

Introduced by: Administrative Official Cassidy
Requested by: Building Inspector
Drafted by: Building Inspector/Borough Clerk
Introduced: 02022013
Public Hearing: 03072013
Adopted:

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**KODIAK ISLAND BOROUGH
ORDINANCE NO. FY2013-09**

**AN ORDINANCE OF THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH
AMENDING KODIAK ISLAND BOROUGH CODE OF ORDINANCES TITLE 15
BUILDINGS AND CONSTRUCTION, CHAPTER 15.10 BUILDING CODES AND
CHAPTER 15.30 FIRE CODE TO UPDATE AND STANDARDIZE THE KODIAK ISLAND
BOROUGH CODE.**

WHEREAS, the Joint Building Code Review Committee met with the building official in 2012 to consider revisions to the building codes; and

WHEREAS, the Joint Building Code Review Committee reviewed the 2012 International Residential Code (IRC); and

WHEREAS, the Joint Building Code Review Committee reviewed the 2009 International Building Code (IRC) and Appendix J, Grading; and

WHEREAS, the Joint Building Code Review Committee reviewed the 2009 International Fire Code (IFC); and

WHEREAS, the Joint Building Code Review Committee reviewed the 2009 Uniform Plumbing Code (UPC), 2009 International Mechanical Code (IMC), 2011 National Electrical Code (IEC), and the 2009 International Fuel Gas Code; and

WHEREAS, the Joint Building Code Review Committee has recommended that the City of Kodiak and the Kodiak Island Borough adopt updated building code editions; and

WHEREAS, the Joint Building Code Review Committee made the motions to adopt the above codes with revisions as it applies to the Kodiak Island Borough Code, Chapter 15; and

WHEREAS, the motion passed by a majority vote of the Committee; and

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH THAT:

Section 1: This ordinance is of a general and permanent nature and shall become a part of the Kodiak Island Borough Code of Ordinances;

Section 2: Title 15 *Buildings and Construction* Chapter 15.10 *Building Codes*, 15.10.010 *Adoption of building and other codes* is hereby amended as follows:

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**Chapter 15.10
BUILDING CODES**

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Sections:

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15.10.010 Adoption of building and other codes.

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15.10.020 *Repealed.*

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15.10.030 Copies on file for sale.

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15.10.040 *Repealed.*

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15.10.050 Remote area exemption.

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15.10.060 Plan check and approval.

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15.10.070 *Repealed.*

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15.10.080 ~~Uniform Building Code Section 2305 amended.~~ Use of Local Sitka Spruce Allowed in One- and Two-Family Dwelling.

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15.10.090 ~~Uniform Building Code Appendix Chapter 33 amended.~~ International Building Code Appendix J Grading

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15.10.100 Sanitation facilities.

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15.10.110 Building permit fees.

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15.10.120 Temporary structures.

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15.10.130 Roof snow load.

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15.10.140 *Repealed.*

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15.10.150 *Repealed.*

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15.10.160 Footings – General.

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15.10.170 Certificate of occupancy.

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15.10.180 Hoop houses.

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15.10.010 Adoption of building and other codes.

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The following codes are hereby adopted by reference as the building codes for the borough:

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A. The ~~2006~~ 2009 International Building Code, as adopted with revisions in 13 AAC 50.020 ~~in effect as of September 17, 2007~~, and including Appendix H, Signs, for all buildings except one- and two-family dwellings and residential accessory buildings; provided, that the following revisions to the ~~2006~~ 2009 International Building Code in 13 AAC 50.020 are not adopted: (i) the deletion in 13 AAC 50.020(1) of Sections 103, 104.4, 104.6, 104.8, 105.4, ~~106.5~~, 107.5, ~~108.2~~, 108.4, ~~108.5~~, ~~109~~ 109.2, 109.5, and 110 to 115 and (ii) the revisions in 13 AAC 50.020(7), (8), (9), (10), (11), (16), (17), (66), (73), (74) and ~~(77)~~ ~~(78)~~;

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~~B. 1997 Uniform Building Code for one- and two-family dwellings and residential accessory buildings, including excerpts from Appendix Chapter 23, which are included in the Uniform Building Code Volume 1; options to Appendix Chapter 23, for exposure C and D High Wind Wall Framing and Wood Piles, by Barry Still;~~

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B. 2012 International Residential Code For One and Two Family Dwellings with the following revisions.

