

ORDINANCE NO. 20-30

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING CHAPTER 150 OF TITLE XV OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) BY ADOPTING THE 2018 INTERNATIONAL BUILDING CODE; ADOPTING AMENDMENTS TO SAID CODE; ADOPTING THE 2018 INTERNATIONAL EXISTING BUILDING CODE; REPEALING ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, to adopt the 2018 International Building Code and the 2018 International Existing Building Code and in furtherance thereof to amend Chapter 150 of Title XV of Ordinance 05-47 (Columbus City Code), as follows:

Section 1. That Section 150.001 of Chapter 150 of Title XV of Ordinance 05-47 (Columbus City Code) is hereby amended to read as follows:

150.001 ADOPTION OF THE 2018 INTERNATIONAL BUILDING CODE:

It is hereby adopted for the purpose of establishing rules and regulations for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures within the City or its extraterritorial jurisdiction, including permits and providing penalties for the violation hereof that a certain building code known as the International Building Code, 2018 Edition, one copy of said book had been and is now filed in the office of the City Clerk and the same is hereby adopted and incorporated by reference herein and made a part hereof as if fully set forth and laid before these pages herein, from the date on which this section shall take effect and the provisions thereof shall be controlling of the erection, construction, enlargement, alternation, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures within the City or within the extraterritorial jurisdiction of the City.

Section 2. That Section 150.002 of Chapter 150 of Title XV of Ordinance 05-47 (Columbus City Code) is hereby amended to read as follows:

150.002 AMENDMENTS TO CODE:

Chapter 1, Section {A} 101.1 is hereby amended to read as follows: 101.1 Title. Add City of Columbus for name of jurisdiction.

Chapter 1, Section {A} 101.4.1 is hereby amended to read as follows: 101.4.1 Gas. The provisions of the Uniform Plumbing Code shall apply to the installation of gas piping

from the point of delivery, gas appliances and related accessories as covered in this code.

Chapter 1, Section {A} 101.4.3 is hereby amended to read as follows: 101.4.3 Plumbing. The provisions of the Uniform Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures and fittings and appurtenances and where connected to a water or sewage system.

Chapter 1, Section {A} 101.4.5 is hereby amended to read as follows: 101.4.5 Fire Prevention. The State Fire Marshal is the delegated authority for Fire Code implementation with the jurisdiction of the City of Columbus.

Chapter 1, Section {A} 101.4.6 Energy section is hereby deleted

New Section Chapter 1, Section {A} 101.5 Radon Systems is hereby added to the 2018 International Building Code. 101.5 Radon Systems. Radon provisions and systems as required by Legislative Bill 130 signed by the Governor on May 08, 2019 are hereby incorporated as part of this code.

Chapter 1 Section {A} 104.7 is hereby amended to read as follows: 104.7 Department Records. The Building Official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections and notices and orders issued. The records shall be retained in the official records for the period required for retention of public records. The Building Official shall submit a report monthly to the City Planning Commission covering the work of the department.

Chapter 1 Section {A} 4.10.1 is hereby deleted and replaced by the provisions listed in Article 5-19 of the Unified Land Development ordinance for the City of Columbus.

Chapter 1 Section {A} 105.2 Number 2 Fences not over 7' is hereby deleted

Chapter 1 Section {A} 105.2 Electrical: and Mechanical provisions are hereby deleted.

Chapter 1 {A} 105.3.2 of the 2018 International Building Code is hereby amended to read as follows: 105.3.2 Time Limitation of Application. If work in any building permit has not begun within 180 days of issuance thereof, said permit shall expire; it shall be cancelled by the building official; and written notice thereof shall be given to the persons affected.

Chapter 1 Section {A} is hereby amended to read as follows: 105.5 Expiration. If the work described in any building permit has not been completed within two years from the date of issuance thereof: said permit shall expire and be cancelled by the building official and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new permit has been obtained. The expiration date of a permit may be

established for a period longer than two years if established at the time that such permit is issued by the City. The building official may at his/her discretion extend the expiration period of the building permit.

Chapter 1 Section {A} 109.2 is hereby amended to read as follows: 109.2 Schedule of Permit Fees. On buildings, structures, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. In addition, a plan review fee equal to 25% of the building permit shall be paid for the plan review. The building official is authorized to set the valuation in accordance with the most current ICC Building Valuation Data on applications as a minimum valuation when deemed necessary.

