

REPORT OF THE
BUILDING CODE STUDY COMMITTEE OF THE
STANDING COMMITTEES ON STATE GOVERNMENT

Submitted to the Members of the
Second Session of the Sixty-fourth General Assembly
Meeting in the Year 1972

R E P O R T

BUILDING CODE STUDY COMMITTEE
OF THE
STANDING COMMITTEES ON STATE GOVERNMENT

1971

On August 11, 1971 the Legislative Council authorized the Building Code Study Committee of the Standing Committees on State Government to hold two additional meetings on House File 6. The Committee was created for the purpose of preparing a building code enabling act, providing for the establishment of a permissive building code.

The Committee is composed of the following members:

Representative John E. Camp, Chairman
Senator R. Dean Arbuckle
Senator James W. Griffin, Sr.
Senator W. R. Rabedeaux
Senator James F. Schaben
Representative C. Raymond Fisher
Representative D. Vincent Mayberry
Representative Raymond J. Taylor

The Committee held its first meeting on September 30, 1971. The first meeting was attended by the following persons:

Mr. Mark R. Rodmen, Director of Building Inspection, City of
Sioux City
Mr. John Sullivan, Iowa Association of Electrical Corporations
Mr. James Iden, City of Council Bluffs
Mr. Ken Christensen, City of Ankeny
Mr. C. A. Wilson, NECA
Mr. Rex Walker, National Forest Products Association
Mr. Ed Starostovic, Wausau Homes
Ms. Joan D. Serrill, Iowa Chapter AIA
Mr. Ken Cosgrove, Master Builders of Iowa
Mr. Fred Columns, Iowa Chapter IAER
Mr. Robert W. Johnson, Iowa Chapter ICBO
Mr. Ted Wiedenman, Iowa Chapter ICDO
Mr. S. J. Classen, Iowa State Highway Commission
Mr. Charles Wasker, Home Builders Association
Mr. Bob Hays, League of Iowa Municipalities
Mr. William McNarney, Office for Planning and Programming
Mr. Ray Johnson, Office for Planning and Programming
Mr. Kenneth Henke, Jr., Director, Division of Local Affairs,
Office for Planning and Programming
Mr. Joseph M. Dean, Member of 1968 Governor's Study Committee
Mr. William A. Rundel, City of Newton
Mr. Charles E. Steinmetz, Iowa Engineering Society

Mr. Henke of the Office for Planning and Programming presented to the Committee a projected cost analysis of administering House File 6. The Committee discussed financing of House File 6 and requested that the Legislative Service Bureau and the Office for Planning and Programming obtain additional information of how other states are financing their building codes and the amount of revenue that would be needed to finance House File 6.

The Committee took statements from persons present at the meeting and their suggestions, comments, and criticisms of House File 6.

The Committee requested that the Legislative Service Bureau prepare copies of House File 6 with all amendments passed, amendments filed, and suggested amendments inserted in the proper place. The Committee requested that copies of this built-up bill be forwarded to all persons in attendance at the meeting.

The second meeting of the Building Code Study Committee was held on November 17, 1971 with the following persons in attendance:

Mr. William A. Rundel, Building Official, Newton
Mr. Edward F. Winter, Building Official, Cedar Rapids
Mr. Rex E. Walker, National Forest Products Association
Mr. Robert W. Johnson, Linn County and Marion Building Department
Mr. Hugh Lough, Red Cedar Shingle and Shake Bureau
Mr. Fred Benning, Jr., Western Food Products Association
Mr. Ted Wiedenman, Director of Building Inspection, Des Moines
Mr. Julian B. Serrill, Executive Director, Iowa Chapter AIA
Mr. Ken Cosgrove, Master Builders of Iowa
Mr. George Wilson, Legislative Representative, NECA
Mr. David Dancer, College Osteopathic Medicine and Surgery
Mr. William H. McNarney, Office for Planning and Programming
Mr. Kenneth Henke, Jr., Director, Division of Local Affairs,
Office for Planning and Programming
Mr. Joseph Dean, Mechanical Contractors Association of Iowa
Mr. Ed Starostovic, Wausau Homes
Mr. John W. Sullivan, Iowa Association of Electrical Coops.
Mr. Paul Romans, Iowa Mobile Homes Association
Mr. L. E. Knight, Building Official, Cedar Falls
Mr. Stan Tufler, Building Official, Waterloo
Mr. Charles Ford, National Homes Corporation
Mr. Fred Collins, Iowa Chapter IAIE
Mr. Mark R. Rodman, Director of Building Inspection, Sioux City
Mr. Victor Gibson, Architect, Waterloo
Mr. Charles F. Wasker, General Counsel, Home Builders

