

Reprinted 4/77

HOUSE FILE 75

JAN 23 1977

House File 75  
Energy  
Hullinger and  
Varley, co-chair  
Norland  
Hinkhouse  
Howell  
Pellett

Pass per 3053  
2/16 (410)  
Referred 2/23

By ENERGY RESOURCES  
STUDY COMMITTEE  
Approved 2/28 (568)  
per 3114

Passed House, Date 4-1-77 (P. 1173) Passed Senate, Date 4-26-77 (P. 1197)

Vote: Ayes 76 Nays 15 Vote: Ayes 33 Nays 7

Approved June 23, 1977

## A BILL FOR

1 An Act providing for the promulgation of energy efficiency  
2 standards for buildings and factory built structures in the  
3 state building code.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Chapter one hundred three A (103A), Code  
2 1977, is amended by adding the following new section:

3 NEW SECTION. ENERGY EFFICIENCY STANDARDS.

4 1. The commissioner shall, with the approval of the  
5 advisory council, promulgate standards for inclusion in the  
6 state building code designed to conserve energy in buildings  
7 and factory built structures. Provisions of the state building  
8 code establishing energy conservation standards, including  
9 thermal efficiency standards shall apply to all new  
10 construction throughout the state regardless of whether or  
11 not the construction is located in a governmental subdivision  
12 which has adopted the state building code. Provisions of  
13 the state building code which establish lighting efficiency  
14 standards shall apply as well to all buildings in the state  
15 which are open to the public. Notwithstanding the definition  
16 in subsection fifteen (15) of section one hundred three A  
17 point three (103A.3) "construction" as used in this section  
18 is limited to the erection of new buildings or factory built  
19 structures and additions to existing buildings or factory  
20 built structures and does not include renovations or repairs.  
21 "Existing building or factory built structure" as used in  
22 this section means buildings or factory built structures  
23 intended for human occupancy which are occupied or ready for  
24 occupancy on January 1, 1978 or for which engineering and  
25 architectural plans have been finalized prior to January 1,  
26 1978.

27 2. Energy efficiency standards established in the state  
28 building code shall be administered and enforced by the state  
29 building code commissioner, however local administration and  
30 enforcement apparatus and procedures available pursuant to  
31 section one hundred three A point nineteen (103A.19) of the  
32 Code shall be used whenever possible.

33 Sec. 2. Section one hundred three A point ten (103A.10),  
34 subsection two (2), Code 1977, is amended to read as follows:

35 2. The Except as provided in section one (1) of this

1 Act, the state building code shall be applicable:

2 Sec. 3. Section one hundred three A point twenty-two  
3 (103A.22), subsection one (1), Code 1977, is amended to read  
4 as follows:

5 1. Nothing in this chapter shall be construed as  
6 prohibiting any governmental subdivision from adopting or  
7 enacting any building regulations relating to any building  
8 or structure within its limits, but a governmental subdivision  
9 in which the state building code has been accepted and is  
10 applicable or in which the energy conservation provisions  
11 of the state building code are applicable shall not have the  
12 power to supersede, void, or repeal or make more restrictive  
13 any of the provisions of this chapter or of the rules adopted  
14 by the commissioner.

15 Sec. 4. This Act is effective January 1, 1978.

16 EXPLANATION

17 This bill requires the state building code commissioner  
18 to promulgate energy efficiency standards for buildings and  
19 factory built structures as part of the state building code.  
20 The standards would apply to all new buildings in the state  
21 constructed after January 1, 1978 and to all additions to  
22 existing buildings made after that date. Other provisions  
23 of the building code are applicable only to state owned  
24 buildings, all factory built structures and to other buildings  
25 and structures located in a governmental subdivision which  
26 chooses to adopt the code. An existing building or factory  
27 built structure is defined as including those buildings or  
28 structures for which engineering and architectural plans have  
29 been finalized as of January 1, 1978 (which gives the  
30 commissioner six months to promulgate standards). The bill  
31 does not affect renovations to existing buildings. Energy  
32 standards shall be administered and enforced by the  
33 commissioner but local administration and enforcement shall  
34 be used whenever possible.

35

FISCAL NOTE  
HOUSE FILE 75

Date Prepared March 16, 1977

Requested by Representative Mary O'Halloran

Prepared in regard to H.F. 75, Amendment H-3114, An Act providing for the promulgation of energy efficiency standards for buildings and factory built structures in the state building code. Following is the fiscal effect in dollars of the legislative proposal as required by Joint Rule 16:

The total estimated first-year cost of this proposal would be \$77,000. Estimated cost for second year and subsequent years would be \$45,000 per year.

It should be noted that the Energy Policy Council will apply for federal funds through Public Law 94-163 and through proposed HUD grants in Public Law 94-385 and if received will reduce the amount required.

Source: State Building Code Commissioner

FILED

GERRY D. RANKIN

MARCH 22, 1977

LEGISLATIVE FISCAL BUREAU

## HOUSE FILE 75

H-3460

1 Amend amendment H-3114 to House File 75 as  
2 follows:  
3 1. Page 2, by inserting after line 12 the  
4 following:  
5 "Sec. 5. Section one hundred three A point  
6 nineteen (103A.19), Code 1977, is amended by  
7 adding the following new unnumbered paragraph:  
8 NEW UNNUMBERED PARAGRAPH. The specifications  
9 for all buildings to be constructed after the  
10 effective date of this Act and which exceed a total  
11 volume of 100,000 cubic feet shall be reviewed by  
12 a registered architect or registered engineer for  
13 compliance with applicable energy efficiency  
14 standards. A statement that a review has been  
15 accomplished and that the design is in compliance  
16 with the energy efficiency standards shall be  
17 signed and sealed by the responsible registered  
18 architect or registered engineer. This statement  
19 shall be filed with the commissioner prior to  
20 construction. Buildings which are to be used  
21 primarily for agricultural purposes shall be exempt  
22 from the requirement of this section. If the  
23 specifications relating to energy efficiency for a  
24 specific structure have been approved, additional  
25 buildings may be constructed from those same  
26 plans and specifications without need of  
27 further approval if construction begins within  
28 five (5) years of the date of approval. Alterations  
29 of a structure which has been previously approved  
30 shall not require a review because of these changes,  
31 provided the basic structure remains unchanged."

H-3460 FILED, ADOPTED  
APRIL 1, 1977 (p. 112)

BY JUNKER of Woodbury  
EVANS of Grundy

HOUSE FILE 75

H-3322

- 1 Amend amendment H-3114 to House File 75 as
- 2 follows:
- 3 1. Page 2, line 5, by striking the word "fifty" A
- 4 and inserting in lieu thereof the words "one hundred".
- 5 2. Page 2, line 18, by striking the word "fifty" B
- 6 and inserting in lieu thereof the words "one hundred".

