

ORDINANCE NO. 40

AN ORDINANCE AMENDING THE FAIRFAX CODE OF ORDINANCES OF 2012, OF THE CITY OF FAIRFAX, IOWA, BY AMENDING CHAPTER 153, BUILDING CODE

BE IT ENACTED by the City Council of the City of Fairfax, Iowa:

SECTION 1. Chapter 153, is hereby amended by replacing the current wording with the following:

CHAPTER 153-BUILDING CODE

153.01 International Building Code

153.02 Amendments to the International Building Code

153.03 Availability of the Building Regulations

153.04 Effective Date

153.01 INTERNATIONAL BUILDING CODE. Except as hereinafter added to, deleted, modified or amended, there is hereby adopted as the Building Code of the City that certain Building Code known as the International Building Code, 2015 Edition, and International Residential Code, 2015 Edition, including International Residential Code, Appendix F Passive Radon Gas Control Methods, and National Electric Code, 2014 Edition. This Chapter shall also adopt referenced Codes listed in Sections 101.4.1 through 101.4.7 as prepared and edited by the International Code Council, Inc., and the provisions of said Building Code shall be controlling in the construction of buildings and other structures and in all matters covered by said Building Code within the corporate limits of the City and shall be known as the Fairfax Building Code.

153.02 AMENDMENTS TO THE BUILDING CODE. Certain sections and portions of sections of the International Building Code and International Residential Code are hereby amended, deleted, modified or added to as more specifically set forth in the following sections of this Chapter.

1. Work Exempt from Permit. The Fairfax Building Code is hereby amended by repealing Section R105.2 Building: Exceptions #1, #2 and #5 of the International Residential Building Code and by replacing said Exceptions with new Exceptions as follows:

1. Structures, including sheds, of less than 120 square feet, are exempt, but their location on the property must abide by all setback requirements of an accessory structure. These setbacks will be inspected and verified by the Building Official.
2. Siding replacement.
5. The following repairs will be considered required maintenance in a Group R-3 structure and will not require a building permit. The replacement of windows and/or doors when replaced with windows and doors of similar size, style and material, and no structural change is required for framing of the rough opening for said windows and/or door.
11. Slab patios provided they are not used for parking, have no footings or foundation, and are neither enclosed nor to be enclosed. Slab must meet all of these conditions.

The Fairfax Building Code is hereby amended by deleting Items #1, #2, and #6 from Section 105.2 of the International Building Code.

2. Board of Appeals. The Fairfax Building Code is hereby amended by adding a new Section 112.1 & 112.5 from the International Residential Code and Section 113.1 & 113.4 from the International Building Code, as follows:

113.1 & R112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of adjustment. This Board of Adjustment will be appointed by the City Council, and will consist of five (5) residents of Fairfax. They will serve a five (5) year term, with no compensation. The building official shall be an ex officio member of said board but shall not have a vote on any matter before the board. The Board shall adopt rules of procedure for conducting its business.

113.4 & R112.5 Failure to Act. In the case an appellant or applicant does not exercise their rights, act, begin construction or operation or occupancy, as the case may be, in accordance with any appeal variance or permit granted by the Board within one year after the matter has been acted upon by the board, such variance or permit shall be null and void.

3. Expiration. The Fairfax Building Code is hereby amended by adding a new Section 105.5 to the International Building Code and the International Residential Code, as follows:

105.5 Expiration. Every building permit issued under the provisions of the Code shall expire twelve months from the date of issue, unless the application is accompanied by a construction schedule of specific longer duration, in which instance the permit may be issued for the term of the construction schedule. If the work has not been completed by the expiration date of the permit, no further work shall be done until the permit is renewed by the owner or their agent and by payment of the renewal fee as set forth by resolution of the City Council, and provided no changes have been made in plans or location. No permit shall be renewed more than once.

4. Schedule of Permit Fees. The Fairfax Building Code is hereby amended by repealing Section 109.2 of the International Building Code, and Section 108.2 of the International Residential Code, and by replacing said sections with a new section as follows:

R108.2 & 109.2 Schedule of Permit Fees. On buildings, structures or alterations requiring a permit, a fee for each permit shall be paid to the City of Fairfax as set forth in the Schedule of Permit Fees as adopted by resolution by the City Council of Fairfax.

