



FAIRBANKS CITY COUNCIL
AGENDA NO. 2011-06
REGULAR MEETING March 21, 2011
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

REGULAR MEETING

I 7:00 P.M.

1. ROLL CALL

2. INVOCATION

3. FLAG SALUTATION

4. CITIZENS COMMENTS, oral communications to Council on any item not up for Public Hearing. Testimony is limited to five (5) minutes. Any person wishing to speak needs to complete the register located in the hallway. Normal standards of decorum and courtesy should be observed by all speakers. Remarks should be directed to the City Council as a body rather than to any particular Council Member or member of the staff. In consideration of others, kindly silence all cell phone, electronic and messaging devices.

5. APPROVAL OF AGENDA AND CONSENT AGENDA

(Approval of Consent Agenda passes all routine items indicated by an asterisk (*). Consent Agenda items are not considered separately unless a Council Member so requests. In the event of such a request, the item is returned to the General Agenda).

6. APPROVAL OF PREVIOUS MINUTES

*a) Regular Meeting Minutes of February 28, 2011.

*b) Regular Meeting Minutes of March 7, 2011.

7. SPECIAL ORDERS

8. MAYOR'S COMMENTS AND REPORT

9. UNFINISHED BUSINESS

10. NEW BUSINESS

- *a) Resolution No. 4463 – A Resolution to Provide a Local Match Contribution for the FMATS 2011 Preventive Maintenance Project. Introduced by Mayor Cleworth.
- *b) Resolution No. 4464 – A Resolution Opting to Participate in the AML-JIA Loss Control Incentive Program for the City of Fairbanks. Introduced by Mayor Cleworth.
- *c) Ordinance No. 5836 – An Ordinance Amending FGC Section 14-167, Regarding the Procedure for Review of Alcoholic Beverage Licenses. Introduced by Mayor Cleworth.
- *d) Ordinance No. 5837 – An Ordinance to Amend FGC Sections 10-425 and 10-426, Adopting the 2009 International Fuel Gas Code with Amendments. Introduced by Mayor Cleworth.
- *e) Ordinance No. 5838 – An Ordinance to Amend FGC Sections 10-101 and 10-102, Adopting the 2009 International Mechanical Code with Amendments. Introduced by Mayor Cleworth.
- *f) Ordinance No. 5839 – An Ordinance to Adopt the 2011 City of Fairbanks Administrative Code as Article II, Chapter 10, FGC Section 10-31. Introduced by Mayor Cleworth.

11. DISCUSSION ITEMS (INFORMATION AND REPORT)

- a) Committee Reports

12. COMMUNICATIONS TO COUNCIL

- *a) Code Review Commission Meeting Minutes of February 9, 2011.
- *b) Code Review Commission Meeting Minutes of February 16, 2011.
- *c) Code Review Commission Meeting Minutes of March 2, 2011.
- *d) Public Safety Commission Meeting Minutes of February 8, 2011.

13. COUNCIL MEMBERS' COMMENTS
14. CITY ATTORNEY'S REPORT
15. CITY CLERK'S REPORT
16. EXECUTIVE SESSION: Labor Negotiations – Fairbanks Fire Fighters Association.
17. ADJOURNMENT



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, FEBRUARY 28, 2011
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 7:00 p.m. on the above date, to conduct a Regular Meeting of the Fairbanks City Council at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Jerry Cleworth presiding and with the following Council Members in attendance:

Council Members Present: Vivian Stiver, Seat A - Telephonic
Chad Roberts, Seat B
Bernard Gatewood, Seat C
Jim Matherly, Seat D
Emily Bratcher, Seat E
John Eberhart, Seat F

Absent: None

Also Present: Clem Clooten, Electrical Inspector
Patrick B. Cole, Chief of Staff
Paul Ewers, City Attorney
Janey Hovenden, City Clerk
Stephanie Johnson, Dispatch Center Manager
Ernie Misewicz, Assistant Fire Chief
Ryan Rickels, IT Director
Michael J. Schmetzer, City Engineer
Tony C. Shumate, Director Personnel/Purchasing/RM
Steve Shuttleworth, Building Official
Laren Zager, Police Chief

INVOCATION

The Invocation was given by City Clerk Janey Hovenden.

FLAG SALUTATION

Mayor Cleworth led the Flag Salutation.

CITIZEN'S COMMENTS

None.

APPROVAL OF AGENDA AND CONSENT AGENDA

Ms. Bratcher, seconded by Mr. Matherly, moved to APPROVE the Agenda and Consent Agenda.

Mr. Gatewood, pulled Resolution Nos. 4460 and 4461 from the Consent Agenda.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

City Clerk Hovenden read the Consent Agenda into the record.

APPROVAL OF PREVIOUS MINUTES

- a) Meeting Minutes of January 24, 2011.

PASSED and APPROVED on the CONSENT AGENDA.

MAYOR'S COMMENTS AND REPORT

Mayor Cleworth introduced Ron Jones, North Pole City Council, and AML District VII Representative.

Mr. Jones provided a brief report on his charge as the new AML Representative and how AML interfaces with the legislature.

Mayor Cleworth announced the plan for snow removal and read the immediate schedule on the record. **Mayor Cleworth** spoke of the FFA contract and announced that the contract would be discussed during Executive Session on March 7, 2011. He asked the Council to read the entire contract prior to that meeting. **Mayor Cleworth** announced that the Executive Session after tonight's meeting would be cancelled. He spoke of the PSEA contract and asked the Council to inform his office should any member be initiating any legislation. **Mayor Cleworth** stated that he attended the FNSB meeting when the grandfather rights issue was discussed. He explained that the Assembly adopted a resolution to expand the University Fire Department's area. **Mayor Cleworth** also informed the Council that the Assembly reviewed two liquor license protests: The Frontier Lodge and Soapy Smith. The Frontier Lodge was protested for nonpayment of property tax, but the Assembly did vote to renew the liquor license. The protest for Soapy Smith was removed from the agenda as the property taxes were paid. He clarified that the City reviews liquor license renewals and protests when liquor taxes are delinquent whereas the Borough looks at delinquent property taxes. **Mayor Cleworth** announced that Mr. Cole had been appointed to the Board of the AML/JIA.

UNFINISHED BUSINESS

- a) ORDINANCE NO. 5831 – An Ordinance to Revise FGC Section 10-401, Adopting the 2009 International Residential Code with Amendments and Setting an Effective Date. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

Mr. Roberts, seconded by **Mr. Gatewood**, moved to ADOPT Ordinance No. 5831.

Mayor Cleworth called for Public Testimony and, hearing none, declared Public Testimony closed.

Mr. Shuttleworth provided a brief report on the amendments. He indicated additional changes were needed and asked the Council to postpone adoption.

Mr. Roberts, seconded by **Ms. Bratcher**, moved to POSTPONE Ordinance No. 5831.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

- b) ORDINANCE NO. 5832 – An Ordinance to Amend FGC Section 10-456, by Adopting the 2009 International Energy Conservation Code with Amendments and Setting an Effective Date. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

Ms. Bratcher, seconded by **Mr. Matherly**, moved to ADOPT Ordinance No. 5832.

Mayor Cleworth called for Public Testimony and, hearing none, declared Public Testimony closed.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5832, AS FOLLOWS:

YEAS: Stiver, Matherly, Gatewood, Bratcher, Eberhart, Roberts

NAYS: None

Mayor Cleworth declared the MOTION CARRIED and ORDINANCE NO. 5832 ADOPTED.

NEW BUSINESS

- a) RESOLUTION NO. 4460 – A Resolution Authorizing the Application for a Loan to Make Improvements to the Wastewater Treatment Plant to be Repaid by Golden Heart Utilities. Introduced by Mayor Cleworth.

Mr. Matherly, seconded by **Ms. Bratcher**, moved to APPROVE Resolution No. 4460.

Mr. Cole provided a brief history of the treatment plan improvements, the loan needed to make those improvements, and the current lease.

A ROLL CALL VOTE WAS TAKEN, ON THE MOTION TO APPROVE RESOLUTION NO. 4460, AS FOLLOWS:

YEAS: Bratcher, Eberhart, Roberts, Stiver, Matherly, Gatewood

NAYS: None

Mayor Cleworth declared the MOTION CARRIED and RESOLUTION NO. 4460 APPROVED.

- b) RESOLUTION NO. 4461 – A Resolution Authorizing the City of Fairbanks to Accept Additional Funds from the Alaska Division of Homeland Security and Emergency

Management Under the FY2008 Homeland Security Grant Program for a Total of \$66,756.06. Introduced by Mayor Cleworth.

Mr. Gatewood, seconded by **Ms. Bratcher**, moved to APPROVE Resolution No. 4461.

Based on Mr. Gatewood's question, Mr. Misewicz explained the upgrades and equipment improvements needed.

A ROLL CALL VOTE WAS TAKEN, ON THE MOTION TO APPROVE RESOLUTION NO. 4461, AS FOLLOWS:

YEAS: Eberhart, Gatewood, Stiver, Bratcher, Matherly, Roberts

NAYS: None

Mayor Cleworth declared the MOTION CARRIED and RESOLUTION NO. 4461 APPROVED.

- c) ORDINANCE NO. 5833 – An Ordinance Ratifying a Labor Agreement Between the City of Fairbanks and the AFL-CIO Crafts Bargaining Unit and Setting an Effective Date. Introduced by Mayor Cleworth.

ADVANCED on the CONSENT AGENDA.

- d) ORDINANCE NO. 5834 – An Ordinance to Amend FGC Sections 10-66 and 10-67, Adopting the 2009 International Building Code with Amendments and Setting an Effective Date. Introduced by Mayor Cleworth.

ADVANCED on the CONSENT AGENDA.

- e) ORDINANCE NO. 5835 – An Ordinance to Amend FGC Sections 30-31 and 30-32, Adopting the 2009 International Fire Code with Amendments and Setting an Effective Date. Introduced by Mayor Cleworth.

ADVANCED on the CONSENT AGENDA.

DISCUSSION ITEMS

- a) Committee Reports

FMATS. Mr. Roberts provided a report on the Policy Committee Meeting of February 16, 2011.

COMMUNICATIONS TO COUNCIL

- a) Mayor's Memorandum Regarding Negotiations for New Collective Bargaining Agreement with Fairbanks Firefighters Association.

ACCEPTED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Ms. Stiver commented on the debate at the Borough regarding grandfather rights. She encouraged the public to testify at the next Assembly meeting.

Mr. Matherly commented on the passing of Mr. Dimbat.

Ms. Bratcher expressed her confusion on the City's resolution passed earlier this year regarding grandfather rights. She reviewed the three points: extended time periods, elected officials on the Board, and change permits. She spoke to her belief in the public process and the importance of it. **Ms. Bratcher** reminded the Council that its prior vote regarding the change permits took the public process out. She reiterated how important that process is.

Mr. Eberhart acknowledged that he was not aware that the vote diminished the public process and suggested revisiting the issue. **Mr. Eberhart** expressed his disappointment that the administration would not be proposing any legislation on the PSEA contract. He spoke of binding arbitration as a means for resolution. He stated that if no legislation was forthcoming, that would imply that the Council is refusing to live up to the contractual responsibility, which would send the wrong message. **Mr. Eberhart** stated that if he was contacted by the Union, he would consider introducing legislation.

Mr. Roberts shared that he attended a meeting with FEDCO to discuss mitigation of the energy crisis in Fairbanks. He stated that the options provided do not solve the problem. He encouraged the Council to find better options and get behind an idea.

Mr. Gatewood shared that he too attended the presentation by FEDCO. He expressed that an energy project needed to be initiated to jump start the cause. **Mr. Gatewood** stated that he completely understood that the public process was removed from the process regarding the grandfather rights issue.

Ms. Stiver explained the change permit process with the Borough.

Ms. Bratcher repeated her understanding that the process does eliminate the public process.

Mayor Cleworth further clarified the vote of the Council regarding the change permit. He explained that if the owner of a property that is currently in compliance with zoning requirements and re-zoning occurs forcing the property into a noncompliant condition, grandfather rights would kick in. Assembly Member Howard's bill would allow the owner the right, as a grandfathered property, to continue under the prior zoning regulations. The current Code requires a permit for any changes to grandfathered property. **Mayor Cleworth** shared his concerns with rising energy costs and a futuristic outlook on the economy and the City.

ADJOURNMENT

Mr. Roberts, seconded by **Ms. Bratcher**, moved to ADJOURN the meeting.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

Mayor Cleworth declared the Meeting adjourned at 8:00 p.m.

JERRY CLEWORTH, MAYOR

ATTEST:

JANEY HOVENDEN, CMC, CITY CLERK

Transcribed by: DO

DRAFT



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, MARCH 7, 2011
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 7:00 p.m. on the above date, after a Work Session on Trucking LNG and Gasline Projects and an Executive Session on SAS114 Audit Responsibilities, to conduct a Regular Meeting of the Fairbanks City Council at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Jerry Cleworth presiding and with the following Council Members in attendance:

Council Members Present: Vivian Stiver, Seat A
Chad Roberts, Seat B
Bernard Gatewood, Seat C
Jim Matherly, Seat D
John Eberhart, Seat F

Absent: Emily Bratcher, Seat E - Excused

Also Present: Clem Clooten, Electrical Inspector
Patrick B. Cole, Chief of Staff
Amber Courtney, Executive Secretary
Paul Ewers, City Attorney
Janey Hovenden, City Clerk
Ernie Misewicz, Assistant Fire Chief
Ryan Rickels, IT Director
Michael J. Schmetzer, City Engineer
Tony C. Shumate, Director Personnel/Purchasing/RM
Steve Shuttleworth, Building Official
Laren Zager, Police Chief

INVOCATION

The Invocation was given by City Clerk Janey Hovenden.

FLAG SALUTATION

Mayor Cleworth led the Flag Salutation.

CITIZEN'S COMMENTS

Tim Sovde, 402 Bonnifield, Fairbanks. Mr. Sovde commented on the work session presentation and proposed questions regarding the figures provided. He asked the Council to postpone the vote on Resolution 4462 until the questions could be answered.

Deb Hickok, Fairbanks Convention and Visitors Bureau, 101 Dunkel Street, Fairbanks. Ms. Hickok reported on the 2010 FCVB Audit and the 6% increase in bed tax dollars for 2010.

She explained that the State and Borough would be providing financial support for the efforts expended on the promotion of the Arctic Winter Games. Ms. Hickok reported that both Frontier Flying and Condor Air would be returning to Fairbanks.

Lisa Peger, 3873 Peger Rd., Fairbanks. Ms. Peger spoke about nansolate and Nano Energy Solutions.

Mike Prax, 1015 Meadow Rue, North Pole. Mr. Prax told the Council that it would be inappropriate for the government to endorse one energy proposal over another, referring to Resolution No. 4462. He explained that it is a private investment decision, not for the City, the Borough, or government in general, to support.

Mr. Roberts questioned whether private investors would support an effort of this nature for a town the size of Fairbanks.

Mr. Prax indicated that private investors would be willing to invest. He commented on the Borough Assembly's action regarding the Port Authority and appropriation of \$300,000 to evaluate the project. At the request of Mr. Matherly, Mr. Prax described Title 16 and the Borough's RFP process.

David Lerman, 126 2nd Ave., Fairbanks. Mr. Lerman indicated he filed a notice of intent to run in the October, 2011 City election. He stated that he started a website to inform the public of his platform and of the issues, *Renovation Fairbanks*.

Lake Williams, 221 Glacier Ave., Fairbanks. Mr. Williams spoke in favor of Resolution 4462. He shared that it is a project that the community desperately needs and should be actively pursued and supported.

APPROVAL OF AGENDA AND CONSENT AGENDA

Mr. Gatewood, seconded by **Mr. Matherly**, moved to APPROVE the Agenda and Consent Agenda.

Ms. Stiver, pulled Resolution No. 4462 from the Consent Agenda.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

City Clerk Hovenden read the Consent Agenda into the record.

APPROVAL OF PREVIOUS MINUTES

a) Meeting Minutes of February 14, 2011.

PASSED and APPROVED on the CONSENT AGENDA.

SPECIAL ORDERS

- a) The Fairbanks City Council, Sitting as a Committee of the Whole, heard interested citizens concerned with the below-referenced Liquor License Application(s) for renewal.

| Lic # | Name | Type | Service Location | Owner Name |
|--------------|----------------------------------------|--------------------------|----------------------------|-------------------------|
| 3467 | Lin's Asian Bistro | Restaurant Eating Place | 1900 Airport Way | Lin's Panda Garden Inc. |
| 3050 | Gambardella's Pasta Bella | Restaurant Eating Place | 706 2 nd Avenue | Gambardella's II Inc. |
| 3965 | K&L Beverage Company LLC | Wholesale-General | 945 Elizabeth Street | K&L Beverage Co LLC |
| 617 | K&L Distributors | Wholesale-General | 945 Elizabeth Street | K&L Distributors Inc. |
| 4504 | Gold Rush Deli | Beverage Dispensary | 3399 Peger Road #C | Upriver Inc. |
| 4458 | Iris Café and Saloon | Beverage Dispensary-Tour | 900 Noble Street | J & Y Enterprises Inc. |
| 1377 | Barracuda's Beach Bar | Beverage Dispensary | 1351 Cushman Street | Scruff-N-Porks Inc. |
| 77 | 300 Club | Beverage Dispensary | 940 Cowles Street | Karen A Meadows-Sours |
| 1912 | Gold Rush Saloon-KT's Kitchen and Deli | Beverage Dispensary | 3399 Peger Road | Downriver Inc. |

Mr. Roberts, seconded by **Mr. Gatewood**, moved to WAIVE Protest on the Renewals.

Mayor Cleworth called for Public Testimony and, hearing none, declared Public Testimony closed.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

MAYOR'S COMMENTS AND REPORT

Mayor Cleworth read aloud a Proclamation for Ruby Riddle. **Mayor Cleworth** asked the Council to support the adoption of Ordinance No. 5833. **Mayor Cleworth** informed the public that the Open North American did not get funding from bed tax grant monies, but encouraged the City to support the event. **Mayor Cleworth** reported on a new non-mandatory recycling program underway in Fairbanks. **Mayor Cleworth** stated that a draft plan, with associated costs, would be forthcoming on a new dispatch center. **Mayor Cleworth** asked the Council if members would help out by attending some of the events that he is invited to.

