

Board of Appeals

August 1, 2024

Members Present: Clay Dietrich, Kevin Bartram, Justin Schoenberg, Mark Lundberg, Brian Berg

Members Absent: David Vig

Others Present: Shawn Ouradnik, Chris Rose, Bill Yates, Alisa Farol, Ryan Erickson, Michelle Lemar

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

Kevin Bartram made a motion to approve the minutes from July 11, 2024, seconded by Mark Lundberg. No one was in opposition and the motion was declared carried.

Unfinished Business

- i. Code Review – IBC Chapters 16-33

Chapters 16-23 presented by Justin Schoenberg

Chapter 16

1601.1 Scope – pg. 433

I recommend keeping the existing AMENDMENT, which requires a structural engineer to determine engineering requirements of this code.

1608.2 Ground Snow loads – pg. 448

New ground snow load maps based on ASCE 7-22 are included in the IBC and are now based on the risk category of the building. The ground snow loads to be used in determining the design snow loads for roofs shall be determined in accordance with reliability-target (strength-based) ground snow values in Chapter 7 of ASCE 7 or Figures 1608.2(1).

Thermal Factor has also changed and is based on R-value of the roof. Load combinations have changed so for example DL+SL no longer is a combination. It is DL+0.7SL

For example, Fargo would be in the 63 psf. ground snow load for category II building which for an R-value of 30 ultimately gets reduced down to 34.6 psf. which is close to the older requirement of 35 psf. R-value of roofs can change this though.

-Justin cautioned that the City would need to be aware of this change, as each building will be different and they will need to use the charts each time. It could be a tough thing to regulate and follow. Clay asked how the R-value change affects things. Justin responded explaining the higher the R-value, the higher snow load will need to be.

1609.5 Tornado Loads – pg. 460

Design provisions for tornado loads are now required for Risk Category III and IV buildings in defined areas and shall be in accordance with Chapter 32 of ASCE 7. For example, schools will have to be designed for tornado loading in addition to the typical straight-line wind loads from the past.

1610.1 Lateral Pressures – pg. 462

I recommend keeping the existing AMENDMENT, which allows the maximum height for basement walls to be designed for active pressure to be 9 feet instead of 8 feet.

1611 Rain Loads – pg. 462

The design storm return period for determination of the hydraulic head is now to be based on risk category. Other ponding provisions are updated to be consistent with ASCE 7-22.

1612 Flood Loads – pg. 463

I recommend keeping the existing AMENDMENT, which deletes this section because it is addressed in the City of Fargo flood requirements.

Chapter 17

1705.2.6 Metal Building Systems– pg. 476

New section added. Special inspections of metal building systems shall be performed in accordance with Sections 1705.2.1, 1705.2.3, 1705.2.4 and 1705.2.5 and Table 1705.2.6. The approved agency shall perform inspections of the erected metal building system to verify compliance with the approved construction documents.

Type	Periodic Special Inspection
1. Installation of rafter/beam flange braces and column flange braces.	X
2. Installation of purlins and girts, including specified lapping.	X
3. Purlin and girt restraint/bridging/bracing.	X
4. Installation of X-bracing, tightened to remove any sag.	X

Table 1705.2.6 Special Inspections of Metal Building Systems.

Chapter 18

1804.4 Site Grading – pg. 489

I recommend keeping the existing AMENDMENT which addresses surface drainage and accounting for settlement.

1804.5 Grading and fill in flood hazard areas – pg. 490

I recommend keeping the existing AMENDMENT, which deletes this section because it is addressed in the City of Fargo flood requirements.

1805.1.2.1 Flood Hazard Areas – pg. 490

I recommend keeping the existing AMENDMENT, which deletes this section because it is addressed in the City of Fargo flood requirements.

1807.2.5 Guards– pg. 498

New section added. Guards shall be provided at retaining walls in accordance with Sections 1807.2.5.1 through 1807.2.5.3

1809.5 Frost Protection– pg. 502

I recommend keeping the existing AMENDMENT, which adds an exception for Group U occupancy buildings to not require a frost protected foundation.

Chapter 19**1901.2.1 Structural concrete with GFRP reinforcement – pg. 515**

Cast in place structural concrete internally reinforced with glass fiber-reinforced polymer reinforcement conforming to ASTM D7957 and designed in accordance with ACI440.11 shall be permitted where fire-resistance ratings are not required and only for structures assigned to seismic design category A.

Chapter 20

No significant changes to this Aluminum section

Chapter 21**2101.2 Design Methods – pg. 520**

Masonry shall comply with the provisions of TMS 402, 403, or 404 as well as applicable requirements of this chapter.