Chapter 1 Section {A} 114.1 is hereby amended to read as follows: 114.1 Unlawful Acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building or structure in the City or within the extraterritorial jurisdiction of the City or cause the same to be done contrary to or in violation of any provisions of the Code.

Chapter 1 Section {A} 114.4 is hereby amended to read as follows: 114.4 Violation Penalties. Any person, firm or corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor and that person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued or permitted and, upon conviction, shall be punishable by a fine of not more than \$100 for any one offense or by imprisonment for not more than 30 days or by both fine and imprisonment.

Whenever the Building Official is satisfied that any provisions of this Code have been violated or are about to be violated, or that any order or direction made pursuant to this Code has not been carried out or is being disregarded, he may apply to the City Council and request that it order civil proceedings to be instituted. Any civil proceedings when instituted by the City Attorney at the direction of the City Council, shall be brought in the name of the City of Columbus. Nothing in this Section and no action taken thereunder will exclude any other proceedings authorized by this Code or any other law or ordinance in force, or to exempt any person violating this Code or any of the laws, from any penalty which might be incurred.

Section 305.2.3 is hereby amended to read as follows: 305.2.3 12 or fewer children in a dwelling unit. A facility such as above within a dwelling unit and having 12 or fewer children receiving day care shall be classified as an R-3 occupancy or shall comply with the International Residential Code.

Section 310.4.1 of the 2018 International Building Code is hereby amended to read as

follows: 310.4 Care Facilities within a dwelling. Care facilities for 12 or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the International Residential Code.

Section 903.2.8 of the 2018 International Building Code is hereby amended to add 2 exceptions: Exception #1 R-3 Occupancies consisting of one and two family dwellings shall not be required to provide an automatic sprinkler system provided the dwelling is separated from the other occupancy in accordance with Table 508.4 and smoke detectors are installed as required by the Building Official. Exception #2 Care facilities located within a single family dwelling shall not be required to provide an automatic sprinkler system where the number of persons receiving care is 12 or fewer.

Section 1805.1.3 of the 2018 International Building Code is hereby amended to include the following requirement for residential construction. 1805.1.3 Residential construction must comply with the provisions in amended Section R405 of the 2018 International Residential Code.

Section 1809.5 Frost Protection (Exception) of the 2018 International Building Code is hereby amended to read as follows: 1809.5 Frost Protection- Exception: Free standing unheated light frame construction accessory buildings meeting all of the following conditions shall not be required to be protected:

1. Assigned to Risk Category 1, in accordance with Section 1604.5.
2. Building has a maximum area of 440 square feet.
3. No dimension exceeds twenty-two feet (22') and the width between bearing walls does not exceed twenty feet (20').
4. The walls are supported on a monolith footing and slab extending a minimum of twelve inches (12") below grade.
5. Eave height of ten (10') or less.

Chapter 34 of the 2018 International Building is hereby deleted and replaced with the following State Radon Requirements. Radon systems shall be installed as outlined in State Statute 76-3504 thru 76-3506 per LB130 2019 signed by the governor on May 1, 2019 and include;

Terms, defined.

For purposes of the Radon Resistant New Construction Act:

- (1) Active radon mitigation system means a family of radon mitigation systems involving mechanically driven soil depressurization, including sub slab depressurization, drain tile depressurization, block wall depressurization, and sub membrane depressurization. Active radon mitigation system is also known as active soil depressurization;
- (2) Building contractor means any individual, corporation, partnership, limited liability company, or other business entity that engages in new construction;
- (3) Department means the Department of Health and Human Services;

(4) New construction means any original construction of a single-family home or a multifamily dwelling, including apartments, group homes, condominiums, and townhouses, or any original construction of a building used for commercial, industrial, educational, or medical purposes. New construction does not include additions to existing structures or remodeling of existing structures;

(5) Passive radon mitigation system means a pipe installed in new construction that relies solely on the convective flow of air upward for soil gas depressurization and may consist of multiple pipes routed through conditioned space from below the foundation to above the roof;

(6) Radon mitigation specialist means an individual who is licensed by the department as a radon mitigation specialist in accordance with the Radiation Control Act; and

(7) Radon resistant new construction means construction that utilizes design elements and construction techniques that passively resist radon entry and prepare a building for an active post construction mitigation system.

Radon resistant new construction; minimum standards.

