

June 12, 2018

MEMO TO: J. Carter Napier, City Manager *JCN*

FROM: Liz Becher, Community Development Director *LB*
Craig Collins, AICP, City Planner *CC*
Dan Elston, Building Inspections Supervisor (Chief Building Official) *DE*

SUBJECT: Triennial International Building Code Updates

Meeting Type & Date:

Action Type: Public Hearing

NOTE: Re paragraph 1 below - WY State Fire Marshall's Office confirmed on 6/22/18 that the State of WY did NOT adopt The International Property Maintenance Code. This means that the City of Casper does NOT have a mandate, nor a deadline, to comply with the International Property Maintenance Code.

Recommendation: That Council, by ordinances (8), adopt the various 2018 Editions of the International Building Codes.

Summary: Every three (3) years the International Code Council (ICC) revises and publishes updated International Building Codes. Once published, the State of Wyoming then adopts the newest editions of the Codes. This year, 2018, marks an adoption year, and the State recently adopted the new International Building Codes on May 23, 2018. The State requires that Casper, as a home-rule community, adopt minimum building and fire codes that are equivalent to, or more stringent than those standards adopted by the State. To comply with the State's mandate, the City must adopt the 2018 Editions of the International Codes prior to December 1st of this year.

Prior to bringing the proposed Ordinances forward, staff has worked to ensure that the construction community has been adequately informed of the new Codes, and has had ample opportunity to provide comments, if they wished to do so. In that Code updates occur every three (3) years, most contractors are already very familiar with the process. Around the first of this year, correspondence was sent out to every licensed contractor in the City, which outlined in detail, all significant changes in the 2018 Codes. In addition, the Chief Building Official presented the proposed changes to the Contractors Licensing and Appeal Board at their April 19, 2018 monthly meeting, which did not express any concerns about any of the Code changes. Finally, the Chief Building Official, along with select staff, attended a training/seminar provided by the International Code Council (ICC) this spring to familiarize themselves with changes to the Mixed Use and Existing Building Codes, in anticipation of their adoption by the City this summer. As with all changes to the Municipal Code, the adoption of the 2018 International Building Codes requires a public hearing, thereby also allowing the general public the opportunity to comment, if they wish to do so.

In an effort to keep the adoption process as brief and concise as possible, an exhaustive discussion of changes is not being presented with this memorandum; however, staff is ready and

available to expound on any questions or concerns that may arise. In most cases, the Ordinances that the Council will be formally reviewing on June 19th are simply changes of the years of the adopted Codes from 2015 to 2018. However, two (2) of the Ordinances under consideration will be proposing the adoption of International Building Codes that have not been adopted by the City previously, and will create new sections within the Municipal Code.

2018 Existing Building Code

For the 2018 code cycle, the ICC has removed Chapter 34, "Existing Structures" from the IBC, and instead, now references the "2018 Existing Building Code." If the City chooses not to adopt the 2018 Existing Building Code, the City will lose the ability to apply a more common-sense approach, or some would say more feasible application of Building Codes, to the renovation of existing buildings. Without the flexibility that the Existing Building Code offers, the renovation and reuse of existing structures may become prohibitively expensive and complicated.

2018 Property Maintenance Code

The adoption of the Property Maintenance Code will allow the City to enforce minimum maintenance standards for existing buildings, notably rental properties, and to address safety and maintenance issues caused by neglect on the part of landlords and property owners. The Code addresses basic equipment, light, ventilation, heating, sanitation and fire safety; and differs from other codes in that all other codes focus solely on new construction or rehabilitation rather than ongoing maintenance. The Community Development Department frequently receives legitimate complaints about unsafe living conditions from citizens. Unfortunately, without the adoption of the Property Maintenance Code, the City has had limited ability to address those unsafe living conditions. The importance of being able to address unsafe living conditions is compounded because generally, the citizens most affected by unsafe living conditions are also the community's most vulnerable, including the young, old, economically challenged, and/or disabled.

One question that is always raised when new Building Codes are adopted is about residential fire sprinkler system requirements. The 2018 International Residential Code, like previously adopted editions, requires that new single and two-family residences include fire sprinkler systems. In the past, this requirement has always been stricken during the adoption process. With the adoption of the 2018 International Residential Code, staff recommends that this exception remain in force, so that fire sprinkler systems are only required for multi-family dwellings of three (3) units or more. Of note, out of the 14,000 jurisdictions that are monitored by the Insurance Services Office (ISO), only one has adopted the fire sprinkler requirements in the IRC.

