



# Disaster Risk Reduction Minimum Codes and Standards

## FEMA Policy 204-078-2

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### **POLICY STATEMENT**

FEMA will encourage and, to the extent permitted by law, require the integration and use of nationally recognized voluntary consensus-based building codes and standards<sup>1</sup> consistently across FEMA programs.<sup>2</sup>

### **SCOPE**

This policy applies to all FEMA offices and programs, including the provision of disaster and non-disaster grant programs.<sup>3</sup> This policy itself does not impose legally enforceable rights and obligations on the public; it requires FEMA programs to establish such rights and obligations regarding minimum codes and standards as described in the policy below.

### **PRINCIPLES**

Integration of nationally recognized voluntary consensus-based building codes and standards into Agency activities will:

- A. **Protect Lives and Property:** Agency adoption of policies that encourage state, local, tribal, and territorial governments to adopt nationally recognized voluntary consensus-based building codes and standards will further FEMA's core mission to protect lives and property by increasing the safety and risk reduction capabilities of buildings.
- B. **Support the Efficient Use of Federal Dollars:** Recipients and sub-recipients using nationally recognized voluntary consensus-based building codes and standards will decrease vulnerability to new construction and repaired and retrofitted structures, thus decreasing the need for future Federal disaster recovery grants and other assistance.
- C. **Inform Development of Nationally Recognized Voluntary Consensus-Based Building Codes and Standards:** FEMA's continued engagement with voluntary consensus-based codes and standards will result in reduction of disaster risk across the whole community through informing consensus-based building code entities of FEMA's latest findings in disaster risk reduction related to building safety and incorporating FEMA recommendations into codes and standards.

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<sup>1</sup> Voluntary consensus-based building codes refers to how the codes are developed, through a voluntary process; however, once these codes are adopted at the state, local, tribal or territorial level they are no longer voluntary and are required to be followed by the laws and regulations of the adopting jurisdiction.

<sup>2</sup> Minimum design standards are consistent with FEMA National priorities and policies, including the Federal National Technology Transfer and Advancement Act of 1995, Public Law 104-113; OMB Circular A-119; DHS Directive 078-01; Federal initiatives related to the effects of climate change.

<sup>3</sup> This policy does not apply to the Individual Assistance Program.



- D. Increase Effectiveness: Consideration of standards-based approaches are necessary to increase the predictability of authorized FEMA activities, enhance feasibility and effectiveness requirements, as well as advance the sustainability of FEMA-funded activities.

## REQUIREMENTS

### A. REQUIRED MINIMUM CODES AND STANDARDS

Outcome: FEMA programs, where legally allowable, consistently require the use of consensus-based codes and standards.

To the extent permitted by law, FEMA will:

1. Require the use of national model building codes developed by the International Code Council (ICC)<sup>4</sup> or equivalent voluntary consensus standards.<sup>5</sup> In general, model building codes referenced above are applicable to construction, alteration, relocation, addition, replacement, repair, removal, demolition, equipment, and construction elements of every building or structure or any appurtenances connected or attached to such buildings or structures.
2. FEMA will adopt and establish as appropriate, regulations, policies, grant conditions, or other appropriate instruments to require the use of, at minimum, hazard-resistant standards and provisions found in the most recent edition of the family of codes developed by the ICC or equivalent nationally recognized voluntary consensus standards as a condition to receiving federal assistance. This condition shall be in addition to any other applicable building codes and standards required by law that apply to the project receiving federal assistance.
3. Adopt as appropriate regulations and policies ensuring adherence to hazard-related federal standards, including, but not limited to:
  - a. The Federal Flood Risk Management Standard (FFRMS) as outlined in Executive Order 11988, Floodplain Management and Executive Order 13690, Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input;
  - b. The Federal Earthquake Risk Management Standard (FERMS) as outlined in Executive Order 13717; and
  - c. Wildland-Urban Interface Federal Risk Mitigation (WUIFRM) as outlined in Executive Order 13728.

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<sup>4</sup> For more information on ICC developed code see: <http://www.iccsafe.org>.

<sup>5</sup> For facilities eligible for assistance under Section 406 of the Stafford Act, locally adopted codes and standards must meet the criteria set forth in section 44 CFR 206.226(d), unless otherwise required by FEMA in accordance with 44 CFR 206.400.



## **B. ADOPTION OF CODES AND STANDARDS**

Outcome: FEMA programs and offices shall adopt as appropriate regulations, policies, grant conditions, or other appropriate instruments, where legally permitted, to encourage state, local, tribal, and territorial adoption and enforcement of hazard-resistant building codes, standards, and provisions that reduce disaster risk.