2103.2.4 Mortar for adhered masonry veneer – pg. 521

Mortar for use with adhered masonry veneer shall conform to Section 13.3 of TMS 402.

Chapter 22

This chapter on steel includes an editorial reorganization of the whole chapter for better flow, usability, and clarification of steel provisions in the building code.

2203.1 Structural Stainless steel– pg. 534

The design, manufacture, and erection of austenitic and duplex structural stainless steel shall be in accordance with AISC 370.

2204 Cold Formed Steel– pg. 534

The design of cold-formed steel diaphragms shall be in accordance with additional provisions of AISI S310 as applicable.

2205 Cold-formed stainless steel– pg. 534

The design of cold-formed stainless steel members shall be in accordance with ASCE 8

2208 Steel deck– pg. 536

The design and construction of cold-formed steel floor and roof decks and composite slabs of concrete and steel deck shall be in accordance with SDI SD. The design of cold-formed steel diaphragms shall be in accordance with additional provisions of AISI S310 as applicable.

2210 Metal Building Systems– pg. 536

New section added regarding metal building systems.

2211 Industrial boltless steel shelving– pg. 536

The design, testing, and utilization of industrial boltless steel shelving shall be in accordance with MHI ANSI/MH 28.2

2212 Industrial Steel Work Platforms– pg. 536

The design, testing, and utilization of industrial steel work platforms shall be in accordance with MHI ANSI/MH 28.3

2213 Stairs, ladders, and guarding for steel storage racks and industrial steel work platforms– pg. 536

The design and installation of stairs, ladders and guarding serving steel storage racks and industrial steel work platforms shall be in accordance with MHI ANSI/MH 32.1

Chapter 23**2304.10.1 Fire protection of connections– pg. 549**

Connections used with fire resistance rated members and in fire resistance rated assemblies of Type IV-A, IV-5, or IV-C construction shall be protected for the time associated with the fire-resistance rating.

2305.1.2 Permanent load duration– pg. 557

For wood shear walls and wood diaphragms designed to resist lateral loads of permanent load duration only, the design unit shear capacities shall be taken as the AWC SDPWS nominal unit shear capacities, multiplied by 0.2 for use with allowable stress design in Section 2306.

Chapter 24-33 presented by Bill Yates**Chapter 24****Glass and glazing****2406.1 Human impact loads – pg. 618**

Added text: “single panes of glass, laminated glass, and panes in multipane glass assemblies”

It has been clarified that every pane in multi-pane glass assemblies be safety glazing where located in hazardous locations as identified in Section 2406.4.

2406.4.3 Glazing in windows –pg. 619

New text has been added: “or adjacent walking surface” has been added to condition 2 and 3

Exception 3 has a change of wording. “25 feet or more above any grade, roof, walking surface” has changed to “8 feet or more above any grade or walking surface”

It has been clarified that window safety glazing required where a person could fall through window, either:

- Out of a building
- Inside the building
- Into the building

Chapter 25

Gypsum panel products and plaster

No significant changes

Chapter 26

Plastic

No significant changes

Chapter 27

Electrical

No significant changes

Chapter 28

Mechanical

No changes

Chapter 29

Plumbing Systems

2901.1 – we have a local amendment for this section

The amendment replaces “International Plumbing Code” with “North Dakota State Plumbing code”, and “International Private Sewage Disposal Code” with “North Dakota State Plumbing Code”

[P] TABLE 2902.1 MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES (See Sections 2902.1.1 and 2902.2) – pg. 645

Box NO. 5

The descriptions in the “Institutional” and “Business” classifications are now more specific.

Wording has changed throughout the table for clarity.

The table now has minimum fixtures for “sleeping units for care recipients” “dwelling units for care recipients”

The number of required water closets for employee facilities has changed from “1 per 25” Males and Females to “1 per 60 care recipient units” in “assisted living and residential board and care facilities.” And “nursing homes.”

Footnote F now includes indoor pools.

2902.1.2 Fixtures in single-user toilet facilities and bathing rooms – pg. 649

The title was changed from “single-user toilet and bathing room fixtures”

Wording in the section has changed for clarity.

Text has been added: “The number of fixtures in single-user toilet facilities, single-user bathing rooms and family or assisted-use toilet facilities shall be deducted proportionately from the required gender ratios of Table 2902.1.”

2902.3 - We are adding a local amendment for section

The amendment adds an exception to providing toilet facilities

Exception 3. Unheated self-storage facilities that are not staffed.

2902.3.6 Door locking – pg. 650

An exception has been added that will allow a multiple occupant bathroom door to be lockable from the inside.