UNFINISHED BUSINESS

- a) ORDINANCE NO. 5831 – An Ordinance to Revise FGC Section 10-401, Adopting the 2009 International Residential Code with Amendments and Setting an Effective Date. Introduced by Mayor Cleworth. Public Hearing was held at the Regular Meeting of February 28, 2011. POSTPONED from the Regular Meeting of February 28, 2011

Mr. Roberts, seconded by **Mr. Gatewood**, moved to ADOPT Ordinance No. 5831.

Mayor Cleworth called for Public Testimony.

Mr. Sovde thanked Mr. Shuttleworth for pointing out the mistake on the previous draft before the final vote.

Hearing no further public comments, **Mayor Cleworth**, declared Public Testimony closed

Mr. Roberts, seconded by **Mr. Gatewood**, moved to SUBSITUTE Ordinance No. 5831, As Amended.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5831, AS AMENDED, AS FOLLOWS:

YEAS: Eberhart, Gatewood, Stiver, Matherly, Roberts

NAYS: None

Mayor Cleworth declared the MOTION CARRIED and ORDINANCE NO. 5831, As Amended, ADOPTED.

- b) ORDINANCE NO. 5833 – An Ordinance Ratifying a Labor Agreement Between the City of Fairbanks and the AFL-CIO Crafts Bargaining Unit, and Setting an Effective Date. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

Mr. Matherly, seconded by **Ms. Stiver**, moved to ADOPT Ordinance No. 5833.

Mayor Cleworth called for Public Testimony and, hearing none, declared Public Testimony closed.

Mr. Roberts thanked the Mayor, Mr. Cole, and the union members for their efforts in getting to agreement.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5833, AS FOLLOWS:

YEAS: Matherly, Roerts, Stiver, Gatewood, Eberhart

NAYS: None

Mayor Cleworth declared the MOTION CARRIED and ORDINANCE NO. 5833 ADOPTED.

- c) ORDINANCE NO. 5834 – An Ordinance to Amend FGC Sections 10-66 and 10-67, Adopting the 2009 International Building Code with Amendments, and Setting an Effective Date. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

Mr. Gatewood, seconded by **Mr. Matherly**, moved to ADOPT Ordinance No. 5834.

Mayor Cleworth called for Public Testimony and, hearing none, declared Public Testimony closed.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5834, AS FOLLOWS:

YEAS: Roberts, Matherly, Gatewood, Eberhart, Stiver

NAYS: None

Mayor Cleworth declared the MOTION CARRIED and ORDINANCE NO. 5834 ADOPTED.

- d) ORDINANCE NO. 5835 – An Ordinance to Amend FGC Sections 30-31 and 30-32, Adopting the 2009 International Fire Code with Amendments, and Setting an Effective Date. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

Mr. Gatewood, seconded by **Ms. Stiver**, moved to ADOPT Ordinance No. 5835.

Mayor Cleworth called for Public Testimony and, hearing none, declared Public Testimony closed.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5835, AS FOLLOWS:

YEAS: Stiver, Matherly, Gatewood, Eberhart, Roberts

NAYS: None

Mayor Cleworth declared the MOTION CARRIED and ORDINANCE NO. 5835 ADOPTED.

NEW BUSINESS

- a) RESOLUTION NO. 4462 – A Resolution Supporting Liquefied Natural Gas Trucking and Gasline Projects as a Way to Lower and Stabilize Energy Costs for Interior Residents. Introduced by Council Members Roberts and Gatewood.

Mr. Matherly, seconded by **Mr. Roberts**, moved to APPROVE Resolution No. 4462.

Ms. Stiver offered her appreciation for the passion surrounding the issue. She stated her concerns for the comparables offered. She questioned whether the City is in a position to choose an energy project to endorse.

Mr. Eberhart questioned what the Council expected the Resolution to do.

Mr. Roberts indicated that the Resolution is a declaration to the State that the City of Fairbanks is being crippled by high energy costs. He explained that the energy issue is really an infrastructure issue that the government should be involved in. **Mr. Roberts** stated that there are

no long term energy solutions at reasonable rates. He stated that the need is immediate and Juneau needs to know.

Mr. Eberhart asked the Mayor what the effect of the Resolution would be.

Mayor Cleworth stated that the Resolution would be sent to the Interior Delegation. He explained that there is a request for a loan from AIDA for over \$200,000,000 that would build the LNG plant and other infrastructure. He explained that a second source of funding would come from a grant for about \$45,000,000 for the build out.

Mr. Matherly shared his support for the Resolution. He stated that the citizens look to the Council to find good ideas and get behind them. He indicated that this effort is a good first step.

Mr. Gatewood stated that it is not the Council's intent to support one option over the other, but a plea to get a plan put in motion. He expressed the need as being immediate.

Mr. Eberhart clarified that his questions were not negative in nature towards the Resolution, but simply a means to better understand the intent. **Mr. Eberhart** shared that he is currently a natural gas customer.

Mr. Ewers, in response to Mr. Eberhart's disclosure, indicated that his interest is the same as the general public and no conflict exists.

Ms. Stiver clarified that her remarks were not intended to be negative. She expressed her concerns for the finances, but supports looking into energy savings options.

Mr. Matherly indicated that the numbers (finances) will be constantly moving because of the project's long term time line.

Mayor Cleworth added that the energy projects presented all have problematic issues; there is no one perfect solution out there. He reiterated the need to be open to ideas and solutions.

A ROLL CALL VOTE WAS TAKEN, ON THE MOTION TO APPROVE RESOLUTION NO. 4462, AS FOLLOWS:

YEAS: Eberhart, Roberts, Matherly, Gatewood

NAYS: Stiver

Mayor Cleworth declared the MOTION CARRIED and RESOLUTION NO. 4462 APPROVED.

DISCUSSION ITEMS

a) Committee Reports

Public Safety Commission. **Mr. Eberhart** reported on the February meeting.

Borough Assembly Meeting. **Ms. Stiver** reported on the Borough's recent meeting regarding grandfather rights, sharing that Ms. Howard's ordinance passed.

Mayor Cleworth shared that the issues at the jail have been addressed by Chief Zager.

COMMUNICATIONS TO COUNCIL

a) Code Review Commission Meeting Minutes of February 2, 2011.

ACCEPTED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Mr. Gatewood shared his appreciation for having a full Council in attendance.

Mr. Roberts thanked the presenters for the work session.

Ms. Stiver reiterated her apprehension regarding energy options for Fairbanks.

Mr. Matherly shared his enthusiasm for furthering the cause for making Fairbanks a better place to live and work. He encouraged the citizens to speak up and voice their opinions.

Mr. Eberhart thanked all parties involved with the work on the various contracts. **Mr. Eberhart** asked Finance to produce the figures needed to fund the PSEA arbitration award.

Mayor Cleworth called for a ten minute recess.

EXECUTIVE SESSION

a) Labor Contract Negotiations – Fairbanks Fire Fighters' Association

The City Council met in Executive Session to discuss labor negotiations and no action was taken.

ADJOURNMENT

Mr. Gatewood, seconded by **Mr. Roberts**, moved to ADJOURN the meeting.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

Mayor Cleworth declared the Meeting adjourned at 9:30 p.m.

JERRY CLEWORTH, MAYOR

ATTEST:

JANEY HOVENDEN, CMC, CITY CLERK

Transcribed by: DO

Introduced by: Mayor Jerry Cleworth
Finance Committee Review: March 15, 2011
Date: March 21, 2011

RESOLUTION NO. 4463

**A RESOLUTION TO PROVIDE A LOCAL MATCH CONTRIBUTION FOR
THE FMATS 2011 PREVENTIVE MAINTENANCE PROJECT**

WHEREAS, the Fairbanks Metropolitan Area Transportation System (FMATS) has the Preventive Maintenance Project listed in the Transportation Improvement Program as a project to be completed in 2011; and

WHEREAS, the project will repave residential streets in the Taku and South Westgate area and will cost \$1,003,481.27; and

WHEREAS, the City of Fairbanks is required to provide a match in the amount of \$104,206.51 and the City has a state legislative grant to provide the match.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the Mayor is authorized to execute any required documents for the local match contribution for the FMATS 2011 Preventive Maintenance Project.

PASSED AND APPROVED AND EFFECTIVE THIS 21ST DAY OF MARCH 2011.

Jerry Cleworth, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul J. Ewers, City Attorney

RESOLUTION NO. 4464

**A RESOLUTION OPTING TO PARTICIPATE IN THE AML-JIA
LOSS CONTROL INCENTIVE PROGRAM FOR THE CITY OF
FAIRBANKS**

WHEREAS, the City of Fairbanks is a member of the Alaska Municipal League Joint Insurance Association (hereinafter “AMLJIA”); and

WHEREAS, the AMLJIA provides comprehensive risk management assistance and provides workers’ compensation, liability and property coverage for the City of Fairbanks; and

WHEREAS, the AMLJIA developed the Loss Control Incentive Program to help reduce member losses individually and pool wide; and

WHEREAS, the AMLJIA will provide all written program materials necessary; and offer assistance to participants; and

WHEREAS, pool members that participate in the Loss Control Incentive Program and complete the required activities will have the opportunity to earn a discount on their contribution; and

WHEREAS, it is the City of Fairbanks’ policy to provide a safe environment for its employees, citizens, and the visiting public; and

WHEREAS, the Loss Control Incentive Program will enhance such an environment.

NOW, THEREFORE BE IT RESOLVED BY THE City of Fairbanks to elect to participate in the AML/JIA Loss Control Incentive Program for the 2011-2012 policy year.

PASSED and APPROVED on the 21TH Day of March, 2011.

Jerry Cleworth, Mayor

AYES:
NAYS:
APPROVED:

ATTEST:

Janey Hovenden, City Clerk, CMC

Paul J. Ewers, City Attorney

ORDINANCE NO. 5836

**AN ORDINANCE AMENDING FGC SECTION 14-167, REGARDING THE
PROCEDURE FOR REVIEW OF ALCOHOLIC BEVERAGE LICENSES**

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA,
as follows:

SECTION 1. That Fairbanks General Code Chapter 74, Article III, is hereby amended as follows (new text in **underlined bold** font, deleted text in ~~strikeout~~ font):

Sec. 14-167. Procedure for review of licenses.

- (a) Upon receipt of notice from the state alcoholic beverage control board that the board intends to approve an application for a transfer, renewal or new alcoholic beverage license of any type, the city clerk shall cause the fire and police chiefs, ~~city attorney, building official,~~ **and** director of finance, ~~and fire inspector~~ to make appropriate investigations within their respective areas of responsibility and to forward written statements of any reasons why the city should object to the proposed approval by the state alcoholic beverage control board. **The building official shall be asked to review applications for premises within buildings not previously used for the sale of alcoholic beverages.**
- (b) ~~At the first regular meeting of the city council which is at least ten days after receipt of the notice of the state alcoholic beverage control board's intent to approve an alcoholic beverage license,~~ The mayor shall report to the city council any objections to the board's proposed approval of a license which have been submitted to him. If the mayor determines that an interest of the city can be protected by protesting approval of the license, he shall inform the city council.
- (c) A fee, as set forth in the city's schedule of fees and charges for services, will be charged for the city's processing of an application for a transfer, renewal or new alcoholic beverage license of any type, including an application for a temporary caterer's permit.

SECTION 2. That the effective date of this Ordinance shall be the ___ day of April, 2011.

Jerry Cleworth, City Mayor

AYES:
NAYS:
ABSENT:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, City Clerk, CMC

Paul J. Ewers, City Attorney

ORDINANCE NO. 5837

AN ORDINANCE TO AMEND FGC SECTIONS 10-425 AND 10-426, ADOPTING THE 2009 INTERNATIONAL FUEL GAS CODE WITH AMENDMENTS

WHEREAS, the Building Code Review and Appeals Commission has reviewed the 2009 International Fuel Gas Code, and the amendments thereto, and has recommended adoption with local amendments; and

WHEREAS, the City Council desires to accept the recommendations of the Building Code Review and Appeals Commission;

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, AS FOLLOWS:

Section 1. Fairbanks General Code Sections 10-425 and 10-426 are hereby repealed and re-enacted as follows (substantive changes shown in bold font):

Sec. 10-425. Adoption.

The International Fuel Gas Code **2009** Edition, as published by the International Code Council, is hereby adopted by the City of Fairbanks.

Sec. 10-426. Amendments.

Section 101.3 Appendices. Add the following to this section.

Appendices A, B, C & D are hereby adopted.

Except for Sections 101, 102, and the following amendments, delete Chapter 1 in its entirety and refer to the City of Fairbanks Administrative Code.

Section 101.2 Scope. Add the following sentence after the first sentence.

The storage system for liquefied petroleum gas including tanks, containers, container valves, regulating equipment, meters, and/or appurtenances for the storage and supply of liquefied petroleum gas for any building, structure, or premises shall be designed and installed in accordance with the International Fire Code and NFPA 58.

Section 101.2 Scope. Exception Delete this exception in its entirety.

Section 101.2.4 Systems, appliances and equipment outside the scope. Delete Number 13, Temporary LP-gas piping.

Section 101.5 Severability. Add a sentence as follows:

The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

Section 102.8 Referenced codes and standards. Add two subsections at the end of this section as follows:

102.8.1 Plumbing. Where reference to any Plumbing Code is made in this Code it shall be taken to mean the *Uniform Plumbing Code* as adopted and amended by the City of Fairbanks.

102.8.2 Electrical. Where reference to any Electrical Code is made in this Code it shall be taken to mean the *National Electrical Code* as adopted and amended by the City of Fairbanks.

102.8.3 Administrative. The provisions of the City of Fairbanks Administrative Code shall apply to the administration and enforcement of this code. Where provisions of the Administrative Code and this code conflict, the most restrictive shall apply.

102.8.4 Energy. Where reference is made in this Code to the International Energy Conservation Code it shall be taken to mean the *IECC* as currently adopted by the City of Fairbanks.

Section 201.3 Terms defined in other codes. Delete this section and replace as follows.

Where terms are not defined in this code and are defined in the *International Building Code*, *National Electrical Code*, *International Fire Code*, *International Fuel Gas Code* and the *Uniform Plumbing Code*, such terms shall have meanings ascribed to them as in those codes.

Section 201.4 Terms not defined. Amend this section by adding the following sentence.

Webster's Third New International Dictionary of the English Language, Unabridged shall be considered as providing ordinarily accepted meanings.

Section 301.2 Energy utilization. Delete this section in its entirety.

Section 301.16 Penetration Weatherproofing. Add this section and the following after section 301.15.

Joints at roofs and exterior walls around pipes, ducts, appurtenances or equipment shall be made watertight by the use of approved materials.

Section 301.17 Meter Protection. Add this section and the following.

It shall be the responsibility of the Gas piping system permit-holder to provide physical damage protection and adverse weather protection as approved by the Building Department for the meter-set and piping connection to it.

Section 301.18 Carbon Monoxide Alarm. Add this section numbering, title, and the following after section 301.17.

Where a fuel-fired appliance is installed or replaced in an existing dwelling an approved carbon monoxide alarm shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms. A single station, battery-operated carbon monoxide alarm shall be listed as complying with UL 2034 and shall be installed according to the manufacturer's installation instructions.

Section 303.4 Protection from damage. Add the following at the end of Section 303.4.

Fuel-fired equipment and appliances located within the direct perpendicular path of a garage door opening of eight feet or less in height shall comply with Section 303.4.1

Section 303.4.1. Fuel-fired appliance protection. Fuel-fired appliances and equipment located in the direct path for vehicles as described in 303.4 shall be protected from impact with one of the following methods.

1. A minimum schedule 40 nominal 3" diameter steel pipe 30" high, with a vertical face at least 6" in the direction of vehicle approach and:
 - 1.1 Buried a minimum 2'0" deep in compacted soil and imbedded in at least 4" nominal concrete slab.
 - 1.2 Set in a minimum 1'0" x1'0"x1'0" block of concrete (slab included).
2. A platform on which the equipment sits, at least 24" high, extended at least 6" greater than the equipment footprint (including attachments such as burners and controls) in the direction of vehicle approach and in contact with the structure opposite the direction of vehicle approach.
3. An approved system of equivalent resistance to vehicle impact extending at least 6" ahead of the equipment's footprint in the direction of vehicle approach, including attachments such as burners and controls.

303.7 Pit locations. Add the following sentence at the end of this Section.

Liquefied petroleum gas piping shall not serve appliances located in a pit or basement where heavier-than-air gas might collect to form a flammable mixture.

Section 304.6 **Outdoor combustion air.** Delete this section in its entirety and replace as follows.

Combustion air for gas-fired appliances shall be provided on a basis of 1 square inch per 4000 Btu per hour of the total input rating of all equipment. In lieu of this requirement, combustion air may be provided in accordance with Table 304.6, **but shall not be less than the sum of the areas of all vent connectors in the space.** Combustion air may be provided from one opening **directly communicating with the outdoors or through a vertical or horizontal duct from the outdoors or spaces that freely communicate with the outdoors.** The opening into the enclosure containing the appliances shall be located no lower in elevation than **2/3 the distance from the top of the finished floor to the bottom of the finished ceiling in the enclosure.**

TABLE 304.6

COMBUSTION AIR - CATEGORY I GAS APPLIANCES ONLY*

| Appliance Size Btuh Input Rating | C/A Duct Minimum Free Area (square inches) | Minimum Round Duct Size (inches) |
|-------------------------------------|-----------------------------------------------|-------------------------------------|
| Up to 120,000 | 28 | 6 |
| 120,000 to 155,000 | 38 | 7 |
| 155,000 to 175,000 | 50 | 8 |

*Note: Category II, III and IV gas appliances may use Table 7-1 as amended for oil-fired appliances per Chapter 7 of the **2009** International Mechanical Code.

Section 304.10 Louvers and grilles. Amend the fourth sentence as follows.

Screens shall have a mesh size not smaller than 1/2".

Section 304.11 Combustion Air Ducts. Delete #4, #5, and #6 and refer to section 304.6 as amended.

Section 304.11 Combustion air ducts. Delete # 8 and replace with the following.

8. Combustion air intake openings located on the exterior of a building shall have the lowest side of such openings located not less than 18 inches vertically from the adjoining finished ground level or an approved alternative means provided to prevent snow blockage.

Section 305.1.1 Fuel-fired equipment startup report. Add this subsection and the following.

A startup report is required for all fan-assisted or power-burner fuel-fired equipment indicating the following conditions and others which the manufacturer recommends in their installation instructions. A non-returnable copy must be provided to the inspector for insertion in the Building Department project files.

Company, Name, address, & Phone Number of Startup Technician

Manufacturer and Model No. of Equipment

Date and Time of Startup and Noted Readings

Net Stack Temperature

Overfire Draft

Breech Draft

Stack Draft

CO

CO2 or O2

Actual Rate of fuel input

Section **305.13** Area served. Add this section and the following.

