

AGENDA ITEM #: _____

DATE: October 28, 2019

CAR #: 2019-6672



CITY COUNCIL ACTION REPORT

SUBJECT: Amend Section 9-1-1 of the Goodyear City Code by adopting 2018 International Technical Building Codes and Amendments.

STAFF PRESENTER(S): Randal Westacott, Chief Building Official

OTHER PRESENTER(S): None

Summary: Amend Section 9-1-1 of Goodyear City Code by adopting the current editions of the International Technical Building Codes and amendments thereto.

Recommendation:

1. ADOPT RESOLUTION NO. 2019-1974 DECLARING AS PUBLIC RECORDS THE 2018 EDITIONS OF THE INTERNATIONAL TECHNICAL CODES PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; VARIOUS REGULATIONS FOR BUILDINGS, STRUCTURES AND USES THEREOF; AND THE CITY OF GOODYEAR AMENDMENTS TO THE 2018 INTERNATIONAL TECHNICAL CODES AND REGULATIONS FOR BUILDINGS, STRUCTURES AND USES THEREOF DATED OCTOBER 28, 2019.
2. ADOPT ORDINANCE NO. 2019-1437 AMENDING SECTION 9-1-1 OF ARTICLE 9-1 OF CHAPTER 9 (BUILDINGS AND BUILDING REGULATIONS) OF THE GOODYEAR CITY CODE BY ADOPTING THE 2018 EDITIONS OF INTERNATIONAL TECHNICAL CODES AND REGULATIONS FOR BUILDINGS, STRUCTURES AND USES THEREOF AND ADOPTING AMENDMENTS THERETO; PROVIDING TERMS FOR IMPLEMENTATION, CORRECTIONS OF SCRIVENERS ERRORS, SEVERABILITY, REPEAL AND AN EFFECTIVE DATE.

Fiscal Impact: There are no new costs to the city created by the adoption of the 2018 International Technical Codes and Regulations as amended. The proposed revisions do include removing some fees that are no longer applicable and that have not been applied by Development Services for some time. As a result, no impact to revenues are anticipated with the minor fee related revisions.

Background and Previous Actions

Building and fire codes promote the health, welfare and safety of our community by requiring that best practices are followed in the construction, alteration, repair, use occupancy and maintenance of buildings and structures within the community. By adopting up-to-date building codes, the citizens, design professionals and builders can take advantage of current construction technologies, materials and methods and can benefit from updated building safety requirements, such as exiting, structural issues and fire and life safety concerns. Moreover, consistency and

uniformity of codes is important among the Valley and State jurisdictions as it makes it easier for designers and contractors to build in multiple jurisdictions, and allows for more consistent enforcement by Building Safety personnel. Conformance to the 2018 family of international technical building codes will allow for uniformity and consistency throughout the Valley and State.

The City's Construction Codes were last updated on May 18, 2015. That last update was based upon the 2012 International Building Codes and National Fire Protection Association Codes, which address electrical requirements. This "family of codes" is comprised primarily of the International Building Code, International Residential Code, International Mechanical Code, International Plumbing Code, International Fuel Gas Code, International Energy Conservation Code, International Fire Code, International Existing Building Code, International Property Maintenance Code and the NFPA 70 National Electric Code. Each of these International and National Fire Protection Association codes are updated every three years. When adopted together, these documents work in harmony and provide comprehensive code requirements for regulating buildings and structures within our community.

Staff Analysis

The goal in updating the City's Construction Code is to keep local amendments to a minimum while ensuring consistency. Nonetheless, because the administrative provisions of the international codes did not consider existing administrative processes adopted by Council pursuant to Senate Bill 1598 and because the administrative provisions of the various technical codes being adopted differ, the administrative provisions of the technical codes being adopted have been amended to provide for administrative consistency with Arizona state law and Goodyear practices

The updated codes and amendments that are being proposed for adoption are to be declared public records by Resolution 2019-1974, which are set forth below:

- International Building Code 2018 Edition published by the International Code Council
- International Mechanical Code 2018 Edition published by the International Code Council
- International Plumbing Code 2018 Edition published by the International Code Council
- International Fuel Gas Code 2018 Edition published by the International Code Council
- International Energy Conservation Code 2018 Edition published by the International Code Council
- International Existing Building Code 2018 Edition published by the International Code Council
- NFPA 70 National Electric Code 2017 Edition published by the National Fire Protection Association
- ICC A117.1 Accessible and Usable Buildings and Facilities 2009 Edition published by the International Code Council