H-3322 FILED *A. adopted 4/1* BY EVANS of Grundy  
MARCH 18, 1977 *(1172) B.W.D. (1169)*

HOUSE FILE 75

H-3323

- 1 Amend H-3114 to House File 75, as follows:
- 2 1. Page 1, line 22, by striking the words
- 3 "and lighting".
- 4 2. Page 2, by striking lines 8 through 12.

H-3323 FILED *lost 4/1 (1167)* BY WEST of Marshall  
MARCH 18, 1977

HOUSE FILE 75

H-3386

- 1 Amend amendment H-3114 to House File 75 as
- 2 follows:
- 3 1. Page 2, line 22, by striking the words "and
- 4 lighting".

H-3386 FILED *Out of order* BY EVANS of Grundy  
MARCH 23, 1977 *with adoption of 3322A 4/1 (1172)*

HOUSE FILE 75

H-3387

- 1 Amend amendment H-3114 to House File 75 as
- 2 follows:
- 3 1. Page 2, line 23, by inserting after the word
- 4 "made" the words "and that the design is in compliance".

H-3387 FILED *Out of order* BY EVANS of Grundy  
MARCH 23, 1977 *with adoption of 3322A 4/1 (1172)*

HOUSE FILE 75

H-3317

- 1 Amend H-3114 to House File 75 as follows:
  - 2 Page 2, by striking lines 6 and 7.
- H-3317 FILED - *Lost 4/1 (1170)* BY LIPSKY of Linn  
MARCH 17, 1977 JESSE of Polk

HOUSE FILE 75

H-3316

- 1 Amend amendment H - 3114 to House File 75 as follows:
  - 2 1. Page 1, line 36, by inserting after the word
  - 3 "building" the words "or class of buildings".
- H-3316 FILED - *Adopted 4/1 (p. 1167)* BY EVANS of Grundy  
MARCH 17, 1977

HOUSE FILE 75

H-3314

- 1 Amend amendment H-3114 to House File 75 as
- 2 follows:
- 3 1. Page 1, line 36, by inserting after the word
- A 4 "building." the words "Lighting efficiency standards
- 5 shall recognize variations in lighting intensities
- 6 required for the various tasks performed within the
- 7 building."
- 8 2. Page 2, line 12, by inserting after the word
- B 9 "state" the words "and to all new construction, in
- 10 the state, of buildings which are open to the general
- 11 public during normal business hours."

H-3314 FILED - *Adopted 4/1 (p. 1168)* BY HOWELL of Floyd  
MARCH 17, 1977

HOUSE FILE 75

H-3309

- 1 Amend amendment H-3114 to House File 75 as
- 2 follows:
- 3 1. Page 1, line 17, by inserting after the
- 4 word "repairs." the following:
- 5 "The term "new construction" as used in this
- 6 section shall not include "custom built" single
- 7 family residential units to be occupied by the
- 8 owner. For purposes of this section "custom
- 9 built" means those units which are designed and
- 10 built according to the owners specifications
- 11 and does not include those units which are built
- 12 according to a builders design and which design
- 13 or specifications are also used in the building
- 14 of tract homes by that builder unless the owner
- 15 has substantially altered the design or specifi-
- 16 cation of the unit."

H-3309 FILED, LOST (878) BY BROCKETT of Marshall  
MARCH 17, 1977

H-3293

1 Amend amendment H-3114 to House File 75 as follows:

2 1. Page 1, by striking lines 4 through 50.

3 2. Page 2, by striking lines 1 through 26 and  
4 inserting in lieu thereof the following:

5 "Section 1. NEW SECTION. This Act may be cited  
6 as the "Iowa Building Code Act".

7 Sec. 2. NEW SECTION. LEGISLATIVE FINDINGS AND  
8 INTENT. Uniformity of building codes and uniformity  
9 in procedures for enforcing codes throughout the  
10 nation and the state are matters of nationwide and  
11 statewide interest and concern in that uniformity  
12 would increase the efficiency of the building industry  
13 and further assure the safety of its products.

14 The cost of conventional housing has risen to a  
15 height that effectively prevents many families from  
16 purchasing homes. This is a serious social and  
17 economic problem. A goal of this Act is to minimize  
18 the cost of acceptable housing consistent with the  
19 need to maintain the public health and welfare.  
20 Therefore, administration of this Act will include  
21 a continuing imaginative program to seek out, evaluate,  
22 and promote new concepts, new materials, and new  
23 techniques which show promise of reducing costs and  
24 providing better housing to the citizens of this  
25 state.

26 Sec. 3. NEW SECTION. APPLICABILITY--ADOPTION  
27 PROCEDURE.

28 1. The standards, requirements, and specifications  
29 set forth in this Act shall apply to:

30 a. All public buildings constructed by any  
31 political subdivision of the state.

32 b. All factory built structures, including mobile  
33 homes and mobile home parks throughout the state.

34 c. All buildings and construction owned by the  
35 state and all buildings constructed on state land.

36 d. All construction of buildings in each  
37 governmental subdivision of the state which has adopted  
38 a building code.

39 2. Energy conservation standards and requirements  
40 promulgated under the authority of section eight (8),  
41 subsection one (1), paragraph c of this Act, including  
42 those standards and requirements related to thermal  
43 efficiency, shall apply to all new buildings and con-  
44 struction throughout the state. Standards relating  
45 to lighting efficiency shall apply as well to all  
46 existing public buildings.

47 "Construction" as used in this subsection is limited  
48 to the erection of new buildings or factory built  
49 structures and additions to existing buildings or  
50 factory built structures and does not include

1 renovations or repairs. "Existing building or factory  
2 built structure" as used in this subsection means  
3 buildings or factory built structures intended for  
4 human occupancy which are occupied or ready for  
5 occupancy on January 1, 1978 or for which engineering  
6 and architectural plans have been finalized prior  
7 to January 1, 1978.

8 3. The standards, requirements, and specifications  
9 set forth in this Act shall not apply to buildings  
10 in unincorporated areas which are used and continue  
11 to be used primarily for agricultural purposes nor  
12 to owner-occupied farmhouses or other farm buildings  
13 which are primarily adapted, by reason of nature and  
14 area, for use for agricultural purposes, while so  
15 used or while under construction for such use, unless  
16 such buildings are dwellings which are factory built  
17 structures.

