

Introduced by: Borough Assembly
Requested by: Borough Assembly
Drafted by: By Direction of
Borough Assembly
Introduced: 01/21/2016
Public Hearing: 02/04/2016
Postponed: 02/04/2016
Postponed: 05/05/2016
Amended/Postponed: 05/19/2016
Public Hearing: 06/02/2016
Amended: 06/02/2016
Adopted: 06/02/2016

**KODIAK ISLAND BOROUGH
ORDINANCE NO. FY2016-12**

**AN ORDINANCE OF THE ASSEMBLY OF THE KODIAK ISLAND
BOROUGH AMENDING TITLE 15 *BUILDINGS AND CONSTRUCTION*
CHAPTER 15.10 *BUILDING CODES* TO READOPT THE 1997
UNIFORM BUILDING CODE FOR ONE AND TWO-FAMILY
DWELLINGS; AND TO ADD A LOCAL EXCEPTION TO ELIMINATE
THE REQUIREMENT FOR ENGINEERING FOR CERTAIN
RESIDENTIAL CONSTRUCTION IN THE BOROUGH**

WHEREAS, as a second class Borough, the Kodiak Island Borough has adopted KIBC Title 15 (Buildings and Construction) to regulate erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings or structures in the borough; and

WHEREAS, in accordance with Chapter 15.10 KIBC, the Kodiak Island Borough adopted by reference the 2012 International Residential Code (IRC) for One- and Two-Family Dwellings (Ordinance FY 2013-09); and

WHEREAS, the IRC requires engineering certification for structures that are not designed to meet the prescriptive standards of the building code; and

WHEREAS, chapter 15.10 KIBC includes a number of local exemptions, exceptions, and amendments to the standard building code requirements to reflect local conditons and building practices; and

WHEREAS, in discussions related to the high cost of home construction in Kodiak, the additional expense of engineering for certain new construction, additions, or remodeling projects has been noted as a significant expense; and

WHEREAS, there are very few licensed practicing engineers in Kodiak, further adding to the cost of complying with applicable engineering requirements for construction; and

43 **WHEREAS,** for decades, prior to the 2013 adoption of the IRC, safe and structurally
44 sound residential buildings were erected without the need or expense of engineering
45 required by the IRC; and

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47 **WHEREAS,** the public necessity and general welfare of the community may be better
48 served by amending the code to reduce or eliminate some engineering requirements for
49 new or expanded residential construction; and

50 **WHEREAS,** the Borough Assembly set aside time for public input and discussion; and

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52 **WHEREAS,** the Borough Assembly, as a part of process, would hold public hearings to
53 adopt the amendments to eliminate certain engineering requirements for residential
54 construction; and

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56 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KODIAK ISLAND**
57 **BOROUGH that:**

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

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62 **Section 2:** This ordinance shall be effective upon adoption.

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64 **Section 3:** Title 15 Buildings and Consturction, Chapter 15.10 Building Codes,
65 Sections 15.10.010 Adoption of building and other codes and 15.10.050
66 Remote area exemptions are hereby amended as follows:

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68 **15.10.010 Adoption of building and other codes.**

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

71 A. The 2009 International Building Code, as adopted with revisions in 13 AAC 50.020, and
72 including Appendix H, Signs, for all buildings except one- and two-family dwellings and
73 residential accessory buildings; provided, that the following revisions to the 2009
74 International Building Code in 13 AAC 50.020 are not adopted: (1) the deletion in 13 AAC
75 50.020(1) of Sections 103, 104.4, 104.6, 104.8, 105.4, 107.5, 108.4, 109.2, 109.5 and 110
76 to 115; and (2) the revisions in 13 AAC 50.020(7), (8), (9), (10), (11), (16), (17), (66), (73),
77 (74) and (77);

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

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84 ~~B. 2012 International Residential Code for One and Two-Family Dwellings with the~~
85 ~~following revisions:~~

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87 ~~1. R105.2, Work exempt from permit, is amended to read as follows:~~
88 ~~Building: #10. Decks not exceeding 200 square feet (18.58 m²) in area, that are not~~
89 ~~more than 30 inches (762 mm) above grade at any point.~~