The Committee received a report from Mr. Henke, Office for Planning and Programming on financing of House File 6. The Committee also received a report from Mr. Ed Starostovic on financing of House File 6. The Committee discussed with those present the financing of House File 6 and the inspection of the installation of factory-built structures. The Committee adopted two

motions which appear in amendment form attached to this report and which provide that the commissioner shall establish fees sufficient to cover the costs of administering the Act and that factory-built structures will be inspected at installation only where the governmental subdivision has adopted the state building code or some other building code.

The Committee proceeded page-by-page through the built-up bill prepared by the Legislative Service Bureau and containing amendments adopted, amendments filed, and suggested amendments to House File 6. The Committee discussed with those present each amendment, filed amendment, or suggested amendment to House File 6 and approved those amendments appearing in the suggested amendment attached to this report.

Recommendations

Based on the conclusions drawn by the Committee from the data and information received and the individuals consulted, the Committee respectfully recommends to the members of the Sixty-fourth General Assembly that House File 6 be passed with the following amendments:

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(Type between lines only)

HOUSE FILE 6

1 Amend House File 6, as passed and amended by the
2 House, as follows:

3 1. Page 2, by inserting after line 2 the following
4 new section:

5 "Sec. ____ . STATEMENT OF POLICY. It is found and
6 declared that some governmental subdivisions do not
7 have building codes and that the building codes which
8 do exist in the governmental subdivisions of this state,
9 as enacted and applied, are not uniform and impede the
10 utilization of new and improved technology, techniques,
11 methods, and materials in the manufacture and construc-
12 tion of buildings and structures.

13 Therefore, it is the policy of the state of Iowa
14 to insure the health, safety, and welfare of its citizens
15 through the promulgation and enforcement of a state
16 building code."

17 2. Page 3, by inserting the following after line
18 31:

19 "18. 'Performance objective' establishes design
20 and engineering criteria without reference to specific
21 methods of construction."

22 3. Page 4, by striking lines 19 through 22 and in-
23 serting in lieu thereof the following new section:

24 "Sec. ____ . STATE BUILDING CODE. The state building
25 code commissioner with the approval of the advisory

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1 council is hereby empowered and directed to formulate
2 and adopt and from time to time amend or revise and
3 to promulgate, in conformity with and subject to the
4 conditions set forth in this Act, reasonable rules
5 designed to establish minimum safeguards in the erection
6 and construction of buildings and structures, to protect
7 the human beings who live and work in them from fire
8 and other hazards, and to establish regulations to fur-
9 ther protect the health, safety and welfare of the pub-
10 lic.

11 The rules shall include reasonable provisions for
12 the following:"

13 4. Page 5, by striking lines 2 through 4 and insert-
14 ing in lieu thereof the following:

15 "1. Provide uniform standards and requirements for
16 construction, construction materials, and equipment
17 through the adoption by reference of applicable national
18 codes where appropriate and providing exceptions when
19 necessary. The rules adopted shall include provisions
20 imposing requirements reasonably consistent with or
21 identical to recognized and accepted standards contained
22 in performance criteria as developed by nationally
23 recognized model codes such as the model codes prepared
24 by the Building Officials Conference of America, the
25 International Conference of Building Officials, the

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1 Southern Building Codes Congress, the National Fire
2 Protection Association, the American National Standards
3 Institute, the American Insurance Association, the
4 United States Department of Housing and Urban Develop-
5 ment, the American Standards Association, and the
6 International Association of Plumbing and Mechanical
7 Officials."