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1. R105.2. Work exempt from permit is amended to read as follows:
Building: #10. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

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2. R301.2.1.1 Wind limitations and wind design required is amended to read as follows at the end of the section:

The following may be built to Seismic design category D2 with 110 MPH wind speed in B and C wind exposure areas provided that the house was permitted before the adoption of the 2012 Residential Building Code.

1) One permit only. An addition that is not more than 15% of the total gross square foot area of the existing building that the addition will be attached to. Roof pitch is a maximum of 5/12 or less. One story additions may be built on a piling foundation provided existing building has a piling foundation.

2) Other exempt structures in section R105.2 Work exempt from permit.

3. R311.7.5.1 Risers is amended to read as follows:

The maximum riser height shall be ~~7-3/4~~ 8 inches (~~196~~ 203mm). The riser shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). Risers shall be vertical or sloped from the underside of the nosing of the tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open risers are permitted provided that the opening between treads does not permit the passage of a 4-inch-diameter (102 mm) sphere.

4. R311.7.5.2 Treads is amended to read as follows:

The minimum tread depth shall be ~~10~~ 9 inches (~~254~~ 228mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

5. R313.1 Townhouse automatic fire sprinkler systems is amended to read as follows:

An automatic residential fire sprinkler system ~~shall~~ may be installed in townhouses.

6. R313.2 One and two-family dwellings automatic fire sprinkler systems is amended to read as follows:

An automatic residential fire sprinkler system ~~shall~~ may be installed in one- and two-family dwellings.

7. Chapter 11, Energy Efficiency. Remove.

8. Chapters 24, 25, 26, 27, 28, 29, 30, 31, 32, & 33. Remove plumbing chapters related to the International Residential Code and insert the 2009 Uniform Plumbing Code.

9. Chapters 34, 35, 36, 37, 38, 39, 40, 41, 42, & 43. Remove electrical chapters of the International Residential Code and insert the 2011 National Electrical Code.

10. M2002.5. Boiler low-water cutoff is amended to read as follows:

All steam ~~and hot-water~~ boilers shall be protected with a low-water cutoff control. The low-water cutoff shall automatically stop the combustion operation of the *appliance* when the water level drops below the lowest safe water level as established by the manufacturer.

C. ~~2006-2009~~ International Building Code Appendix J, Grading;

D. The ~~2006~~ 2009 Uniform Plumbing Code, as adopted with revisions in 8 AAC 63.010 in effect as of ~~September 27, 2008~~ February 23, 2011, Appendix Chapter B, Explanatory

151 Notes on Combination Waste and Vent Systems; and Appendix Chapter H,
152 Recommended Procedures for Sizing Commercial Kitchen Grease Interceptors;

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154 | E. The ~~2006~~ 2009 International Mechanical Code, as adopted with revisions in 13 AAC
155 50.023 ~~in effect as of September 17, 2007~~, except for the deletions in 13 AAC 50.023(1) of
156 | Sections 103, 104, and 106 to ~~409~~ 110 of the ~~2006~~ 2009 International Mechanical Code;

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158 | F. The ~~2008~~ 2011 National Electrical Code.

159 | 1. ~~New Section~~ 300.4(~~G~~) Protection Against Physical Damage is amended to
160 read as follows:

161 | Where subject to physical damage, conductors, raceways, and cables shall be
162 protected. Thermoplastic type insulated conductors may not be installed when the
163 working environment is below 20° Fahrenheit.