Appliances serving different areas of a building other than where they are installed shall be permanently marked in an approved manner that uniquely identifies the appliance and the area it serves.

Section 310 Electrical Bonding Add subsection 310.2 and the following at the end of this section.

310.2 Prohibited connection. The required gas piping system bonding connection to the electrical service grounding system shall not be made to any part of the gas service meter set equipment owned and operated by the GasUtility Company. Bonding shall be on the customer side of the meter and regulator set. A direct bonding connection to Corrugated Stainless Steel Tubing is prohibited and bonding connections to Corrugated Stainless Steel Tubing systems shall be completed according to the specific tubing manufacturer's instructions.

Section 401.9 Prohibited future piping. Add this section and the following.

Installation of piping for future use beyond a capped or plugged tee outlet is prohibited without the extension of the installation through the gas piping outlet(s) for specified equipment and appliances.

Section 403.10.4 Metallic fittings. Revise this section by deleting the words “cast iron” in #2 and deleting #5.

Section 406.4.1 Test pressure. Amend the first sentence of this section as follows.

Test pressure to be used shall be no less than 1 ½ times the proposed maximum working pressure, but not less than 10 psig.

Section 406.8. Add a new section as follows.

Section 406.8 Temporary Gas Installations. The installation of temporary gas shall comply with this section.

406.8.1 Temporary gas approval may be given to provide heating prior to the completion of the building's primary heating system.

406.8.2 The heating appliance must be listed and labeled for its use to provide space heating and installed according to the manufacturer's installation instructions, including all the manufacturer's required clearances to combustibles.

406.8.3 The return air for furnaces used for temporary heat shall ducted from a minimum of 10 feet from the appliance.

406.8.4 Portable space heaters shall be provided with one hundred percent (100%) outside air to the back end of the heater and the regulator vented to outside the space being heated.

406.8.5 Gas hose used for temporary heaters shall be an approved type and all manufacturers' listed clearances shall be maintained. The hose shall have an internal wire mesh or braid to render it “kink proof”. This wire mesh or braid shall run the full length of the hose. Each time a section of hose is used it shall be tested at a minimum of sixty (60) psi air pressure and labeled with temporary approval by the Building Department. The absence of the temporary approval label any time after gas service is supplied shall be cause to discontinue temporary gas service.

406.8.6 Corrugated Stainless Steel Tubing used for temporary gas service must be installed and approved as a permanent installation. Unsupported, unprotected CSST is specifically prohibited.

406.8.7 Temporary gas valve outlets not connected to an appliance or equipment shall be plugged or capped leaktight.

Section 410.3.2 Regulator Vent Openings. Add the following subsection.

Regulator vent openings shall not be located closer than 10 feet horizontally to any mechanical outdoor air intake opening or 3 feet horizontally from any gravity outdoor air intake opening, including opening doors and windows, unless such vent opening is at least 2 feet above the air intake opening. Regulator vent openings must be at least 12 inches above the anticipated snow level of 18 inches. Regulator vent openings shall not be located closer than 5 feet to any electrical equipment including service disconnects, electrical meters, receptacles, etc., unless such electrical equipment meets the requirements of Article 500 and 501 of the National Electrical Code.

Section 501.3 Masonry chimneys. Add the following sentence at the end of this section.

Exterior masonry chimneys shall not be used to vent gas appliances.

Section 501.6 Positive pressure. Amend this section by adding the following paragraph and subsection at its end.

Vents taller than 15' in height serving positive pressure equipment must be provided with provisions for an atmospheric balanced draft per 501.6.1.

501.6.1.1.1 Positive pressure greater than 15 feet in height. For positive pressure equipment with venting system greater than 15 feet in height, provide an atmospheric balanced draft vent, i.e. provide a barometric draft regulator. The height of the vent shall be measured from the base of the appliance to the outlet of the chimney. Vent must be sized to prevent positive pressure. Multiple heating appliances connected to a vent greater than 15 feet in height shall be provided with separate draft or atmospheric controls for each appliance.

Section 502.5 Installation. Add the following sentence at the end of this section.

Vertical Vent terminations above a roof must extend at least 18 inches above the roof. Vent terminations through a wall must be at least above an anticipated snow depth of 18 inches.

Section 502.8 Location and support of venting systems other than masonry chimneys. Add this section with the following.

Vent terminations that penetrate a metal roof with a slope greater than 2:12 shall be protected by an ice dam or deflector of a type and design approved by the Code Official.

Section 502.9 Vent height limitations. Add this section with the following.

Vents which do not exceed 15 feet in height need not be provided with an atmospheric draft or control device unless required by Section 501.6. The height of the vent shall be measured from the base of the appliance to the outlet of the chimney. The entire length of the vent shall be factory sealable. The vent must be sized to avoid negative pressure.

Section 502.10 Vent Enclosure. Add this section with the following.

Venting systems installed with greater than 5 feet of developed length outside the building's thermal envelope shall be enclosed with at least an R-11 enclosure from the penetration of the thermal envelope to a point no greater than 5 feet from the vent's outlet.

Section 503.3.6 Above-ceiling air-handling spaces. Add the following sentence to Item No. 1:

The vent material shall have a flame spread index of not more than 25 and a smoke-developed index of not more than 50 when tested in accordance with ASTM E84.

Section 614.2 Duct penetrations. Delete this section in its entirety and replace with the following.

Ducts that exhaust clothes dryers shall not penetrate required fire-resistive assemblies unless enclosed in a fire-resistive shaft complying with the building code.

Section 2. That the effective date of this Ordinance shall be the ____ day of _____, 2011.

Jerry Cleworth, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul Ewers, City Attorney

ORDINANCE NO. 5838

AN ORDINANCE TO AMEND FGC SECTIONS 10-101 AND 10-102, ADOPTING THE 2009 INTERNATIONAL MECHANICAL CODE WITH AMENDMENTS

WHEREAS, the Building Code Review and Appeals Commission has reviewed the 2009 International Mechanical Code, and the amendments thereto, and has recommended adoption with local amendments; and

WHEREAS, the City Council desires to accept the recommendations of the Building Code Review and Appeals Commission;

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, AS FOLLOWS:

Section 1. Fairbanks General Code Sections 10-101 and 10-102 are hereby repealed and re-enacted as follows (substantive changes shown in bold font):

Sec. 10-101. Adoption.

The International Mechanical Code **2009** Edition, as published by the International Code Council, is hereby adopted by the City of Fairbanks.

Sec. 10-102. Amendments.

Section 101.2.1 Appendices. Add the following to this section.

Appendix A as amended by the combustion air provisions of chapter 7 is hereby adopted.

Except for sections 101, 102, and the following amendments, delete Chapter 1 in its entirety and refer to the Administrative Code for the City of Fairbanks Building Department.

Section 102.8 Referenced codes and standards. Revise and add two subsections at the end of this section as follows:

102.8.1 Plumbing. Where reference to any Plumbing Code is made in this Code it shall be taken to mean the *Uniform Plumbing Code* as adopted and amended by the City of Fairbanks.

102.8.2 Electrical. Where reference to any Electrical Code is made in this Code it shall be taken to mean the *National Electrical Code* as adopted and amended by the City of Fairbanks.

102.8.3 Administrative. The provisions of the Administrative Code for the City of Fairbanks Building Department shall apply to the administration and enforcement of this code. Where provisions of the Administrative Code and this code conflict, the more restrictive text shall apply.

102.8.4 Energy. Where reference is made in this Code to the *International Energy Conservation Code* it shall be taken to mean the *IECC* as currently adopted by the City of Fairbanks.

Section 201.3 Terms defined in other codes. Revise this section as follows.

Where terms are not defined in this code and are defined in the *International Building Code*, *National Electrical Code*, *International Fire Code*, *International Fuel Gas Code*, or *Uniform Plumbing Code*, such terms shall have meanings ascribed to them in those codes.

Section 201.4 Terms not defined. Amend this section by adding the following sentence.

Webster's Third New International Dictionary of the English Language, Unabridged shall be considered as providing ordinarily accepted meanings.

Section 301.2 Energy utilization. Delete this section in its entirety.

Section 301.7 Electrical. Add the following sentence to the end of this subsection.

When an existing fuel-fired appliance is not equipped with the required manual disconnect and the appliance is replaced, an approved manual disconnect within clear view of the appliance shall be installed.

Section 302.6 Penetration Weatherproofing. Add this section and the following after section **302.5.3**.

Joints at roofs and exterior walls around pipes, ducts, appurtenances or equipment shall be made watertight by the use of approved materials.

Section 301.16 Carbon Monoxide Alarm. Add this section numbering, title, and the following after section 301.15.

Where a fuel-fired appliance is installed or replaced in an existing dwelling an approved carbon monoxide alarm shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms. A single station, battery-operated carbon monoxide alarm shall be listed as complying with UL 2034 and shall be installed according to the manufacturer's installation instructions.

Section 302.1.1 Pipe and Tubing embedded in concrete. Add this subsection with the following text.

Pipe and tubing embedded in concrete slabs or footings, including sleeves, shall not be placed at a depth below the top surface of the concrete of less than 1 ½ - inch for concrete exposed to earth or weather or ¾-inch for concrete not exposed to earth or weather. They shall not be spaced closer than 3 diameters or widths from structural steel elements.

Section 303.4 Protection from damage. Add the following at the end of Section 303.4.

Fuel-fired equipment and appliances located within the direct perpendicular path of a garage door opening of eight foot or less in height shall comply with Section 303.4.1

303.4.1 Fuel-fired appliance protection. Fuel fired appliances and equipment located in the direct path of vehicles as described in 303.4 shall be protected from impact with one of the following methods.

1. A minimum schedule 40 nominal 3" diameter steel pipe 30" high, with a vertical face of the pipe at least 6" in the direction of vehicle approach and:
 - 1.1 Buried a minimum 2'0" deep in compacted soil and imbedded in at least 4" nominal concrete slab, or
 - 1.2 Set in a minimum 1'0" x1'0"x1'0" block of concrete (slab included).
2. A platform on which the equipment sits, at least 24" high, extended at least 6" greater than the equipment footprint (including attachments such as burners and controls) in the direction of vehicle approach and in contact with the structure opposite the direction of vehicle approach.
3. An approved system of equivalent resistance to vehicle impact extending at least 6" ahead of the equipment's footprint in the direction of vehicle approach, including attachments such as burners and controls.

Section 303.8 Elevator Shafts. Delete this section in its entirety and replace as follows.

Mechanical systems shall not be located in an elevator shaft except mechanical equipment and devices exclusively serving the elevator. Discharge piping from any sump pump shall exit the hoistway as low as practicable. Sump pumps shall be sized per the Uniform Plumbing Code as amended.

Section 304.1.1 Fuel-fired equipment startup report. Add this subsection as follows.

A startup report is required for all fan-assisted or power-burner fuel-fired equipment indicating the following conditions and others which the manufacturer recommends in their installation instructions. A non-returnable copy must be provided to the inspector for insertion in the Building Department project files.

Company, Name, address, & Phone Number of Startup Technician

Manufacturer and Model No. of Equipment

Date and Time of Startup and Noted Readings

Net Stack Temperature

Overfire Draft

Breech Draft

Stack Draft

CO or Smoke

CO₂ or O₂

Actual Rate of fuel input

Section 312.1 Load calculations. Delete the last sentence of this section and substitute the following.

Alternatively, design loads shall be determined by an approved equivalent computation procedure.

Section 401.4 Intake Openings. Add the following exception.

Exception:

Passive Outdoor Air intake openings, including opening doors and windows, shall not be located closer than 3 feet horizontally to any gas pressure regulator vent opening, unless such vent opening is located at least **3** feet above the air intake opening.

Section 401.5 Outdoor opening protection. Add an exception at the end of this section as follows:

Exception: HRV weatherhoods as provided by the respective unit's manufacturer may be used for its Intake and Exhaust Air openings.

TABLE 401.5

OPENING SIZES IN LOUVERS, GRILLES AND SCREENS PROTECTING OUTDOOR EXHAUST AND AIR INTAKE OPENINGS

Delete Table 401.6 and replace with the following.

| OUTDOOR OPENING TYPE | MINIMUM AND MAXIMUM OPENING SIZES IN LOUVERS, GRILLES AND SCREENS MEASURED IN ANY DIRECTION |
|-------------------------------------------------------|---------------------------------------------------------------------------------------------|
| Exhaust & Intake openings in residential occupancies | ½ inch |
| Intake openings in other than residential occupancies | Not < ½ inch and not > 1 inch |

Section 403.3 Ventilation rate. Amend this section by revising the first sentence to read as follows.

Ventilation systems shall be designed to have the capacity to supply the minimum outdoor airflow rate determined in accordance with Table 403.3 based on the occupancy of the spaces and the occupant load or in accordance with the latest edition of ASHRAE Standard 62.

Section 501.2 Exhaust discharge. Delete the exceptions to this section.

Section 502.20 Nail Salons. Add this section.

The inlet to an exhaust system shall be located in the immediate area of heaviest concentration of contaminants. The permit holder shall verify capture and containment performance of the exhaust system. This field test shall be conducted with all sources of outdoor air providing makeup

air operating and with all sources of recirculated air operating which provide conditioning for the space in which the capture & containment is required. Capture and containment shall be verified visually by observing smoke simulating contaminant emission.

Section 505.1 Domestic systems. **Delete the first paragraph of this section and substitute the following.**

Built-in Cook-top or Range-top domestic cooking appliances located within dwelling units and within areas where domestic cooking appliance operations occur shall be listed and labeled as household-type appliances for domestic use. A ventilating hood above, or an approved downdraft exhaust, shall be provided for a cook-top or range-top domestic cooking appliance, and shall discharge to the outdoors through a single-wall duct. The duct shall be sheet metal, of galvanized steel, stainless steel, aluminum or copper, airtight, and equipped with a backdraft damper. A microwave or cooking appliance that exhausts to the outdoors according to this section, is listed and labeled for installation over a cooking appliance, and conforms to the terms of the upper appliance's listing and label, shall be approved.

Delete exception #1.

Section 506.3.10 Grease duct enclosure. **Add the following sentence at the end of this section's paragraph.**

Duct enclosures penetrating wall assemblies shall have a fire-resistance rating of not less than that required for the wall assembly, but not less than 1-hour nor more than 2-hour.

506.3.10.1 Shaft enclosure. Delete and replace the second sentence of this subsection with the following.

Such grease duct systems and exhaust equipment shall have a clearance to combustible construction of not less than 18 inches, and shall have a clearance to noncombustible construction and gypsum wallboard attached to noncombustible structures of not less than 3 inches.

Section 507.1 General. Amend this section by adding the following sentence.

Design documents for commercial hoods, commercial ventilation and makeup air systems shall be designed by and bear the stamp of a professional mechanical engineer currently registered in the State of Alaska.

Section 508.1 Makeup air. Amend this section by adding the following sentence.

Design documents for commercial hoods, commercial ventilation and makeup air systems shall be designed by and bear the stamp of a professional mechanical engineer currently registered in the State of Alaska.

Section 601.4 Contamination prevention. Amend this section numbering the published Exception as noted and adding Exception 2 as follows.

Exception 1. Exhaust systems...

Exception 2.

Environmental air exhaust ducts under positive pressure may extend into or through ducts or plenums if one of the following design approaches is used.

1. Route environmental air exhaust ducts inside a shaft when passing through a duct or plenum. Install a second duct around the environmental air exhaust duct where passing through ducts and plenums to minimize leakage to the duct plenums. Seal both ends of the outer duct to the outside.
2. Install a second duct around the environmental air exhaust duct where passing through ducts and plenums to minimize leakage to the duct or plenum. Seal both ends of the outer duct to outside.
3. Seal the environmental air exhaust ducts along all seams and joints using a listed low to medium pressure duct sealant which is typically applied by brush, trowel or caulking gun.
4. Provide flexible duct with no seams in the duct or plenum. The maximum length of the flexible duct is limited to 8 feet due to high static loss. A metal duct may be sleeved by the flexible seamless duct.

Section 602.1 General. Revise this section as follows.

Supply, return, exhaust, relief and ventilation air plenums shall be limited to areas above a ceiling or below the floor, attic spaces and mechanical equipment rooms. Plenums shall be limited to one fire area. Fuel-fired appliances shall not be installed within a plenum.

Exception: Underfloor crawlspaces shall not be used as plenums.

Section 604.1 General. Revise this section as follows.

Duct insulation shall conform to the requirements of sections 604.2 through 604.13 and the *International Energy Conservation Code*. All supply, return, and exhaust ducts and plenums shall be insulated with a

minimum of R-11 insulation when located outside the building envelope. When located within a building envelope assembly, the duct or plenum shall be separated from the building exterior or unconditioned space or exempt spaces by a minimum of R-11 insulation.

Exceptions:

1. When located within equipment.
2. When the design temperature difference between the interior and exterior of the duct or plenum does not exceed 15 degrees F (8 degrees C).
3. When located within the under floor crawlspace of a one or two family dwelling unit.

607.4 Access and identification. Add the following between the 1st and 2nd sentences of this Section.

Access doors for fire dampers & smoke dampers shall be located as close as practicable to the dampers and also sized so fire damper spring catch and fusible links are accessible with two hands when the damper is closed. Duct access doors shall be a minimum size of 18 inches x 16 inches where the size of the duct permits, and a minimum size of 24 inches & 16 inches where entry of an individual is needed for the required minimum access.

CHAPTER 7 COMBUSTION AIR

Section 701.1 Scope. Delete this section in its entirety and substitute the following.

The provisions of this chapter shall govern the requirements for combustion and dilution air for fuel-burning appliances other than gas-fired appliances. Solid fuel-burning appliances shall be provided with combustion air in accordance with the appliance manufacturers' instructions. Oil-fired appliances shall be provided with combustion air in accordance with this chapter and, where not modified by this chapter, with Chapter 5 of NFPA 31. The methods of providing combustion air in this chapter do not apply to fireplaces and fireplace stoves.

Add the following after Section 701.1

701.2 Combustion and dilution air required. Every room or space containing fuel-burning appliances shall be provided with combustion air, including both air for complete fuel combustion and draft dilution, as required by this code. An approved engineered system may be used to provide combustion air as an alternative to the requirements of this chapter. An approved method shall be utilized to control the temperature

of the room or space containing fuel-burning appliances. The room or space shall be maintained between 40 degrees F and 120 degrees F. The requirements for Combustion Air in this chapter do not include what might be needed for maintaining the ambient temperature of the room or space containing the fuel-burning equipment. Exhaust fans that create a negative draft in the room or space, or other fans that might create conditions of unsatisfactory combustion or venting, are not permitted unless electrically interlocked with the fuel-burning appliances to prevent simultaneous operation.