8 5. Page 6, line 2, by inserting before the period
9 the following:

10 "in the governmental subdivisions which have adopted
11 the state building code or any other building code".

12 6. Page 6, lines 7 and 8, by striking the words
13 ", provide for inspection fees,".

14 7. Page 6, line 18, by inserting before the period
15 the following:

16 "only in those governmental subdivisions which have
17 adopted the state building code or any other building
18 code".

19 8. Page 6, by striking lines 19 through 23.

20 9. Page 7, line 34, by inserting after the word
21 "resolution" the words "or ordinance".

22 10. Page 7, line 35, by inserting after the word
23 "resolution" the words "or ordinance".

24 11. Page 8, line 4, by inserting after the word
25 "resolution" the words "or ordinance".

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1 12. Page 8, line 5, by inserting after the word
2 "resolution" the words "or ordinance".

3 13. Page 8, line 7, by inserting after the word
4 "resolution" the words "or ordinance".

5 14. Page 8, line 9, by inserting after the word
6 "resolution" the words "or ordinance".

7 15. Page 8, line 16, by inserting after the word
8 "resolution" the words "or ordinance".

9 16. Page 8, line 19, by inserting after the word
10 "resolution" the words "or ordinance".

11 17. Page 8, by striking lines 28 through 35.

12 18. Page 9, by striking lines 1 through 8 and in-
13serting in lieu thereof the following:

14 "Sec. 12. ALTERNATE MATERIALS AND METHODS OF CON-
15STRUCTION. The provisions of the state building code
16shall not prevent the use of any material or method
17of construction not specifically prescribed therein,
18provided any such alternate has been approved by the
19building code commissioner.

20 The commissioner may approve any alternate if he
21finds that the proper design is satisfactory and that
22the material, method, or work offered is, for the pur-
23pose intended, at least the equivalent of that prescribed
24in the state building code in quality, strength, ef-
25fectiveness, fire resistance, durability, and safety.

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1 The commissioner shall require that sufficient evi-
2 dence or proof be submitted to substantiate any claim
3 that may be made regarding alternate use."

4 19. Page 9, line 19, by striking the word "At".

5 20. Page 19, by striking lines 20 through 23.

6 21. Page 9, line 24, by striking the words "in the
7 state".

8 22. Page 9, line 33, by striking the words "the
9 variances referred to" and inserting in lieu thereof
10 the words "any alternate materials or methods of con-
11 struction approved by the commissioner as provided".

12 23. Page 10, by striking lines 11 and 12 and insert-
13 ing in lieu thereof the following:

14 "6. Four members of the council shall constitute
15 a quorum. For the purpose of conducting business a
16 majority vote of the council shall be required."

17 24. Page 10, line 17, by striking everything after
18 the period.

19 25. Page 10, by striking line 18.

20 26. Page 10, line 27, by striking the number "1."

21 27. Page 10, by striking lines 28 through 32.

22 28. Page 10, line 33, by striking the letter "b"
23 and inserting in lieu thereof the number "1".

24 29. Page 11, line 4, by striking the letter "c"
25 and inserting in lieu thereof the number "2".

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1 30. Page 11, line 6, by striking the number "(1)"
2 and inserting in lieu thereof the letter "a".

3 31. Page 11, line 8, by striking the number "(2)"
4 and inserting in lieu thereof the letter "b".

5 32. Page 11, by striking lines 10 through 15.

6 33. Page 12, lines 24 and 25, by striking the words
7 "a variance" and inserting in lieu thereof the words
8 "the use of alternate materials or methods of construc-
9 tion".

10 34. Page 14, lines 16 and 17, by striking the words
11 "of variance or modification".

12 35. Page 15, line 19, by striking the word
13 "license,".