5. Building Permit Valuations. The Fairfax Building Code is hereby amended by adding a new Section 109.3 & 109.7 to the International Building Code and Section 108.3 & 108.7 to the International Residential Code as follows:

R108.3 & 109.3 Building Permit Valuations. Valuation for the purpose of establishing permit fees for new construction, additions or alterations to existing buildings shall be determined by the Building Official from the schedule of building permit fees as adopted by resolution of the City of Fairfax City Council.

R108.7 & 109.7 Re-inspections. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection. Re-inspection fees may be assessed when the inspection card is not posted or otherwise available on the work site, the property and building address are not properly posted, for failure to provide access on the date and time for which inspection is requested, or for deviating from plans requiring the approval of the building official.

6. Work Commencing Before Permit Issuance. The Fairfax Building Code is hereby amended by repealing Section 109.4 of the International Building Code and Section R108.6 of the International Residential Code and replacing said section as follows:

R108.6 & 109.4 Work Commencing Before Permit Issuance. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, an investigation fee in addition to the permit fee shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by the Schedule of Permit Fees for the entire project commenced and shall not be limited to the amount of the work completed prior to being informed of the permit requirements. The payment of the investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

7. Certificate. The Fairfax Building Code is hereby amended by repealing Section 110.3 number 3 of the International Residential Code, and 111.2 number 3 of the International Building Code and leaving said section number blank.

8. Design Criteria. The Fairfax Building Code is hereby amended by inserting climate and geographical design criteria into Table R301.2(1) of the International Residential Code, as follows:

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDER-LAYMENT REQUIRED	FLOOD HAZARDS		AIR FREEZING INDEX	MEAN ANNUAL TEMP
	Speed (MPH)	Topographic Effects	Special Wind Region	Wind Borne Debris Zone		Weathering	Frost Line Depth	Tennite			NFIP ADOPTION	FIRM MAPS		
30 PSF	115	NO	NO	NO	A	Severe	42"	Moderate-Heavy	-5° F	YES	Feb. 2, 2010	Apr. 5, 2010	2500	48.9

International Building Code Section 1608.2 Ground Snow Load to be used in determining the design snow loads for roofs shall be 30 pounds per square foot.

9. Opening Protection. The Fairfax Building Code is hereby amended by repealing Section R302.5.1 of the International Residential Code and by replacing said section as follows:

R302.5.1 Opening Protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches in thickness, solid or honeycomb-core steel doors not less than 1 3/8 inches thick, or 20-minute fire-rated doors.

10. Fire Protection of Floors. The Fairfax Building Code is hereby amending by repealing Section R302.13 of the International Residential Code and leaving said section blank.

11. Risers. The Fairfax Building Code is hereby amended by adding Exception number 3 to Section R311.7.5.1 of the International Residential Code as follows:

Exception 3. To facilitate the removal of snow and ice, the opening between adjacent treads is limited to 7 ³/₄ inches on exterior stairs exposed to precipitation.

12. Window Openings. The Fairfax Building Code is hereby amended by repealing Section 1015.8 of the International Building Code and Section R312.2.1 of the International Residential Code and leaving said sections blank.

13. Automatic Fire Sprinkler Systems. The Fairfax Building Code is hereby amended by repealing Section R313 of the International Residential Code and by replacing said section with a new section as follows:

Section R313

Automatic Fire Sprinkler Systems

R313.1 Townhouse Automatic Fire Sprinkler Systems. An automatic residential fire sprinkler system shall be installed throughout all attached townhouse dwelling units when any of the following conditions exist:

1. The townhouses are constructed in a group of more than four attached units.
2. Any individual townhouse dwelling unit of a structure with four or fewer attached townhouses has a floor area greater than 4,000 square feet on any one story or greater than 8,000 square feet of total floor area for all stories, excluding non-habitable areas separated from the rest of the building by a minimum of one-hour fire-resistive construction and containing smoke or heat detection interconnected with the dwelling unit smoke detectors.

Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.

R313.1.1 Design and Installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with Section P2904.

