

Board of Appeals

April 3, 2025

Members Present: Clay Dietrich, Kevin Bartram, Brian Berg, David Vig

Members Absent: Justin Schoenberg, Mark Lundberg

Others Present: Shawn Ouradnik, Ryan Erickson, Allisa Farol, John Gunkleman, Michelle Lemar

Chairperson Clay Dietrich called the meeting to order at 9:30am.

Kevin Bartram made a motion to approve the minutes from March 6, 2025, seconded by Brian Berg. No one was in opposition and the motion was declared carried.

Unfinished Business

a) Code Review

- i. IECC/IRC Chapter 11 questions/responses
- ii. IECC Commercial Provisions

IECC/IRC Chapter 11 questions/responses presented by Shawn Ouradnik

Standing pilot light for the fireplaces – Shawn talked to some installers and this has been common practice for quite some time. There are also provisions in place to make sure it is insulated if the pipe is too long. We haven't seen any issues.

Blower door testing – Shawn stated they are not looking at doing another round of testing. Nothing was over 2.5 so there is no evidence that any of the houses wouldn't pass. Only time we would require a blower door test going forward is if they missed an energy inspection.

Air exchanger – Shawn stated all issued resolved. Meeting was held with BIA to go over their concerns and answer their questions. There were no objections during that discussion.

IECC Commercial Provisions presented by Shawn Ouradnik

2024 IECC AMENDMENTS:

Section C101.1 Title - pg. 18 is hereby amended as follows:

R101.1 Title. This code shall be known as the *Energy Conservation Code* of ~~[Name of Jurisdiction]~~ the city of Fargo, and shall be cited as such. It is referred to herein as "this code".

Section C101.3 Intent – pg. 18

The IECC—Commercial Provisions provide market-driven, enforceable requirements for the design and construction of commercial buildings, providing minimum efficiency requirements for buildings that result in the maximum level of energy efficiency that is safe, technologically feasible, and life cycle cost effective, considering economic feasibility, including potential costs and savings for consumers and building owners, and return on investment. Additionally, the code provides jurisdictions with supplemental requirements, including ASHRAE 90.1, and optional requirements that lead to

achievement of zero energy buildings, presently, and through glide paths that achieve zero energy buildings by 2030 and on additional timelines sought by governments, and achievement of additional policy goals as identified by the Energy and Carbon Advisory Council and approved by the Board of Directors. Requirements contained in the code will include, but not be limited to, prescriptive- and performance-based pathways. The code may include nonmandatory appendices incorporating additional energy efficiency and greenhouse gas reduction resources developed by the International Code Council and others. The code will aim to simplify code requirements to facilitate the code's use and compliance rate. The code is updated on a 3-year cycle with each subsequent edition providing increased energy savings over the prior edition. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this intent. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

This section has expanded with the intent of the code to provide for the achievement of net zero energy buildings by 2030 to conform with timelines sought by governments, and achievement of additional policy goals as identified by the Energy and Carbon Advisory Council and approved by the Board of Directors.

SECTION C103 CODE COMPLIANCE AGENCY – pg. 19

C103.1 Creation of enforcement agency. The ~~[INSERT NAME OF DEPARTMENT]~~ **Inspections Department** is hereby created and the official in charge thereof shall be known as the authority having jurisdiction (AHJ). The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

C103.2 Appointment.

The AHJ shall be appointed by the chief appointing authority of the jurisdiction.

C103.3 Deputies.

In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the AHJ shall have the authority to appoint a deputy AHJ, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the AHJ.

Section C105.2 Information on construction documents – pg. 19-20

5. *Air barrier* and air sealing details, including the location of the *air barrier*.

6. *Thermal bridges* as identified in **Section C402.6**.

15. Location of pathways for routing of raceways or cable from the on-site renewable energy system to the electrical distribution equipment.

16. Location reserved for inverters, metering equipment and energy storage systems (ESS), and a pathway reserved for routing of raceways or conduit from the renewable energy system to the point of interconnection with the electrical service and the ESS.

17. Location and layout of a designated area for ESS.

18. Rated energy capacity and rated power capacity of the installed or planned ESS.

Section C105.6.2 Compliance documentation – pg. 20

Delete #3 in its entirety.

Section C401.2.1 International Energy Conservation Code – pg. 68

2. Simulated Building Performance. Changed from Total building performance.

Section C402.7 Thermal bridges in above-grade walls – pg. 85

New requirements and exceptions for thermal bridges in above grade walls.

Section C402.7.1 Balconies and floor decks – pg. 85

New requirements for the interaction for decks and balconies in relation to the building thermal envelope.

Section C402.7.2 Cladding supports – pg. 85

New requirements and exceptions for cladding supports.

Section C402.7.3 Structural beams and columns – pg. 85

New requirements and exceptions for structural steel and concrete beams and columns that project through the building thermal envelope.

Section C402.7.4 Vertical fenestration – pg. 85

New requirements and exceptions for Vertical fenestration intersections with above-grade walls.

Section C402.7.5 Parapets – pg. 86

New requirements and exceptions for Parapets.

Section C403.7.5 Kitchen exhaust systems – pg. 118

Kitchen exhaust hood systems serving Type I exhaust hoods shall be provided with demand control kitchen ventilation (DCKV) controls.

Section C405.2.10 Sleeping unit and dwelling unit lighting and switched receptacle controls – pg. 144

Has been expanded to include short-term rental (Air B&B) uses.

Section ~~C405.11~~ C405.12 Automatic receptacle control function – pg.156

Is hereby deleted in its entirety.

Existing local amendment recommend keep.

Section ~~C405.12~~ C405.13 Energy monitoring - pg. 157

Is hereby deleted in its entirety.

Existing local amendment recommend keep.

Section C405.15 Renewable energy systems - pg. 159

Recommend deleting in its entirety.

Section C406.1.2 Additional renewable and load management credit requirements – pg. 162

Recommend deleting in its entirety.

Section C406.3 Renewable and load management credits achieved – pg. 183

Recommend deleting in its entirety.

Section C502.3.8 Renewable energy systems – pg. 222

Recommend deleting in its entirety.

David had a question about kitchen exhaust systems 403.7.5. He was wondering if they mentioned the type of demand control that is required. Shawn replied that it did not mention the type of demand control, but rather that it just has to be there.

New Business

- a) ~~Appeal: Retrofoam of Fargo/Dylan Schauer for 1617 8 St S~~ – appeal was withdrawn

Announcements

One meeting left with the board to present our amendments and get a recommendation from the board whether we should keep or removed those. It would then be passed along to City Commission and once they approve it, we would have new codes in place.

Clay Dietrich called for a motion to adjourn the meeting. Brian Berg motioned to adjourn the meeting, seconded by David Vig. No one was in opposition and the motion was declared carried.

Meeting adjourned at 9:43am.

Respectfully submitted



Shawn Ouradnik
Board Secretary