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165 | 2. ~~Section 410.8~~ 410.16 is amended to read as follows:

166 | 410.8~~16~~ Luminaries (~~Fixtures~~) and Transformers in Closets.

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168 | G. The 1997 Uniform Code for the Abatement of Dangerous Buildings;

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170 | H. The 1997 Uniform Housing Code; and

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172 | I. ~~2006~~ 2009 International Fuel Gas Code, Chapters 6 and 7.

173 They are adopted to regulate erection, construction, enlargement, alteration, repair,
174 moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and
175 maintenance of buildings or structures in the borough; to provide for the issuance of
176 | permits and collection of fees ~~therefor~~ therefore; and to provide penalties for violations of
177 these regulations. The building codes so adopted shall be interpreted, administered, and
178 enforced with the local amendments hereinafter specifically set forth, by the borough
179 building official, who is authorized to take such action as may be reasonably necessary to
180 enforce the purposes of this section. The borough manager may appoint or authorize an
181 assistant or agent to the building official if necessary to carry out the provisions of this
182 section. [Ord. FY2009-12 §2, 2008; Ord. FY2006-02 §2, 2005; Ord. 02-08 §2, 2002; Ord.
183 99-04 §2, 1999; Ord. 97-05 §3, 1997; Ord. 92-11 §2, 1992; Ord. 91-13 §2, 1991; Ord. 91-
184 01 §2, 1991; Ord. 88-18-O §3, 1988; Ord. 85-13-O §1, 1985; Ord. 84-61-O §10, 1984;
185 Ord. 84-42-O §2, 1984. Formerly §15.04.010].

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187 | **Section 3:** Title 15 *Buildings and Construction* Chapter 15.10 *Building Codes*, Section
188 15.10.080 *Uniform Building Code Section 2305* amended is hereby
189 amended as follows:

190 | ~~15.10.080 Uniform Building Code Section 2305~~ amended. Use of Local Sitka Spruce
191 Allowed in One- and Two-Family Dwelling.

192 Ungraded, locally manufactured Sitka Spruce lumber may be used in the construction of
193 one-story and two-story dwellings and accessory buildings. The following values shall be
194 used in determining the structural adequacy of member sizes:

195 | Fb single use = 800 #/sq. in.

196 | Fb repetitive = 925 #/sq. in.

197 | Ft = 475 #/sq. in.

198 | Fv = 75 #/sq. in.

199 | Fc_ = 435 #/sq. in.

200 | Fc = 825 #/sq. in.

201 | E = 1,200,000 #/sq. in.

202 [Ord. 97-05 §3, 1997; Ord. 88-18-O §6, 1988; Ord. 84-42-O §2, 1984. Formerly
203 §15.04.050].

204

205 **Section 4:** Title 15 *Buildings and Construction* Chapter 15.10 *Building Codes*, Section
206 15.10.090 *Uniform Building Code Appendix Chapter 33 amended* is hereby
207 amended as follows:

208 **15.10.090 ~~Uniform Building Code Appendix Chapter 33 amended.~~ International**
209 **Building Code Appendix J Grading.**

210 Appendix ~~Chapter 33 of the 1997 Uniform Building Code~~ J of the 2009 International
211 Building Code is amended to read as follows:

212 Section ~~3306.2~~ J103.2 1. When approved by the building official,
213 grading in an isolated area if there is no danger to private or public
214 property. For purposes of this section, a lot located in a recorded
215 subdivision shall not be considered an isolated, self-contained area.

216 2. An excavation below finished grade for basements and footings of a
217 building, retaining wall or other structure authorized by a valid building
218 permit. This shall not exempt any fill made with the material from such
219 an excavation or exempt any excavation having an unsupported height
220 greater than 10 feet after the completion of such structure.

221 8. An excavation which is (1) less than five (5) feet in depth, or (2) which
222 does not create a cut slope greater than ten (10) feet in height and
223 steeper than 1 1/2 horizontal to 1 vertical.