18 4. The appropriate divisions of the state building  
19 code shall be applicable in each governmental  
20 subdivision of the state in which the governing body  
21 has adopted or enacted a resolution or ordinance  
22 accepting the applicability of one or more divisions  
23 of the code and shall have filed a certified copy  
24 of the resolution or ordinance in the office of the  
25 commissioner and in the office of the secretary of  
26 state. The applicable divisions of the state building  
27 code shall become effective in the governmental  
28 subdivision upon the date fixed by the governmental  
29 subdivision resolution or ordinance. The effective  
30 date shall be no later than six months after the date  
31 of adoption of the resolution or ordinance.

32 Sec. 4. NEW SECTION. DEFINITIONS. As used in  
33 this Act, unless a different meaning is clearly  
34 indicated by the context:

35 1. "Building" means any combination of materials  
36 which comprises a structure, whether portable or  
37 fixed, affording facilities or shelter for any use  
38 or occupancy. The word "building" shall be construed  
39 as if followed by the words "or part or parts thereof  
40 and all equipment therein" unless the context clearly  
41 requires a different meaning.

42 2. "Commissioner" means the commissioner of the  
43 department of building codes.

44 3. "Construction" means the erection, fabrication,  
45 reconstruction, demolition, alteration, conversion,  
46 or repair of a building, or the installation of  
47 equipment therein.

48 4. "Council" means the building code council of  
49 the department of building codes.

50 5. "Department" means the department of building

- 1 codes.
- 2 6. "Equipment" means facilities or installations,  
3 including, but not limited to, plumbing, heating,  
4 electrical, ventilation, air conditioning and  
5 refrigeration facilities, elevators, dumbwaiters,  
6 escalators, boilers, fire protection systems or  
7 equipment, and pressure vessels.
- 8 7. "Local enforcement agency" means an agency  
9 of local government with authority to make inspections  
10 of buildings and to enforce the laws, ordinances,  
11 and rules enacted by the state and by the local  
12 government which establish standards and requirements  
13 applicable to the construction, alteration, repair,  
14 occupancy, or demolition of buildings.
- 15 8. "Local government" means a county, city, or  
16 combination thereof with authority to establish  
17 standards and requirements applicable to the  
18 construction, alteration, repair, occupancy, or  
19 demolition of buildings.
- 20 9. "Factory built structure" means any building  
21 which is of closed construction and which is made  
22 or assembled in manufacturing facilities, on or off  
23 the building site, for installation, or assembly and  
24 installation, on the building site. "Factory built  
25 structure" also means any building of open construction  
26 for which certification under this Act is sought by  
27 the manufacturer and which is made or assembled in  
28 manufacturing facilities away from the building site  
29 for installation, or assembly and installation, on  
30 the building site.
- 31 10. "Mobile home system" means plans,  
32 specifications, and documentation for a system of  
33 mobile homes, which may include structural, electrical,  
34 mechanical, plumbing, and fire protection systems,  
35 and other systems affecting health and safety,  
36 including variations which are submitted as part of  
37 the mobile home system.
- 38 11. "Recreational vehicle" means a vehicular unit  
39 primarily designed as temporary living quarters for  
40 recreational, camping, or travel use, which either  
41 has its own motive power or is designed to be mounted  
42 on or drawn by another vehicle.
- 43 12. "Closed construction" means any structure,  
44 building, component, assembly, or system manufactured  
45 in such a manner that all portions cannot be readily  
46 inspected at the installation site without being  
47 disassembled, damaged, or destroyed.
- 48 13. "Open construction" means any structure,  
49 building, component, assembly, or system manufactured  
50 in such a manner that all portions can be readily

inspected at the installation site without being disassembled, damaged, or destroyed.

Sec. 5. NEW SECTION. DEPARTMENT CREATED. There is created a department of building codes. The chief administrative officer of the department shall be the commissioner of building codes, who shall be appointed by the governor, with the approval of two-thirds of the members of the senate, and shall serve at the governor's pleasure.

The commissioner shall be selected on the basis of his technical and administrative abilities at an annual salary as fixed by the general assembly. The appointment or removal of the commissioner shall not be subject to the provisions of chapter nineteen A (19A) of the Code.

Sec. 6. NEW SECTION. COMMISSIONER'S DUTIES. The commissioner shall:

1. Recommend to the council the adoption of rules that are necessary for the effective administration of the department.

2. Direct and administer the programs and services of the department in compliance with the rules adopted by the council.

3. Perform other duties assigned by the council.

4. Prepare, with council approval, the budget request for the department.

5. Appoint with the approval of the council the technical, professional, secretarial, and clerical staff necessary to accomplish the purposes of this Act, subject to the provisions of chapter nineteen A (19A) of the Code.

6. Be authorized to appoint a member of his or her staff to be acting commissioner in his or her absence. The acting commissioner shall have the powers delegated to him or her by the commissioner.

The commissioner and other employees of the department shall receive, in addition to salary, their necessary expenses when engaged in the performance of official business.

7. Administer and enforce the provisions of chapter one hundred four A (104A) of the Code.

Sec. 7. NEW SECTION. BUILDING CODE COUNCIL. A building code council is created. The council shall consist of seven members five of whom are qualified by experience or training to provide a broad or specialized expertise on matters pertaining to areas subject to this Act.

Members of the council shall be appointed by the governor for four-year terms of office and shall serve until qualified successors are appointed. No more

1 than four members of the council shall be of the same  
2 political affiliation. The state building code  
3 advisory council members appointed under section one  
4 hundred three A point fourteen (103A.14) of the Code  
5 shall continue to serve as members of the council  
6 created by this section until their terms expire,  
7 or until vacancies otherwise occur, at which times  
8 the governor shall appoint new members.

9 Members of the council shall receive a per diem  
10 of forty dollars for each day actually spent attending  
11 to the business of the council and be compensated  
12 for necessary expenses incurred in the performance  
13 of their duties.

14 The council shall meet at the written request of  
15 the commissioner or of three or more members of the  
16 council.

17 The council shall establish rules for its internal  
18 operation. The council may establish committees and  
19 provide funding.

20 The council shall be part of the department of  
21 building codes and shall exercise its powers, duties,  
22 and functions independently of the department of  
23 building codes, except that all budgeting, procurement,  
24 and related functions shall be under the direction  
25 and supervision of the commissioner of the department  
26 of building codes.

27 A member shall not act as a member of the council  
28 or vote as such in connection with any matter in which  
29 he has a private interest.

30 Sec. 8. NEW SECTION. POWERS OF COUNCIL AND  
31 COMMISSIONER.

32 1. The commissioner shall, and any other interested  
33 party may propose rules. The council shall adopt  
34 and may amend or repeal rules, subject to chapter  
35 seventeen A (17A) of the Code. After adoption by  
36 the council, the commissioner shall publish,  
37 administer, and enforce the rules. The rules shall  
38 cover the following:

39 a. The construction and inspection of all buildings  
40 and structures which are subject to the state building  
41 code.