701.3 Prohibited Sources. Combustion air shall not be obtained from a hazardous location, except where the fuel-fired appliances are located within the hazardous location and are installed in accordance with this code. Combustion air shall not be taken from a refrigeration machinery room, except where a refrigerant vapor detector system is installed to automatically shut off the combustion process in the event of refrigerant leakage. Combustion air shall not be obtained from any location below the design flood elevation, a crawlspace, or an attic.

701.4 Outdoor openings. Combustion air outdoor openings shall be located and protected according to Sections 401.4 and 401.5, as amended, and located at least 24 inches above grade.

702.0 Outdoor Air

702.1 Outdoor Air is required provided for combustion air. Combustion air as required by this chapter shall not be supplied by infiltration.

702.2 Indirect-Connection, Passive-flow Combustion Air. A minimum of one combustion air opening is required. The opening shall be sized with an effective opening to the outdoors of 1 square inch per 6000 Btu/h of the combined input rating of the fuel-burning appliances or according to Table 7-1. The opening into the enclosure containing the appliances shall be located no lower in elevation than 2/3 the distance from the top of the finished floor to the bottom of the finished ceiling in the enclosure.

**TABLE 7-1
OIL-FIRED APPLIANCE COMBUSTION AIR DUCT SIZING**

| Appliance Size (Btu/hr Input) | GPH Input at 140,000 Btu/gallon | Combustion Air Duct Minimum Free Area (sq. in.) | Minimum Round Duct Size (sq. in.) |
|------------------------------------------|------------------------------------------------|----------------------------------------------------------------|--------------------------------------------------|
| <120,000 | <.85 | 12 | 4 |
| 120,000 -155,000 | .85 – 1.10 | 19 | 5 |
| 155,000 – 175,000 | 1.10 – 1.25 | 28 | 6 |

702.3 Indirect-Connection, Forced-flow Combustion Air. Where combustion air is provided by a mechanical forced-air system, it shall be supplied at the minimum rate of 1 cfm per 3500 Btu/h of the combined input rating of all the fuel-burning appliances served. Each of the appliances served shall be electrically interlocked to the mechanical forced-air system so as to prevent operation of the appliances when the mechanical system is not in operation. Where combustion air is provided by the building's mechanical ventilation system, the system shall provide the specified combustion air rate in addition to the required ventilation air.

702.4 Direct-Connection. Fuel-burning appliances that are listed and labeled for direct combustion air connection to the outdoors shall be installed in accordance with the manufacturer's installation instructions.

703.0 Combustion Air Ducts.

703.1 General. Indirect-Connection Combustion air ducts shall:

- 1. Be of galvanized steel complying with Chapter 6 or of equivalent rigid, corrosion-resistant material approved for this application.**
- 2. Have a minimum cross-sectional dimension of 3 inches .**
- 3. Terminate in an unobstructed space allowing free movement of combustion air to the appliances.**
- 4. Have the same cross-sectional areas as the free area of the openings to which they connect. Each combustion air inlet shall only open into the appliance space with one, separate ducted opening of the required free area opening.**
- 5. Serve a single appliance enclosure.**
- 6. Any dampers installed within any part of a combustion air duct or opening shall be electrically interlocked with the firing cycle of the appliance served, so as to prevent operation of any appliance when the dampers are closed.**

Section 801.21 Location and support of venting systems other than masonry chimneys. Add this new section with the following text.

Vent terminations that penetrate a metal roof with a slope greater than 2:12 shall be protected by an ice dam or deflector of a type and design approved by the Code Official.

Section 923.2 Small ceramic kilns-ventilation. Add this new section with the following text.

A canopy-hood shall be installed directly above each kiln. The face opening area of the hood shall be equal to or greater than the top horizontal surface area of the kiln. The hood shall be constructed of not less than No. 24 U.S. gauge galvanized steel or equivalent and be supported at a height of between 12 inches and 30 inches above the kiln by noncombustible supports.

Exception: Each hood shall be connected to a gravity ventilation duct extending in a vertical direction to outside the building. This duct shall be of the same construction as the hood and shall have a minimum cross-sectional area of not less than one fifteenth of the face opening area of the hood. The duct shall terminate a minimum of 12 inches above any portion of a building within four feet and terminate no less than 4 feet from the adjacent property line or any openable window or other openings into the building. The duct opening to the outside shall be shielded, without reduction of duct area, to prevent entrance of rain into the duct. The duct shall be supported at each section by noncombustible supports. Provisions shall be made for air to enter the room in which a kiln is installed at a rate at least equal to the air being removed through the kiln hood.

Section 1001.1 Scope. Amend exception #7 as follows.

7. Any boiler or pressure vessel subject to inspection by federal inspectors.

Section 1005.2 Potable water supply. Delete this section and its title in their entirety and substitute the following.

Section 1005.2 Water Supply. An automatic means of water or heat transfer liquid makeup supply is required connected to all boilers. Connections to the potable water piping system shall be in accordance with the *Uniform Plumbing Code* as amended.

Section 1006.7 Boiler safety devices. Amend this section by adding the following **and** Table 10-3 of the *2009 Uniform Mechanical Code*.

Automatic boilers shall be equipped with controls and limit devices as set forth in Table 10-3.

**TABLE 10-3
Controls and Limit Devices for Automatic Boilers**

| Boiler Group | Fuel | Fuel Input Range (Inclusive), Btu/h | Type of Pilot ² | Safety Control Timing (Nominal Maximum Time In Seconds) | | | | Assured Fuel Supply Control ¹ | Assured Air Supply Control ⁵ | Low Fire Start Up Control | Pre-purging Control | Hot Water Temperature and Low Water Limit Controls ⁸ | Steam Pressure and Low Water Limit Controls ⁶ | Approved Fuel Shutoff ¹⁰ | Control and Limit Device System Design ¹¹ |
|--------------|-------------------------------|-------------------------------------|-----------------------------|---------------------------------------------------------|-----------------------------|--------------|----------------------------------------|------------------------------------------|-----------------------------------------|---------------------------|---------------------------------------------------|-----------------------------------------------------------------|----------------------------------------------------------|-------------------------------------|------------------------------------------------------|
| | | | | Trial for Pilot | Trial for Main Burner Flame | | Main Burner Flame Failure ³ | | | | | | | | |
| | | | | | Direct Electric Ignition | Flame Pilot | | | | | | | | | |
| A | Gas | 0-400,000 | Any type | 90 | Not Required | 90 | 90 | Not required | Required | Not required | Required | Required | Not required | Required | |
| B | Gas | 400,001-2,500,000 | Interrupted or intermittent | 15 | 15 | 15 | 2-4 | Not required | Required | Not required | Required | Required | Not required | Required | |
| C | Gas | 2,500,001-5,000,000 | Interrupted or intermittent | 15 | 15 | 15 | 2-4 | Required | Required | Required | Required | Required | Required | Required | |
| D | Gas | Over 5,000,000 | Interrupted | 15 | 15 | 15 | 2-4 | Required | Required | Required | Required | Required | Required | Required | |
| E | Oil | 0-400,000 | Any type | Not Required | 90 | 90 | 90 | Not required | Required | Not required | Required | Required | Not required | Required | |
| F | Oil | 400,001-1,000,000 | Interrupted | Not Required | 30 | 30 | 2-4 | Required | Required | Not required | Required | Required | Not required | Required | |
| G | Oil | 1,000,001-3,000,000 | Interrupted | Not Required | 15 | 15 | 2-4 | Required | Required | Not required | Required | Required | Not required | Required | |
| H | Oil | Over 3,000,000 | Interrupted | 15 | 15 | 60 | 2-4 | Required | Required | Required | Required | Required | Required | Required | |
| K | Electric | All | Not required | Not required | Not required | Not required | Not required | Not required | Not required | Not required | Required | Required | Not required | Required | |
| L | Gas, Oil and/or Coal | 12,500,000 or more | Any | 10 sec per NFPA 85 | Per NFPA 85 | Per NFPA 85 | Per NFPA 85 | Per NFPA 85 | Per NFPA 85 | Per NFPA 85 | Per ASME Power Boiler Code, Section I and NFPA 85 | Per ASME Power Boiler Code, Section I and NFPA 85 | Per NFPA 85 | Per NFPA 85 | |
| M | Heat Recovery Steam Generator | Any | None | Per NFPA 85 | Per NFPA 85 | Per NFPA 85 | Per NFPA 85 | Per NFPA 85 | Per NFPA 85 | Per NFPA 85 | Per ASME Boiler & Pressure Code & NFPA 85 | Per ASME Boiler & Pressure Code & NFPA 85 | Per NFPA 85 | Per NFPA 85 | |

FOOTNOTES FOR TABLE 10-3

¹Fuel input shall be determined by one of the following:

(a) The maximum burner input as shown on the burner nameplate or as otherwise identified by the manufacturer.

(b) The nominal boiler rating, as determined by the building official, plus twenty-five percent (25%).

²Automatic boilers shall have one flame failure device on each burner, which shall prove the presence of a suitable ignition source at the point where it will reliably ignite the main burner, except that boiler groups A, B, E, F, and G, which are equipped with direct electric ignition, shall monitor the main burner, and all boiler groups using interrupted pilots shall monitor only the main burner after the prescribed limited trial and ignition periods. Boiler group A, equipped with continuous pilot, shall accomplish 100 percent shutoff within ninety (90) seconds upon pilot flame failure. The use of intermittent pilots in boiler group C is limited to approved burner units.

³In boiler groups B, C, and O a 90-second main burner flame failure limit may apply if continuous pilots are provided on manufacturer assembled boiler-burner units that have been approved by an approved testing agency as complying with nationally recognized standards approved by the building official. Boiler groups F and G equipped to re-energize their ignition systems within 0.8 second after main burner flame failure will be permitted thirty (30) seconds for group F or fifteen (15) seconds for group G to reestablish their main burner flames.

⁴Boiler groups C and D shall have controls interlocked to accomplish a nonrecycling fuel shutoff upon high or low gas pressure, and boiler groups F, G, and H using steam or air for fuel atomization shall have controls interlocked to accomplish a nonrecycling fuel shutoff upon low atomizing steam or air pressure. Boiler groups F, G, and H equipped with a preheated oil system shall have controls interlocked to provide fuel shutoff upon low oil temperature.

⁵Automatic boilers shall have controls interlocked to shut off the fuel supply in the event of draft failure if forced or induced draft fans are used or, in the event of low combustion airflow, if a gas power burner is used. Where a single motor directly driving both the fan and the oil pump is used, a separate control is not required.

⁶Boiler groups C, O, and H, when firing in excess of 400,000 Btu per combustion chamber, shall be provided with low fire start of its main burner system to permit smooth light-off. This will normally be a rate of approximately one-third of its maximum firing rate.

⁷Boiler groups C, D, and H shall not permit pilot or main burner trial for ignition operation before a purging operation of sufficient duration to permit a minimum of four complete air changes through the furnace, including combustion chamber and the boiler passes. Where this is not readily determinable, five complete air changes of the furnace, including combustion chamber up to the first pass, will be considered equivalent. An atmospheric gas burner with no mechanical means of creating air movement or an oil burner that obtains two-thirds or more of the air required for combustion without mechanical means of creating air movement shall not require purge by means of four air changes, so long as its secondary air openings are not provided with means of closing. If such burners have means of closing secondary air openings, a time delay must be provided that puts these closures in a normally open position for four

minutes before an attempt for ignition. An installation with a trapped combustion chamber shall, in every case, be provided with a mechanical means of creating air movement for purging.

⁸Every automatic hot-water-heating boiler, low-pressure hot-water-heating boiler, and power hot water boiler shall be equipped with two high-temperature limit controls with a manual reset on the control, with the higher setting interlocked to shut off the main fuel supply, except that manual reset on the high-temperature limit control shall not be required on any automatic package boiler not exceeding 400,000 Btu/h input and that has been approved by an approved testing agency. Every automatic hot-water heating, power boiler, and package hot-water supply boiler shall be equipped with one low-water level limit control with a manual reset interlocked to shut off the fuel supply, so installed as to prevent damage to the boiler and to permit testing of the control without draining the heating system, except on boilers used in Group R Occupancies of less than six units and in Group U Occupancies and further, except that the low-water level limit control is not required on package hot-water supply boilers approved by a nationally recognized testing agency. However, a low-water flow limit control installed in the circulating water line may be used instead of the low-water level limit control for the same purpose on coil-type boilers.

⁹Every automatic low-pressure steam-heating boiler, small power boiler, and power steam boiler shall be equipped with two high-steam pressure limit controls interlocked to shut off the fuel supply to the main burner with manual reset on the control, with the higher setting and two low-water-level limit controls, one of which shall be provided with a manual reset device and independent of the feed water controller. Coil-type flash steam boilers may use two high-temperature limit controls, one of which shall be manually reset in the hot water coil section of the boiler instead of the low-water level limit control.

¹⁰Boiler groups C, D, and H shall use an approved automatic reset safety shutoff valve for the main burner fuel shutoff, which shall be interlocked to the programming control devices required. On oil burners where the safety shutoff valve will be subjected to pressures in excess of ten (10) psi when the burner is not firing, a second safety shutoff valve shall be provided in series with the first. Boiler groups C and D using gas in excess of one (1) pound-per-square-inch pressure or having a trapped combustion chamber or employing horizontal fire tubes shall be equipped with two approved safety shutoff valves, one of which shall be an automatic reset type, one of which may be used as an operating control, and both of which shall be interlocked to the limit-control devices required. Boiler groups C and D using gas in excess of one (1) pound per square inch pressure shall be provided with a permanent and ready means for making periodic tightness checks of the main fuel safety shutoff valves.

¹¹Control and limit device systems shall be grounded with operating voltage not to exceed 150 volts, except that, upon approval by the building official, existing control equipment to be reused in an altered boiler control system may use 220 volt single phase with one side grounded, provided such voltage is used for all controls. Control and limit devices shall interrupt the ungrounded side of the circuit. A readily accessible means of manually disconnecting the control circuit shall be provided with controls so arranged that when they are de-energized, the burner shall be inoperative.

1006.8 Electrical requirements. Add the following sentence and exception to this subsection.

The required means of disconnect shall be within clear view of the boiler burner.

Exception: Where it is not possible for personnel to position themselves out of clear view of the means of disconnect while maintaining the boiler, the capability of being locked in the off position shall not be required of the means of disconnect.

Section 1007 BOILER LOW-WATER CUTOFF Delete this section in its entirety and refer to Section 1006.7 as amended.

Section 1101. 11 Installation Identification. Add this subsection with the following text.

Each refrigerating system erected on the premises shall be provided with legible permanent signage, securely attached and easily accessible, as required in sections 1101.11.1 – 1101.11.3. In the event that the type or amount of refrigerant or other indication is changed, the signs must be changed or replaced to indicate the new conditions.

1101.11.1 Each systems shall be provided a sign indicating:

- (a) the name and address of the installer,
- (b) the refrigerant number and amount of refrigerant,
- (c) the lubricant identity and amount, and
- (d) the field test pressure applied

1101.11.2 Systems containing more than 110 lb. of refrigerant and consisting of controls and piping shall be provided signs having letters at least .5 inches in height indicating:

- (a) Each valve or switch that controls the refrigerant flow, the machinery room ventilation, and the compressors
- (b) The specific fluid, whether a refrigerant or secondary coolant, that is contained in exposed piping outside of the refrigerating machinery room. Valves or the piping adjacent to the valves shall be labeled in accordance with ANSI A13.1.

1101.11.3 Each Refrigeration Machinery Room entrance must have in clear view a sign reading: "Machinery Room – Authorized Personnel Only. – Only those trained in emergency procedures if the Refrigerant alarm is activated."

Section 1105.3 Refrigerant detector. Amend this section by adding a second sentence to read as follows.

Refrigerant detectors shall alarm both inside and outside the machinery room and refrigerated space.

Section 1105.6.2 Makeup air. Amend this section as follows.

Provisions shall be made for makeup air to replace that being exhausted. Openings for makeup air shall be located to avoid intake of exhaust air. Supply and exhaust ducts to the machinery room shall serve no other area, shall be constructed in accordance with Chapter 5 and shall be covered with corrosion-resistant screen of not less than ½-inch mesh.

Section 1205.1.3 Pressure vessels. Add the following exception to this subsection.

Exception: Shutoff valves for diaphragm-type expansion tanks in systems installed with a single expansion tank of 12-gallon water volume or smaller, shall not be required.

Section 1205.1.6 Expansion Tanks. Delete this subsection in its entirety.

Section 1301.1 Scope. Amend this section as follows.

The design, installation, construction and repair of fuel oil and waste oil storage and piping shall be in accordance with this chapter and NFPA 31. The storage of fuel oil and flammable and combustible liquids shall be in accordance with the *International Fire Code*.

Section 1301.4 Fuel tanks, piping and valves. Amend and add to this section as follows.

The tank, piping and valves for appliances burning oil shall be installed in accordance with the requirements of this chapter. The oil supply line is required to be taken from the top of the tank only, and where the level of fuel within the tank may be above the inlet port of the appliance served an approved method to prevent siphoning from the tank must be provided. If the tank is located inside a building, emergency pressure relief venting is required to the exterior.

1301.4.1 Day tanks or supply tanks. Day tanks shall be installed in accordance with this code and NFPA 31.

1301.4.1.1 A day tank or supply tank of (60) gallons or less may be installed for generators, boilers and water heaters within a boiler or mechanical room provided a (1)-hour fire-resistive occupancy separation is constructed around the room containing the equipment being served and the day tank or supply tank.

1301.4.1.2 Day tanks or supply tanks which exceed (60) gallons shall be installed in accordance with the following requirements:

- A. A sprinkler system as approved by the Fire Department is required for the mechanical room.
- B. The room containing the day tank or supply tank shall be located on an exterior wall.
- C. Two exits shall be provided from the boiler room or mechanical room. One exit shall open directly to the exterior and be accessible to fire-fighting personnel.
- D. A (2)-hour fire resistive occupancy separation shall be provided around the boiler room or mechanical room.

1301.4.2 Waste oil tanks. Tanks installed inside buildings for the collection of class IIIB motor vehicle waste oil and connected to listed oil-burning appliances shall be restricted to Group S-1 and motor vehicle related occupancies as referenced by the *International Building Code*. Waste oil tanks located outside of central heating enclosures shall be limited to 500 gallon cumulative capacity, be provided with approved emergency pressure relief venting and shall be equipped with a hinged cap. All oil lines shall be equipped with a spring-loaded fusible valve located immediately adjacent to the tank shell.