- NFPA 99 Standard for Health Care Facilities Code 2018 Edition published by the National Fire Protection Association
- 2010 ADA Standards for Accessible Design published by the Department of Justice
- International Residential Code for One and Two Family Dwellings 2018 Edition as published by the International Code Council
- International Property Maintenance Code 2018 Edition published by the International Code Council

All administrative portions of the proposed codes have been deleted and replaced with the administrative provisions as provided and amended in the International Building Code. This greatly reduces duplication of information and provides the public with one location to find answers to our administrative process and fees.

The fee provisions in the technical codes being adopted state that the fees for permits are to be paid in accordance with the schedule adopted by the Mayor and Council. As the City has done in the past, the permit fees are being incorporated into the Building Code. The fees have been streamlined for ease of use and to eliminate fees that are not necessary to conduct business. Example changes are shown below.

- Table 1-F FIRE PERMIT FEES, has been eliminated with a re-write of section 109.1.3 “Fire Permit Fees,” to utilize Table 1-A BUILDING AND FIRE PERMIT FEES
- From Table 1-B, MISCELLANEOUS PERMITS, Vacuum Breaker fees have been removed as they are captured in a plumbing permit fee.
- From Table 1-C, ELECTRICAL PERMIT FEES, Carnivals and Circuses (covered by special event fees), Receptacle, Switch and lighting Outlets, and Lighting Fixtures have been eliminated and are captured in the valuation path of determining fees.
- From Table 1-G OTHER FEES, Preliminary fee for residential plans are now captured with a standardized flat submittal fee for all projects.
- Removed fee for written response to requests for building code or Building Safety Division policy issues. This is a normal performance of job duties.

These are just a few of the improvements that have been made to the adopted codes to promote ease of use.

As has been done in the past we have incorporated an improved level of life safety for residential homes that are used for the sole purpose of assisted care for the elderly “R-4 occupancies.” These requirements have been incorporated into our code amendments and date back to Ordinance 04-887 with the adoption of the 2003 International Building Codes.

We are proposing to continue more lenient requirements for water drinking fountains and toilet facilities related to small business to alleviate cost and free up floor space for business operations. These requirements can be found in both the Building and Plumbing Codes and have been modified accordingly. This is not an elimination, but a practical adjustment of the requirement.

Drafts of the code amendments were posted on the city website and an e-mail was sent to approximately 400+ contacts in the development community soliciting feedback. The Home Builders Association of Central Arizona (HBACA) and the Arizona Multi-housing Association (AMA). Each entity requested modifications to energy code requirements that are non-life safety issues, which were incorporated into our amendments. These same amendments have been adopted by Surprise, Peoria, Glendale, Avondale, Phoenix, Chandler, and Gilbert. Letters of support have been received from the HBACA and AMA groups for our amendment package. An e-mail was also received from Cheryl Lombard, Esq., President and CEO of Valley Partnership

Minor modifications were made to the definition for building setback in the residential code to be measured from the face of wall framing. All other jurisdictions have taken this same approach as it creates a consistent means to identify setbacks without variance of wall covering materials and has no significant impact on life safety. This has been challenging for builders that have standard plans that are built in other jurisdictions. The City will now be consistent with all our surrounding jurisdictions.

A Development Advisory Forum was held in July and advertised to 400+ individuals in the development community. There were approximately 20 attendees and the proposed adoption dates and implementation were discussed. As a result of that meeting and a specific request from the HBACA, we have embedded a “Code Implementation Policy.” The transition to new code standards is challenging and some projects have been in design for some time. To assist with the transition, we have proposed a 90-day buffer after the new codes take affect and a one year buffer for our standard home builders to update their standard plans to the new code. This proposal is also in unison with other valley adopting communities such as Peoria, Mesa, Phoenix and others.

Attachments

1. Resolution No. 019-1974
Exhibit A - City of Goodyear Amendments to 2018 International Technical Codes and Regulations for Buildings, Structures and Uses dated October 28, 2019
2. Ordinance No. 2019-1437