42 b. The use or occupancy of buildings.

43 c. Standards and requirements for materials and  
44 equipment to be used in buildings including, but not  
45 limited to, standards and requirements for safety,  
46 energy conservation, ingress and egress, and sanitary  
47 conditions.

48 d. Standards, specifications, and requirements  
49 for the manufacture of factory built structures,  
50 building components, and mobile homes.

1 e. Standards, specifications, and requirements  
2 for installation of factory built structures,  
3 components, and mobile homes.

4 f. Requirements for building systems and compliance  
5 assurance programs.

6 g. Standards, specifications, and requirements  
7 for a state housing code applicable to new and existing  
8 dwellings, and provisions for its enforcement. A  
9 state housing code shall not apply to existing single-  
10 family residences occupied by the owner or the owner's  
11 family.

12 h. Standards, specifications, and requirements  
13 for mobile home park and recreational vehicle park  
14 installations.

15 i. Standards, specifications, and requirements  
16 for fire prevention and safety in buildings and  
17 structures and provisions for their enforcement.

18 j. Standards, specifications, requirements, and  
19 provisions for enforcement for making buildings and  
20 facilities accessible to and usable by the handicapped.  
21 Rules adopted to implement this paragraph shall  
22 recognize the need for a reasonable balance between  
23 benefits to the handicapped and the cost of achieving  
24 these benefits and shall permit individual cases to  
25 be decided on their merits.

26 k. The establishment of classifications of fire  
27 zones pursuant to section thirteen (13), subsection  
28 two (2), of this Act.

29 1. Policy relating to maintenance and restoration  
30 of buildings of historic interest. This policy shall  
31 permit great latitude in design, materials, and  
32 techniques to insure historic authenticity.

33 m. The administration and enforcement of this  
34 Act.

35 2. The commissioner may propose and the council  
36 may adopt the codes, standards, and requirements which  
37 apply to buildings and are promulgated by such  
38 organizations as the building officials and code  
39 administrators international, inc., international  
40 conference of building officials, southern building  
41 code congress, council of american building officials,  
42 and other nationally recognized organizations including  
43 governmental agencies, if the council determines that  
44 any such code meets the following requirements:

45 a. Its adoption will not substantially reduce  
46 regional uniformity of building regulations.

47 b. It does not discriminate against particular  
48 technologies, techniques, trades, or materials.

49 c. It does not unnecessarily increase the cost  
50 of construction in the state.

1 d. It will protect the public health, safety,  
2 and welfare within the state.

3 e. The state may participate in the code  
4 modification proceedings of the model code group whose  
5 code is proposed to be adopted.

6 If the council determines that all of the codes  
7 fail to meet one or more of the requirements, the  
8 council shall adopt a code which is comprised of one  
9 or more of the model codes or which is amended to  
10 the extent necessary to meet the requirements.

11 3. The council shall:

12 a. Establish procedures for implementation of  
13 the transition from chapters one hundred three A  
14 (103A) and four hundred thirteen (413) of the Code  
15 to this Act.

16 b. Hold a public hearing prior to adopting any  
17 rule, following adequate public notice.

18 c. Make a continual study of the operation of  
19 the Iowa building code and other laws relating to  
20 the construction of buildings to ascertain their  
21 effect upon the cost of building construction and  
22 determine the effectiveness of their provisions.

23 d. Hear appeals pursuant to section fifteen (15)  
24 of this Act.

25 e. Decide, upon application by a private party  
26 or a local enforcement agency, that new technologies,  
27 techniques, and materials which have been tested,  
28 where necessary, and found to meet the objectives  
29 of the Iowa building code, shall be deemed to meet  
30 that code. These determinations are binding upon  
31 all local enforcement agencies throughout the state  
32 unless otherwise qualified by the council.

33 f. Make a continual study to seek out, evaluate,  
34 and promote new concepts, new materials, and new  
35 techniques which show promise of reducing costs and  
36 providing better housing to the citizens of this  
37 state.

38 4. The council or commissioner may:

39 a. Require or provide for the testing of materials,  
40 devices, and methods of construction.

41 b. Appoint experts, consultants, technical  
42 advisors, and advisory committees for assistance and  
43 recommendations relative to the formulation of the  
44 Iowa building code.

45 c. Formulate rules for the issuance and revocation  
46 of permits for building construction and occupancy  
47 permits.

48 Sec. 9. NEW SECTION. IOWA BUILDING CODE.

49 1. The rules published pursuant to section eight  
50 (8) of this Act shall comprise and collectively be

1 known as the Iowa building code.

2 2. The Iowa building code shall be designed to  
3 achieve the following specific objectives:

4 a. Provide uniform standards and requirements  
5 for construction and construction materials.

6 b. To the extent practicable, set forth the  
7 standards, specifications, and requirements in terms  
8 of performance objectives, to facilitate the use of  
9 new technologies, techniques, and materials.

10 Preference shall be given to standards reasonably  
11 consistent with those of other states.

12 3. Until one hundred eighty days after adoption  
13 of the Iowa building code by a local government, any  
14 local building regulations shall continue in effect  
15 unless repealed. Thereafter, local building  
16 regulations shall be void and of no effect, except  
17 as powers are reserved to the local government in  
18 section ten (10) of this Act. A building permit  
19 validly issued pursuant to local building regulations  
20 within one hundred eighty days after adoption of the  
21 Iowa building code by the local government is valid  
22 thereafter, and the construction of a building may  
23 be completed pursuant to and in accordance with the  
24 permit. In an area of the state which had no building  
25 regulations or did not require building permits, the  
26 construction of a building started before adoption  
27 of the Iowa building code by the local government  
28 may be completed without a building permit.

29 4. Until one hundred eighty days after adoption  
30 of the Iowa building code, building codes promulgated  
31 by a state board, department, commission, or agency  
32 shall continue in effect unless repealed. Thereafter,  
33 such building codes shall be void and of no effect.

34 5. The building code commissioner shall immediately  
35 notify all local governments of revisions adopted  
36 as part of the state building code. Unless the local  
37 government files a request for local variation with  
38 respect to these revisions within ninety days of the  
39 date of notification by the commissioner, the local  
40 government shall be held responsible for enforcing  
41 the revisions so adopted.

42 Sec. 10. NEW SECTION. LOCAL EXEMPTIONS.

43 1. A local government which, prior to the adoption  
44 of this Act, has adopted and is enforcing a nationally  
45 recognized model building code as its building  
46 ordinance, may apply to the council to be allowed  
47 to continue to enforce its building ordinance and  
48 to be exempted from the provisions of the Iowa building  
49 code. After approval by the council, or after final  
50 decision by the district court in favor of exemption

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after appeal of an adverse decision by the council, the ordinance shall be so exempted. The council shall support its decisions on applications with written findings in accordance with the provisions of subsection two (2) of this section.

