

ORDINANCE # 6101

AN ORDINANCE to amend Title 13 entitled “Buildings and Construction” of the 2010 Municipal Code of Council Bluffs, Iowa, by repealing Chapter 13.08 entitled “Building Code” in its entirety and enacting a new Chapter 13.08 entitled “Building Code” to be codified.

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:**

SECTION 1. ADOPTION

That Title 13 entitled “Buildings and Construction” of the 2010 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Chapter 13.08 entitled “Building Code”, and amend the International Building Code adoption found in Municipal Code Section 13.08.010 to read as follows:

13.08.010 ADOPTION. That a certain document being marked and designated as the International Building Code, 2009 edition, excluding all Appendix Chapters, as published by the International Code Council, including the recognized code Referenced Standards contained in Chapter 35 all as modified or amended in the International Building Code referenced herein; be and the same are adopted as the Building Code of the city of Council Bluffs, Iowa, which is on file and open for inspection by the public in the office of the Building Official, are hereby referred to, adopted, and made a part hereof as if fully set out in this chapter, subject to the revisions, modifications, additions, insertions, changes, and/or deletions in sections that are described in the following sections of this chapter.

This adoption shall make the city of Council Bluffs Building Code coincide with the State of Iowa Building Code as adopted by the State of Iowa Public Safety Department as described in Title 661 of the Iowa Administrative Code in Chapter 301 Section 661-301.3(103A).

SECTION 2. AMENDMENTS. Amended.

The Municipal Code Chapter 13.08 shall be as amended to read as follows:

13.08.100 Chapter 1 - New – Scope and Administration.

Chapter 1 of the International Building Code shall be repealed and shall be replaced as provided for in Chapter 13.01 of the Municipal Code.

13.08.110 IBC Section 308.3.1 – New - Institutional Group I Definitions.

Section 13.08.110 shall amend IBC Section 308.3.(1) to read as follows:

308.3.1 The following words and terms shall, for the purpose of this section and as used elsewhere in this code, have the meanings shown herein.

Child Care Facilities. This building code regulates the occupancy use for child care. All child care code regulations in this building code shall be ignored and in lieu the regulations of the State Fire Marshal shall be used as adopted by the State of Iowa in the Iowa Administrative Code 661-5.500-3(100). These State of Iowa regulations address those places that care for seven or more children.

Detoxification Facilities. Facilities that serve patients who are provided treatment for substance abuse on a 24-hour basis and who are incapable of self-preservation or who are harmful to themselves or others.

Hospital. A hospital shall be as defined in rule 661—205.1(100), that is required to meet the

provisions of the state building code shall be deemed to be in compliance with the fire safety requirements of the state building code if the hospital is in compliance with the provisions of rule 661—205.5(100). In any other case in which an applicable requirement of the Life Safety Code, 2000 edition, is inconsistent with an applicable requirement of the state building code, the hospital shall be deemed to be in compliance with the state building code requirement if the Life Safety Code requirement is met.

Nursing Facility or Hospice. A nursing facility or hospice shall be as defined in rule 661—205.1(100), that is required to meet the provisions of the state building code shall be deemed to be in compliance with the fire safety requirements of the state building code if the nursing facility or hospice is in compliance with the provisions of rule 661—205.10(100). In any other case in which an applicable requirement of the Life Safety Code, 2000 edition, is inconsistent with an applicable requirement of the state building code, the nursing facility or hospice shall be deemed to be in compliance with the state building code requirement if the Life Safety Code requirement is met.

Intermediate Care Facility for the Mentally Retarded. An intermediate care facility for the mentally retarded shall be as defined in rule 661—205.1(100), or intermediate care facility for persons with mental illness that is required to meet the provisions of the state building code shall be deemed to be in compliance with the fire safety requirements of the state building code if the intermediate care facility is in compliance with the provisions of rule 661—205.15(100). In any other case in which an applicable requirement of the Life Safety Code, 2000 edition, is inconsistent with an applicable requirement of the state building code, the intermediate care facility shall be deemed to be in compliance with the state building code requirement if the Life Safety Code requirement is met.

Ambulatory Health Care Facility. An ambulatory health care facility shall be as defined in rule 661—205.1(100), that is required to meet the provisions of the state building code shall be deemed to be in compliance with the fire safety requirements of the state building code if the ambulatory health care facility is in compliance with the provisions of rule 661—205.20(100). In any other case in which an applicable requirement of the Life Safety Code, 2000 edition, is inconsistent with an applicable requirement of the state building code, the ambulatory health care facility shall be deemed to be in compliance with the state building code requirement if the Life Safety Code requirement is met.