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

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

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

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

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

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

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

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

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116 ~~5. R313.1, Townhouse automatic fire sprinkler systems, is amended to read as follows:~~
117 ~~An automatic residential fire sprinkler system may be installed in townhouses.~~

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

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

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124 ~~7. Chapter 11, Energy Efficiency. Remove.~~

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

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

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~~10. M2002.5, Boiler low water cutoff, is amended to read as follows:
All steam 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. 2009 International Building Code Appendix J, Grading;

D. The 2009 Uniform Plumbing Code, as adopted with revisions in 8 AAC 63.010 in effect as of February 23, 2011, Appendix Chapter B, Explanatory Notes on Combination Waste and Vent Systems; and Appendix Chapter H, Recommended Procedures for Sizing Commercial Kitchen Grease Interceptors;

E. The 2009 International Mechanical Code, as adopted with revisions in 13 AAC 50.023, except for the deletions in 13 AAC 50.023(1) of Sections 103, 104, and 106 to 110 of the 2009 International Mechanical Code;

F. The 2011 National Electrical Code.

1. 300.4, Protection Against Physical Damage, is amended to read as follows:

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

2. 410.16 is amended to read as follows:

410.16 Luminaries and Transformers in Closets.

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

H. The 1997 Uniform Housing Code; and

I. 2009 International Fuel Gas Code, Chapters 6 and 7.

They are adopted to regulate erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings or structures in the borough; to provide for the issuance of permits and collection of fees therefor; and to provide penalties for violations of these regulations. The building codes so adopted shall be interpreted, administered, and enforced with the local amendments hereinafter specifically set forth, by the borough building official, who is authorized to take such action as may be reasonably necessary to enforce the purposes of this section. The borough manager may appoint or authorize an assistant or agent to the building official if necessary to carry out the provisions of this section. [Ord. FY2013-09 §2, 2013; Ord. FY2009-12 §2, 2008; Ord. FY2006-02 §2, 2005; Ord. 02-08 §2, 2002; Ord. 99-04 §2, 1999; Ord. 97-05 §3, 1997; Ord. 92-11 §2, 1992; Ord. 91-13 §2, 1991; Ord. 91-01 §2, 1991; Ord. 88-18-O §3, 1988; Ord. 85-13-O §1, 1985; Ord. 84-61-O §10, 1984; Ord. 84-42-O §2, 1984. Formerly §15.04.010].

175 ~~15.10.050 Remote area e~~Exemptions.

176 ~~A. Notwithstanding the construction requirements contained within this code, owner-~~
177 ~~occupied residential buildings and accessory buildings associated with residential~~
178 ~~use, when located in remote areas outside Kodiak city limits, are exempt from~~
179 ~~the building regulations of the borough.~~

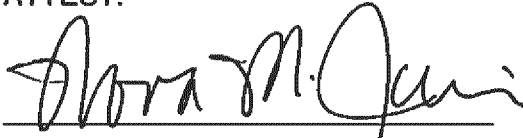
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181 ~~B. The borough does not certify that any building built under this exemption meets~~
182 ~~any of the adopted codes or ordinances. No physical inspections will be made of~~
183 ~~the structure.~~

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185 ~~C. Permits and inspection services are encouraged and recommended to ensure~~
186 ~~safety, reduce owner liability, and enhance property values and shall be~~
187 ~~provided available in this exempt area at the owner's option. Cost of these permits~~
188 ~~and inspection services are the responsibility of the property owner and will be~~
189 ~~charged at the same rate as the nonexempt portions of the borough construction~~
190 ~~compliance oversight, administration, and inspection.~~

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192 *Clerk's note: Ordinance was amended on June 2, 2016 to delete lines 175-190.*

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194 **ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH**
195 **THIS SECOND DAY OF JUNE, 2016**

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198 KODIAK ISLAND BOROUGH
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202 Jerrol Friend, Borough Mayor

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204 ATTEST:
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207 Nova M. Javier, MMC, Borough Clerk
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