2. The council shall grant an application for exemption if it is established to the satisfaction of the council that:

a. The ordinance is sufficiently consistent with the Iowa building code so that its application will not substantially reduce statewide or regional uniformity of building codes.

b. The ordinance does not unnecessarily discriminate against particular technologies, techniques, trades, or materials.

c. The ordinance does not unnecessarily increase the cost of construction in the jurisdiction.

d. The ordinance is the current edition of a nationally recognized model building code.

e. Enforcement of the ordinance, as it may differ from the Iowa building code, is necessary to protect the public health, safety, and welfare within the applicable jurisdiction. In determining whether the ordinance meets the above requirements, the council shall obtain the advice and counsel of the department of building codes.

3. A decision of the council approving or disapproving an application, or failure of the council to act within a reasonable time, may be appealed to the district court.

4. If an application is approved, the local government shall thereafter maintain its building ordinance up to date. The local government may do so by adopting, without change, such improvements, amendments, and research findings as may be issued by the national model code organization within one year of the issuance thereof. If the local government wishes to amend the nationally recognized model code in any other manner, it shall submit the proposed amendment and findings of fact in support thereof to the council. The council shall approve the amendment if the local government establishes to the council's satisfaction that it meets the criteria set forth in subsection two (2) of this section and is necessary to account for conditions peculiar to the jurisdiction. Should an exempted local government fail to maintain its code up to date, or amend its code in violation of this section, and fail to remedy the situation within a reasonable time after due notice, the council shall revoke the local government's

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1 exemption and the Iowa building code shall be enforced  
2 in that jurisdiction. Any decision of the council  
3 approving or disapproving such an amendment or revoking  
4 a local government's exemption shall be final for  
5 purposes of seeking judicial review.

6 5. A local government which has been exempted  
7 under this section may upon public notice repeal its  
8 building ordinance and will thereafter be covered  
9 by the Iowa building code.

10 Sec. 11. NEW SECTION. LOCAL VARIATIONS. A local  
11 government may propose to the council variations in  
12 the Iowa building code for application within its  
13 jurisdiction to cover unique local conditions requiring  
14 special or different building standards. The council  
15 shall adopt such variations if it is established to  
16 the council's satisfaction that:

17 1. The proposed variation is sufficiently  
18 consistent with the Iowa building code so that its  
19 application will not substantially reduce statewide  
20 uniformity of building codes.

21 2. The proposed variation does not discriminate  
22 against particular technologies, techniques, or  
23 materials.

24 3. The proposed variation does not unnecessarily  
25 increase the cost of construction in the jurisdiction.

26 4. The proposed variation does not substantially  
27 reduce the standards of public health, safety, and  
28 welfare within the jurisdiction.

29 Sec. 12. NEW SECTION. ADMINISTRATION.

30 1. In areas where local enforcement agencies have  
31 jurisdiction, the commissioner shall not enforce the  
32 Iowa building code. In such areas, the local  
33 enforcement agencies are responsible for the  
34 examination and approval or disapproval of plans and  
35 specifications, the issuance and revocation of building  
36 permits, licenses, certificates, and similar documents,  
37 and the inspection of buildings pursuant to the  
38 provisions of the Iowa building code.

39 The department of building codes shall enforce  
40 the state building code as it applies to all buildings  
41 constructed by the state or on state property. A  
42 state agency may contract with local enforcement  
43 agencies with the approval of the commissioner to  
44 provide the services enumerated in this section.

45 2. Within one hundred eighty days after the  
46 adoption of the Iowa building code, a local government  
47 shall create, where necessary, a local enforcement  
48 agency and shall employ and designate a building  
49 official as well as code enforcement officers deemed  
50 necessary to assist the enforcement agency in carrying

out its functions under this section. The administrative chief of the local enforcement agency shall be called the building official.

3. If a local government has not adopted the state building code, the department of building codes shall enforce the state building code as it applies in that jurisdiction.

4. Local governments shall appoint local appeals boards to hear appeals brought in accordance with section fifteen (15), subsection two (2) of this Act. Until the boards are established, appeals shall be heard by the council. A sufficient number of members shall be appointed to allow appeals to be heard promptly by panels of not less than three members, all of whom shall be free of conflicts of interest in the cases before them. A local government shall be relieved of the duty to appoint local appeals boards if it establishes to the satisfaction of the council that a sufficient number of qualified people cannot be found in the jurisdiction or through cooperation with neighboring jurisdictions.

5. Two or more local governments may establish a local enforcement agency or a local appeals board to serve their jurisdictions, and in this event they shall share proportionately the expenses incurred.

6. The department of building codes shall, upon request, assist a local enforcement agency in such matters as technical assistance, code interpretation, education, training, personnel, and information collection and dissemination.

7. Except as otherwise provided in the Iowa building code, the construction of a building shall not begin until a building permit is issued. Upon submission of an application to a local enforcement agency, if the building proposed to be erected will comply with this Act and the Iowa building code, a permit shall be issued. A local enforcement agency may suspend or revoke a building permit if the building under construction pursuant thereto does not comply with this Act or the Iowa building code.

8. A local enforcement agency shall periodically inspect all construction undertaken pursuant to building permits issued by that agency to assure compliance with this Act and the Iowa building code. The applicant for a building permit for a building under construction, who shall be the owner or his or her authorized agent, is deemed to have consented to inspection by a local enforcement agency by the act of applying for a building permit. In addition to other inspections provided for in this Act, an

1 inspection may be made of any building at any time  
2 if a local enforcement agency has probable cause to  
3 believe that a condition hazardous to life or property  
4 exists. If a building is found not to comply with  
5 the Iowa building code, to the extent that it is  
6 hazardous to life or property, the local enforcement  
7 agency shall notify the permittee in writing to bring  
8 the building into compliance with the Iowa building  
9 code so it will no longer be hazardous to life or  
10 property, or to secure it from entry or both. If  
11 the permittee fails to comply with the notification,  
12 the local enforcement agency shall revoke the permit.

13 9. A building constructed after the effective  
14 date of the Iowa building code shall not be used or  
15 occupied until a certificate of occupancy has been  
16 issued. Upon submission of an application for a  
17 certificate of occupancy to a local enforcement agency,  
18 a certificate of occupancy shall be issued if the  
19 building to which the application pertains has been  
20 constructed in accordance with the building permit,  
21 the Iowa building code, and other applicable laws  
22 and ordinances.