Financial Considerations: None.

Oversight/Project Responsibility: Building Division, Dan Elston, Chief Building Official.

Attachments:

- Ordinances adopting the following:
 - 2018 International Building Code;
 - 2018 International Residential Code;
 - 2018 International Mechanical Code;
 - 2018 International Plumbing Code;
 - 2018 International Fuel Gas Code;
 - 2018 International Property Maintenance Code;
 - 2018 International Existing Building Code;
 - 2018 International Fire Code.
- Letter sent to all City contractors;
- Minutes of the 4/19/18 Contractor Licensing and Appeals Board meeting.

ORDINANCE NO. 13-18

AN ORDINANCE CREATING CHAPTER 15.08 OF THE CASPER MUNICIPAL CODE, AND ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING:

SECTION 1:

Section 15.08.010 – “Short Title,” is hereby created to read as follows:

There is nothing in this language that specifies it just for rental properties. **NOTHING.** That means it applies to **EVERY** property owner (and renters) in the City of Casper.

The Code adopted by the Ordinance from which this Chapter derives shall be known as the “International Property Maintenance Code” of the City.

The only access to the proposed code is a copyrighted version in the City Clerk's office or purchase of book or ICC subscription.

SECTION 2:

Section 15.08.020 – “Document Adopted By Reference – Applicability,” is hereby created to read as follows:

To provide minimum standards to safeguard life, health, property, and public welfare, the City hereby adopts the 2018 Edition of the International Property Maintenance Code. The provisions of the Code shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures within the limits of the City. A copy of the adopted International Property Maintenance Code is on file in the office of the City Clerk.

SECTION 3:

Section 15.08.030 – “Violation – Penalty,” is hereby created to read as follows:

Any person violating any of the provisions of the Code adopted by this Chapter shall be deemed guilty of a misdemeanor. Each and every such day or portion thereof during which any violation of any of the provisions of such Code is committed, continued, or permitted shall be a separate offense. Upon conviction of any such violation, such person may be punished as set forth in Chapter 1.28 of this code.

SECTION 4:

If any section, subsection, sentence, clause, or phrase of this Ordinance, for any reason, is held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5:

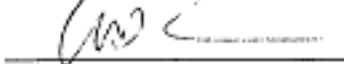
This Ordinance shall be in full force and effect from and after passage on three readings, and publication, pursuant to law.

PASSED on 1st reading the _____ day of _____, 2018.

PASSED on 2nd reading the _____ day of _____, 2018.

PASSED, APPROVED, AND ADOPTED on 3rd and final reading the ____ day of _____, 2018.

APPROVED AS-TO FORM:



Passed 1st reading on June 19, 2018 with 5-4.
Yes votes were Humphrey, Huber, Hopkins
Pacheco and Powell.
2nd Reading is likely scheduled for July 3, 2018.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur D. Tremel
City Clerk

Ray Pacheco
Mayor

Communications from the Building Department

Dear Contractors:

As we approach 2018, the City of Casper Building Department would like to inform all contractors of items for correction that have been continuous during inspections over the last year and changes for the upcoming year. This is so that we are all informed and it will help expedite inspections entering the 2018 code cycle.

- Section R308.1 of the 2015 International Residential Code (IRC) requires identification of tempered glass in hazardous locations. Exception No. 2 allows for a removable label applied by the manufacturer. On final inspections, these labels have been removed prior to acceptance by the AHJ for the Certificate of Occupancy (CO); this nullifies the code requirement. If the labels are removed and no permanent etching is visible, the contractor will be responsible to prove that the glazing is tempered prior to the CO being issued.
- Please see attached Portal Frame with Hold-Downs, Figure R602.10.6.3. Casper and the surrounding region are in a Seismic Zone B. The 2015 IRC changed the wind load from 90 mph, 3 second gust to 115 mph, 3 second gust. The portal framing requires stricter sheathing, hold downs, anchors and fasteners. The wind load bracing is now required to be submitted with the application for a residential building permit.
- The 2015 IRC requires smoke and carbon monoxide detectors to be upgraded to the current IRC code when a building permit is issued, IRC Section R314 & R315.
- Low voltage electrical work is required to have the appropriate permit issued prior to work being started, per local ordinance 15.28.050.
- Foundation Drainage, IRC Section R405 requires that the drainage piping be installed on 2" minimum of washed gravel or crushed rock with 6" of cover over the piping. A filter membrane "sock" does not remove this requirement. If the soils report does not require a perimeter drain, then this requirement does not apply. If the soils report requires foundation drainage, then washed gravel or crushed rock is required.
- The Casper City Council has shown concern on compaction requirements for soils on all construction projects. The Codes do not require the City to inspect the compaction of soils, but the codes do require compaction prior to concrete placement. The cost to

