

**KODIAK ISLAND BOROUGH
ORDINANCE NO. FY2017-22**

**AN ORDINANCE OF THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH AMENDING
TITLE 15 *BUILDINGS AND CONSTRUCTION* CHAPTER 15.10 *BUILDING CODES* TO
READOPT THE 2012 UNIFORM BUILDING CODE FOR ONE AND TWO-FAMILY
DWELLINGS AND PROVIDING FOR EXEMPTIONS IN SECTION 15.10.050 REMOTE AREA
EXEMPTIONS**

WHEREAS, as a second class Borough, the Kodiak Island Borough (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 1997 Uniform Building Code (UBC) for One- and Two-Family Dwellings (Ordinance FY 2016-12); and

WHEREAS, the City of Kodiak (City) has indicated a desire to administer a single building code under the City and Borough's Memorandum of Agreement (MOA); and

WHEREAS, it is in the best interest of the Borough to continue contracted building department functions and services with the City through the existing MOA; 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

WHEREAS, the 2012 International Residential Code (IRC) allows more flexibility in prescriptive construction methods; and

WHEREAS, specific revisions to the 2012 IRC may be made to reflect local construction conditions and constraints; and

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WHEREAS, circumstances may arise where it is appropriate to exempt some single-family dwellings from building regulations; and

WHEREAS, the Borough Assembly set aside time for public and agency input and discussion; 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: That chapter 15.10 of the Kodiak Island Borough Code of Ordinances is amended to read as follows:

15.10.010 Adoption of building and other codes.

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

A. The 2009 International Building Code, as adopted with revisions in 13 AAC 50.020, 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 2009 International Building Code in 13 AAC 50.020 are not adopted: (1) the deletion in 13 AAC 50.020(1) of Sections 103, 104.4, 104.6, 104.8, 105.4, 107.5, 108.4, 109.2, 109.5 and 110 to 115; and (2) the revisions in 13 AAC 50.020(7), (8), (9), (10), (11), (16), (17), (66), (73), (74) and (77);

~~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 C High Wind Wall Framing and Wood Piles.~~

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

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.

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

91 maximum of 5/12 or less. One story additions may be built on a piling foundation
92 provided existing building has a piling foundation.

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

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

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

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

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

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

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

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

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

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120 7. Chapter 11, Energy Efficiency. Remove.

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

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

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

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

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133 C. 2009 International Building Code Appendix J, Grading;

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

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

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144 F. The 2011 National Electrical Code.
145 1. 300.4, Protection Against Physical Damage, is amended to read as follows:
146 Where subject to physical damage, conductors, raceways, and cables shall be
147 protected. Thermoplastic type insulated conductors may not be installed when the
148 working environment is below 20° Fahrenheit.
149 2. 410.16 is amended to read as follows:
150 410.16 Luminaries and Transformers in Closets.

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

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154 H. The 1997 Uniform Housing Code; and

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156 I. 2009 International Fuel Gas Code, Chapters 6 and 7.
157 They are adopted to regulate erection, construction, enlargement, alteration, repair, moving,
158 removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of
159 buildings or structures in the borough; to provide for the issuance of permits and collection of
160 fees therefor; and to provide penalties for violations of these regulations. The building codes so
161 adopted shall be interpreted, administered, and enforced with the local amendments hereinafter
162 specifically set forth, by the borough building official, who is authorized to take such action as
163 may be reasonably necessary to enforce the purposes of this section. The borough manager
164 may appoint or authorize an assistant or agent to the building official if necessary to carry out
165 the provisions of this section. [Ord. FY2013-09 §2, 2013; Ord. FY2009-12 §2, 2008; Ord.
166 FY2006-02 §2, 2005; Ord. 02-08 §2, 2002; Ord. 99-04 §2, 1999; Ord. 97-05 §3, 1997; Ord. 92-
167 11 §2, 1992; Ord. 91-13 §2, 1991; Ord. 91-01 §2, 1991; Ord. 88-18-O §3, 1988; Ord. 85-13-O
168 §1, 1985; Ord. 84-61-O §10, 1984; Ord. 84-42-O §2, 1984. Formerly §15.04.010].

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170 **15.10.050 Exemptions.**

171 A. Notwithstanding the construction requirements contained within this code, owner-occupied
172 residential buildings and accessory buildings associated with residential use, when located in
173 remote areas are exempt from the building regulations of the borough.

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

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178 C. Permits and inspection services are available in this exempt area at the owner's option. Cost
179 of these permits and inspection services are the responsibility of the property owner and will be
180 charged at the same rate as the nonexempt portions of the borough.
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182 **Effective Date:** This ordinance takes effect upon adoption. (Note: KIBC 2.30.070 states an
183 ordinance takes effect upon adoption or at a later date specified in the ordinance.)
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185 **ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH**
186 **THIS SECOND DAY OF FEBRUARY, 2017.**
187

188 KODIAK ISLAND BOROUGH

ATTEST:

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191 _____
192 Daniel A. Rohrer, Mayor

Nova M. Javier, MMC, Clerk

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194 **VOTES:**

195 Ayes: Crow, LeDoux, Smiley, Symmons, Townsend, VanDaele

196 Absent: Skinner