“**Exception:** The egress door of a multiple occupant toilet room shall be permitted to be lockable from inside the room where all the following criteria are met:

1. The egress door shall be lockable from the inside of the room only by authorized personnel by the use of a key or other approved means.
2. The egress door shall be readily openable from the toilet room in accordance with Section 1010.2.
3. The egress door shall be capable of being unlocked from outside the room with a key or other approved means.”

Chapter 30

Elevator and Conveying Systems

3001.2 Elevator emergency communication systems – pg. 652

Wording in the section was changed for clarity.

The IBC now requires a system to provide a means to enable authorized personnel to verify:

The presence of someone in car

That the person(s) is trapped

Once an entrapment is verified, system to enable authorized personnel to:

Determine if assistance is needed

Communicate when help is on the way

Communicate when help arrives on the site

3006.3 Elevator hoist way door protection – pg. 655

A 5th item describing how to protect the hoist way opening has been added:

“5. A smoke-protective curtain assembly for hoist ways shall be provided at each elevator hoist way door opening in accordance with Section 3002.6. Such curtain assemblies shall comply with the smoke and draft control requirements in Section 716.2.2.1.1 when tested in accordance with UL 1784 without an artificial bottom seal. Such curtain assemblies shall be equipped with a control unit listed to UL 864. Such curtain assemblies shall comply with Section 2.11.6.3 of ASME A17.1/CSA B44. Installation and maintenance shall be in accordance with NFPA 105.”

3007.6 Fire service access elevator lobby – pg. 656

An exception has been added to the section:

“2. A fire service access elevator lobby is not required to be provided at an occupiable roof.”

Chapter 31

Special Construction

3103.6 Structural requirements – pg. 662

This section, tables, and subsections have been added. The sections lists structural requirements and exceptions for temporary structures.

“3103.6 Structural requirements. Temporary structures shall comply with the structural requirements of this code. Public-occupancy temporary structures shall be designed and erected to comply with the structural requirements of this code and Sections 3103.6.1 through 3103.6.4.”

“Exception: Where approved, live loads less than those prescribed by Table 1607.1 shall be permitted provided that a registered design professional demonstrates that a rational approach has been used and that such reductions are warranted.

“Temporary non-building structures ancillary to public assemblies or special event structures whose structural failure or collapse would endanger assembled public shall be assigned a Page 1410 of 1591
Temporary non-building structures ancillary to public assemblies or special event structures whose structural failure or collapse would endanger assembled public shall be assigned a risk category corresponding to the risk category of the public assembly. For the purposes of establishing an occupant load for the assembled public endangered by structural failure or collapse, the applicable occupant load determination in Section 1004.5 or 1004.6 shall be applied over the assembly area within a radius equal to 1.5 times the height of the temporary non-building structure”

“3103.6.1 Structural loads. Public-occupancy temporary structures shall be designed in accordance with Chapter 16, except as modified by Sections 3103.6.1.1 through 3103.6.1.6”

“3103.6.1.1 Snow loads. Snow loads on public-occupancy temporary structures shall be determined in accordance with Section 1608. The ground snow loads, in Section 1608 shall be modified according to Table 3103.6.1.1.

Exception: Ground snow loads, for public-occupancy temporary structures that employ controlled-occupancy procedures per Section 3103.8 shall be permitted to be modified using a ground snow load reduction factor of 0.65 instead of the ground snow load reduction factors in Table 3103.6.1.1.”

“Where the public-occupancy temporary structure is not subject to snow loads or not constructed and occupied during times when snow is to be expected, snow loads need not be considered, provided that where the period of time when the public occupancy temporary structure is in service shifts to include times when snow is to be expected, one of the following conditions is met:

1. The design is reviewed and modified, as appropriate, to account for snow loads.
2. Controlled occupancy procedures in accordance with Section 3103.8 are implemented.”

TABLE 3103.6.1.1

This table has been added.

REDUCTION FACTORS FOR GROUND SNOW LOADS FOR PUBLIC-OCCUPANCY TEMPORARY STRUCTURES

“3103.6.1.2 Wind loads. The design wind load on public-occupancy temporary structures shall be permitted to be modified in accordance with the wind load reduction factors in Table 3103.6.1.2.

Exceptions:

1. Design wind loads for public-occupancy temporary structures that implement controlled occupancy procedures per Section 3103.8 shall be permitted to be modified using a wind load reduction factor of 0.65.

2. For public-occupancy temporary structures erected in a hurricane-prone region outside of hurricane season, the basic wind speed, V , shall be permitted to be set as follows, depending on risk category:

- 2.1. Risk Category II: 115 mph.
- 2.2. Risk Category III: 120 mph.
- 2.3. Risk Category IV: 125 mph.”

TABLE 3103.6.1.2

This table has been added.