Waste oil tanks exceeding 500-gallon capacity and connected to waste oil-burning appliances shall be enclosed in a separate one-hour fire-resistive occupancy separation, be provided with approved emergency pressure relief venting and shall be surrounded by a four(4) –inch high non-combustible curb.

Waste oil tanks located inside of central heating plant enclosures or generator mechanical rooms shall conform to section 1301.4.1 as amended.

Upon approval of the Fire Chief, listed waste oil heaters may be located in other occupancy groups provided the tanks are installed outside of the building in accordance with chapter 15 of the International Mechanical Code and NFPA 31 Chapter 12, or installed in compliance with IMC section 1301.4.1.

Section 2. That the effective date of this Ordinance shall be the ____ day of _____, 2011.

Jerry Cleworth, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul Ewers, City Attorney

Introduced by: Mayor Cleworth
Introduced: March 21, 2011

ORDINANCE NO. 5839

**AN ORDINANCE TO ADOPT THE 2011 CITY OF
FAIRBANKS ADMINISTRATIVE CODE AS ARTICLE II,
CHAPTER 10, FGC SEC. 10-31**

WHEREAS, the Building Code Review and Appeals Commission has reviewed the 2011 City of Fairbanks Administrative Code; and

WHEREAS, the City Council now desires to accept the recommendations of the Building Code Review and Appeals Commission to adopt the 2011 City of Fairbanks Administrative Code; and

WHEREAS, the current administrative code was adopted by Ordinance No. 5737 in 2008, but has not been referenced in Chapter 10, Buildings and Building Regulations, of the Fairbanks Code; and

WHEREAS, for ease of reference, the Administrative Code should be referenced as FGC Sec. 10-31, under Article II, Chapter 10 of the Fairbanks Code, a section currently reserved;

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

Section 1. The attached 2011 City of Fairbanks Administrative Code is hereby adopted. Copies of this Administrative Code shall be made available at the Building Department and published online at the City of Fairbanks website.

Section 2. The current Fairbanks Code of Ordinances, Chapter 10, Buildings and Building Regulations, is hereby amended by adding the following Article and section to reference the Administrative Code:

Article II. CITY OF FAIRBANKS ADMINISTRATIVE CODE

Sec. 10-31. Adopted.

The 2011 City of Fairbanks Administrative Code is hereby adopted.

Section 3. That the effective date of this ordinance shall be the ____ day of _____ 2011.

Jerry Cleworth, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

JANEY HOVENDEN, CMC, City Clerk

PAUL EWERS, City Attorney

2011 CITY OF FAIRBANKS ADMINISTRATIVE CODE

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Chapter 1 TITLE, SCOPE AND GENERAL

SECTION 101 - TITLE, PURPOSE AND SCOPE

101.1 Title. These regulations shall be known as the City of Fairbanks Administrative Code, may be cited as such and will be referred herein as the "code."

101.2 Purpose. The purpose of this code is to provide for the administration and enforcement of the technical codes adopted by this jurisdiction.

101.3 Scope. The provisions of this code shall serve as the administrative, organizational and enforcement rules and regulations for the technical codes which regulate site preparation and construction, alteration, moving, demolition, repair, use and occupancy of buildings, structures and building service equipment within this jurisdiction.

101.4 Other Laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

101.5 Referenced Codes. Throughout the International Codes there are references to other codes. In all places where the International Codes make a reference to the International Plumbing Code, it shall mean the Uniform Plumbing Code as adopted by the City of Fairbanks. In all places where the International codes and other codes refer to the Electrical Code, it shall mean the electrical code as adopted by the City of Fairbanks.

101.6 Adopted Codes. The following codes are adopted by the City of Fairbanks: 2009 International Building Code, 2009 International Residential Code, 2009 International Fire Code, 2009 International Mechanical Code, 2009 International Fuel Gas Code, 2009 Uniform Plumbing Code, 2011 National Electrical Code, 2009 International Energy Conservation Code, 2009 Uniform Swimming Pool Spa and Hot Tub Code, City of Fairbanks Abatement of Dangerous Buildings Code.

SECTION 102 - APPLICATION TO EXISTING BUILDINGS AND BUILDING SERVICE EQUIPMENT

102.1 General. Buildings, structures and their building service equipment to which additions, alterations or repairs are made shall comply with all the requirements of the technical codes for new facilities, except as specifically provided in this section.

102.2 Additions, Alterations or Repairs. Additions, alterations or repairs may be made to a building or its building service equipment without requiring the existing building or its building service equipment to comply with all the requirements of the technical codes, provided the addition, alteration or repair conforms to that required for a new building or building service equipment. Additions or alterations shall not be made to an existing building or building service equipment which will cause the existing building or building service equipment to be in violation of the provisions of the technical codes nor shall such additions or alterations cause the existing building or building service equipment to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or building service equipment to become structurally unsafe or overloaded; will not provide adequate egress in compliance with the provisions of the Building Code or will obstruct existing exits; will create a fire hazard; will reduce required fire resistance; will cause building service equipment to become overloaded or exceed their rated capacities; will create a health hazard or will otherwise create conditions dangerous to human life. A building so altered, which involves a change in use or occupancy, shall not exceed the height, number of stories and area permitted by the Building Code for new buildings. A building plus new additions shall not exceed the height, number of

stories and area specified by the Building Code for new buildings. Additions or alterations shall not be made to an existing building or structure when the existing building or structure is not in full compliance with the provisions of the Building Code except when the addition or alteration will result in the existing building or structure being no more hazardous based on life safety, fire safety and sanitation, than before such additions or alterations are undertaken.

EXCEPTION: Alterations of existing structural elements, or additions of new structural elements, which are not required by Section 102.4 and which are initiated for the purpose of increasing the lateral- force-resisting strength or stiffness of an existing structure need not be designed for forces conforming to these regulations provided that an engineering analysis is submitted to show that:

1. The capacity of existing structural elements required to resist forces is not reduced, and
2. The lateral loading to required existing structural elements is not increased beyond their capacity, and
3. New structural elements are detailed and connected to the existing structural elements as required by these regulations, and
4. New or relocated nonstructural elements are detailed and connected to existing or new structural elements as required by these regulations, and
5. An unsafe condition as defined above is not created.

Alterations or repairs to an existing building or structure which are nonstructural and do not adversely affect a structural member or a part of the building or structure having required fire resistance may be made with the same materials of which the building or structure is constructed, subject to approval by the building official. Installation or replacement of glass shall be as required for new installations.

Minor additions, alterations and repairs to existing building service equipment installations may be made in accordance with the technical code in effect at the time the original installation was made, subject to approval of the building official, and provided such additions, alterations and repairs will not cause the existing building service equipment to become unsafe, unsanitary or overloaded.

102.3 Existing Installations. Building service equipment lawfully in existence at the time of the adoption of the technical codes may have their use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and a hazard to life, health or property has not been created by such building service equipment.

102.4 Existing Occupancy. Buildings in existence at the time of the adoption of the Building Code may have their existing use or occupancy continued if the use or occupancy was legal at the time of the adoption of the Building Code, and provided continued use is not dangerous to life, health and safety. A change in the use or occupancy of any existing building or structure shall comply with the provisions of Section 309 of this code and chapter 34 of the Building Code.

102.5 Maintenance. Buildings, structures and building service equipment, existing and new, and parts thereof shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by the technical codes shall be maintained in conformance with the technical code under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and their building service equipment. To determine compliance with this section, the building official may cause a structure to be reinspected.

102.6 Moved Buildings. Buildings, structures and their building service equipment moved into or within this jurisdiction shall comply with the provisions of the technical codes for new buildings or structures and their building service equipment. Such building shall have a code compliance inspection conducted by the City of Fairbanks for fire life safety evaluation prior to the move.

102.7 Temporary Structures. Temporary structures such as reviewing stands and other miscellaneous structures, sheds, canopies or fences used for the protection of the public around and in conjunction with construction work may be erected by special permit from the building official for a limited period of time. Buildings or structures erected under a special permit need not comply with the type of construction or fire-resistive time periods required by the Building Code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

102.8 Historic Buildings. Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building, structure, or its building service equipment may be made without conforming to the requirements of the technical codes when authorized by the building official, provided:

1. The building or structure has been designated by official action of the legally constituted authority of this jurisdiction as having special historical or architectural significance.
2. Unsafe conditions as described in this code are corrected.
3. The restored building or structure and its building service equipment will be no more hazardous based on life safety, fire safety and sanitation than the existing building.

SECTION 103 – DEFINITIONS

For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in this section. Where terms are not defined, they shall have their ordinarily accepted meanings within the context with which they are used Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

ADDITION is an extension or increase in floor area or height of a building or structure.

ALTER or ALTERATION is a change or modification in construction or building service equipment.

APPROVED, as to materials, types of construction, equipment and systems, refers to approval by the building official as the result of investigation and tests conducted by the building official, or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.

APPROVED AGENCY is an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when the agency has been approved by the building official.

BUILDING is a structure used or intended for supporting or sheltering a use or occupancy.

BUILDING CODE is the code as adopted by City of Fairbanks.

BUILDING, EXISTING is a building erected prior to the adoption of this code, or one for which a legal building permit has been issued.

BUILDING OFFICIAL is the officer or other designated authority charged with the administration and enforcement of this code, or a regularly authorized deputy.

BUILDING SERVICE EQUIPMENT refers to the plumbing, mechanical, electrical and elevator equipment including piping, wiring, fixtures and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, fire-fighting and transportation facilities essential to the occupancy of the building or structure for its designated use.

DANGEROUS BUILDINGS CODE is the Uniform Code for the Abatement of Dangerous Buildings promulgated by the International Conference of Building Officials, as adopted and amended by this jurisdiction.

ELECTRICAL CODE is the National Electrical Code promulgated by the National Fire Protection Association, as adopted by this jurisdiction.

ELEVATOR CODE is the safety code for elevators, dumbwaiters, escalators and moving walks as adopted by this jurisdiction.

ENERGY CODE is the International Energy conservation code as adopted by the City of Fairbanks.

FIRE CODE is the fire code adopted by the City of Fairbanks

FIRE CODE OFFICIAL is the officer or other designated authority charged with the administration and enforcement of the fire code or a regularly authorized deputy

FUEL GAS CODE is the fuel gas code as adopted by the City of Fairbanks.

JURISDICTION, as used in this code, is a state or political subdivision which adopts this code for administrative regulations within its area of authority.

LISTED and **LISTING** are terms referring to equipment and materials included in a list published by an approved testing laboratory, inspection agency, or other organization concerned with product evaluation that maintains periodic inspection of current productions of listed equipment or materials. The published list shall state that the material or equipment complies with approved nationally recognized codes, standards or tests and has been tested or evaluated and found suitable for use in a specified manner.

MECHANICAL CODE is the mechanical code as adopted by the City of Fairbanks.

OCCUPANCY is the purpose for which a building, or part thereof, is used or intended to be used.

OWNER is any person, agent, firm or corporation having a legal or equitable interest in the property.

PERMIT is an official document or certificate issued by the building official authorizing performance of a specified activity.

PERSON is a natural person, heirs, executors, administrators or assigns, and also includes a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

PLUMBING CODE is the Plumbing Code, as adopted by this jurisdiction.

REPAIR is the reconstruction or renewal of any part of an existing building, structure or building service equipment for the purpose of its maintenance.

SHALL, as used in this code, is mandatory.

STRUCTURAL OBSERVATION means the visual observation of the structural system, for general conformance to the approved plans and specifications, at significant construction stages and at completion of the structural system. Structural observation does not include or waive the responsibility for the inspections required by Sections 305 and 306.

STRUCTURE is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

SWIMMING POOL CODE is the Uniform Pool Spa and Hot Tub Code as adopted by the City of Fairbanks.

TECHNICAL CODES refer to those codes adopted by this jurisdiction containing the provisions for design, construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures and building service equipment as herein defined.

VALUATION or VALUE is the actual construction cost to build a new building, addition, remodel or alteration. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, landscaping, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire-extinguishing systems and other permanent equipment. Valuation shall be determined in accordance with the latest edition of the Building Safety Journal data chart as published by the International Code Council or based on the final contract amount, which ever is greater. When calculating the valuation utilizing the building valuation data chart the regional modifier shall be (1.3). A copy of the bid award may be required by the building official or fire chief. In any case the final determination of value or valuation under any of the provisions of these codes shall be made by the building official.

SECTION 104 - CONFLICTING PROVISIONS

- 1) When conflicting provisions or requirements occur between this code, the technical codes and other codes or laws, the most restrictive shall govern.
- 2) When conflicts occur between the technical codes, those provisions providing the greater safety to life shall govern. In other conflicts where sanitation, life safety or fire safety are not involved, the most restrictive provisions shall govern.
- 3) Where in a specific case different sections of the technical codes specify different materials, methods of construction or other requirements, the most restrictive shall govern.
- 4) When there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. When conflicts occur between specific provisions of this code and administrative provisions in a technical code which is then applicable within this jurisdiction, those provisions becoming the law most recently shall prevail.

SECTION 105 - ALTERNATE MATERIALS, METHODS OF DESIGN AND METHODS OF CONSTRUCTION

The provisions of the technical codes are not intended to prevent the use of any material, method of design or method of construction not specifically prescribed by the technical codes, provided an alternate has been approved and its use authorized by the building official. The building official may approve an alternate, provided the building official finds that the proposed design is satisfactory and complies with the provisions of the technical codes and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in the

technical codes in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation. The building official shall require that sufficient evidence or proof be submitted to substantiate claims that may be made regarding its use. The details of an action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

SECTION 106 - MODIFICATIONS

Whenever there are practical difficulties involved in carrying out the provisions of the technical codes, the building official may grant modifications for individual cases. The building official shall first find that a special individual reason makes the strict letter of the technical code impractical and the modification is in conformity with the intent and purpose of the technical code, and that such modification does not lessen health, life safety and fire safety requirements or any degree of structural integrity. The details of actions granting modifications shall be recorded and entered in the files of the code enforcement agency.

SECTION 107 – TESTS

Whenever there is insufficient evidence of compliance with the provisions of the technical codes or evidence that materials or construction do not conform to the requirements of the technical codes, the building official may require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified by the technical codes or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall determine test procedures. Tests shall be made by an approved agency. Reports of such tests shall be retained by the building official for the period required for the retention of public records.

Chapter 2 ORGANIZATION AND ENFORCEMENT

SECTION 201 – AUTHORITY

201.1 Creation of Enforcement Agency. There is hereby established in this jurisdiction a code enforcement agency which shall be under the administrative and operational control of the building official except for matters pertaining to the Fire Code. The Fire Code Official shall have administrative and operational control to enforce the fire code.

201.2 General. Whenever the term or title "administrative authority," "responsible official," "building official," "chief inspector," "code enforcement officer," or other similar designation is used herein or in any of the technical codes, it shall be construed to mean the building official designated by the appointing authority of this jurisdiction.

201.2.1 Fire Department. Whenever the term or title "administrative authority", "responsible official", "fire inspector", "code enforcement officer" or similar designation is used herein, or in any technical codes, it shall be construed to mean fire code official designated by the appointing authority of this jurisdiction.

SECTION 202 - POWERS AND DUTIES OF BUILDING OFFICIAL AND FIRE OFFICIAL

202.1 General. The building official is hereby authorized and directed to enforce all the provisions of this code and the referenced technical codes. For such purposes, the building official shall have the powers of a law enforcement officer. The building official shall have the power to render interpretations of this code and the referenced technical codes, and to adopt and enforce rules

and regulations supplemental to this code as may be deemed necessary to clarify the application of the provisions of this code. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.

202.1.1 Fire Department. The fire code official and/or his designated representatives are hereby authorized and directed to enforce all the provisions of the fire code and any referenced technical codes. For such purposes, the fire code official or his designated representatives shall have the powers of a law enforcement officer. The fire code official or his designated representative shall have the power to render interpretations of the fire code and the referenced technical codes, and to adopt and enforce rules and regulations supplemental to the fire code as may be deemed necessary to clarify the application of the provisions of this code. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of the fire code. All buildings and structures subject to inspection in accordance with a duly adopted inspection program shall be subject to fees set forth in Table 3-F of this code.

202.2 Deputies. In accordance with prescribed procedures and with the approval of the appointing authority, the building official and/or the fire code official may appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. The building official and/or fire code official may deputize such inspectors or employees as may be necessary to carry out the function of the code enforcement agency and shall be empowered to do so.

202.3 Right of Entry. When necessary to make an inspection to enforce any of the provisions of this code and the technical codes, or when the Building Official and/or Fire Code Official has reasonable cause to believe that there exists in any building or upon a premises a condition which is contrary to or in violation of this code which makes the building or premises unsafe, dangerous or hazardous, the building official may enter the building or premises at all reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied, that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. Should entry be refused, the building official shall have recourse to the remedies provided by law to secure entry.

202.4 Stop Work Orders. When work has commenced without issuance of the required permit or when work is being done contrary to the provisions of this code, the technical code, or other pertinent laws or ordinances implemented through the enforcement of this code, the building official may order the work stopped by notice in writing served on persons engaged in the doing or causing such work to be done. Such persons shall forthwith stop the work until authorized by the building official to proceed with the work.

202.4.1 Unlawful Continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed by the building official to perform to remove a violation or unsafe condition, shall be subject to penalties prescribed by law.

202.5 Occupancy Violations. When a building or structure or building service equipment therein regulated by this code and the technical codes is being used contrary to the provisions of such codes, the building official may order such use discontinued by written notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the building official after receipt of such notice to make the structure, or portion thereof, comply with the requirements of such codes.

202.6 Authority to Disconnect Utilities. The building official or fire chief or authorized representative shall have the authority to disconnect a utility service or energy supplied to the building, structure or building service equipment therein regulated by this code or the technical

codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The building official shall whenever possible notify the serving utility, the owner and occupant of the building, structure or building service equipment of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner and occupant of the building, structure or building service equipment, in writing, of such disconnection immediately thereafter.

202.7 Authority to Condemn Building Service Equipment. When the building official or **fire chief** ascertains that building service equipment regulated in the technical codes has become hazardous to life, health or property, or has become unsanitary, the building official shall order in writing that such equipment either be removed or restored to a safe or sanitary condition, as appropriate. The written notice itself shall fix a time limit for compliance with such order. Defective building service equipment shall not be maintained after receiving such notice. When such equipment or installation is to be disconnected, a written notice of such disconnection and causes therefore shall be given within 24 hours to the serving utility, the owner and occupant of such building, structure or premises. When any building service equipment is maintained in violation of the technical codes and in violation of a notice issued pursuant to the provisions of this section, the building official shall institute appropriate action to prevent, restrain, correct or abate the violation.

