comments will be open to all stakeholders. The comments can be made by correspondence or electronic mail, to the building department at the following addresses:

Charles Dearden  
Building Official  
2930 Tongass Ave.  
Ketchikan, AK 99901

[charlesd@city.ketchikan.ak.us](mailto:charlesd@city.ketchikan.ak.us)

After public comments have been made, the proposed code adoptions will be re-reviewed by the building department and the legal department prior to submission to the Ketchikan City Council for the first reading.