R313.2 One and Two-family Dwellings Automatic Fire Sprinkler Systems. An automatic residential fire sprinkler system shall be installed in one and two-family dwellings when the following conditions exist:

1. The one or two-family dwelling has a floor area greater than 4,000 square feet on any one story or greater than 8,000 square feet of total floor area for all stories, excluding non-habitable areas separated from the rest of the building by a minimum of one-hour fire-resistive construction and containing smoke or heat detection interconnected with the dwelling unit smoke detectors.

Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing one and two-family dwellings that do not have an automatic residential fire sprinkler system installed.

R313.2.1 Design and Installation. Automatic residential fire sprinkler systems for one and two-family dwellings shall be designed and installed in accordance with Section P2904.

14. Smoke Alarms. The Fairfax Building Code is hereby amended by repealing Section R314.3 number 4 and Section R314.3.1 of the International Residential Code and leaving said sections blank.

15. Swimming Pools and Spas. The Fairfax Building Code is hereby amended by repealing Section 3109 of the International Building Code and by replacing said section with a new Section 3109 as follows:

SECTION 3109

SWIMMING POOLS AND SPAS

3109.1 General. The design and construction of pools and spas shall comply with the International Swimming Pool and Spa Code, 2015 Edition.

16. Swimming Pool Barrier. The Fairfax Building Code is hereby amended by repealing Section 305.1 Exception 2 of the International Swimming Pool and Spa Code and leaving said exception blank.

17. Swimming Pool Drainage Systems. The Fairfax Building Code is hereby amended by adding a new Section R326.1.1 to the International Residential Code as follow:

R326.1.1 Swimming Pool Drainage Discharge. Swimming pools shall be designed and constructed so as to provide for appropriate drainage of water resulting from overfilling, draining, and maintenance operations. The site plan for proposed swimming pool shall indicate where pool drainage is to be directed in such a manner that:

1. Swimming pool drainage water shall be directed away from any structure foundation.
2. Ponding of surface water shall be avoided.
3. Swimming pool drainage water shall be de-chlorinated before being directed to available drainage tile or storm sewer systems. If the swimming pool water is not de-chlorinated, it must be directed to the sanitary sewer at controlled flow rate approved by the City. Please Note: Discharge of chlorinated water to the storm water system would be a violation of the EPA Storm Water Discharge Regulations and could result in a Municipal Infraction for an illicit discharge.
4. Surface water shall not be discharged to any adjacent private property except upon drainage easements or established waterways shall not be altered so that upstream water flow is adversely affected.
5. Water flow shall be controlled to avoid excessive volume or velocity which could cause soil erosion or create other possible hazards.
6. Final graded lots shall comply with the grading plan and any terms of the memorandum of agreement for the approved subdivision.

18. Locks and Latches. The Fairfax Building Code is hereby amended by repealing Section 1010.1.9.3 Exception number 2 of the International Building Code, and leaving said section blank.

19. Sewer Depth. The Fairfax Building Code is hereby amended by repealing Section P2603.5.1 of the International Residential Code and leaving said section blank.

20. Lighting Systems. The Fairfax Building Code is hereby amended by repealing Section N1104.1 of the International Residential Code and leaving said section blank.

21. Backwater Valves (exception). The Fairfax Building Code is hereby amended by deleting the exception and adding a new exception to section P3008.1 of the International Residential Code as follows:

Exception: The requirements of this Section shall apply only at locations determined necessary by the City Engineer based on local conditions.

22. Subsurface Landscape Irrigation Systems. The Fairfax Building Code is hereby amended by deleting Section P3009.1 from the International Residential Code and inserting in lieu thereof the following:

P3009.1 Scope. The provisions of this section shall be optional and for information only of materials, design, construction and installation of subsurface landscape irrigation systems connected to non-potable water from on-site water reuse systems.

23. Frost Closure. The Fairfax Building Code is hereby amended by deleting Section P3103.2 from the International Residential Code and inserting in lieu thereof the following:

P3103.2 Frost Closure. Where the 97.5% value for outside design temperature is 0°F or less, every vent extension through a roof or wall shall be not less than 3 inches in diameter. Any increase in the size of the vent shall be made inside the structure at a point not less than 1 foot below the roof or inside the wall.