202.8 Connection after Order to Disconnect. Persons shall not make connections from an energy, fuel or power supply nor supply energy or fuel to building service equipment which has been disconnected or ordered to be disconnected by the building official or the use of which has been ordered to be discontinued by the building official until the building official authorizes the reconnection and use of such equipment.

202.9 Liability. The building official charged with the enforcement of this code and the technical codes, acting in good faith and without malice in the discharge of his duties, shall not thereby be rendered personally liable for damage that may accrue to persons or property as a result of an act or omission in the discharge of the assigned duties. A suit brought against the building official or employee because of such act or omission performed by the building official or employee in the enforcement of the provisions of such codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting there from, shall be assumed by this jurisdiction.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling a building, structure or building service equipment therein for damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming such liability by reason of the inspections authorized by this code or permits or certificates issued under this code.

202.10 Cooperation of Other Officials and Officers. The building official and Fire Code Official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent laws or ordinances.

202.11 Notices and Orders. The building official shall issue all necessary notices and orders to ensure compliance with this code and the technical codes.

202.12 Department Records. The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

202.13. Approved Materials and Equipment. Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

202.14. Used Materials and Equipment. The use of used materials which meet the requirements of this code and the technical codes for new materials is permitted. Used equipment and devices shall not be reused unless approved by the building official.

202.15. Research Reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code or the technical codes shall consist of valid research reports from approved sources.

SECTION 203 - UNSAFE BUILDINGS, STRUCTURES OR BUILDING SERVICE EQUIPMENT

Buildings or structures regulated by this code and the technical codes which are structurally inadequate or have inadequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe buildings. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section and in accordance with the City of Fairbanks Abatement of Dangerous Buildings Code. A vacant structure not secured against entry shall be deemed unsafe.

Building service equipment regulated by such codes, which constitutes a fire, electrical or health hazard, or an in sanitary condition, or is otherwise dangerous to human life is, for the purpose of this section, unsafe. Use of buildings, structures or building service equipment constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.

Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members which are supported by, attached to, or a part of a building and which are in a deteriorated condition or otherwise unable to sustain the design loads which are specified in the Building Code are hereby designated as unsafe building appendages.

Unsafe buildings, structures or appendages and building service equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Dangerous Buildings Code or such alternate procedure as may be adopted by this jurisdiction. As an alternative, the building official or other employee or official of this jurisdiction as designated by the governing body may institute other appropriate action to prevent, restrain, correct or abate the violation.

SECTION 204 – BUILDING CODE REVIEW AND APPEALS COMMISSION

204.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of the technical code, there shall be and is hereby created a board of appeals consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction and building service equipment and who are not employees of the jurisdiction. The building official shall be an ex officio member and shall act as secretary to said board but shall have no vote upon any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

204.2 Limitations of Authority. The building code review and appeals commission shall have no authority relative to interpretation of the administrative provisions of this code or the

administrative provisions of the technical codes nor shall the board be empowered to waive requirements of either this code or the technical codes.

SECTION 205 – VIOLATIONS

205.1 Unlawful Acts. It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment, or cause or permit the same to be done in violation of this code and the technical codes.

205.2 Notice of Violation. The building official and fire code official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

205.3 Prosecution of Violation. If the notice of violation is not complied with promptly, the building official request the legal counsel of the jurisdiction to institute the appropriate legal proceedings at law or equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or the technical codes or of the order or direction made pursuant thereto.

205.4 Violation Penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs alters, repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code or the technical codes shall be subject to penalties prescribed by law.

Chapter 3 PERMITS, CONSTRUCTION DOCUMENTS AND INSPECTIONS

SECTION 301 – PERMITS

301.1 Permits Required. Except as specified in Section 301.2, any owner, contractor or authorized agent intending to construct, enlarge, alter, repair, remove, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code or the technical codes , or to cause any such work to be done, shall first submit an application to the building official and obtain the required permit before construction commences.

301.1.1 Emergency repairs. Where equipment replacement, piping systems or electrical systems must be performed in an emergency situation, the permit application shall be submitted to the building official within 72 hours of such emergency. All required inspections shall be conducted.

301.2 Work Exempt from Permit. A permit shall not be required for the types of work in each of the separate classes of permit as listed below. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of the technical codes or any other laws or ordinances of this jurisdiction.

301.2.1 Building permits. A building permit shall not be required for the following:

1. One story detached structures used as garages, tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet. Separate permits are required for any electrical, plumbing or mechanical work.
2. Fences.
3. Oil derricks.
4. Movable cases, counters and partitions not over 5 feet 9 inches (1753 mm) high.
5. Retaining walls which are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding flammable liquids.
6. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2:1.
7. Platforms, walks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below.
8. Painting, papering and similar finish work.
9. Temporary motion picture, television and theater stage sets and scenery.
10. Window awnings supported by an exterior wall of Group R3 and Group U Occupancies when projecting not more than 54 inches (1372 mm).
11. Prefabricated swimming pools accessory to a Group R3 Occupancy in which the pool walls are entirely above the adjacent grade and the capacity does not exceed 5,000 gallons (18 925 L).

Unless otherwise exempted by this code, separate plumbing, electrical and mechanical permits will be required for the above exempted items.

12. Ordinary maintenance on a single family or duplex structure (R3 and U occupancy). Ordinary maintenance of a building or structure shall not include the cutting away or addition of any wall, partition or portion thereof, the removal of any structural beam or bearing support, or the removal of any required means of egress, or rearrangement of parts of a structure; nor shall ordinary maintenance include additions of replacement or relocation of any standpipe, water supply, sewer, drainage drain leader, gas, waste vent or similar piping electrical work wiring, mechanical or other work affecting public health or safety. All ordinary maintenance shall be made in accordance with the building code or other technical codes as adopted by the City of Fairbanks.

13. Storage racks not over six (6) feet in height.
14. Uncovered Decks which are constructed not more than 30 inches above grade at any point.
15. Replacement of exterior siding, doors and windows; excluding required egress windows

301.2.2 Plumbing permits. A plumbing permit shall not be required for the following:

1. The stopping of leaks in drains, soil, waste or vent pipe, provided, however, that should any concealed trap, drain pipe, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and a permit shall be procured and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, nor for the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

301.2.3 Electrical permits. An electrical permit shall not be required for the following:

1. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the Electrical Code.

2. Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.

3. Temporary decorative lighting.

4. Repair or replacement of current-carrying parts of any switch, contactor or control device.

5. Reinstallation of attachment plug receptacles, but not the outlets therefore.

6. Repair or replacement of any over current device of the required capacity in the same location.

7. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.

8. Taping joints.

9. Removal of electrical wiring.

10. Temporary wiring for experimental purposes in suitable experimental laboratories.

11. The wiring for temporary theater, motion picture or television stage sets.

12. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.

13. Low-energy power, control and signal circuits of Class II and Class III as defined in the Electrical Code.

14. A permit shall not be required for the installation, alteration or repair of electrical wiring, apparatus or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility.

301.2.4 Mechanical permits. A mechanical permit shall not be required for the following:

1. A portable heating appliance.

2. Portable ventilating equipment.

3. A portable cooling unit.

4. A portable evaporative cooler.

5. A closed system of steam, hot or chilled water piping within heating or cooling equipment regulated by the Mechanical Code.

6. Replacement of any component part of assembly of an appliance which does not alter its original approval and complies with other applicable requirements of the technical codes.
7. Refrigerating equipment which is part of the equipment for which a permit has been issued pursuant to the requirements of the technical codes.
8. A unit refrigerating system as defined in the Mechanical Code.

301.2.5 Fire sprinkler and alarm permits.

Fire sprinkler and alarm permits shall be coordinately directly with the City Fire Marshal. A fire sprinkler permit or alarm permit is required for the following:

1. Installation of a new sprinkler or fire alarm system.
2. Modification or alteration of an existing sprinkler system or fire alarm system.

Exceptions:

- a. Relocation or alteration of not more than 6 sprinkler heads
- b. Routine maintenance not requiring a change to the design system.
- c. Changing or replacing of components of an alarm system.

SECTION 302 - APPLICATION FOR PERMIT AND CONSTRUCTION DOCUMENTS

302.1 Application. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams, computations and specifications, and other data as required in Section 302.2.
5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as may be required by the building official.

302.2 Submittal Documents. Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit. When such plans are not prepared by an architect or engineer, the building official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The building official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by state law.

EXCEPTION: The building official may waive the submission of plans, calculations, construction inspection requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

302.3 Required Information on Plans and Specifications.

1. Plans and specifications shall be drawn to scale and fully dimensioned on substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

2. Plans for buildings of other than Group R, Division 3 and Group U Occupancies shall indicate how required structural and fire - resistive integrity will be maintained where penetrations will be made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems. Fire stop construction details shall be submitted for review and approval before work commences.

3. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code and the technical codes. In other than occupancies in Group R-3 as applicable in section 101.2 of the building code the construction documents shall designate the number of occupants to be accommodated on every floor and in all rooms and spaces.

4. The construction documents shall provide design analysis including but not limited to: occupancy classifications, identification of accessory and incidental uses, construction type, actual floor area, allowable area calculations, occupant load, accessibility elements, fire resistive construction and landscaping.

5. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code and the technical codes as adopted by the City of Fairbanks. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, weather-resistive membrane and details around openings.

6. Residential construction documents shall identify all required thermal envelope insulation in accordance with the 2009 International Energy Conservation Code as amended by the City of Fairbanks.

7. The construction documents submitted with the application for permit shall be accompanied by a site plan drawn to scale and fully dimensioned, the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades; and shall be drawn in accordance with an accuracy boundary line survey. The building official is authorized to waive or modify the requirements for a site plan when the application for permit is limited to alteration or repair or when otherwise warranted.

302.4 Architect or Engineer of Record.

302.4.1 General. When it is required that documents be prepared by an architect or engineer, the building official may require the owner to engage and designate on the building permit application an architect or engineer who shall act as the architect or engineer of record. If the circumstances require, the owner may designate a substitute architect or engineer of record who shall perform all the duties required of the original architect or engineer of record. The building official shall be notified in writing by the owner if the architect or engineer of record is changed or is unable to continue to perform the duties. The architect or engineer of record shall be responsible for

reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

302.4.2 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design which are not submitted at the time of the application and which are to be submitted to the building official within a specified period. Deferral of any submittal items shall have prior approval of the building official. The architect or engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the building official. Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

302.5 Inspection and Observation Program. When special inspection is required by Section 1704, the architect or engineer of record shall prepare an inspection program which shall be submitted to the building official for approval prior to issuance of the building permit. The inspection program shall designate the portions of the work to have special inspection, the name or names of the individuals or firms who are to perform the special inspections and indicate the duties of the special inspectors. The special inspector shall be employed by the owner, the engineer or architect of record, or an agent of the owner, but not the contractor or any other person responsible for the work. When structural observation is required by Section 1709, the inspection program shall name the individuals or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur. The inspection program shall include samples of inspection reports and provide time limits for submission of reports.

302.6 Examination of documents. The building official shall examine or cause to be examined the submitted construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and the technical codes and other pertinent laws or ordinances.

302.7 Approval of construction documents. When the building official issues a permit, the construction documents shall be approved by separate letter, plan review or the plans shall be stamped as, "Approved and Reviewed for Code Compliance". One set of construction documents so reviewed shall be retained by the building official. The other set shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative. Work shall be installed in accordance with the approved construction documents. Changes to the approved set of construction documents that affect code compliance are prohibited unless amended documents are resubmitted by the appropriate design professional for review and approval before such modification is constructed in the field.

302.8 Previous Approvals. This code or the technical codes shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code or the technical codes and has not been abandoned.

302.9 Phased plan approval. The building official is authorized to issue a partial permit for the construction of foundations or any other part of a building or structure before complete construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements and documentation has been filed complying with the pertinent requirements of the technical codes for the specific phase of work requested by the applicant. The holder of such partial permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk and without assurance that the balance of the

permit for the entire structure will be granted. In no case may the holder of the partial permit proceed beyond the specific scope of work identified on the application and permit. A fast track fee shall be assessed in accordance with this code for all phased plan approval and permit issuance.

SECTION 303 - PERMITS ISSUANCE

303.1 Issuance. The application, plans, specifications, computations and other data filed by an applicant for permit shall be reviewed by the building official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the building official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and the technical codes and other pertinent laws and ordinances, and that the fees specified in Section 304 have been paid, the building official shall issue a permit therefore to the applicant.

303.2 Retention of Plans. One set of approved plans, specifications and computations shall be retained by the building official for a period of not less than 180 days from the date of completion of the work covered therein; and one set of approved plans and specifications shall be returned to the applicant and shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

303.3 Validity of Permit. The issuance of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or the technical codes, or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on plans, specifications and other data shall not prevent the building official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on there under when in violation of these codes or of any other ordinances of this jurisdiction.

303.4 Expiration. Every permit issued by the building official under the provisions of the technical codes shall expire by limitation and become null and void, if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee. A permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Permits shall not be extended more than once.

303.5 Suspension or Revocation. The building official may, in writing, suspend or revoke a permit issued under the provisions of this code and the technical codes when the permit is issued in error or on the basis of incorrect information supplied, or in violation of an ordinance or regulation or the provisions of these codes.

303.6 Electrical Permit Issuance.

An electrical permit shall not be issued to any person, other than a licensed electrical administrator, licensed pursuant to AS 08, Chapter 40, Electrical Administrators, or a person performing electrical work that is exempt from the requirements of the Alaska Statutes pursuant to AS 08.40.190. Electrical permit fees shall be as set forth in Table 3-B.

303.7 Plumbing Permit Issuance.

A plumbing permit shall not be issued to any person to do or cause to be done any work regulated by the plumbing code except to a person holding a valid unexpired and unrevoked master plumber's license as required by Section 2.482 of the Fairbanks General Code, except when and or otherwise hereinafter provided in this section. Any plumbing permit required by this code may be issued to any person to do work regulated by this code in a dwelling as defined by section 202 of the building code or portion thereof which contains not more than two (2) dwelling units) used exclusively for living purposes, and such person is the legal owner, and said owner or member of the owner's immediate family shall perform all labor in connection therewith, and said dwelling(s) is not intended for sale at the time of installation. Plumbing permit fees shall be as set forth in Table 3-D

303.8 Mechanical Permit Issuance.

A Mechanical Permit shall not be issued to any person performing work requiring a permit, other than a licensed mechanical administrator, pursuant to AS 08, Chapter 40, Article 2 Mechanical Administrators; unless such person is performing mechanical work that is exempt from the requirements of the Alaska Statutes pursuant to AS 08.40.390 or the work is solely on non-fuel-fired ventilation and/or exhaust systems in a single family home or duplex. Mechanical permit fees shall be as set forth in Table 3-C

303.9 Electrical Sign Permit Issuance.

An electrical sign permit shall be issued as required in this section. Sign permit fees shall be as set forth in Table 3-B.

- a) A separate sign permit is required for the installation of any electrically energized sign which is either attached to a structure or is free standing.
- b) The required sign permit may be secured by either, the general contractor, electrical contractor or sign contractor licensed by the State of Alaska.
- c) The person or contractor that installs the sign is responsible for code compliance.
- d) A sign contractor may make the final electrical connection from the sign junction box to the sign provided such distance does not exceed six (6) feet.
- e) The sign shall be inspected to insure that the sign is listed and the internal wiring of the sign and final connection to the building or pole is in compliance with the National Electrical Code. It shall be the responsibility of the sign contractor to call twenty four (24) hours in advance for the required inspection and to provide the necessary equipment to facilitate the inspection. Inspection requests for Saturday and Sunday require forty eight (48) hour notice.
- f) If an existing sign is removed from the building and is re-worked or re-configured, either in the field or at the contractor's shop and then subsequently replaced; a sign permit will be required. The sign shall be listed and the required inspection conducted.

h) If an existing sign face plate is changed or if routine maintenance is conducted on the sign without removal of the sign; a sign permit is not required nor will the sign be retroactively required to be listed or inspected.

i) If any sign, existing or new, is found to be inherently unsafe and constitutes a danger to the user or public, the sign shall be removed from service.

303.10 Fuel Gas Permit Issuance.

A mechanical permit for the installation of fuel gas piping and related equipment regulated by the International Fuel Gas Code shall not be issued to any person performing work requiring a permit, other than a licensed mechanical administrator, pursuant to AS 08, chapter 40, Article 2 Mechanical Administrators; unless such person is performing mechanical work that is exempt from the requirements of the Alaska Statutes pursuant to AS 08.40.390 or the work is solely on non- fuel fired ventilation and or exhaust systems in a single family residence or duplex dwelling. Fuel gas permits shall be as set forth in Table 3-E.

303.11 Fire Permit Issuance

A fire permit for the installation of fire detection and fire suppression systems and related equipment regulated under the International Fire Code shall only be issued to a person and or company that possess a current permit issued by the State of Alaska Fire Marshal's Office.

SECTION 304 - FEES

304.1 General. Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by this jurisdiction.

304.2 Building Permit Fees. Building permit fees shall be as set forth in Table 3-A. The permit fees for each of the technical codes as adopted by the city of Fairbanks are as set forth in Tables 3-B, 3-C, 3-D, 3-E and 3-F. Where a technical code has been adopted by the jurisdiction for which no fee schedule is shown in this code, the fee required shall be in accordance with the schedule established by the legislative body. The determination of value or valuation under any of the provisions of these codes shall be made by the building official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire-extinguishing systems and other permanent equipment. Valuation shall be determined in accordance with the latest edition of the Building Safety Journal data chart as published by the International Code Council or based on the final contract amount, which ever is greater. When calculating the valuation utilizing the building valuation data chart the regional modifier shall be (1.3). A copy of the bid award may be required by the building official or fire chief. In any case the final determination of value or valuation under any of the provisions of these codes shall be made by the building official.

304.3 Fire Code Review and Inspection. For new construction, including additions, remodel and alterations, fees shall be as set forth in Table 3- F.