23 Sec. 13. NEW SECTION. RESERVATION OF LOCAL ZONING  
24 AND RELATED POWERS.

25 1. Except as provided by or pursuant to this Act,  
26 land use zone requirements, building setback  
27 requirements, side and rear yard requirements, site  
28 development, and property line requirements are  
29 specifically and entirely reserved to local government.

30 2. The council shall establish classifications  
31 of fire zones. Local governments shall establish  
32 precise boundaries for fire zones within their  
33 jurisdictions.

34 Sec. 14. NEW SECTION. FEES.

35 1. The council shall establish a schedule of fees  
36 for the functions performed by the council and the  
37 commissioner in connection with the administration  
38 and enforcement of this Act and publish it in the  
39 Iowa building code. The amount of the fees shall  
40 be based, to the extent reasonable, on the cost of  
41 performing functions undertaken pursuant to this Act.  
42 Such fees shall be deposited in the state general  
43 fund.

44 2. Each local government may establish a schedule  
45 of fees for the functions performed by the local  
46 enforcement agency in connection with the enforcement  
47 of this Act. Local fees shall apply to state-owned  
48 buildings and state construction within the local  
49 jurisdiction. Such fees shall be deposited in the  
50 local government's general fund.

Sec. 15. NEW SECTION. APPEALS.

1. The council shall promptly hear and decide appeals brought by any person or party in an individual capacity, or on behalf of a class of persons or parties, affected by any rule or decision made pursuant to this Act. Final decisions by the council are reviewable on appeal to the district court.

2. Prior to appeal to the council, appeals of decisions or rulings of a local enforcement agency shall be heard by the appropriate local appeals board. If there is no local appeals board for the jurisdiction, appeals shall be taken directly to the council.

Sec. 16. NEW SECTION. INJUNCTIVE RELIEF. The commissioner or the local enforcement agencies may obtain injunctive relief from any court of competent jurisdiction to enjoin the occupancy other than owner-occupancy, erection, alteration, or installation of any building covered by this Act, or to enjoin the sale, delivery, use, occupancy, erection, alteration, or installation of any factory built structure covered by this Act, upon an affidavit specifying the manner in which the building does not conform to the requirements of this Act or the Iowa building code.

Sec. 17. NEW SECTION. PENALTIES.

1. A party who fails to comply with the provisions of this Act or of the state building code within a reasonable time of notification of the violation shall be subject to a fine of not more than one hundred dollars for each offense.

2. A separate violation is deemed to have occurred with respect to each building not in compliance with the Act or the Iowa building code.

Sec. 18. Section one hundred point one (100.1), subsection four (4), paragraph d, and subsection five (5), Code 1977, are amended to read as follows:

d. ~~The electric wiring and heating, and adequate~~ Adequate means of exit in case of fire, from churches, schools, hotels, theaters, amphitheaters, asylums, hospitals, health care facilities as defined in section 135C.1, college buildings, lodge halls, public meeting places, and all other structures in which persons congregate from time to time, whether publicly or privately owned.

5. To promulgate fire safety regulations. The state fire marshal shall have exclusive right to promulgate fire safety regulations as they apply to enforcement or inspection requirements by the state fire marshal, but such regulations shall be promulgated only after public hearing. Wherever by any statute

1 the fire marshal or the department of public safety  
2 is authorized or required to promulgate, proclaim,  
3 or amend rules and minimum standards regarding fire  
4 hazards or fire safety or protection in any  
5 establishment, building or structure, such rules and  
6 standards shall promote and enforce fire safety, fire  
7 protection, and the elimination of fire hazards as  
8 the same may relate to the use, and occupancy and  
9 construction of such buildings, establishments, or  
10 structures. ~~The word "construction" shall include,~~  
11 ~~but is not limited to, electrical wiring, plumbing,~~  
12 ~~heating, lighting, ventilation, construction materials,~~  
13 These rules and standards shall relate to entrances  
14 and exits, and all other physical conditions of the  
15 building which may affect fire hazards, safety, or  
16 protection. Such rules and minimum standards shall  
17 be in substantial compliance with the standards of  
18 the National Fire Protection Association relating  
19 to fire safety and fire hazards which threaten life  
20 as published in the national fire codes.

21 Sec. 19. Section one hundred four point two  
22 (104.2), Code 1977, is amended to read as follows:  
23 104.2 SCOPE OF CHAPTER. The provisions of this  
24 chapter shall not apply to any facility installed  
25 in any single private dwelling residence, to facilities  
26 subject to regulation under I.D.R. (1973 and  
27 supplements), chapter 26 of the bureau of labor rules  
28 (regulation 29 C.F.R. 1926.552), to manlifts subject  
29 to regulation under chapter 88 or to facilities over  
30 which an agency of the federal government is asserting  
31 similar enforcement jurisdiction. Provisions of this  
32 chapter supersede similar provisions contained in  
33 building codes of this state or any subdivision  
34 thereof, except as provided in section one hundred  
35 four point three (104.3) of the Code.

36 Sec. 20. Section one hundred four point three  
37 (104.3), subsection one (1), Code 1977, is amended  
38 to read as follows:

39 104.3 PROMULGATION OF RULES.  
40 1. The commissioner may adopt rules governing  
41 ~~maintenance, construction, alteration, and installation~~  
42 ~~of facilities,~~ and the inspection and testing of new  
43 and existing installations as necessary to provide  
44 for the public safety, and to protect the public  
45 welfare.

46 The building code council may, with the concurrence  
47 of the commissioner, adopt, amend, or repeal rules  
48 providing for construction of new facilities and  
49 alteration of existing facilities. These rules shall  
50 be a part of the state building code.

1 Amend House File 75 by striking everything after  
2 the enacting clause and inserting in lieu thereof  
3 the following.

1 The commissioner shall adopt, amend, or repeal  
2 rules pursuant to chapter 17A as he deems necessary  
3 for the execution of his duties under this chapter,  
4 which shall include, but not be limited to, rules  
5 providing for:

- 6 a. Classifications of types of facilities.
- 7 b. Maintenance, inspection, testing, and operation
- 8 of the various classes of facilities.
- 9 ~~c. Construction of new facilities.~~
- 10 ~~d. Alteration of existing facilities.~~
- 11 e c. Minimum safety requirements for all existing
- 12 facilities.
- 13 ~~d.~~ Control or prevention of access to facilities
- 14 or dormant facilities.
- 15 e e. The reporting of accidents and injuries
- 16 arising from the use of facilities.
- 17 ~~f.~~ The specification of hearing and appeal pro-
- 18 cedures used by the commissioner.
- 19 ~~g.~~ Qualifications for obtaining an inspector's
- 20 license.
- 21 ~~h.~~ The adoption of procedures for the issuance
- 22 of variances.
- 23 ~~i.~~ The amount of fees charged and collected
- 24 for inspection, permits, and licenses.