REDUCTION FACTORS FOR WIND LOADS FOR PUBLIC-OCCUPANCY TEMPORARY STRUCTURES

“3103.6.1.3 Flood loads. Public-occupancy temporary structures need not be designed for flood loads specified in Section 1612. Controlled occupancy procedures in accordance with Section 3103.8 shall be implemented.”

“3103.6.1.4 Seismic loads. Seismic loads on public-occupancy temporary structures assigned to Seismic Design Categories C through F shall be permitted to be taken as 75 percent of those determined by Section 1613. Public-occupancy temporary structures assigned to Seismic Design Categories A and B are not required to be designed for seismic loads”

“3103.6.1.5 Ice loads. Ice loads on public-occupancy temporary structures shall be permitted to be determined with a maximum nominal thickness of 0.5 inch (13 mm), for all risk categories. Where the public-occupancy temporary structure is not subject to ice loads or not constructed and occupied during times when ice is to be expected, ice loads need not be considered, provided that where the period of time when the public-occupancy temporary structure is in service shifts to include times when ice is to be expected, one of the following conditions is met: 1. The design is reviewed and modified, as appropriate, to account for ice loads. 2. Controlled occupancy procedures in accordance with Section 3103.8 are implemented.”

“3103.6.1.6 Tsunami loads. Public-occupancy temporary structures in a tsunami design zone are not required to be designed for tsunami loads specified in Section 1615. Controlled occupancy procedures in accordance with Section 3103.8 shall be implemented.”

“3103.6.2 Foundations. Public-occupancy temporary structures shall be permitted to be supported on the ground with temporary foundations where approved by the building official. Consideration shall be given for the impacts of differential settlement where foundations do not extend below the ground or where foundations are supported on compressible materials. The presumptive load-bearing value for public-occupancy temporary structures supported on a pavement, slab on grade or on other collapsible or controlled low-strength substrate soils such as beach sand or grass shall be assumed not to exceed 1,000 pounds per square foot (47.88 kPa) unless determined through testing and evaluation by a registered design professional. The presumptive load-bearing values listed in Table 1806.2 shall be permitted to be used for other supporting soil conditions.”

“3103.6.3 Installation and maintenance inspections. A qualified person shall inspect public occupancy temporary structures that are assembled using transportable and reusable materials. Components shall be inspected when purchased or acquired and at least once per year. The inspection shall evaluate individual components, and the fully assembled structure, to determine suitability for use based on the requirements in ESTA ANSI E1.21. Inspection records shall be kept and shall be made available for verification by the building official. Additionally, public-occupancy temporary structures shall be inspected at regular intervals when in service to ensure that the structure continues to perform as designed and initially erected.”

“3103.6.4 Durability. Reusable components used in the erection and the installation of public-occupancy temporary structures shall be manufactured of durable materials necessary to withstand environmental conditions at the service location. Components damaged during transportation or installation or due to the effects of weathering shall be replaced or repaired.”

“3103.7 Serviceability. The effects of structural loads or conditions shall not adversely affect the serviceability or performance of the public-occupancy temporary structure.”

“3103.8 Controlled occupancy procedures. Where controlled occupancy procedures are required to be implemented for public-occupancy temporary structures in Section 3103.6.1, the procedures shall comply with this section and ANSI ES1.7. An operations management plan in accordance with ANSI E1.21 shall be submitted to the building official for approval as a part of the permit documents. In addition, the operations management plan shall include an emergency action plan that documents the following information, where applicable:

1. Surfaces on which snow or ice accumulates shall be monitored before and during occupancy of the public-occupancy temporary structure. Any loads in excess of the design snow or ice load shall be removed prior to its occupancy, or the public-occupancy temporary structure shall be vacated in the event that either the design snow or ice load is exceeded during its occupancy.
2. Wind speeds associated with the design wind loads shall be monitored before and during occupancy of the public-occupancy temporary structure. The public-occupancy temporary structure shall be vacated in the event that the design wind speed is expected to be exceeded during its occupancy.
3. Criteria for initiating occupant evacuation procedures for flood and tsunami events.
4. Occupant evacuation procedures shall be specified for each environmental hazard where the occupant management plan specifies the public-occupancy temporary structure is to be evacuated.
5. Procedures for anchoring or removal of the public-occupancy temporary structure, or other additional measures or procedures to be implemented to mitigate hazards in snow, wind, flood, ice or tsunami events.”

3111.3.5 Elevated photovoltaic (PV) support structures – pg. 666

This section and subsections have been added. The sections list requirements for elevated photovoltaic (PV) support structures.