304.4 Plan Review Fees.

When submittal documents are required by Section 302.2, a plan review fee shall be paid. The plan review fee shall be paid when the review has been completed. The plan review fee shall be paid in conjunction with the building permit fee. The plan review fee is not required to be paid at the time of plan or application submittal; building plan review fee shall be 75 percent of the building permit fee as shown in Table 3-A. The plan review fee for projects where completed plans are not received prior to commencement of construction will be charged a fast track rate equal to one hundred percent (100%) of the building permit fee. The plan review fees for

electrical, mechanical and plumbing work shall be equal to 75 percent of the total permit fee as set forth in Tables 3-B, 3-C and 3-D 3-E. The plan review fees specified in this section are separate fees from the permit fees specified in Section 304.2 and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 302.4.2, an additional plan review fee shall be charged at the rate shown in Tables 3-A through 3-F.

304.4.1 Plan Check Fee Identical Building Construction.

The plan check fee for identical buildings with the same building construction shall be reduced by **75%** when the following conditions are met;

- a. The structural framing and floor plan are identical
- b. Construction is simultaneous.

304.4.2 Early Residential Plan Submittal.

When complete plans, complying with the residential check list for construction of single family dwellings through four plex structures are submitted between January 1st and May 1st, the plan review fee shall be reduced by **50%**.

304.4.3 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

304.5 Work without a Permit.

304.5.1 Investigation. Whenever work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation may be made before a permit may be issued for such work.

304.5.2 Penalty Fee. A penalty fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of either this code or the technical codes nor from the penalty prescribed by law. The penalty fee for performing work without the required permit is \$750.

304.6 Fee Refunds. The building official may authorize refunding of a fee paid hereunder which was erroneously paid or collected. The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before examination time has been expended. The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

SECTION 305 - INSPECTIONS

305.1 General. Construction or work for which a permit is required shall be subject to inspection by the building official and the construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the person or contractor performing the work to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor this jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection. A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

305.2 Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or the agent of the permit holder shall have posted or otherwise made available an inspection record card such as to allow the building official conveniently to make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.

305.3 Inspection Requests. It shall be the duty of the person or contractor doing the work authorized by a permit to notify the building official that such work is ready for inspection. Twenty four hour notice is required for all inspections as set forth in this code. Access and means to inspect the work shall be provided by the contractor or person performing the work. Forty eight hour notice is required for all inspections requested on Saturday, Sunday and Holidays.

305.4 Approval Required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate that that portion of the construction is satisfactory as completed or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions which do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official. There shall be a final inspection and approval of all buildings and structures when completed and ready for occupancy and use. The building official shall have the authority to accept reports of inspections by approved agencies or individuals provided such agencies and individuals have been pre approved to provide such service. Reports of such inspections shall be in writing and be certified by a responsible officer of such agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

305.5 Required Building Inspections.

305.5.1 General. Reinforcing steel or structural framework of a part of a building or structure shall not be covered or concealed without first obtaining the approval of the building official. Protection of joints and penetrations in fire-resistive assemblies shall not be concealed from view until inspected and approved. The building official, upon notification, shall make the following building inspections. In addition to these inspections, electrical, plumbing and mechanical inspections shall be conducted as required by the technical codes.

1. Soil inspection. To be made at the bottom of excavation prior to the placement of backfill.
2. Foundation inspection. To be made after excavations for footings are complete and required reinforcing steel, including installation of the concrete encased electrode is in place. For concrete foundations, required forms shall be in place prior to inspection. All materials for the foundation shall be on the job, except when concrete is ready-mixed in accordance with approved nationally recognized standards, the concrete need not be on the job. When the foundation is to be

constructed of approved treated wood, additional inspections may be required by the building official. All weather wood foundations shall be installed in accordance with Standard foundation Detail SFD- 3 or as provided by a design prepared and stamped by an engineer licensed by the State of Alaska. The foundation wall shall be inspected and approved before backfill is placed.

3. Dampproofing. To be made prior to backfill of any daylight or full basement. Dampproofing materials shall be approved prior to application.

4. Concrete slab or under-floor inspection. To be made after in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place but before any concrete is placed or floor sheathing installed, including the sub floor.

5. Frame inspection. To be made after the roof, framing, fire blocking and bracing are in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing, and heating wires, pipes and ducts are approved.

6. Vapor barrier and insulation inspection. To be made prior to the placement of gypsum wall board or any finish and wall or ceiling material. Vapor barrier and insulation inspections are only required for residential construction.

7. Fire stop inspection. When required by code and approved construction documents a fire stop inspection shall be conducted before the system is concealed.

8. Lath and/or wallboard inspection. To be made after lathing and wallboard, interior and exterior, is in place but before plaster is applied or before wallboard joints and fasteners are taped and finished.

9. Final inspection. To be made after finish grading, landscaping and the building is completed and ready for occupancy.

305.6 Required Building Service Equipment Inspections.

305.6.1 General. Building service equipment for which a permit is required by this code shall be inspected by the building official. Building service equipment intended to be concealed by a permanent portion of the building shall not be concealed until inspected and approved. When the installation of building service equipment is complete, an additional and final inspection shall be made. Building service equipment regulated by the technical codes shall not be connected to the water, fuel or power supply, or sewer system until authorized by the building official.

305.6.2 Operation of Building Service Equipment. The requirements of this section shall not be considered to prohibit the operation of building service equipment installed to replace existing building service equipment serving an occupied portion of the building in the event a request for inspection of such building service equipment has been filed with the building official not more than 48 hours after the replacement work is completed, and before any portion of such building service equipment is concealed by permanent portions of the building.

305.7 Other Inspections. In addition to the called inspections specified above, the building official may make or require other inspections of construction work to ascertain compliance with the provisions of this code or technical codes and other laws which are enforced by the code enforcement agency.

305.8 Reinspections. A reinspection fee may be assessed for each inspection or reinspection 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 reinspection fees the first time a job is rejected for failure to comply with the requirements of the technical codes, but as controlling the practice of

calling for inspections before the job is ready for such inspection or reinspection. Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official. To obtain a reinspection, the applicant shall request the required and pay the reinspection fee in accordance with Tables 3-A through 3-H or as set forth in the fee schedule adopted by this jurisdiction. In instances where reinspection fees have been assessed, additional inspection of the work will not be performed until the required fees have been paid.

SECTION - 306 PREFABRICATED CONSTRUCTION

306.1 General. Prefabricated construction shall comply with chapter 17 of the building code. Prefabricated construction built outside the City of Fairbanks shall be inspected during construction by an approved third party independent inspection agency. A certificate of approval shall be furnished with every prefabricated structure or assembly, except where the assembly is readily accessible to inspection at the site. The certificate of approval shall certify that the assembly in question has been inspected by an approved agency and meets all the requirements of the technical codes and local code amendments as adopted by the City of Fairbanks. When mechanical equipment is installed so that it cannot be inspected at the site, the certificate of approval shall certify that such equipment complies with the laws applying thereto.

306.2 Approved Fabricators. Special inspections required by this section and elsewhere in this code or the technical codes shall not be required where the work is done on the premises of a fabricator registered and approved by the building official to perform such work without special inspection. The certificate of registration shall be subject to revocation by the building official if it is found that work done pursuant to the approval is in violation of the technical codes. The approved fabricator shall submit a certificate of compliance to the building official and to the engineer or architect of record stating that the work was performed in accordance with the approved plans and specifications. The approved fabricator's qualifications shall be contingent on compliance with the following:

1. The fabricator has developed and submitted a detailed fabrication procedural manual reflecting key quality control procedures which will provide a basis for inspection control of workmanship and the fabricator plant.
2. Verification of the fabricator's quality control capabilities, plant and personnel as outlined in the fabrication procedural manual shall be by an approved inspection or quality control agency.
3. Periodic plant inspections shall be conducted by an approved inspection or quality control agency to monitor the effectiveness of the quality control program.
4. It shall be the responsibility of the inspection or quality control agency to notify the approving authority in writing of any change to the procedural manual. Fabricator approval may be revoked for just cause. Re approval of the fabricator shall be contingent on compliance with quality control procedures during the past year.

SECTION 307 - CONNECTION TO UTILITIES

307.1 Energy Connections. Persons shall not make connections from a source of energy, fuel or power to building service equipment which is regulated by the technical codes and for which a permit is required by this code, until approved by the building official.

307.2 Temporary Connections. The building official may authorize the temporary connection of the building service equipment to the source of energy, fuel or power for the purpose of testing building service equipment, , or for use under a temporary certificate of occupancy.

SECTION 308 - CERTIFICATE OF OCCUPANCY

308.1 Use or Occupancy. Buildings or structures shall not be used or occupied nor shall a change in the existing occupancy classification of a building or structure or portion thereof be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

308.2 Change in Use. Changes in the character or use of a building shall not be made except as specified in the Building Code.

308.3 Certificate Issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws which are enforced by the code enforcement agency and all work has been completed, the building official shall issue a certificate of occupancy which shall contain the following:

1. The building permit number.
2. The address of the building.
3. The name and address of the owner.
4. A description of that portion of the building for which the certificate is issued.
5. A statement that the described portion of the building has been inspected for compliance with the requirements of this code for the group and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provision of chapter 3 of the building code.
9. The type of construction.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required including the classification of such system.
12. Any special stipulations and conditions of the building permit.

308.4 Temporary Certificate. If the building official finds that substantial hazard will not result from occupancy of a building or portion thereof before the same is completed, a temporary certificate of occupancy for the use of a portion or portions of a building or structure may be issued prior to the completion of the entire building or portion thereof provided a bond is posted. The bond shall be a minimum of \$1000 or (1%) of the total construction cost as stipulated on the permit application with a maximum amount capped at \$10,000. Upon completion of and

inspection of all outstanding work the bond shall be released. In the event work has not been completed, corrected and inspected within one year from the issuance date of the temporary certificate of occupancy the bond shall be forfeited.

308.5 Posting. The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the building official.

308.6 Revocation. The building official may, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this code when the certificate is issued in error, or on the basis of incorrect information, or when it is determined that the building or structure or portion thereof is in violation of an ordinance, regulation or the provisions of this code. The temporary certificate of occupancy may be revoked if the conditions as stipulated in the certificate have not been met.

SECTION - 309 FINAL LETTER OF COMPLETION

In lieu of a certificate of occupancy a final letter of completion may be issued for those projects which involve additions, remodel, or alterations of existing buildings for the scope of work for which a permit was issued.

SECTION - 310 NOTICE OF NON COMPLIANCE

The building official is authorized to file with the State of Alaska Recorder's Office a notice of non compliance when the applicant, owner or contractor has failed to comply with the minimum building code requirements as identified in a notice and order to correct. Before a notice of non compliance is filed the building official shall provide certified written notice to the applicant, owner or contractor that such work must be completed or corrected.

Table 3-A Building Permit Fees

| | |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| \$1.00 to \$500.00 | \$17.00 |
| \$501.00 to \$2,000.00 | \$17.00 for the first \$500 plus \$2.25 for each additional \$100.00 or fraction thereof, to and including \$2,000.00 |
| \$2,001.00 to \$25,000.00 | \$50.00 for the first \$2,000 plus \$10.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00 |
| \$25,001.00 to \$50,000.00 | \$280.00 for the first \$25,000 plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00 |
| \$50,001.00 to \$100,000.00 | \$455.00 for the first \$50,000.00 plus \$5.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00 |
| \$100,001.00 to \$300,000.00 | \$705.00 for the first \$100,000.00 plus \$4.50 for each additional \$1,000.00 or fraction thereof, to and including \$300,000.00 |
| \$300,001.00 to \$500,000.00 | \$1605.00 for the first \$300,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00 |
| \$500,001.00 and up | \$3005.00 for the first \$500,000.00 plus \$4.60 for each additional \$1,000.00 or fraction thereof |

*** Plan Check Review Fee is 75% of the Building Permit Fee as noted in Table 3-A above.**

Other Inspections and Fees

| | |
|-----------------------------------------------------------------------------|-----------------|
| 1. Inspection outside of normal business hours, two hour minimum (\$170.00) | \$85.00 per hr |
| 2. Re-inspection fee assessed under provisions of Section 305.8 | \$85.00 per hr |
| 3. Inspections for which no fee is specifically indicated | \$85.00 per hr |
| 4. Additional plan review required by changes, additions, or revisions | \$85.00 per hr |
| 5. Pre Purchase Residential or Commercial Code Inspection | \$360.00 |
| 6. Permit issuance fee | \$35.00 |
| 7. Landscape plan review and inspection | \$170.00 |
| 8. Penalty fee for performing work without the required permit | \$750.00 |

**TABLE 3B
ELECTRICAL PERMIT FEES**

Permit Issuance fee:

- | | | |
|----|------------------------------------------|---------|
| 1. | For issuance of each permit | \$35.00 |
| 2. | For issuance of each supplemental permit | \$20.00 |

Plan Review Fee:

When plans are required to be submitted prior to the issuance of a mechanical permit a plan check fee shall be charged at a rate of 75% of the mechanical permit fee.

| | | |
|---------------------------------------------------|--|---------|
| Code Research (per hour) with a one hour minimum) | | \$85.00 |
|---------------------------------------------------|--|---------|

Unit Fee Schedule:

1. New residential buildings: The electrical permit fee shall include all wiring and electrical service equipment in or on each building, or other electrical equipment on the same premises constructed at the same time.

Single family dwellings:

| | | |
|---------------------------------------------------------------------------------------------------------------------------------------------|--|----------|
| Single family buildings including the area of garages, carports and other minor accessory buildings constructed at the same time – flat fee | | \$255.00 |
|---------------------------------------------------------------------------------------------------------------------------------------------|--|----------|

Duplex residence:

| | | |
|----------------------------------------------------------------------------------------------------------------------------------------------|--|----------|
| New two family buildings including the area of garages, carports and other minor accessory buildings constructed at the same time – flat fee | | \$340.00 |
|----------------------------------------------------------------------------------------------------------------------------------------------|--|----------|

Residential additions:

| | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------|
| Flat fee which includes the first 5 outlets, switches, lights and associated wiring; more than 5 outlets are charged at a rate of \$3.00 per outlet in addition to the flat fee rate. | | \$85.00 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------|

| | | |
|---------------------------------------------------------------------------------------|--|----------|
| Residential single family or duplex attached or detached garage addition -- flat fee. | | \$100.00 |
|---------------------------------------------------------------------------------------|--|----------|

2. Multifamily residence:

| | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------|
| New multifamily residential buildings (apartments and condominiums) having three or more living units constructed at the same time including the area of garages, carports and other non commercial automobile storage areas constructed at the same time – per square foot. | | \$.08 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------|

| | | |
|---------------------------------------------------------------------------|--|----------|
| Multifamily residential attached or detached garage addition -- flat fee. | | \$170.00 |
|---------------------------------------------------------------------------|--|----------|

| | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------|
| Residential additions, alterations, repair or other similar modifications flat fee of \$85 which includes the first 5 outlets, switches, lights and associated wiring; more than 5 outlets are charged at a rate of \$3.00 per outlet. | | \$85.00 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------|

3. Other new buildings:

| | | |
|--------------------------------------------------------------------------------------|--|-------|
| Assembly occupancies as defined by the International Building Code – per square foot | | \$.12 |
|--------------------------------------------------------------------------------------|--|-------|

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| All other occupancies – per square foot | \$.10 |
| 4. Commercial alterations, repair, remodel or other similar modifications, which includes the first 5 outlets, switches, lights and associated wiring; more than 5 outlets are charged at a rate of \$3.00 per outlet in addition to the minimum fee of \$170 | \$170.00 |
| 5. Replacement or addition of electrical or equipment or power apparatus installed in conjunction with commercial alterations, repair or remodel per item \$15.00 with a minimum fee of \$85.00 | \$85.00 |
| 6. Electrical Service: | |
| Temporary power service (residential and commercial): A temporary service pole or pedestal including all pole or pedestal mounted receptacle outlets and appurtenances | \$85.00 |
| Services 600 volts or less and less than 200 amperes in rating – per each service | \$85.00 |
| Services 600 volts or less and more than 200 amperes to 1000 amperes – per each service | \$170.00 |
| Services greater than 600 volts or over 1,000 amperes in rating – per each service | \$225.00 |
| 7. Miscellaneous apparatus conduits and conductors: Electrical, conduits and conductors for which a permit fee is required but for which no fee is herein set forth | \$85.00 |
| 8. Inspections for which no fee is specifically designated. | \$85.00 |
| 9. Inspections outside normal business hours – per hour. (two hour minimum - \$170.00) | \$85.00 |
| 10. Additional plan review required by changes, additions, revisions or code research –per hour | \$85.00 |
| 11. Electrical sign permit: | |
| Single cabinet sign attached to a building | \$85.00 |
| Multiple cabinet signs attached to a building | \$170.00 |
| Channel letter signs which utilize individual letters in lieu of a cabinet enclosure shall be \$20.00 per letter up to a maximum of 12 letters, minimum of | \$85.00 |
| Free standing sign less than 10 feet above grade | \$85.00 |
| Free standing sign more than 10 feet above grade | \$170.00 |
| Penalty fee for installing a sign without a permit | \$1,000.00 |
| 12. Work without required permit – Penalty fee (in addition to the regular permit fee) | \$500.00 \$750.00 |

**TABLE 3C
MECHANICAL PERMIT FEES**

Permit Issuance Fee:

- | | |
|-------------------------------------------------|---------|
| 1. For the issuance of each permit | \$35.00 |
| 2. For the issuance of each supplemental permit | \$20.00 |

Plan Review Fee:

When plans are required to be submitted prior to the issuance of a mechanical permit a plan check fee shall be charged at a rate of 75% of the mechanical permit fee.

| | |
|--------------------------------------------------|---------|
| Code Research (per hour with a one hour minimum) | \$85.00 |
|--------------------------------------------------|---------|

Unit Fee Schedule:

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| 1. Hydronic Heating Systems including boilers, piping, terminal units and fuel and flue systems...\$.03 per sq. ft. of area served with a minimum fee | \$85.00 |
| 2. Ducted Heating, Ventilation and/or Air Conditioning Systems including Furnaces, HRV's, ductwork, terminal devices and respective fuel and flue systems \$03 per sq ft of area served with a minimum fee | \$85.00 |
| 3. Refrigeration System, 55lbs. or more of refrigerant | \$170.00 |
| 4. Refrigeration System less than 55lbs of refrigerant | \$85.00 |
| 5. Type I Hood Exhaust System | \$170.00 |
| 6. Type II and other Appliance hood exhaust systems | \$25.00 |
| 7. Fuel tanks & Piping for fuel-burning appliances not solely part of #1 or #2 above, per tank | \$25.00 |
| 8. Other Mechanical Equipment Installations (per unit not specifically identified) | \$25.00 |
| 9. Minimum Unit Permit Fee | \$85.00 |
| 10. Inspections for which no fee is specifically designated | \$85.00 |
| 11. Inspections outside of normal business hours – per hour (two hour minimum - \$170.00) | \$85.00 |
| 12. Additional plan review required by changes, additions or revisions | \$85.00 |
| 13. Work without Required Permit Penalty Fee (in addition to permit fee) | \$500.00 \$750.00 |
| 14. Permit Refund. The full amount of any fee paid which was erroneously paid or collected shall be refunded. Not more than (80%) of the permit fee paid when no work has been completed under a permit issued in accordance with the code. | |

**TABLE 3D
PLUMBING PERMIT FEES**

Permit Issuance Fee

- | | |
|-------------------------------------------------|---------|
| 1. For the issuance of each permit | \$35.00 |
| 2. For the issuance of each supplemental permit | \$20.00 |

Plan Review Fee:

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| 1. When plans are required to be submitted prior to the issuance of a plumbing permit a plan check fee shall be charged at a rate of 75% of the plumbing permit fee. | |
| 2. Code Research (per hour) with a one hour minimum) | \$85.00 |

Unit Fee Schedule:

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| 1. Each Plumbing Fixture | \$15.00 |
| 2. Rain Water – per roof drain | \$15.00 |
| 3. Kitchen Grease Trap | \$20.00 |
| 4. Oil Separator | \$20.00 |
| 5. Water Heater | \$30.00 |
| 6. Medical Gas – flat fee (includes first 5 outlets) (additional outlets \$8.00 each including flat fee) | \$180.00 |
| 7. Other Plumbing Installations (not specifically identified) | \$20.00 |
| 8. Minimum Unit Permit Fee | \$85.00 |
| 9. Inspections for which no fee is specifically designated | \$85.00 |
| 10. Inspections outside of normal business hours – per hour (two hour minimum - \$170.00) | \$85.00 |
| 11. Additional plan review required by changes, additions or revisions or code research per hour | \$85.00 |
| 12. Work Without Required Permit Penalty Fee (in addition to permit fee) | \$500.00 \$750.00 |
| 13. Permit Refund. The full amount of any fee paid which was erroneously paid or collected shall be refunded. Not more than (80%) of the permit fee paid when no work has been completed under a permit issued in accordance with the code. | |

**TABLE-3E
FUEL GAS PERMIT FEES**

Permit Issuance Fee

- | | |
|-------------------------------------------------|---------|
| 1. For the issuance of each permit | \$35.00 |
| 2. For the issuance of each supplemental permit | \$20.00 |

Plan Review Fee:

When plans are required to be submitted prior to the issuance of a fuel gas permit a plan check fee shall be charged at a rate of 75% of the plumbing permit fee.