Religious Nonmedical Health Care Institution. A religious nonmedical health care institution shall be as required to meet the provisions of the state building code shall be deemed to be in compliance with the provisions of the state building code if the institution is in compliance with the provisions of rule 661—205.25(100). In any other case in which an applicable requirement of the Life Safety Code, 2000 edition, is inconsistent with an applicable requirement of the state building code, the religious nonmedical health care institution shall be deemed to be in compliance with the state building code requirement if the Life Safety Code requirement is met.

13.08.115 Add Exception G to Table 508.4 – New - “Required Separation of Occupancies” to require,

G) A minimum of one (1) hour fire resistive occupancy separation, either vertically or horizontally between individual tenants in multi tenant structures.

13.08.120 Section 906.1 – New - Portable Fire Extinguishers – Where Required.

Section 906.1 shall be deleted and replace with:

906.1 - Where required. Portable fire extinguishers shall be installed in the following locations:

In new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.

1. Within 30 feet (9144 mm) of commercial cooking equipment.
2. In areas where flammable or combustible liquids are stored, used or dispensed.
3. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 1415.1 of the International Fire Code.
4. Where required by the sections indicated in Table 906.1.
5. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the fire code official.

13.08.130 Section 907.2.2 - New – Fire Alarm and Detection Systems – Group B.

Section 907.2.2 shall be deleted and replaced with:

907.2.2 - Group B. A manual fire alarm system shall be installed in Group B occupancies where one of the following conditions exists:

1. The combined Group B occupant load of all floors is 500 or more.
2. The Group B occupant load is more than 100 persons above or below the lowest level of exit discharge.
3. The Group B fire area contains a Group B ambulatory health care facility.
4. The Group B fire area contains an educational occupancy for students above the twelfth grade with an occupant load of 50 or more persons.

Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

13.08.140 Section 907.2.3 - New – Fire Alarm and Detection Systems – Group E.

Section 907.2.3 shall be deleted and replaced with:

907.2.3 - Group E. In the absence of a complete automatic sprinkler system, a complete automatic detection system shall be installed throughout the entire Group E occupancy. A Group E occupancy with a complete automatic sprinkler system shall be provided with a fire alarm system with a minimum of corridor smoke detection, at a maximum spacing of 30 feet on center, and heat or smoke detection in any hazardous or non-occupied areas. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

Exceptions:

1. Group E occupancies with an occupant load of less than 50.
2. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:
 - 2.1. Interior corridors are protected by smoke detectors with alarm verification.
 - 2.2. Auditoriums, cafeterias, gymnasiums and the like are protected by heat detectors or other approved detection devices.
 - 2.3. Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved detection devices.
 - 2.4. Off-premises monitoring is provided.
 - 2.5. The capability to activate the evacuation signal from a central point is provided.
 - 2.6. In buildings where normally occupied spaces are provided with a two-way communication system between such spaces and a constantly attended receiving station from which a general evacuation alarm can be sounded, except in locations specifically designated by the fire code official.

3. Manual fire alarm boxes shall not be required in Group E occupancies where the building is equipped throughout with an approved automatic sprinkler system, the notification appliances will activate on sprinkler water flow and manual activation is provided from a normally occupied location.

13.08.145 Section 1003.8 - New – Means of Egress – Location of Preschool through Second Grade Students.

Section 1003.8 shall be added to read as follows:

1003.8 - Location of Preschool through Second Grade Students. In Group E occupancies, rooms normally occupied by preschool, kindergarten or first grade students shall not be located above or below the level of exit discharge. Rooms normally occupied by second grade students shall not be located more than one story above the level of exit discharge.

13.08.160 Section 1101.3 - New - Accessibility Applicable.

Section 1101.3 shall be added to read as follows:

1101.3 – Accessibility Applicable. Any building or facility which is in compliance with the applicable requirements of 661—Chapter 302 shall be deemed to be in compliance with any applicable requirements contained in the International Building Code concerning accessibility for persons with disabilities.

13.08.170 Section 1301.1.1 – New - Energy Efficiency Criteria.

Section 1301.1.1 shall be amended to read as follows:

1301.1.1 – Energy Efficiency Criteria. Buildings shall be designed and constructed in accordance with the Energy Conservation Code as adopted and amended by the State of Iowa in IAC 661-Chapter 303(103A). Also, any other references in this Code to the International Energy Conservation Code shall be amended to be in accordance with the Energy Code as adopted and amended by the State of Iowa.

13.08.180 Section 1601.2 - New – Structural Design.

Section 16.01.2 shall be added to read as follows:

1601.2 – Structural Design. The Climatic and Geographic Design Criteria for building construction in Council Bluffs shall be as outlined in Section 13.01.211 of the Municipal Code.

