

# City Council Agenda Memo

**From:** Jared Thomas, Chief Building Official

**Council Meeting:** March 14, 2023 / March 28, 2023

**Subject:** Ordinance 23-008: Adoption of 2021 I-Codes with Amendments

**Person(s) Responsible:** Jared Thomas, Chief Building Official

## **Summary:**

The proposed ordinance would amend Chapter 22 of the Building Code as is periodically required by State Law. City staff along with the Board of Appeals reviewed adopted Building Code and 2021 I-Codes and proposed amendments for adoption.

## **Background:**

City staff and the Board of Adjustment have discussed the 2021 I-Codes and proposed amendments. The City of Brookings previously adopted the 2018 I-Codes. The Board of Appeals and City staff met on February 10, 2023 to discuss the proposed amendments. Many of the amendments proposed for the 2021 I-Codes are the same amendments to the 2018 I-Codes. City Staff and BOA discussed the following new changes to the 2021 I-Codes.

### IBC 423.5 Group E Occupancies.

City of Brookings is on the edge of the 250 mph design wind speed category. This amendment clarifies that Group E occupancies shall have a storm shelter, but the design of that shelter may be reduced to 200 mph. This clarification is important because the code does not require a storm shelter unless you are within the 250 mph design wind speed category.

### IBC 903.2.8 Group R.

Discussion on the change in the definition of a firewall and how that applies to intent of our building code amendment. A firewall can no longer be used as a design feature to eliminate a building sprinkler. Our amendment will stay the same, which exempts R-2 buildings with 5 or fewer dwellings. However, you can no longer split a building into smaller buildings with a firewall to eliminate the requirement of a building sprinkler.

### 2021 International Property Maintenance Code.

This code provides comprehensive regulations related to enforcement of property maintenance issues. We intend to utilize this code, as needed, until we have the time to amend it to fit the City's needs.

**Item Details:**

An ordinance amending Article II of Chapter 22 of the Code of Ordinances of the City of Brookings and pertaining to the adoption of the 2021 International Building Code, the 2021 International Residential Code, the 2021 International Mechanical Code, the 2021 International Fire Code, the 2021 International Existing Building Code, and the 2021 International Property Maintenance Code with certain amendments thereto.

**Legal Consideration:**

In accordance with South Dakota Codified (SDCL) Law 11-10-5, and related State laws, are updated periodically to require compliance with the most recent uniform codes. The most recent building code is the 2021 edition of the International Building Code. This ordinance updates City Ordinance Section 22-31 to adopt the most recent building codes. SDCL 11-10-5 also permits the governing body to amend, modify or delete any portion of these codes. The proposed Ordinance also updates the amendments, modifications and deletions of the Building Code of the City of Brookings.

**Strategic Plan Consideration:**

The use and enforcement of up-to-date building codes, specifications and standards will enhance community resiliency while saving money and lives.

**Financial Consideration:**

None.

**Options and Recommendation:**

The City Council has the following options:

1. Approve as presented
2. Amend
3. Deny
4. Move the item to a work session
5. Do nothing

The Board of Appeals and City staff recommend approval of the ordinance as presented.

**Supporting Documentation:**

Memo

Ordinance - clean

Ordinance - marked

Notice