require compaction tests by lifts on R Occupancies would be cost prohibitive for all parties; it can be enforced by the IBC "Special Inspections" section or thru creating a City Ordinance. This is not our desire; however, if complaints of workmanship continue due to inadequate compaction, the City of Casper may require compaction test results for projects in the future.

- Permit Fees: As of January 1st permit fees will increase. The fee schedule will be available on our website at casperwy.gov. Plumbing, mechanical and electrical permit fees will no longer be based on fixture, equipment or outlet count; they will be based on system valuation. It will still be required to submit the fixture count and description of work for the permit, as well as a total value of the work must be included for the system you are requesting to be permitted. The permit fee will be based upon the valuation of work according to the permit valuation schedule.
- Year 2018 will begin a new code cycle for the IBC, IPC, IFGC, IMC, IRC, and all other "I" codes that are adopted by the City of Casper. The 2018 codes will not be enforced until adopted by the City Council, which will be during the 2018 year. There are no real significant changes to the 2018 codes that I am aware of at this time, and we all know there is a learning curve during any code change cycle. The Building Department will advise during inspections of changes and work with contractors for adherence to the new code requirements.

The Building Department would like to take this time to thank all contractors for their hard work and open relationships with the City of Casper Building Department. It is our desire to only be a phone call away from questions or concerns in the competitive construction industry that we live in today. We know that sometimes it takes a few days to respond to those questions or concerns, but understand that they are as important to us as they are to you.

May you all have a Wonderful Holiday Season and a Prosperous New Year!

Sincerely,

Dan Elston CBO
Justin Scott
Jim Bowden
Bill McCloy
Shawn Barrett
City of Casper
Building Department

Attachment

**CITY OF CASPER
LICENSING AND APPEALS BOARD
CITY HALL, DOWNSTAIRS MEETING ROOM
APRIL 19, 2018
4:00 P.M.**

Members of the public wishing to place a new item on the agenda must submit a written request to the Community Development Department no later than eight (8) days preceding the Licensing and Appeals Board meeting.

Members of the public wishing to comment at a regular Licensing and Appeals Board Meeting may do so at the end of the regular meeting with a majority of the board voting in favor of their request. These comments will be limited to five (5) minutes.

AGENDA

I. ROLL CALL

II. CONSIDERATION OF MINUTES FOR MARCH 15, 2018

III. MONTHLY REPORT

IV. APPLICATIONS FOR THE BOARD'S CONSIDERATION:

GENERAL CONTRACTORS

THOMAS GUNDERSON, VERTICAL LIMIT CONSTRUCTION – Applying for a Class I General Contractor's License.

KEVIN SHANLEY, VERCON, INC. – Applying for a Class II General Contractor's License.

MECHANICAL

ERIC ZAVADA – Applying for a Master Mechanical License.

JASON LEDOUX – Applying for a Journeyman Mechanical License.

V. COMMUNICATIONS FROM PERSONS PRESENT

VI. ADJOURNMENT

**CITY OF CASPER
CONTRACTORS' LICENSING AND APPEALS BOARD
MARCH 15, 2018**

MEMBERS PRESENT: **STEVE BOYLE** **ANDREW ELSTON**
 JASON HUBER **ZAC HORNER**
 ADAM HALL

CITY STAFF: **DAN ELSTON** **KELLY SHANLEY**

CALL MEETING TO ORDER – Chairperson Zac Horner called the regular meeting to order at 4:00 p.m.

MINUTES FROM FEBRUARY 15, 2018 – Adam Hall moved to approve the meeting minutes of February 15, 2018. Jason Huber seconded the motion. Motion approved.

MONTHLY REPORT UPDATE - Dan Elston reported for the month of February, 2 building permits were issued for construction of single family homes. The Building Division issued 48 building, 61 electrical, 42 mechanical, and 89 plumbing permits during February with valuations of 1,551,977.75 and total fees collected of \$49,238.09. The inspectors completed 448 inspections in February, which includes consults, fire inspections and plan reviews.