13.08.190 Section 1809.4 – Amended - Depth of footings.

Section 1809.4 shall be amended to read as follows:

1809.4 – Depth of footings. The minimum depth of footings, foundation walls, piers and other permanent supports of buildings or structures below the undisturbed ground surface shall be a minimum of 42 inches. Where applicable, the depth of footing shall also conform to Sections 1809.1 through 1809.13. A continuous frost protected foundation shall be constructed when supporting a heated building and/or habitable area. If spread footings are used they shall be of adequate size and be provided where necessary to properly distribute the load within the allowable load-bearing value of the soil. Alternatively, such structure shall be supported on piles where solid earth or rock is not available. Footings shall not bear on frozen soils.

13.08.195 Chapter 29 - New – Plumbing Systems. Chapter 29 shall be deleted in its entirety and insert in lieu thereof: “see IAC 641-25.4(135)”.

13.08.290 Section 3001.2.1 – New – Elevator Standards.

Section 3001.2.1 shall be added to read as follows:

3001.2.1 – Elevator Standards. Notwithstanding the references in Chapter 35 to editions of national standards adopted in this section, any editions of these standards adopted by the elevator safety board in ~~875—Chapter 72~~ are hereby adopted by reference. If a standard is adopted by reference in this section and there is no adoption by reference of the same standard in ~~875—Chapter 72~~, the adoption by reference in this section is of the edition identified in Chapter 35.

13.08.300 Chapter – New -Referenced standards.

IBC Chapter 35 shall be amended in part by amending only these references as follows:

IECC – International Energy Conservation Code shall be amended to be the Energy Code as adopted in Chapter 13.20 of the Municipal Code.

IPC – International Plumbing Code shall be amended to be the Plumbing Code as adopted in Chapter 13.12 of the Municipal Code.

ICC Electrical Code – International Electrical Code shall be amended to be the Electrical Code as adopted in Chapter 13.16 of the Municipal Code.

IPSDC – International Private Sewage Disposal Code shall be amended to be the Private Sewage Disposal Code as adopted in Iowa Administrative Code 567 Chapter 69”.

IFGC – International Fuel Gas Code shall be amended to be the Fuel Gas Code as adopted in Chapter 13.26 of the Municipal Code.

IMC – International Mechanical Code shall be amended to be the Mechanical Code as adopted in Chapter 13.09 of the Municipal Code.

13.08.350 Section 1809.5 Exception – New – Delete Exception #2 and replace with; protection of free standing accessory structures with an area of 720 square feet or less, of light frame construction, and an eave height not exceeding ten (10) feet, may utilize a monolithic “Floating Slab” foundation with a minimum one foot by one foot thickened edge perimeter footing with 3 ½ “ nominal slab. No additions shall be permitted to any structure utilizing a monolithic slab foundation without installing a foundation system in accordance with Section 403.1.4.1 (1).

Protection of free standing accessory structures with an area of 400 square feet or less, of other than light frame construction, principally masonry with an eave height of ten (10’) feet or less, may utilize a monolithic slab foundation with a minimum eighteen (18”) inches by eighteen (18”) inches thickened edge perimeter footing with a 3 ½ “ nominal slab, with a concrete mix design which will attain a 28 day compressive strength of 3,500 psi for masonry walls not exceeding eight feet in height and 4,000 psi for masonry walls. No additions shall be permitted to any structure utilizing a monolithic slab foundation without installing a foundation system in accordance with Section 403.1.4.1 (1).

Delete Exception 3.

SECTION 3. REPEALER.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE.

If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.


SECTION 5. EFFECTIVE DATE.

This ordinance shall be in full force and effect from and after its final passage and publication as by law provided.

PASSED
AND
APPROVED: November 8, 2010


Thomas P. Hanafan, Mayor

Attest:


Marcia L. Worden, City Clerk

First Consideration: 10/11/2010
Second Consideration: 10/25/2010
Public Hearing: 10/25/2010
Third Consideration: 11/8/2010

PROOF OF PUBLICATION

STATE OF IOWA
POTTAWATTAMIE COUNTY

I, Amy McKay, on my oath do solemnly swear that I am the Controller of the COUNCIL BLUFFS DAILY NONPAREIL, a newspaper issued DAILY and printed in said county, COUNCIL BLUFFS, IOWA.

The attached notice was published in said newspaper for 1 consecutive time(s) as follows:

The first publication thereof began on the 17th day of October, 2010

Signed in my presence by the said Amy McKay and by her sworn to before me this 22nd day of October, A.D. 2010.

Notice of Public Hearing
on the
Ordinances of Title 13

A public hearing will be held on October 25, 2010, at 7:00 p.m. in the council chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, on the Ordinances of Title 13. Chapter 13.01, Uniform Administrative Code; Chapter 13.06, Residential Code; Chapter 13.07, General Contractor's Registration; Chapter 13.08, Building Code; Chapter 13.09, Mechanical Code; Chapter 13.12, Plumbing Code; Chapter 13.16, Electrical Code; Chapter 13.20, Energy Conservation Code; Chapter 13.26, Fuel Gas Code; Chapter 13.27, Swimming Pool, Spa, and Hot Tub; Chapter 13.21, Housing. At said hearing, any interested person may appear and file objections to such plans and specifications.