224 9. A fill less than five (5) feet in depth and placed on natural terrain with
225 a slope flatter than 3 horizontal to 1 vertical, not intended to support
226 structures, which does not obstruct a drainage course.

227 Section ~~3342.2~~ J106.1 Slope. The slope of cut surfaces shall be no
228 steeper than is safe for the intended use and shall be no steeper than
229 1/2 horizontal to one (1) vertical in solid rock and 2 horizontal to 1
230 vertical in other soils unless the permittee furnishes a soil engineering
231 or an engineering geology report, or both, stating that the site has been
232 investigated and giving an opinion that a cut at a steeper slope will be
233 stable and not create a hazard to public or private property. Where the
234 cut slope in rock exceeds thirty feet in height, a ten foot wide bench
235 shall be provided at twenty feet and at twenty foot intervals thereafter.
236 For slopes greater than 1 1/2 horizontal to 1 vertical, the adjacent
237 property line shall be fenced except along public right-of-way before
238 excavation is begun.

239 Section ~~3343.2~~ J107.2 Preparation of Ground. The ground surface shall
240 be prepared to receive fill by removing vegetation, noncomplying fill,
241 topsoil and other unsuitable materials, scarifying to provide a bond with
242 the new fill and, where slopes are steeper than five to one, and the
243 height is greater than 5 feet, by benching into sound bedrock or other
244 competent material as determined by the soils engineer. The bench
245 under the toe of a fill on a slope steeper than 5 to one (1) shall be at
246 least 10 feet wide. The area beyond the toe of fill shall be sloped for
247 sheet overflow or a paved drain shall be provided. When fill is to be

248 placed over a cut, the bench under the toe of fill shall be at least ten feet
249 (10') wide but the cut must be made before placing fill and accepted by
250 the soils engineer and engineering geologist as a suitable foundation for
251 fill. Unsuitable soil is soil which, in the opinion of the building official or
252 the civil engineer or the soils engineer or the geologist, is not competent
253 to support other soil or fill, to support structures or to satisfactorily
254 perform the other functions for which the soil is intended.

255 Section ~~3343.5~~ [J107.6](#) Slope. The slope of fill surfaces shall be no
256 steeper than is safe for the intended use. Fill surfaces shall be no
257 steeper than two horizontal to one vertical for soils other than fractured
258 rock and one and one-half horizontal to one vertical for fractured rock.

259 Section ~~3346.4~~ [J110.1](#) Slopes. The faces of cut and fill slopes shall be
260 prepared and maintained to control against erosion. This control may
261 consist of effective planting. The protection for the slopes shall be
262 installed as soon as practical and prior to calling for final approval.
263 Where cut slopes are not subject to erosion due to the erosion-resistant
264 character of the materials, such protection may be omitted. Any topsoil
265 available from any cut area shall be stockpiled and used to recover the
266 excavation site upon completion of grading and shall be seeded with
267 appropriate grasses.

268 [Ord. 99-04 §2, 1999; Ord. 97-05 §3, 1997; Ord. 92-11 §5, 1992; Ord. 84-42-O §2, 1984.
269 Formerly §15.04.055].
270

271 **Section 5:** Title 15 *Buildings and Construction* Chapter 15.30 *Fire Code*, Section
272 15.30.010 *Adoption* is hereby amended as follows:

273 **Chapter 15.30**
274 **FIRE CODE**

275 Sections:

276 15.30.010 Adoption.
277 15.30.015 ~~Exception.~~ ~~Repealed.~~
278 15.30.020 Copies on file/sale.
279 [15.30.025](#) [Fire Safety Inspection Program](#)
280 [15.30.030](#) [Plan review](#)

281 * For statutory provisions authorizing adoption by reference to codes of regulations, see
282 AS 29.25.040.