25 Sec. 21. Section one hundred thirty-five point  
26 eleven (135.11), Code 1977, is amended by striking  
27 subsections seven (7) and eight (8).

28 Sec. 22. Section one hundred thirty-five D point  
29 five (135D.5), unnumbered paragraph three (3), Code  
30 1977, is amended to read as follows:

31 When the application is received by the state  
32 department of health, it shall promptly cause the  
33 mobile home park and appurtenances thereto to be  
34 inspected. When such inspection and report has been  
35 made and the state department of health finds that  
36 all requirements of this chapter, and such conditions  
37 of health and safety as the state department of health  
38 may require, and the requirements of the state building  
39 code have been met by the applicant, the state  
40 department of health shall forthwith issue such annual  
41 primary license in the name of the state.

42 Sec. 23. Section one hundred thirty-five D point  
43 fifteen (135D.15), Code 1977, is amended to read as  
44 follows:

45 135D.15 SEASONAL OPERATION. If any applicant  
46 for a mobile home park license desires to operate  
47 such mobile home park only during the months from  
48 May ~~±~~ first to October ~~±~~ first, they shall pay only  
49 one-half of the above-mentioned annual license fee.  
50 If in the opinion of the state department of health.

1 construction located in a governmental subdivision  
 2 which has adopted either the state building code or  
 3 local building regulations and to all new construction  
 4 in the state wherever located which will contain more  
 5 than fifty thousand cubic feet of enclosed space  
 6 except buildings used primarily for agricultural  
 7 purposes.

8 b. Provisions of the state building code  
 9 establishing lighting efficiency standards shall be  
 10 applicable to all new construction owned by the state,  
 11 an agency of the state or a political subdivision  
 12 of the state.

13 Sec. 5. Section one hundred three A point nineteen  
 14 (103A.19), Code 1977, is amended by adding the  
 15 following new unnumbered paragraph:

16 NEW UNNUMBERED PARAGRAPH. Plans and specifications  
 17 for all new construction of buildings containing in  
 18 excess of fifty thousand cubic feet of enclosed space  
 19 except buildings used primarily for agricultural  
 20 purposes shall be reviewed by a registered architect  
 21 or a registered engineer for compliance with applicable  
 22 thermal and lighting efficiency standards. A statement  
 23 that the review has been made shall be signed and  
 24 sealed by the registered architect or registered  
 25 engineer and filed with the commissioner prior to  
 26 the commencement of construction."

H-3114 FILED - *Adopted in* BY COMMITTEE ON ENERGY  
 MARCH 1, 1977 *amended by 3298,* O'HALLORAN of Blackhawk, 3460, and 3465 4/1 (p. 1172)  
*3314, 3316, 3322A,* Chair

HOUSE FILE 75

H-3465

1 Amend amendment H-3114 to House File 75 by  
 2 striking on page 2, line 3, the words "local build-  
 3 ing regulations" and inserting in lieu thereof the  
 4 words "a local building code or compilation of  
 5 requirements for building construction".

H-3465 FILED, ADOPTED BY WELDEN of Hardin  
 APRIL 1, 1977 (p. 1171) O'HALLORAN of Black Hawk  
 VARLEY of Adair

HOUSE FILE 75

H-3292

- 1 Amend Committee on Energy amendment H-3114 to
- 2 House File 75 as follows:
- 3 1. Page 2, line 20, by inserting after the word
- 4 "purposes" the words "and except for single family
- 5 dwellings".

H-3292 FILED - *Out of order* BY HARVEY of Scott  
MARCH 16, 1977 *with adoption* HUSAK of Tama  
*of 3322 4/1* HARBOR of Mills  
CLARK of Lee

HOUSE FILE 75

H-3288

- 1 Amend amendment H-3114, to House File 75, as
- 2 follows:
- 3 1. Page 1, by striking lines 30 and 31 and
- 4 inserting in lieu thereof the words "cooling
- 5 system."
- 6 2. Page 2, by striking lines 16 through 26.

A  
B  
H-3288 FILED - *Adopted 3/17* BY JUNKER of Woodbury  
MARCH 16, 1977 *(872-879)*  
*motion to reconsider B 3/17 (850)*  
*in d. 4/1 (1172)*

H-3279

- 1 Amend amendment H-3114 to House File 75 as
- 2 follows:
- 3 1. Page 2, line 3 by striking the words "local
- 4 building regulations" and inserting in lieu thereof
- 5 the words "a local building code".

H-3279 FILED - *Withdrawn* BY WELDEN of Hardin  
MARCH 15, 1977 *4/1 (1170)*

HOUSE FILE 75

H-3053

1 Amend House File 75 by striking everything after  
2 the enacting clause and inserting in lieu thereof  
3 the following:

4 "Section 1. Section one hundred three A point  
5 seven (103A.7), unnumbered paragraph two (2), Code  
6 1977, is amended by adding the following new sub-  
7 section:

8 NEW SUBSECTION. Energy conservation including  
9 thermal and lighting efficiency standards for build-  
10 ings intended for human occupancy. The commissioner  
11 shall consult with the energy policy council in prom-  
12 ulgating energy conservation standards.

13 Sec. 2. Section one hundred three A point ten  
14 (103A.10), Code 1977, is amended by adding the follow-  
15 ing new subsection:

16 NEW SUBSECTION. Provisions of the state building  
17 code establishing thermal efficiency standards shall  
18 be applicable to all new construction owned by the  
19 state, an agency of the state, or a political subdivi-  
20 sion of the state or which is located in a politi-  
21 cal subdivision which has adopted a building code,  
22 even if the building code adopted by the political  
23 subdivision is not the state building code. Provi-  
24 sions of the state building code establishing lighting  
25 efficiency standards shall be applicable to all new  
26 construction owned by the state, an agency of the  
27 state or a political subdivision of the state. In  
28 areas not covered by a state or local building code,  
29 plans and specifications for any new building except  
30 buildings used primarily for agricultural purposes,  
31 which contain more than fifty thousand cubic feet  
32 of enclosed space shall be certified by a registered  
33 engineer or a registered architect to meet energy  
34 conservation standards promulgated pursuant to section  
35 one (1) of this Act and shall bear the signature of  
36 and be sealed by the registered architect or registered  
37 engineer. Notice of the certification shall be filed  
38 with the commissioner within thirty days following  
39 the certification. The commissioner may exempt new  
40 construction from any energy conservation standards  
41 promulgated pursuant to section one (1) of this Act  
42 if the new construction will not incorporate a heating  
43 or cooling system or if the new construction will  
44 use a minimal amount of energy or if the commissioner  
45 determines that the standards are unreasonable in  
46 a given situation. Notwithstanding the definition  
47 in subsection fifteen (15) of section one hundred  
48 three A point three (103A.3) of the Code "construction"  
49 as used in this subsection is limited to the erection  
50 of new buildings or factory-built structures and to

H-3053

Page 2

1 the erection of additions to existing buildings or  
2 factory-built structures construction of which has  
3 not been commenced prior to January 1, 1978, and does  
4 not include renovations or repairs.