By Order of the City Council
of the
City of Council Bluffs, Iowa
Marcia L. Worden, City Clerk

2010 (10) 17 - 1 Sunday

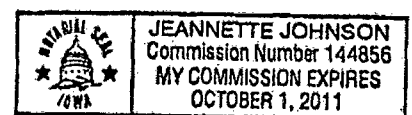


Amy McKay
Daily Nonpareil Controller



Jeannett Johnson
Notary Public

Filed this 22nd day of October, A.D. 2010.
Publication Cost: \$ 11.66



Customer Number: 35700
Order Number: 20263032

COUNCIL COMMUNICATION

6E

Department: <u>Public Works, Bldg.</u>	Ordinance No. <u>6101</u>	First Reading <u>October 11, 2010</u>
Case/Project No.: _____	Resolution No. _____	Second Reading _____
Applicant: <u>Steve Carmichael, CBO</u>		Public Hearing _____
		Third Hearing _____

SUBJECT/TITLE

AN ORDINANCE to amend Title 13 entitled "Buildings and Construction" of the 2010 Municipal Code of Council Bluffs, Iowa, by repealing certain Sections of Chapter 13.08 entitled "Building Code" in its entirety and enacting a new Chapter 13.08 entitled "Building Code" to be codified.

BACKGROUND/DISCUSSION

- The International Building Code is mandated by the State of Iowa.
- The administrative provisions have been transferred to Chapter 13.01.
- Definitions have been added to provide uniformity with the National Fire Protection Association.
- Amendment to require a one hour occupancy separation between adjacent occupancies in multi use buildings.
- Allow monolithic slab foundations with a maximum size for use on detached accessory structures.

SIGNIFICANT AMENDMENTS

Amended	Section 1 Adoption - Amend
Amended	13.08.010 Adoption - Amend
Amended	Section 2 Amendments – Amend
No Change	13.08.020 Section 101.1 Title
No Change	13.08.040 Section 103.1 Creation of Enforcement Agency
No Change	13.08.050 Section 103.3 Deputies
New	13.08.100 Chapter 1 – Scope and Administration - New
New	13.08.110 IBC Section 308.3.1 Institutional Group I Definitions. - New
New	13.08.115 Add Exception G to Table 508.4 "Required Separation of Occupancies" - New
New	13.08.120 Section 906.1 Amended – Portable Fire Extinguishers-Where Required
Delete	13.08.130 Expiration - Delete
New	13.08.130 Section 907.2.2 Fire Alarm and Detection Systems-Group B – New

SIGNIFICANT AMENDMENTS

Delete	13.08.140 Submittal Documents - Delete
New	13.08.140 Section 907.2.3 Amended – Fire Alarm and Detection Systems- Group E - New
New	13.08.145 Section 1003.8 Added – Means of Egress – Location of Preschool Through Second Grade Students – New
No Change	13.08.150 Section 106.6 Infrastructure
Delete	13.08.160 Permits Subject to Grading Permits - Delete
New	13.08.160 Section 1101.3 Accessibility Applicable – New
Delete	13.08.170 – Temporary Power - Deleted
New	13.08.170 Section 1301.1.1 Energy Efficiency Criteria – New
Delete	13.08.180 Schedule of Permit Fees - Delete
New	13.08.180 Section 1601.2 Structural Design - New
Delete	13.08.190 Building Permit Valuation – Delete
Amended	13.08.190 Section 1809.5 Depth of Footings – Amended
New	13.08.195 Chapter 29 Delete - Plumbing Systems - New
No Change	13.08.200 Plan Review Fees
No Change	13.08.210 Certificate Fee
No Change	13.08.220 Section 112.4 Additionally
No Change	13.08.230 Municipal Infraction
No Change	13.08.240 Vacation
No Change	13.08.250 Public Nuisances
No Change	13.08.260 Applicability
No Change	13.08.270 DWV Walls
No Change	13.08.280 Sanitation Floors
Delete	13.08.290 Any Group A Occupancies with Alcoholic Beverages – Delete
New	13.08.290 Section 3001.2.1 Added – Elevator Standard - New
Delete	13.08.300 Chapter 11 Accessibility - Delete
New	13.08.300 Chapter 35 Amended – Referenced Standards - New
Delete	13.08.310 Energy Efficiency Criteria – Delete
No Change	13.08.320 Section 16.01.2 Criteria
Delete	13.08.330 Depth of Footings – Delete
Delete	13.08.340 Referenced Standards – Delete
New	13.08.350 Section 1809.4 Exception- New

RECOMMENDATION

The Public Works Director and the Building Official recommend that the City Council favorably consider this proposed ordinance and pass it into law.