14 36. Page 15, line 32, by striking the word
15 "license,".

16 37. Page 16, line 1, by striking the word "license,".

17 38. Page 19, by adding the following new section
18 after line 27:

19 1. "Sec. ____ . FEES. For the purpose of obtaining
20 revenue to defray the costs of administering the pro-
21 visions of this Act, the commissioner shall establish
22 by rule and regulation a schedule of fees based upon
23 the costs of administration which fees shall be col-
24 lected from persons whose manufacture, installation
25 or construction is subject to the provisions of the

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1 state building code.

2 All fees collected by the commissioner shall be de-
3 posited in the state treasury to the credit of the gen-
4 eral fund."

5 2. "Sec. ____ . APPROPRIATIONS. There is appropri-
6 ated from the general fund of the state for the fiscal
7 year beginning July 1, 1972 and ending June 30, 1973,
8 for the office of the state building code commissioner,
9 the following amount, or so much thereof as may be nec-
10 essary, to be used for the following purposes:

	1972-73
	<u>Fiscal Year</u>
11	
12	
13 Office of the state building code	
14 commissioner. For administering	
15 the provisions of this Act, sal-	
16 aries, support, maintenance, and	
17 miscellaneous purposes:	\$ 70,000.00

18 All federal grants to and federal receipts of the
19 office of state building code commissioner are appro-
20 priated for the purpose set forth in the federal grants
21 or receipts."

22 39. Page 1, line 2, amend the title by inserting
23 before the word "and" the words "provide for the set-
24 ting of fees, make an appropriation,".

25

EXPLANATION OF AMENDMENT

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1 1. This amendment provides for a statement of policy.

2 2. This amendment defines the term "performance
3 objective".

4 3. This amendment provides that the building code
5 commissioner with the approval of the advisory council
6 shall adopt the state building code by rule and regu-
7 lation. The amendment does not alter the substance
8 of this section but sets out language providing guide-
9 lines.

10 4. This amendment sets out the national and model
11 codes which the commissioner shall follow with reason-
12 ably consistent provisions in the adoption of the state
13 building code.

14 5. This amendment corresponds to amendments 7 and
15 8.

16 6. This amendment corresponds to amendment 7 pro-
17 viding authority to set fees.

18 7-8. This amendment provides that the installation
19 of factory-built structures will be inspected by govern-
20 mental subdivisions which have adopted the state build-
21 ing code or some other building code. In governmental
22 subdivisions which have no building code the installa-
23 tion of factory-built structures is not required.

24 9-16. This amendment provides for the insertion
25 of the word "ordinance" in section 11.

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1 17-18. This amendment strikes the variance provi-
2 sions and inserts a section providing a procedure for
3 the approval of alternate materials and methods of con-
4 struction which must be the equivalent of materials
5 and methods of construction set out in the state build-
6 ing code.

7 19-21. This amendment provides that the governor
8 shall appoint the members of the advisory council and
9 removes the requirement that members of the council
10 must be selected from specific professions.

11 22. This amendment corresponds to amendments 17-
12 18.

13 23. This amendment provides that four members of
14 the advisory council shall constitute a quorum and that
15 a majority vote of the council is necessary to conduct
16 business.

17 24. This amendment corresponds to amendments 17-
18 18.

19 25-34. This amendment removes the variance procedure
20 of the board of review.

21 35-37. This amendment strikes the word license from
22 section 19.

23 38. (1) This amendment delegates authority to the
24 commissioner to establish a schedule of fees for the
25 purpose of securing revenue sufficient to defray the

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1 costs of administering the provisions of the bill.
2 38. (2) This amendment provides an appropriation
3 of \$70,000 for the first year of operation. After the
4 first year the building code commissioner's office
5 should be self-supporting with fee revenue.
6 39. This amendment provides that the title shall
7 reflect the provisions for collection of fees and the
8 appropriation of funds for the first year of operation.
9 After the first year of operation the building code
10 will be self-supporting with the collection of fees
11 which are deposited in the general fund.

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