1. FEMA will encourage building codes, standards, and provisions that reduce disaster risk.<sup>6</sup> These codes and standards may include, but are not limited to:
  - a. Building codes and standards promulgated by the ICC including the International Wildland-Urban Interface Code (IWUIC) and the ICC 700, National Green Building Standard
  - b. American Society of Heating Refrigerating and Air-Conditioning Engineers (ASHRAE) Standards or equivalent standards
  - c. American Society of Civil Engineers/Structural Engineers Institute Minimum Design Loads For Buildings and Other Structures (ASCE/SEI 7-15) and the Seismic Evaluation and Retrofit of Existing Buildings (ASCE/SEI 41-13)
  - d. Upgrades of existing codes to incorporate disaster-resistant code provisions
  - e. Integrating flood-resistant elements of the building code into floodplain management ordinances
  - f. Any other national voluntary consensus standards that support disaster-resistant construction

## **C. CODES AND STANDARDS ENGAGEMENT**

Outcome: With input from FEMA programs and offices, the Federal Insurance and Mitigation Administration's Building Sciences Division informs the update of, and provides technical assistance regarding, nationally recognized voluntary consensus-based building codes and standards.

1. FEMA's Building Sciences Division will engage national voluntary consensus-based building code councils and similar entities to inform updates of codes and standards with risk-based data and decision-making analysis, technical findings based on research or loss investigations, and other recommendations.
2. FEMA programs and offices will provide technical support for the development and adoption of model building codes and standards including incorporating the most-up-to-date building codes, flood proofing requirements, seismic design standards, and wind design requirements for new construction and the repair or retrofit of existing buildings.

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<sup>6</sup> Additional recommendations of how program offices can support the adoption and use of nationally recognized building codes and standards can be found in the Mitigation Federal Leadership Group (MitFLG) Report on Building Code Adoption and Enforcement Strategy, "[Strategies to Encourage State and Local Adoption of Disaster-Resistant Codes and Standards to Improve Resiliency.](#)"



FEMA

A handwritten signature in blue ink, appearing to read "W. Craig Fugate", written over a horizontal line.

W. Craig Fugate  
Administrator  
Federal Emergency Management Agency

September 6, 2016

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## ADDITIONAL INFORMATION

### REVIEW CYCLE

FEMA Policy 204-078-2 Disaster Risk Reduction Minimum Codes and Standards will be reviewed, reissued, revised, or rescinded within four years of the issue date.

### AUTHORITIES

- A. Homeland Security Act of 2002, § 504, 6 U.S.C. § 314

### REFERENCES

- A. Referenced Codes: International Building Code, International Energy Conservation Code, International Existing Building Code, International Fire Code, International Fuel Gas Code, International Green Construction Code, International Mechanical Code, ICC Performance Code, International Plumbing Code, International Private Sewage Disposal Code, International Property Maintenance Code, International Residential Code, International Swimming Pool and Spa Code, International Wildland Urban Interface Code, International Zoning Code, American Society of Heating, Refrigerating, and Air-Conditioning Engineers Standards, American Society of Civil Engineers/Structural Engineers Institute (ASCE-SEI) Minimum Design Loads for Buildings and Other Structures, and ASCE/SEI Seismic Evaluation and Retrofit of Existing Buildings.
- B. Executive Order 11988, Floodplain Management, as amended by Executive Order 13690.
- C. Executive Order 13717, Federal Earthquake Risk Management Standard

### DEFINITIONS

**Building:** Any structure used or intended for supporting or sheltering any use or occupancy.

**Program:** An organized set of activities acting together to accomplish high-level outcomes. Programs are the operational processes, skills, technology, human capital, and other resources leveraged to achieve the FEMA mission, goals, and objectives.

**Voluntary Consensus-Based Standards:** Standards developed or adopted by voluntary consensus standards bodies, both domestic and international. These standards include provisions requiring that owners of relevant intellectual property have agreed to make that intellectual property available on a non-discriminatory, royalty-free or reasonable royalty basis to all interested parties. OMB Circular A-119 directs agencies to use voluntary consensus standards in their regulatory actions in lieu of government-unique standards except where inconsistent with law or otherwise impractical. The policies in the Circular are intended to reduce to a minimum the reliance by agencies on government-unique standards.



# FEMA

## **MONITORING AND EVALUATION**

OPPA will monitor the initial implementation actions taken by FEMA component offices and establish reporting requirements to evaluate effectiveness. Within 90 days of the release of this policy, all FEMA components to which this policy applies shall incorporate relevant goals and metrics into existing annual reporting structures.

## **QUESTIONS**

Direct questions to OPPA at [FEMA-ActionOffice-Policy@fema.dhs.gov](mailto:FEMA-ActionOffice-Policy@fema.dhs.gov).