“3111.3.5.1 Photovoltaic (PV) panels installed over open-grid framing or a noncombustible deck. Elevated PV support structures with PV panels installed over open-grid framing or over a noncombustible deck shall have PV panels tested, listed and labeled with a fire type rating in accordance with UL 1703 or with both UL 61730-1 and UL 61730-2. Photovoltaic panels marked “not fire rated” shall not be installed on elevated PV support structures.

3111.3.5.2 Photovoltaic (PV) panels installed over a roof assembly. Elevated PV support structures with a PV panel system installed over a roof assembly shall have a fire classification in accordance with Section 1505.9”

CHAPTER 32

Encroachments into the public right-of-way

No changes to this section.

CHAPTER 33

Safeguards during construction

No significant changes

ii. Code Review - IEBC

IEBC presented by Chris Rose

101.1 Title – pg. 13

Existing amendment

These regulations shall be known as the existing building code of The City of Fargo. Hereinafter referred to as “this code”.

103.1 Creation of Agency – pg. 14

Existing amendment

The City of Fargo Inspections Department is hereby created, and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

104.2 Determination of compliance – pg. 14

New Section

The code official shall have the authority to determine compliance with this code, to render interpretations of this code and to adopt policies and procedures in order to clarify the application of this code’s provisions. Such interpretations, policies, and procedures:

1. Shall be in compliance with the intent and purpose of this code.
2. Shall not have the effect of waiving requirements specifically provided for in this code.

104.2.1 Listed compliance – pg. 14

New Section

Where this code or a referenced standard requires equipment, materials, products or services to be listed and a listing standard is specified, the listing shall be based on the specified standard. Where a listing standard is not specified, the listing shall be based on an approved listing criteria. Listings shall be germane to the provision requiring the listing. Installation shall be in accordance with the listing and the manufacturer’s instructions, and where required to verify compliance, the listing standard and manufacturer’s instructions shall be made available to the code official.

104.2.2 Technical assistance – pg. 14

New Section

To determine compliance with this code, the code official’s authorized to require the owner or owner’s authorized agent to provide a technical opinion and report.

104.2.2.1 Cost - pg. 14

A technical opinion and report shall be provided without charge to the jurisdiction. We had an amendment to this section we no longer need.

104.2.2.2 Preparer qualifications – pg. 14

New Section

The technical opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the code official. The code official is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

104.2.2.3 Content - pg. 14

New Section

The technical opinion and report shall analyze the properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon to identify and propose necessary recommendations.

104.2.2.4 Tests – pg. 14

New Section

Where there is insufficient evidence of compliance with the provisions of this code, the code official shall have the authority to require tests as evidence of compliance. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized test standards, the code official shall approve the testing procedures. Such tests shall be performed by a party acceptable to the code official.

104.2.3 Alternative materials, design and methods of construction, and equipment – pg. 14

The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative is not specifically prohibited by this code and has been approved. ~~An alternative material, design or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not approved, the code official shall respond in writing, stating the reasons why the alternative was not approved.~~

Exception: Performance-based alternative materials, designs or methods of construction and equipment complying with the ICC Performance Code. This exception shall not apply to alternative structural materials or to alternative structural designs.

104.2.3.1 Approval authority – pg. 14

New Section

An alternative material, design or method of construction shall be approved where the code official finds that the proposed alternative is satisfactory and complies with Sections 104.2.3.2 through 104.2.3.7, as applicable.

104.2.3.2 Application and disposition – pg. 14

New Section

Where required, a request to use an alternative material, design or method of construction shall be submitted in writing to the code official for approval. Where the alternative material, design or method of construction is not approved, the code official shall respond in writing, stating the reasons the alternative was not approved.

104.2.3.3 Compliance with code intent – pg. 14

New section

An alternative material, design or method of construction shall comply with the intent of the provisions of this code.

104.2.3.4 Equivalency criteria – pg. 14

New Section

An alternative material, design or method of construction shall, for the purpose intended, be not less than the equivalent of that prescribed in this code with respect to all of the following, as applicable:

1. Quality.
2. Strength.
3. Effectiveness.
4. Durability.
5. Safety, other than fire safety.
6. Fire safety

~~104.11.2~~104.2.3.5 Tests – pg. 14

~~Where there is insufficient evidence of compliance with the provisions of this code or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests as evidence of compliance to be made without expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the code official for the period required for retention. Tests conducted to demonstrate equivalency in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict performance of the end use configuration. Such tests shall be performed by a party acceptable to the code official.~~

104.2.3.5.1 Fire tests. – pg. 14

New Section

Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Tests shall be performed by a party acceptable to the code official.

104.2.3.6 Reports – pg. 14

Supporting documentation, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall comply with Sections 104.2.3.6.1 and 104.2.3.6.2.