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|---------------------------------------------------|---------|
| Code Research (per hour) with a one hour minimum) | \$85.00 |
|---------------------------------------------------|---------|

Unit Fee Schedule:

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| 1. Hydronic Heating Systems including boilers, piping, terminal units and fuel and flue systems \$.03 per sq. ft. of area served with a minimum fee | \$85.00 |
| 2. Ducted Heating, Ventilation and/or Air Conditioning Systems including furnaces, HRV's ductwork, terminal devices and respective fuel and flue systems \$.03 per square of area served with a minimum fee | \$85.00 |
| 3. Fuel gas tanks, cylinders and piping for fuel-burning appliances not solely a part of #1 or #2 above, per tank and cylinder | \$25.00 |
| 4. Gas piping systems and alterations min fee including (first 4 outlets) each additional outlet \$10.00 including min fee | \$85.00 |
| 5. Conversion from one fuel to another fuel (min fee includes first 4 outlets, each additional outlet \$10.00 including min fee) | \$85.00 |
| 6. Other mechanical installations not specifically identified above | \$85.00 |
| 7. Temporary Gas to portable equipment, each outlet | \$20.00 |
| 8. Minimum Unit Permit Fee | \$85.00 |
| 9. Inspections for which no fee is specifically designated | \$85.00 |
| 10. Inspections outside of normal business hours – per hour (two hour minimum - \$170.00) | \$85.00 |
| 11. Additional plan review required by changes, additions or revisions or code research | \$85.00 |
| 12. Work Without Required Permit Penalty (in addition to permit fee) | \$500.00 \$750.00 |
| 13. Permit Refund. The full amount of any fee paid which was erroneously paid or collected shall be refunded. Not more than (80%) of the permit fee paid when no work has been completed under a permit issued in accordance with the code. | |

**TABLE 3F
FIRE CODE REVIEW AND INSPECTION PERMIT FEES**

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| 1. New Construction Fire Suppression and Alarm Plan Review Fee: Permit fee shall be equal to 20% of the combined building permit and plan check fee for the review and inspection of fire sprinkler and alarm systems. | |
| 2. New Construction General Plan Review: Permit fee equal to 15% of the combined building permit and plan check fee for buildings without sprinkler systems and fire alarm systems. | |
| 3. Existing Construction: Installation of fire sprinkler systems and alarm systems per hour with one hour minimum | \$85.00 |
| 4. Life Safety Inspections (day care license, complaints, special events, change of use) per hour with one hour minimum | \$85.00 |
| 5. Sprinkler and Fire Alarm Repair per hour with one hour minimum | \$85.00 |

CODE REVIEW COMMISSION MEETING

Date: 2/9/2011

Meeting #5

**Meeting Location and Time: City Hall Council Chambers 800 Cushman Street
11:30 am 2/9/2011**

Agenda:

**Review and evaluate 2009 International Building Code and local amendments
Review and evaluate 2009 International Fire Code and local amendments
Review and evaluate 2009 International Mechanical Code and local amendments**

Members Present:

**Pete Jacobsen, Jim Movius, Martha Hanlon, Jerry Mustard, Spenser Damschroder,
John Ellinson, Gary Pohl, Bill Gryder**

**Others Present: S. Shuttleworth, Marty Woodrow, Clem Clooten, Steve Anderson,
Ernie Misewicz, Chris Miller**

The meeting convened at 11:55 am with the approval of the minutes from Meeting #4. Vice Chairman Jerry Mustard inquired if the structural clarification language as previously proposed by Mr. Jacobsen was inserted into the building code amendments as discussed at the last meeting and subsequently transmitted via e-mail. The building official stated that Mr. Jacobsen's proposed amendments regarding shear wall and anchor bolt specifications were inserted into the proposed ordinance presently in front of the commission. Mr. Jacobsen concurred and requested further clarification to footnote (i) of Table 2306.3 – the proposed language was subsequently inserted. Mr. Movius moved to approve the adoption of the 2009 IBC for city council approval. The motion was seconded by Ms. Hanlon. The commission unanimously approved the recommendation to adopt the 2009 IBC with local amendments.

The 2009 International fire Code was introduced by Deputy Fire Chief Ernie Misewicz. Mr. Misewicz stated that most of the proposed changes were editorial in nature so that they were internally coordinated with the Building Code. Examples of such coordination were inclusion of the same definitions as found in the building code and revisions to "Nursing Homes" and "Residential Day Care Homes."

New language was proposed for section 908.7 to clarify the code intent for location of carbon monoxide detectors when parking of vehicles was located adjacent to buildings. The fire department requested that this local provision be adopted so that they could get a handle on potential problems of carbon monoxide infiltrating the envelope of buildings when idling cars were parked adjacent to buildings. The commission concurred with the proposed amendment and further requested that the word, "immediately" be inserted into the proposed local amendment.

As they were no other new code provisions to evaluate Mr. Movius moved to approve the 2009 IFC – the motion was seconded by Bill Gryder. The commission unanimously approved the recommendation to adopt the 2009 International Fire Code with local amendments.

Mr. Stephen Anderson, mechanical inspector for the City of Fairbanks presented the 2009 IMC.

Section 301.7 of the IMC was discussed at length with respect to a new proposed amendment which would require the location of an electrical disconnect within 6 feet of a mechanical boiler or other heating appliance. Mr. Miller was not in agreement with the proposal and suggested that this language is already and adequately contained within the Electrical Code. Mr. Mustard also questioned the applicability of the new code amendment and requested this item be postponed until the next meeting as there was not a clear consensus of the commission to adopt.

Chapter 7 of the IMC regarding combustion air was briefly reviewed however due to the lateness of the hour the commission requested that the meeting be adjourned and further discussion of the IMC be continued at the next regularly scheduled meeting; the meeting was adjourned at 1:05 pm.

Respectfully submitted



**Jerry Mustard
Vice Chairman**

CODE REVIEW COMMISSION MEETING

Date: 2/16/2011

Meeting #6

Meeting Location and Time: City Hall Council Chambers 800 Cushman Street
11:30 am 2/16/2011

Agenda:

Review and evaluate 2009 International Mechanical Code and local amendments

Members Present:

Pete Jacobsen, Jim Movius, Martha Hanlon, Jerry Mustard, Spenser Damschroder, John Ellinson, Gary Pohl, Bill Gryder

Others Present: S. Shuttleworth, Marty Woodrow, Clem Clouten, Steve Anderson, Ernie Misewicz

The meeting began at 11:50 am; The minutes for meeting #5 were reviewed and approved as submitted. The first item on the agenda was a continuation and discussion of the International Mechanical Code. Mr. Anderson, mechanical inspector presented the code and proposed amendments.

Section 301.7 mandatory disconnect. The commission agreed that the proposed local amendment should only apply to existing non complying conditions and the proposed 6 foot limitation should be deleted and replaced with language stating, : *in clear view of the appliance*"; the commission unanimously approved of the revised amendment language.

Section 502.20 Nail Salon. The building department requested that a new section be created which would specifically address mechanical ventilation and clarify the location of required ventilation devices. The commission concurred and requested that the proposed language be revised to state the following, "*the ventilation duct shall be placed in the "immediate area of the heaviest concentration"*".

Section 607.4 fire damper access. Language was proposed to provide clarification of the size of the access panels – the commission concurred with the proposal.

Chapter 7 combustion Air. The new code references NFPA Standard 31 for all combustion air requirements. The building department stated this was a step backwards as the user of the code must now purchase another expensive code book

to find requirements that were traditionally contained in the mechanical code. The department therefore proposed to take the appropriate sections of the combustion air requirements from the NFPA Standard and reinsert them back into the mechanical code. The commission unanimously agreed with the recommended change.

Section 507.1 Commercial re-circulating systems. The majority of discussion regarding the mechanical code focused on ventless kitchen appliances. Currently the code allows these tested and listed appliances to be installed. The fire department and mechanical inspector stated that they do not agree with the installation of these systems as historically ducted and non ducted systems are not routinely cleaned and thereby create a fire hazard. Mr. Pohl stated that we may be incorrectly pre-judging users of otherwise nationally approved appliances. Mr. Mustard stated that he did not believe these appliances should be installed in all cases and suggested that they be limited to "light duty cooking" as defined by the mechanical code. Mr. Shuttleworth stated that if the hazard was the build-up of grease on wall and ceiling surfaces the commission should consider acceptance of the ventless appliances provided they are installed in a room or space that is protected by a sprinkler system. Martha Hanlon also stated that the fire marshal and mechanical inspector may be pre judging a perfectly acceptable appliance based on speculation of an owners ability to clean the appliance and filter.

Mr. Shuttleworth indicated that presently a ventless appliance has been installed in an oriental restaurant and a stop work has been posted - a decision from the commission on this issue would influence possible acceptance or rejection of the appliance. Mr. Anderson stated that the City of Anchorage Building Department was contacted and they indicated they would accept the appliance and its installation in accordance with its listing.

Due to the lateness of the hour the meeting was concluded at 1:00 pm and the issue of ventless appliances will be discussed again at the next regularly scheduled meeting.

Respectfully submitted,



Jerry Mustard
Vice Chairman

CODE REVIEW COMMISSION MEETING

Date: 3/2/2011

Meeting #7

**Meeting Location and Time: City Hall Council Chambers 800 Cushman Street
11:30 am 3/2/2011**

Members Present:

Pete Jacobsen, Jim Movius, Jerry Mustard, Spenser Damschroder, Gary Pohl

**Others Present: S. Shuttleworth, Marty Woodrow, Clem Clooten, Steve Anderson,
Ernie Misewicz**

Agenda : Continuation of the review of the 2009 Mechanical Code , specifically section 507.1 “Ventless Commercial Kitchen Appliances” and the 2009 International Fuel Gas Code

Minutes of the previous meeting (#6) were approved as submitted.

In summary the code amendment in front of the commission was to accept ventless appliances with limitations. The limitation would restrict cooking to “light duty” as defined by the code, thereby eliminating deep fat frying operations.

Mr. Anderson stated that there were safety interlocking devices that came with the appliances and therefore the intrinsic wiring ensured that if the appliance was not cleaned properly – it would not operate.

Mr. Movius stated that he did not have much faith in interlocking devices as they can be easily bypassed. The fire marshal indicated that the appliance is relatively new and there was not a lot of information on them; based on his experience with other kitchen appliances and the failure of owners to properly and routinely clean kitchen appliances and the duct he did not recommend approval of ductless appliances. Mr. Damschroder indicated that he would approve the ductless appliances if the space in which they were located were sprinklered. Mr. Pohl stated that the fire department and members of the commission were prejudging the maintenance of the appliances and recommended adoption of the code as written without limitations. Mr. Jacobsen also agreed that the code should be adopted as written. Mr. Pohl also stated that (the commission) does not have the technical expertise to second guess Underwriters Laboratories – as these appliances are tested and listed. Jerry Mustard indicated for safety reasons that he preferred limitations on the appliance. Additional discussion ensued culminating in a motion by Mr. Pohl


to approve adoption of section 507.1 as published without limitations. The motion was seconded by Pete Jacobsen. The board unanimously approved the adoption of the referenced code section without limitations. A second motion was made by Mr. Movius to recommend adoption of the International Mechanical Code to the City Council for adoption. The motion was seconded by Mr. Damschroder – the motion passed unanimously.

Next item on the agenda was the review and discussion of the 2009 International Fuel Gas Code.

Mr. Anderson stated there was only one new amendment and the new amendment came from a recent letter from Fairbanks Natural Gas wherein they did not want their gas meter set to be used as part of the grounding system for the building. Mr. Anderson reviewed the various types of bonding and bonding fittings that could be safely used and further stated that he also supported the prohibition of bonding to the gas meter or the delivery system piping; the commission concurred with the proposed amendment to section 310.2. The other amendments within the proposed ordinance package were existing amendments carried forward. Pete Jacobsen moved to adopt the 2009 International fuel Gas Code with the amendments as proposed to the Commission. The motion was seconded by Mr. Movius. The motion carried unanimously.

Meeting adjourned at 12:50 pm.

Respectfully submitted



Jerry Mustard
Vice Chairman

PUBLIC SAFETY COMMISSION

**February 8, 2011
11:30 AM
Fairbanks Police Department**

| | | |
|---------------------|---------------------------------|-----------------------------|
| PSC Members: | Peter Stern (Seat C - 2013) | Buzzy Chiu (Seat D - 2011) |
| | Frank Eagle (Seat E - 2012) | Robert Hall (FPD Appointee) |
| | John Eberhart (Seat A - 2011) | Greg Taylor (FFD Appointee) |
| | Bill Satterberg (Seat B - 2012) | |

Meeting Minutes

CALLED TO ORDER: 11:42 am

ATTENDANCE:

PSC Members: Peter Stern, Frank Eagle, Buzzy Chiu, Robert Hall and Greg Taylor

PSC Members Absent: John Eberhart & Bill Satterberg

Others in attendance: Laren Zager, Stephanie Johnson, Warren Cummings, Ernie Misewicz, Mayor Cleworth, Dave Burglin, Lisa Howard

ADOPT AGENDA: Agenda adopted without change.

PUBLIC COMMENT: None

OLD BUSINESS: None, however Ms. Chiu had follow up information regarding the Housing First project, reporting that a building has been selected for the project. It is anticipated that TCC will have a grant approved for the renovation of the facility.

NEW BUSINESS:

FPD REPORT Chief Zager had the following report:

- Staffing at FPD is stable for 2011
- Patrol is taking a greater role in traffic. In previous years there were four grant funded "Traffic" positions. Grant funding for two of those positions has ceased, but the City, at least for this year, has continued to fund those two positions. This increased attention to traffic is beneficial, as traffic activities are proactive for overall public safety. Getting a drunk or reckless driver off the road, or getting folks to wear their seat belts or properly restrain their children in car seats saves lives.
- Fairbanks had its 3rd fatality from cold exposure this winter. Q-Stern: Are there an increase in patrols by FPD or CSP in areas where homeless people congregate when temperatures drop? A: No. Comment-Taylor: Homeless and inebriants used to be in the core area where they were visible – now they are in the outlying areas where it is not as easy to observe someone down and in trouble.
- The problem with the jails not accepting individuals cleared by the hospital is a complex one. The situation is exacerbated by the changes in State law that have redefined and limited what LPN's can do, which has impacted what they can legally manage at the jail. Fairbanks is also impacted as there really are no other alternative resources for placement. He will be orchestrating a meeting to bring together the Dept of Corrections and FMH to work on finding solutions to this problem.
- An arbitrated ruling has been received regarding the PSEA contract.

As approved (3/8/11)

Page 1 of 2

FECC REPORT Director Johnson reports:

- OSSI training continues for dispatchers and officers next week.
- All dispatch positions are filled, with three individuals still in training.
- The FECC management plan should be available at the next PSC meeting.

FPD REPORT Chief Cummings reviewed the January 2011 FFD statistics and a slide presentation of recent fires.

- Grants: Fire Prevention grant applied for will focus on public outreach/education and CO detectors. Discussion regarding the need to make public aware of not only need for detectors, but the fact that they have a finite life span and need to be replaced. Good probability that DHS&EM grant funds may come available to complete the FFD radio replacement project.
- The City is in the process of adopting the various 2009 codes (building, fire, mechanical, etc). The 2009 residential building code requires sprinklers in single family residences, as the majority of deaths from fire are in single family residences. However, that provision will be excluded from adoption. It is expected that the work will be done by the various committees and be adopted by the City Council in March or April.

CLOSING COMMENTS:

Frank Eagle – Had questions about traffic cameras for Fairbanks as they have proven to be very effective in other states. Seems that it might be beneficial for the PSC to recommend.

Mayor Cleworth – Spoke to the party involved in the recent accident that was cited for public urination, and offered the City's apologies.

NEXT MEETING: March 8, 2011 – Fairbanks Police Department

MEETING ADJOURNED at 1245 pm

Respectfully submitted,
Lisa Howard, FFD