Except as provided in section 76-3505, new construction built after September 1, 2019, in the State of Nebraska that is intended to be regularly occupied by people shall be built using radon resistant new construction. Such construction shall meet the following minimum standards:

(1) Sumps:

(a) A sump pit open to soil or serving as the termination point for sub slab or exterior drain tile loops shall be covered with a gasketed or otherwise sealed lid;

(b) A sump used as the suction point in a sub slab depressurization system shall have a lid designed to accommodate the vent pipe; and

(c) A sump used as a floor drain shall have a lid equipped with a trapped inlet;

(2) A passive sub slab depressurization system shall be installed during construction in basement or slab-on-grade buildings, including the following components:

(a) Vent pipe:

(i)(A) A minimum three-inch diameter acrylonitrile butadiene styrene (ABS), polyvinyl chloride (PVC), or equivalent gas-tight pipe shall be embedded vertically into the sub slab permeable material before the slab is cast. A "T" fitting or equivalent method shall be used to ensure that the pipe opening remains within the sub slab permeable material; or

(B) A minimum three-inch diameter ABS, PVC, or equivalent gas-tight pipe shall be inserted directly into an interior perimeter drain tile loop or through a sealed sump cover where the sump is exposed to the sub slab or connected to it through a drainage system;

(ii) The pipe shall be extended up through the building floors and terminate at least twelve inches above the surface of the roof in a location at least ten feet away from any window or other opening into the conditioned spaces of the building that is less than two

feet below the exhaust point and ten feet from any window or other opening in adjoining or adjacent buildings; and

(iii) In buildings where interior footings or other barriers separate the sub slab gas-permeable material, each area shall be fitted with an individual vent pipe. Vent pipes shall connect to a single vent that terminates above the roof or each individual vent pipe shall terminate separately above the roof. All exposed and visible interior radon vent pipes shall be identified with at least one label on each floor and in accessible attics. Such label shall read: Radon Reduction System; and

(3) Power source: In order to provide for future installation of an active radon mitigation system, an electrical circuit terminated in an approved box shall be installed during construction in the attic or other anticipated location of vent pipe fans.

New construction not required to use radon resistant new construction; when.

New construction after September 1, 2019, shall not be required to use radon resistant new construction if (1) the construction project utilizes the design of an architect or professional engineer licensed under the Engineers and Architects Regulation Act, (2) the construction project is located in a county in which the average radon concentration is less than two and seven-tenths picocuries per liter of air as determined by the department pursuant to section 76-3507, or (3) other than for any residential dwelling unit, a local building official makes a determination, after a review of relevant guidelines for the intended use of the structure and property conditions, that radon resistant new construction is not necessary.

Conversion of passive radon mitigation system to active radon mitigation system authorized.

A building contractor or a subcontractor of a building contractor may convert a passive radon mitigation system to an active radon mitigation system in accordance with rules and regulations adopted and promulgated by the department under the Radiation Control Act for radon mitigation, but the contractor or subcontractor is not required to be a radon mitigation specialist to convert such system. A radon mitigation specialist shall conduct any post installation testing of such system.

Section 3. That Chapter 150 of Title XV of Ordinance 05-47 (Columbus City Code) is hereby amended to add Section 150.003, the same to read as follows:

150.003 ADOPTION OF THE 2018 INTERNATIONAL EXISTING BUILDING CODE:

It is hereby adopted for the purpose of existing buildings undergoing repair, alterations or additions and change of occupancy within the City or within the extraterritorial jurisdiction thereof, a certain existing building code, known as the International Existing Building Code, 2018 Edition, one copy of said book had been and

is now filed in the office of the City Clerk and the same is hereby adopted and incorporated by reference herein and made a part hereof as if fully set forth and laid before these pages herein, from the date on which this section shall take effect.

Section 4. This ordinance shall repeal all other ordinances in conflict with the provisions of this ordinance.

Section 5. This ordinance shall take effect and be in full force and effect after its passage, adoption and publication as provided by law. Publication shall be in pamphlet form as authorized by Section 16-405 of Nebraska Revised Statutes with distribution to be made by making copies available to the public upon request at the City offices.

INTRODUCED BY COUNCIL MEMBER

Tom Schuber

PASSED AND ADOPTED THIS 4 DAY OF

January, 2020.

John B. Gully
MAYOR

ATTEST:

Jamelle Heine
CITY CLERK

APPROVED AS TO FORM:

AVy
CITY ATTORNEY