104.2.3.6.1 Evaluation reports – pg. 14

New Section

Evaluation reports shall be issued by an approved agency, and use of the evaluation report shall require approval by the code official for the installation. The alternate material, design or method of construction and product evaluated shall be within the scope of the code official's recognition of the approved agency. Criteria used for the evaluation shall be identified within the report and, where required, provided to the code official.

104.2.3.6.2 Other reports – pg. 14

New Section

Reports not complying with Section 104.2.3.6.1 shall describe criteria, including but not limited to any referenced testing or analysis, used to determine compliance with code intent and justify code equivalence. The report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the code official. The code official is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

104.2.3.7 Peer review – pg. 14

New Section

The code official is authorized to require submittal of a peer review report in conjunction with a request to use an alternative material, design or method of construction, prepared by a peer reviewer that is approved by the code official.

104.2.4 Modifications – pg. 14

Where there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, provided that the code official shall first find that one or more special individual reasons make the strict letter of this code impractical, and that the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of the written request for and action granting modifications shall be recorded and entered in the files of the department of building safety.

104.2.4.1 Flood hazard areas - pg.15

Hereby deleted in its entirety

104.4.1 Warrant – pg. 16

New section

Where the code official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner, the owner's authorized agent, occupant or person having charge, care or control of the structure or premises shall not fail or neglect, after a proper request is made as herein provided, to permit entry therein by the code official for the purposes of inspection and examination pursuant to this code

104.8 Liability – pg. 16

Existing Amendment

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damage to persons or property caused by defects nor shall the code enforcement agency or the city be held as assuming any such liability by reason of the inspection authorized by this code or any permits or certificates issued under this code.

105.2 Work exempt from permit – pg. 17

Existing amendment

Building:

7 Reroofing

8 Window replacement

~~SECTION 107 TEMPORARY STRUCTURES AND USES, EQUIPMENT AND SYSTEMS~~ – pg. 20

New section

107.1 General. The code official is authorized to issue a permit for temporary uses, equipment and systems. Such permits shall be limited as to time of service but shall not be permitted for more than 180 days. The code official is authorized to grant extensions for demonstrated cause.

109.3.3 Lowest floor elevation – pg. 20

Hereby deleted in its entirety.

109.3.10 Flood hazard documentation – pg. 21

Hereby deleted in its entirety.

117.1 General – pg. 24

New section

~~The code official shall order the owner or owner’s authorized agent of any premises on which is located any structure that in the code official’s judgment is so old or dilapidated, or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove to the owner’s or the owner’s authorized agent’s option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.~~

When the code official determines any structure is so old, dilapidated or has become so out of repair and is dangerous, unsafe, insanitary and otherwise unfit for human habitation or occupancy the code official can order either of the following:

1. The code official is permitted to authorize the owner or owner’s authorized agent to make the structure safe by repairs in order to make the structure safe and sanitary. Where there has been a cessation of construction repairs of any structure for a period of more than 2 years the structure will be ordered demolished and removed.

2. The code official is permitted to order the owner or owner's authorized agent to demolish and remove any such structure

201.3 Terms defined in other codes pg. 25

Existing Amendment

Where terms are not defined in this code and are defined in the other International Codes, such terms shall have the meanings ascribed to them in those codes.

Wherever the term "International Plumbing Code" and/or the "International Private Sewage Disposal Code" is used it shall mean the North Dakota State Plumbing Code. Wherever the term "ICC Electrical Code" is used, it shall mean the National Electric Code together with the North Dakota State wiring Standards. Wherever the term "Flood Hazard Area" is used, it shall mean the Fargo Flood Plain Management ordinance together with the Flood Proofing Code of the City of Fargo North Dakota.

303.1 General Storm shelters. – pg. 29

~~This section applies to the design and construction of storm shelters constructed as rooms or spaces within existing buildings for the purpose of providing protection during storms that produce high winds, such as tornados, and hurricanes and other severe windstorms. Such structures shall be designated to be hurricane shelters, tornado shelters, or combined hurricane and tornado shelters. Such structures shall be constructed in accordance with this code and ICC 500.~~

303.1.1 Construction. Storm shelters shall be constructed in accordance with Section 423 of the International Building Code and ICC 500 and shall be designated as hurricane shelters, tornado shelters or combined hurricane and tornado shelters. Exception: Storm shelters added to critical emergency operations facilities or Group E occupancies are not required to comply with the travel distance in Section 423.4.2 or 423.5.2 of the International Building Code.

306.6 Additions – pg. 31

New section

Where additions contain dwelling or sleeping units, the accessibility requirements shall apply only to the quantity of the dwelling or sleeping units in the addition. Provisions for new construction shall apply to additions. An addition that affects the accessibility to, or contains an area of, a primary function shall comply with the requirements in Section 306.7.1.

