

CCC



## 2019 GROUP B PUBLIC COMMENT AGENDA

OCTOBER 23 - 30, 2019  
RIO HOTEL AND CONVENTION CENTER  
LAS VEGAS, NV

## 2019 Public Comment Agenda

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by

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# ADM33-19 Part IV

IGCC®: 107 (New), 107.1 (New), 107.2 (New), 107.3 (New), 107.4 (New), 107.5 (New), 107.6 (New)

## Proposed Change as Submitted

**Proponents:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); Michael O'Brian, representing FCAC (fcac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org)

### 2018 International Green Construction Code

Add new text as follows:

#### 107 FEES

107.1 Payment of fees A *permit* shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a *permit* be released until the additional fee, if any, has been paid.

107.2 Schedule of permit fees Where a *permit* is required, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

107.3 Permit valuations The applicant for a *permit* shall provide an estimated *permit* value at time of application. *Permit* valuations shall include total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the *building official*, the valuation is underestimated on the application, the *permit* shall be denied, unless the applicant can show detailed estimates to meet the approval of the *building official*. Final building *permit* valuation shall be set by the *building official*.

107.4 Work commencing before permit issuance Any person who commences any work before obtaining the necessary *permits* shall be subject to a fee established by the *building official* that shall be in addition to the required *permit* fees.

107.5 Related fees The payment of the fee for the construction, *alteration*, removal or demolition for work done in connection to or concurrently with the work authorized by a *permit* shall not relieve the applicant or holder of the *permit* from the payment of other fees that are prescribed by law.

107.6 Refunds The *building official* is authorized to establish a refund policy.

**Reason:** There are two different proposals to address consistency in the Fees section – the end result would be coordination between all codes. The intent is consistency in language for ‘Fees’ within the codes – IBC, IFC, IEBC, IWUIC, IZC, Energy – Commercial and Residential.

- Payment of fees – consistent title, always two sentences
- Schedule of permit fees – IBC currently also includes “structures”, while IFC and IEBC also includes “alterations”. IWUIC and Energy do not include anything. Eliminate the laundry list and make all codes consistent.
- Permit valuation: added valuation to IWUIC and Energy; permits can be for other than just buildings
- Work commencing before permit issuance – remove redundant language
- Refunds – no change
- The IZC currently has a section on fees that is very limited. It was not clear what should be added other than a section on refunds.

The BCAC is working from the philosophy that ICC is a family of codes, so administrative requirements should be consistent across books. Most administrative and enforcement matters are the same for any code. Those matters unique for a specific code remain unchanged. This is one of a series of proposals being submitted relating to technical, editorial and organizational changes proposed for the Administrative chapters (Chapter 1) in all of the I-Codes.

While the Administrative Committee will consider each proposal independently, the proposals in this package are a correlated set of companion code change proposals.”

The following is the template utilized to create this code change proposal. There may be some differences depending on the unique applications of each code – such as “building/fire/code official”.

IBC

#### SECTION 109FEES

**[A] 109.1 Payment of fees.** A *permit* shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a *permit* be released until the additional fee, if any, has been paid.

**[A] 109.2 Schedule of permit fees.** Where a *permit* is required, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

**[A] 109.3 Permit valuations.** The applicant for a *permit* shall provide an estimated *permit* value at time of application. *Permit* valuations shall include total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the *building official*, the valuation is underestimated on the application, the *permit* shall be denied, unless the applicant can show detailed estimates to meet the approval of the *building official*. Final building *permit* valuation shall be set by the *building official*.

**[A] 109.4 Work commencing before permit issuance.** Any person who commences any work before obtaining the necessary *permits* shall be subject to a fee established by the *building official* that shall be in addition to the required *permit* fees.

**[A] 109.5 Related fees.** The payment of the fee for the construction, *alteration*, removal or demolition for work done in connection to or concurrently with the work authorized by a *permit* shall not relieve the applicant or holder of the *permit* from the payment of other fees that are prescribed by law.

**[A] 109.6 Refunds.** The *building official* is authorized to establish a refund policy.

This proposal is submitted by the ICC Building Code Action Committee (BCAC), the ICC Fire Code Action Committee (FCAC), the ICC Sustainable and Energy and High Performance Code Action Committee (SEHPCAC).

BCAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. Since 2017 the BCAC has held 6 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/codedevelopment-process/building-code-actioncommittee-bcac/>.

The FCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance assigned International Codes with regard to fire safety and hazardous materials in new and existing buildings and facilities and the protection of life and property in wildland urban interface areas. In 2018 the Fire-CAC has held 3 open meetings. In addition, there were numerous conference calls, Regional Work Group and Task Group meetings for the current code development cycle, which included members of the committees as well as any interested parties, to discuss and debate the proposed changes. Related documentation and reports are posted on the FCAC website at: <https://www.iccsafe.org/codes-tech-support/cs/fire-code-action-committee-fcac/>

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction  
This is an editorial change that provides consistency between I-codes.

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## **Public Hearing Results**

**Errata:** This proposal includes published errata  
Added proponent to the code change.

**Committee Action:**

**As Submitted**

**Committee Reason:** This proposal clarifies the code and brings consistency across the codes. (Vote: 4-1)

**Assembly Action:**

**None**

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## **Individual Consideration Agenda**

**Public Comment CCC01-19:**

IGCC®: 107 (New), 107.1 (New), 107.2 (New), 107.3 (New), 107.4 (New), 107.5 (New), 107.6 (New)

**Proponents:** Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org); David Collins, representing SEHPCAC (sehpcac@iccsafe.org) requests As Modified by Public Comment

**Modify as follows:**

## 2018 International Green Construction Code

### 107 FEES

**107.1 Payment of fees** A *permit* shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a *permit* be released until the additional fee, if any, has been paid.

**107.2 Schedule of permit fees** Where a *permit* is required, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

**107.3 Permit valuations** The applicant for a *permit* shall provide an estimated *permit* value at time of application. *Permit* valuations shall include total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the ~~building official~~ authority having jurisdiction, the valuation is underestimated on the application, the *permit* shall be denied, unless the applicant can show detailed estimates to meet the approval of the ~~building official~~ authority having jurisdiction. Final building *permit* valuation shall be set by the ~~building official~~ authority having jurisdiction.

**107.4 Work commencing before permit issuance** Any person who commences any work before obtaining the necessary *permits* shall be subject to a fee established by the ~~building official~~ authority having jurisdiction that shall be in addition to the required *permit* fees.

**107.5 Related fees** The payment of the fee for the construction, *alteration*, removal or demolition for work done in connection to or concurrently with the work authorized by a *permit* shall not relieve the applicant or holder of the *permit* from the payment of other fees that are prescribed by law.

**107.6 Refunds** The ~~building official~~ authority having jurisdiction is authorized to establish a refund policy.

**Commenter's Reason:** This proposal was approved by the committee, however, it was noted that to be consistent with the terminology in the IGCC, the reference should be to "authority having jurisdiction" rather than "building official." This will not change the intent of the proposal, to allow for the applicable governing authority to establish fees – either as part of the building permit, or as a separate permit.

The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). In 2018-2019, the SEHPCAC has held five two- or three-day open meetings and numerous workgroup calls, to discuss and debate proposed changes and public comments. Attendees at the meetings and calls included members of the SEHPCAC as well as any interested parties. Related documentation and reports are posted on the SEHPCAC website at <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

**Cost Impact:** The net effect of the public comment and code change proposal will not increase or decrease the cost of construction. This is an administrative proposal, with no technical changes.