

# **City of Scottsbluff, Nebraska**

**Monday, March 20, 2017**

**Regular Meeting**

## **Item Resolut.5**

**Council to consider adopting the International Building Code 2012 Edition and International Residential Code 2012 Edition and approve the Ordinance.**

**Staff Contact: Nathan Johnson, City Manager**

## AGENDA STATEMENT

Item No.

April 3, 2017

**AGENDA TITLE:** Adoption of the 2012 International Building Code, the 2012 International Residential Code which are the current State Building Codes adopted by the State of Nebraska, s/s 71-6403.

**SUBMITTED BY DEPARTMENT/ORGANIZATION:** Development Service Department.

**PRESENTATION BY:** Nathan Johnson

### SUMMARY EXPLANATION:

(1)Section 4-1-2 Standard Codes, (1) Change to International Building Code, 2012 edition, (2) Change to International Residential Code, 2012 edition.

(2)City Ordinance 4-1-10, adopt the 2012 International Building Code, excluding sections 101.4, 101.4.1, 101.4.2, 101.4.3, 101.4.4, 101.4.5, 105.1.1, 105.1.2, 105.2, 107, 112, 113, 115, 3103, Chapters 13, 27, 28 and 29 of the International Building Code are excluded and not adopted by this municipal code.

(3) Adopt of section 4-1-10.1 of the Scottsbluff City Ordinance adopt the 2012 International Residential Code excluding sections 105.2, 107, 112, 113, 309.5, 313, Chapter 2904 Fire Sprinkler System, Chapters 11 through 42 which are the energy chapter, plumbing, mechanical and electrical chapters.

(4) Section 4-1-11 to change from 3410.2 to 3412.2

**BOARD/COMMISSION RECOMMENDATION:** None

**STAFF RECOMMENDATION:** Staff recommends City Council approve the ordinance.

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|------------|-----------|----------|---------|----------|
| Resolution | Ordinance | Contract | Minutes | Plan/Map |
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Other (specify) \_\_\_\_\_

**NOTIFICATION LIST:** Yes      No      Further Instructions

**APPROVAL FOR SUBMITTAL:** \_\_\_\_\_  
City Manager

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE DEALING WITH THE BUILDING CODE, ADOPTING THE INTERNATIONAL BUILDING CODE 2012 EDITION AND THE INTERNATIONAL RESIDENTIAL CODE 2012 EDITION EACH WITH EXCLUDE PORTIONS; AMENDING CURRENT SECTIONS OF THE SCOTTSBLUFF MUNICIPAL CODE; REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE, PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

Section 1. Section 4-1-2 of the Scottsbluff Municipal Code is amended to provide as follows:

**“4-1-2 Standard codes; adopted; exceptions.**

The following standard building codes are adopted for the purposes of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use, occupancy, location and maintenance of buildings and structures, including permits and penalties:

(1) The International Building Code, 2012 Edition, published by the International Code Council. Reference to “International Building Code” throughout the Municipal Code shall mean this Code.

(2) The International Residential Code 1 & 2 Family Dwellings, 2012 Edition, published by the International Code Council. Reference to the “International Residential Code” throughout the Municipal Code shall mean this Code.

(3) The International Energy Conservation Code, 2009 Edition adopted by the Nebraska legislature as the “Nebraska Energy Code.”

The International Building Code, International Residential Code 1 & 2 Family Dwellings, and the International Energy Conservation Code, 2009 Edition, are described collectively as “the Building Code.” Except for those portions specifically excluded or modified by this or other sections of the Municipal Code, the Building Code is adopted in this section by reference and shall be controlling with respect to the construction of all buildings and structures within the corporate limits of the City and within the area with respect to which the City has exercised its zoning jurisdiction under Chapter 25 of the Municipal Code. One copy of each Code shall be on file in the City Clerk’s office.”

Section 2. Section 4-1-10 of the Scottsbluff Municipal Code is amended to provide as follows:

**“4-1-10 International Building Code; portions excluded.**

Sections 101.4, 101.4.1, 101.4.2, 101.4.3, 101.4.4, 101.4.5, 105.1.1, 105.1.2, 105.2, 107, 112, 113, 115, 3103, and Chapters 13, 27, 28 and 29 of the International Building Code are excluded and not adopted by this municipal code.”

Section 3. Section 4-1-10.1 of the Scottsbluff Municipal Code is amended to provide as follows:

**“4-1-10.1 International Residential Code, portions excluded.**

Section 105.2, 107, 112, 113, 309.5, 313, and Chapter 2904 Fire Sprinkler System, Chapters 11 through 42, which are the energy, plumbing, mechanical and electrical sections, of the International Residential Code are excluded from the Building Code and are not considered as adopted by this Municipal Code.”

Section 4. Section 4-1-11 of the Scottsbluff Municipal Code is amended to provide as follows:

**“4-1-11 International Building Code; continuation of existing uses and structures.**

The date “June 3, 1975 shall be considered as inserted in the blank in Section 3412.2 of the International Building Code.”

Section 5. Previously existing Sections 4-1-2, 4-1-10, 4-1-10.1 and 4-1-11 of the Scottsbluff Municipal Code and all other Ordinances and parts of Ordinances in conflict herewith are repealed. Provided, however, this Ordinance shall not be construed to affect any rights, liabilities, duties or causes of action, either criminal or civil, existing or actions pending at the time when this Ordinance becomes effective.

Section 6. This Ordinance shall become effective upon its passage, approval as provided by law, and publication shall be in pamphlet form.

PASSED AND APPROVED on \_\_\_\_\_, 2017.

ATTEST:

\_\_\_\_\_  
City Clerk

(Seal)

Approved to form:

\_\_\_\_\_  
City Attorney

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Mayor