306.6.1 Accessible means of egress – pg. 31

New Section

Not less than one accessible means of egress from the addition shall be provided where required by Section 1009.1 of the International Building Code. An additional accessible means of egress shall be provided where an additional means of egress is required due to the addition. Where an accessible means of egress serving the addition is within the existing building, the following are required:

1. An accessible route from the addition to the existing building shall be provided.
2. The accessible means of egress in the existing building shall comply with Section 306.7.1.

306.6.1.1 Additions for elevators – pg. 31

New Section

Where an addition is being constructed exclusively to accommodate the installation of an elevator or elevators to improve accessibility, an accessible means of egress in accordance with Section 1009.1 of the International Building Code is not required where all of the following conditions are provided:

1. Two-way communication is provided at all elevator landings that are part of the addition in accordance with Section 1009.8 of the International Building Code.
2. Each elevator landing is on floor level with access to a horizontal exit or to a stairway with a width of not less than 36 inches (914 mm).
3. The elevator does not serve a required accessible floor or occupied roof more than four stories above or below the level of exit discharge

306.7.15 Adult changing stations. – pg. 32

New Section

Where additional toilet facilities are being added, in occupancies where adult changing stations are required by Section 1110.4.1 of the International Building Code, not fewer than one accessible family or assisted-use toilet room with an adult changing station shall be provided in accordance with Section 1110.4 of the International Building Code. The adult changing station shall be permitted to be located in a family or assisted-use toilet room or bathing room required by Section 306.7.12, 306.7.13 or 306.7.14. this will affect assembly and mercantile occupancies where more than 6 water closets are required

401.3 Flood hazard area – pg. 34

Hereby deleted in its entirety

405.2.6 Flood hazard area – pg. 34

Hereby deleted in its entirety

502.1 General. – pg. 37

New Section

Additions to any building or structure shall comply with the requirements of the International Building Code for new construction. Alterations to the existing building or structure shall be made to ensure that the existing building or structure together with the addition are not less complying with the provisions of the International Building Code than the existing building or structure was prior to the addition except that the structural elements need only comply with Sections 502.2 through 502.3. An existing building together with its additions shall comply with the height and area provisions of Chapter 5 of the International Building Code. Where a new occupiable roof is added to a building or structure, the occupiable roof shall comply with the provisions of the International Building Code.

Exception: In filling of floor, openings and nonoccupiable appendages such as elevator and exit stairway shafts shall be permitted beyond that permitted by the International Building Code.

502.1.1 Risk category assignment – pg. 37

New Section

Where the addition and the existing building have different occupancies, the risk category of each existing and added occupancy shall be determined in accordance with Section 1604.5.1 of the International Building Code. Where application of that section results in a higher risk category for the existing building compared with the risk category for the existing building before the addition, such a change shall be considered a change of occupancy and shall comply with Section 506 of this code. Where application of that section results in a higher risk category for the addition compared with the risk category for the addition by itself, the addition and any systems in the existing building required to serve the addition shall comply with the requirements of the International Building Code for new construction for the higher risk category.

502.1.2 Creation or extension of nonconformity – pg. 37

New Section

An addition shall not create or extend any nonconformity in the existing building to which the addition is being made with regard to accessibility, structural strength, supports and attachments for nonstructural components, fire safety, means of egress or the capacity of mechanical, plumbing or electrical systems.

Exception: Nonconforming supports and attachments for nonstructural components that serve the addition from within the existing building need not be altered to comply with International Building Code Section 1613 unless the components are part of the addition's life-safety system or are required to serve an addition assigned to Risk Category IV.

502.2 Flood hazard areas – pg. 37

Hereby deleted in its entirety

503.2 Flood Hazard areas – pg. 39

Hereby deleted in its entirety

507.3 Flood Hazard areas – pg. 43

Hereby deleted in its entirety

701.3 Flood Hazard areas – pg. 46

Hereby deleted in its entirety

1103.3 Flood Hazard areas – pg. 73

Hereby deleted in its entirety

1201.4 Flood Hazard areas – pg. 75

Hereby deleted in its entirety

1301.1.3 Flood Hazard areas – pg. 79

Hereby deleted in its entirety

1401.2 Conformance – pg. 92

~~The building shall be safe for human occupancy as determined by the International Fire Code and the International Property Maintenance Code. Any repair, alteration or change of occupancy undertaken within the moved structure shall comply with the requirements of this code applicable to the work being performed. Any field fabricated elements shall comply with the requirements of the International Building Code or the International Residential Code, as applicable. Buildings to be moved within this jurisdiction shall comply with provisions of this chapter. Buildings to be moved into this jurisdiction shall comply with the provisions of the International Codes for new buildings and shall be certified as to meet compliance by an agency approved by the code official.~~

1402.3 Flood hazard areas – pg. 92

Hereby deleted in its entirety

[F] 1502.1 Site safety plan. - pg. 93

New Section

The owner or owner's authorized agent shall be responsible for the development, implementation and maintenance of an approved, written site safety plan establishing a fire prevention program at the project site applicable throughout all phases of the construction, repair, alteration or demolition work. The plan shall be submitted and approved before a building permit is issued, Any changes to the plan shall address the requirements of this chapter and other applicable portions of the International Fire Code, the duties of staff and staff training requirements. The plan shall be submitted for approval in accordance with the International Fire Code.