Below is a breakdown of the 16 commercial projects that are in progress:

- Kelly Walsh High School
- Wyoming Gun Club
- David Street Station – Progress continues on exterior sheathing, the ice rink and splash pad.
- Boyd Avenue Church Gym
- ANB Bank – The final inspection is scheduled. Anticipated opening in April.
- Menards
- U-Haul – Old Cretex Building
- Raven Crest Apartments – The first building is entirely framed, and the rough-ins are 50 percent completed.
- Senior Living Homes – Fairgrounds – Construction of four twin homes are in various stages of construction.
- Rescue Mission – All the foundation walls are complete; the floor slabs are in the process of being poured.
- Good to Go Convenience Stores – Final finishes are in progress.
- Gruner Brothers Brewery – Interior slabs are completed; interior framing is beginning.
- Casper Orthopedics - MRI Addition – The foundation and slab are complete.
- NCHS – S VAC Building Remodel – The permit has been issued.
- Alpine Motor Sports – Old A&W Restaurant – Pope Construction is the contractor and the permit for the core and shell has been issued for this project.
- Lincoln Elementary Addition – Construction of two additional preschool classrooms. Pope Construction is the contractor for this project, and the permit was issued earlier this month.

Completed Projects:

- Interstate Battery
- Fremont Motors Addition
- Wyoming Recovery

New Plans Submitted for Approval:

- McDonalds Remodel – West Side
- Wal-Mart Remodel – East Side
- Fire Station #5 – This facility will be located on Pay it Forward Drive. Low bidder for this project is Caspar Building Systems.
- City of Casper Bafefill Building - This is a \$7 million dollar project. Low bidder for this project is Caspar Building Systems.
- Wendys Remodel – CY Avenue

LICENSE APPLICATIONS –

STANLEY TAYLOR, T & B CONSTRUCTION LLC – Applying for a Class II General Contractor’s License. After discussion and review of the application and affidavits, Adam Hall moved to approve Stanley Taylor to license as a Class II General Contractor. Jason Huber seconded the motion. Motion approved.

ROBERT “CHRIS” DETRICK, DETRICK DOES IT ALL –Applying for a Class III General Contractor’s License. After discussion and review of the application affidavits, Steve Boyle moved to approve Robert “Chris” Detrick to test for a Class III General Contractor’s License. Andrew Elston seconded the motion. Motion approved.

KEVIN PEARSON – Applying for a Master Mechanical License. After discussion and review of the application and affidavit, Andrew Elston moved to approve Kevin Pearson to license as a Mechanical Master. Adam Hall seconded the motion. Motion approved.

JONATHAN AILES - Applying for a Master Mechanical License. After discussion and review of the application and affidavit, Jason Huber moved to approve Jonathan Ailes to license as a Mechanical Master. Steve Boyle seconded the motion. Motion approved.

MANDY IRWIN – Applying for a Master Mechanical License. After discussion and review of the application and affidavits, Adam Hall moved to approve Mandy Irwin to test for a Master Mechanical License. Jason Huber seconded the motion. Motion approved.

RYAN MORGAN – Applying for a Journeyman Plumbing License. After discussion and review of the application and affidavits, Jason Huber moved to approve Ryan Morgan to test for a Journeyman Plumbing License. Andrew Elston seconded the motion. Motion approved.

LANE HANSEN, DECKS UNLIMITED, LLC – Applying for an upgrade to a Class II General Contractor’s License. After discussion and review of the application and affidavits, Adam Hall moved to approve Lane Hansen to test for a Class II General Contractor’s License. Steve Boyle seconded the motion. Motion approved.

COMMUNICATIONS -

Discussion on the Adoption of the 2018 Codes: The I Codes run in three-year cycles. Dan Elston informed the Board that he would like to have the new code changes adopted by the City Council by July 2018. Dan Elston is looking into the possibility of adopting the Property Maintenance and Existing Building Codes. These two codes have never been adopted before by the City of Casper. The City receives many complaints on properties. By adopting the Property Maintenance Code, it would give the City enforcement to ensure properties are kept up on. By adopting the Existing Buildings Code, it would give us the flexibility on the requirement of having to bring existing buildings up to code that are structurally sound when performing repairs or alterations. Dan Elston has sent off for additional information on these two codes. There will be more information to follow.

ADJOURN – The meeting adjourned at 4:35 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Dan Elston". The signature is written in black ink and is positioned above the printed name.

Dan Elston, Secretary