24. Frost Protection (slab on grade). The Fairfax Building Code is hereby amended by deleting exception number 2 in section R403.1.4.1 of the International Residential code and leaving exception number 2 blank.

25. Foundation Drainage Systems. The Fairfax Building Code is hereby amended by repealing Section 1805.4.3 of the International Building Code and by replacing said section with a new Section 1805.4.3 and adding a new Section R401.3.1 to the International Residential Code as follows:

R401.3.1 & 1805.4.3 Drainage Discharges. The floor base and foundation perimeter drain shall discharge by gravity or mechanical means into an approved drainage system that complies with the following:

1. Sump pit located inside the building. Exception: Sump pit may be omitted if drainage tile can be designed with natural fall and drain on same property if approved by the Building Official.
2. For each sump pit installed with a pump, a discharge pipe shall be provided running continuous from a point directly outside the sump pit and must run to the City storm sewer. If unavailable, another discharge location must be verified with Building Official.

3. A sump pump will be considered to be necessary if water inside the sump pit will not recede to a level 4 inches or more below the lowest basement floor surface by gravity or absorption into the earth within a reasonable period of time, or judgement of Building Official.

26. Post Frame Buildings. The Fairfax Building Code is hereby amended by adding Section 107.6 to the International Building Code and Section R106.6 to the International Residential Code as follows:

R106.6 & 107.6 Post Frame Buildings. All pole frame buildings shall be designed and constructed by the following guidelines:

R106.6.1 & 107.6.1 Plans. Plans shall be drawn to scale of not less than ¼ inch per foot and include a floor plan with dimensions, pole locations and spacing, footing sizes, door sizes and locations, section drawings showing footings, poles, sidewall girts, roof purlins, headers, siding, roofing and details. Elevation views are required for all sides of a building.

R106.6.2 & 107.6.2 Engineering. Plans shall be certified by a licensed, professional engineer and shall bear the engineer's seal and signature. The engineer's certified block shall specify the pages or sheets covered by the seal.

Exception. Pole buildings satisfying all of the following conditions are exempt from the engineering certification of plans required in this section:

1. Floor area of 1,000 square feet or less.
2. Eave height of 12 feet or less.
3. Pole spacing of 8 feet or less.

R106.6.3 & 107.6.3 Building Design Criteria. The following shall appear on the engineer certified plans: Building design in accordance with 2015 International Building Code; 30 PSF ground snow load; 115 MPH Wind Design Speed; Exposure C (generally open terrain with scattered obstructions); 2000 PSF assumed soil bearing (unless a soils report shows otherwise).

R106.6.4 & 107.6.4 Trusses. Submit truss design drawings certified by a licensed, professional engineer. Drawings shall indicate that the design and connectors are in accordance with the 2015 International Building Code and indicate the applicable design criteria from Section 107.6.3 or R106.6.3 above.

153.03 AVAILABILITY OF THE BUILDING REGULATIONS. An official copy of the Fairfax Building Code, including a certificate by the City Clerk as to their adoption and the effective date thereof, shall be maintained on file in the office of the Building Official at City Hall and at the Fairfax Public Library to be made available for public inspection and copying, but not at city expense.

153.04 EFFECTIVE DATE. The effective date of this Chapter is October 24, 2016.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.


SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Introduced and passed by the Fairfax City Council on the 11th day of October, 2016, and given final approval this 11th day of October, 2016.

AYES: Daly, Beer, Volk, and Wainwright

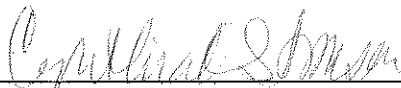
NAYS: None

ABSENT: Kell



Burnell G. Frieden, Mayor

ATTEST:



Cynthia K. Stimson, City Clerk/Treasurer

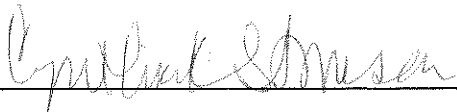


First Reading: 10-11-2016

Second Reading: Waived

Third Reading: Waived

I certify that the foregoing was published as Ordinance No. 40 on the 14th day of October, 2016.



Cynthia Stimson, City Clerk/Treasurer