283 **15.30.010 Adoption.**

284 The ~~2006~~ [2009](#) International Fire Code, including Appendices A through G, as adopted
285 with revisions in 13 AAC 50.025 in effect as of ~~September 17, 2007~~ [February 1, 2013](#),
286 except for the deletions in 13 AAC 50.025(1) of Sections [103](#), 104.2, 104.3, [104.4](#), 104.5,
287 [104.6](#), [104.10](#), 104.11, 104.11.1, 104.11.2, 106, 108, [109](#), and ~~109~~ [111](#), ~~of the 2006~~ and is
288 [revised by deleting the references to the International Property Maintenance Code, and](#)
289 [the International Residential Code of the 2009](#) International Fire Code is hereby adopted
290 by reference as the fire code for the borough. [This code establishes regulations affecting](#)
291 [or relating to structures, processes, premises and safeguards regarding:](#)

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293 [1. The hazard of fire and explosion arising from the storage, handling or use of](#)
294 [structures, materials or devices;](#)

- 295 2. Conditions hazardous to life, property or public welfare in the occupancy of
296 structures or premises;
297 3. Fire hazards in the structure or on the premises from occupancy or operation;
298 4. Matters related to the construction, extension, repair, alteration or removal of fire
299 suppression or alarm systems; and
300 5. Conditions affecting the safety of fire fighters and emergency responders during
301 emergency operations.

302 The fire codes so adopted shall be interpreted, administered, and enforced with the local
303 amendments hereinafter by a Manager appointed fire code official who is authorized to
304 take such action as may be reasonably necessary to enforce the purposes of this section.
305 The Manager may appoint or authorize an assistant or agent to the fire code official if
306 necessary to carry out the provisions of this section.

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308 **Section 6:** Title 15 *Buildings and Construction* Chapter 15.30 *Fire Code*, Section
309 15.30.015 *Exception* is hereby repealed as follows:

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311 **~~15.30.015 Exception.~~**

312 ~~Article 78, Fireworks, of the adopted Uniform Fire Code, is repealed. [Ord. 92-11 §9, 1992;~~
313 ~~Ord. 85-13-O §3, 1985. Formerly §15.24.015].~~

314
315 **Section 7:** Title 15 *Buildings and Construction* Chapter 15.30 *Fire Code*, Section
316 15.30.020 *Copies on file/sale* is hereby amended as follows:

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318 **15.30.020 Copies on file/sale.**

319 After adoption, ~~the building official shall provide for sale, to those interested, copies of the~~
320 ~~code adopted pursuant to KIBC 15.30.010. the fire code official shall make available the~~
321 information necessary to provide for purchasing copies of the Fire Code or referenced
322 standards. [Ord. 97-05 §5, 1997; repealed by Ordinance No. 92-11, effective July 2, 1992.
323 Former section derived from Ordinance No. 84-42-O §2, 1984. Formerly §15.24.020].
324

325 **Section 8:** Title 15 *Buildings and Construction* Chapter 15.30 *Fire Code*, Section
326 15.30.025 *Fire Safety Inspection program* is hereby enacted as follows:

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328 **15.30.025 Fire Safety Inspection program**

329 The fire code official will conduct a fire code inspection program which meets or exceeds
330 the program conducted by the State Division of Fire and Life Safety.

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332 **Section 9:** Title 15 *Buildings and Construction* Chapter 15.30 *Fire Code*, Section
333 15.30.030 *Plan review* is hereby enacted as follows:

334
335 **15.30.030 Plan review**

336 The fire code official will assist in the review of fire suppression, fire alarm, and site plan
337 reviews for the purposes of emergency response and suppression with the Building Code
338 Official.

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340 **Section 10:** This Ordinance takes effect upon adoption.
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**ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH
THIS _____ DAY OF _____ 2013**

KODIAK ISLAND BOROUGH

Jerome M. Selby, Borough Mayor

ATTEST:

Nova M. Javier, MMC, Borough Clerk