[F] 1502.1.1 Components of site safety plans – pg. 93

New Section - The following are new sections added to this book but they are found in the IFC. Thought they may have been added here, because maybe not everyone adopts both IEBC and IFC.

Site safety plans shall include the following as applicable:

1. Name and contact information of site safety director.
2. Documentation of the training of the site safety director and fire watch personnel.
3. Procedures for reporting emergencies.
4. Fire department vehicle access routes.
5. Location of fire protection equipment, including portable fire extinguishers, standpipes, fire department connections and fire hydrants.
6. Smoking and cooking policies, designated areas to be used where approved and signage locations in accordance with the International Fire Code.
7. Location and safety considerations for temporary heating equipment.
8. Hot work permit plan.
9. Plans for control of combustible waste material.

10. Locations and methods for storage and use of flammable and combustible liquids and other hazardous materials.

11. Provisions for site security and, where required, for a fire watch.

12. Changes that affect this plan.

13. Other site-specific information required by the International Fire Code.

[F] 1502.2 Site safety director. – pg. 93

New Section

The owner shall designate a person to be the site safety director. The site safety director shall be responsible for ensuring compliance with the site safety plan. The site safety director shall have the authority to enforce the provisions of this chapter and other provisions as necessary to secure the intent of this chapter. Where guard service is provided in accordance with the International Fire Code, the site safety director shall be responsible for the guard service.

1502.3 Daily fire safety inspection – pg. 93

New Section

The site safety director shall be responsible for completion of a daily fire safety inspection at the project site. Each day, all building and outdoor areas shall be inspected to ensure compliance with the inspection list in this section. The results of each inspection shall be documented and maintained on-site until a certificate of occupancy has been issued. Documentation shall be immediately available on-site for inspection and review.

1. Any contractors entering the site to perform hot work each day have been instructed in the hot work safety requirements in the International Fire Code, and hot work is performed only in areas approved by the site safety director.

2. Temporary heating equipment is maintained away from combustible materials in accordance with the equipment manufacturer's instructions.

3. Combustible debris, rubbish and waste material is removed from the building in areas where work is not being performed.

4. Temporary wiring does not have exposed conductors.

5. Flammable liquids and other hazardous materials are stored in locations that have been approved by the site safety director when not involved in work that is being performed.

6. Fire apparatus access roads required by the International Fire Code are maintained clear of obstructions that reduce the width of the usable roadway to less than 20 feet (6096 mm).

7. Fire hydrants are clearly visible from access roads and are not obstructed.

8. The location of fire department connections to standpipe and in-service sprinkler systems are clearly identifiable from the access road and such connections are not obstructed.

9. Standpipe systems are in service and continuous to the highest work floor, as specified in Section 1509.

10. Portable fire extinguishers are available in locations required by Section 1507 and for roofing operations in accordance with the International Fire Code.

11. Where a fire watch is required, fire watch records complying with the International Fire Code are up-to-date.

[F] 1502.3.1 Violations – pg. 93

New Section

Failure to properly conduct, document and maintain documentation required by this section shall constitute an unlawful act in accordance with Section 113.1 and shall result in the issuance of a notice of violation to the site safety director in accordance with Section 113.2. Upon the third offense, the code official is authorized to issue a stop work order in accordance with Section 114, and work shall not resume until satisfactory assurances of future compliance have been presented to and approved by the code official.

New Business

- a. Annual Meeting – election of Chairman and Vice-Chairman

There was a short discussion as to the responsibilities related to each role and who may be interested.

Motion for Chairman – Justin motioned for Clay Dietrich to hold the Chairman position, seconded by Brian Berg. No one was in opposition and the motion was declared carried.

Motion for Vice-Chairman - Justin Schoenberg volunteered. Kevin Bartram motioned for Justin Schoenberg to hold the Vice-Chairman position, seconded by Brian Berg. No one was in opposition and the motion was declared carried.

No Announcements

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

Meeting adjourned at 10:19 am.

Respectfully submitted



Shawn Ouradnik
Board Secretary