5 Sec. 3. This Act is effective January 1, 1978."

H-3053 FILED *William 3/17* BY COMMITTEE ON ENERGY  
FEBRUARY 17, 1977 (874) O'HALLORAN of Black Hawk,  
Chair

Energy 4/7 Do pass 4/22 (p. 1186)

HOUSE FILE 75

Energy  
Ramsey, Chairperson  
Rodgers  
Briles

HOUSE FILE 75

By ENERGY RESOURCES  
STUDY COMMITTEE

Passed House, Date See Below Passed Senate, Date 4-26-77 (p. 1197)

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes 33 Nays 7

Approved June 23, 1977

### A BILL FOR

1 An Act providing for the promulgation of energy efficiency  
2 standards for buildings and factory built structures in the  
3 state building code.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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*Conference Committee appointed*

*Representatives Hullinger (chair), Howell, Hendkewer, Varley, Evans 5/11 (2079)  
Senators Gallagher (chair), Scott, Culver, Briles, Ramsey 5/10 (1436)*

*Passed per Conference Committee Report*

*House 5-18-77 (p. 2361) Senate 5-18-77 (p. 1681)  
87-4 44-0*

1 Section 1. Section one hundred three A point three  
2 (103A.3), Code 1977, is amended by adding the following new  
3 subsection:

4 NEW SUBSECTION. "New construction" means construction  
5 of buildings and factory-built structures which is commenced  
6 on or after January 1, 1978. Notwithstanding the definition  
7 in subsection fifteen (15) of section one hundred three A  
8 point three (103A.3) of the Code, when the term "new  
9 construction" appears in this chapter, "construction" is  
10 limited to the erection, reconstruction or conversion of a  
11 building or factory-built structure and additions to buildings  
12 or factory-built structures and does not include renovations  
13 or repairs.

14 Sec. 2. Section one hundred three A point seven (103A.7),  
15 unnumbered paragraph two (2), Code 1977, is amended by adding  
16 the following new subsection:

17 NEW SUBSECTION. The conservation of energy through thermal  
18 and lighting efficiency standards for buildings intended for  
19 human occupancy or use.

20 Sec. 3. Section one hundred three A point eight (103A.8),  
21 Code 1977, is amended by adding the following new subsection:

22 NEW SUBSECTION. Limit the application of thermal efficiency  
23 standards for energy conservation to new construction which  
24 will incorporate a heating or cooling system. The commissioner  
25 may exempt any new construction from thermal efficiency  
26 standards for energy conservation if the commissioner  
27 determines that the standards are unreasonable as they apply  
28 to a particular building or class of buildings. Lighting  
29 efficiency standards shall recognize variations in lighting  
30 intensities required for the various tasks performed within  
31 the building. The commissioner shall consult with the energy  
32 policy council regarding standards for energy conservation  
33 prior to the promulgation of the standards.

34 Sec. 4. Section one hundred three A point ten (103A.10),  
35 Code 1977, is amended by adding the following new subsection:

1 NEW SUBSECTION. Notwithstanding the provisions of  
2 subsection one (1) of section one hundred three A point twenty-  
3 two (103A.22) of the Code:

4 a. Provisions of the state building code establishing  
5 thermal efficiency energy conservation standards shall be  
6 applicable to all new construction owned by the state, an  
7 agency of the state or a political subdivision of the state,  
8 to all new construction located in a governmental subdivision  
9 which has adopted either the state building code or a local  
10 building code or compilation of requirements for building  
11 construction and to all new construction in the state wherever  
12 located which will contain more than one hundred thousand  
13 cubic feet of enclosed space except buildings used primarily  
14 for agricultural purposes.

15 b. Provisions of the state building code establishing  
16 lighting efficiency standards shall be applicable to all new  
17 construction owned by the state, an agency of the state or  
18 a political subdivision of the state and to all new  
19 construction, in the state, of buildings which are open to  
20 the general public during normal business hours.

21 Sec. 5. Section one hundred three A point nineteen  
22 (103A.19), Code 1977, is amended by adding the following new  
23 unnumbered paragraph:

24 NEW UNNUMBERED PARAGRAPH. The specifications for all  
25 buildings to be constructed after the effective date of this  
26 Act and which exceed a total volume of 100,000 cubic feet  
27 shall be reviewed by a registered architect or registered  
28 engineer for compliance with applicable energy efficiency  
29 standards. A statement that a review has been accomplished  
30 and that the design is in compliance with the energy efficiency  
31 standards shall be signed and sealed by the responsible  
32 registered architect or registered engineer. This statement  
33 shall be filed with the commissioner prior to construction.  
34 Buildings which are to be used primarily for agricultural  
35 purposes shall be exempt from the requirement of this section.

1 If the specifications relating to energy efficiency for a  
2 specific structure have been approved, additional buildings  
3 may be constructed from those same plans and specifications  
4 without need of further approval if construction begins within  
5 five (5) years of the date of approval. Alterations of a  
6 structure which has been previously approved shall not require  
7 a review because of these changes, provided the basic structure  
8 remains unchanged.

9 EXPLANATION

10 This bill requires the state building code commissioner  
11 to promulgate energy efficiency standards for buildings and  
12 factory built structures as part of the state building code.  
13 The standards would apply to all new buildings in the state  
14 constructed after January 1, 1978 and to all additions to  
15 existing buildings made after that date. Other provisions  
16 of the building code are applicable only to state owned  
17 buildings, all factory built structures and to other buildings  
18 and structures located in a governmental subdivision which  
19 chooses to adopt the code. An existing building or factory  
20 built structure is defined as including those buildings or  
21 structures for which engineering and architectural plans have  
22 been finalized as of January 1, 1978 (which gives the  
23 commissioner six months to promulgate standards). The bill  
24 does not affect renovations to existing buildings. Energy  
25 standards shall be administered and enforced by the  
26 commissioner but local administration and enforcement shall  
27 be used whenever possible.

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REPORT OF THE CONFERENCE COMMITTEE  
ON HOUSE FILE 75

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on House File 75, a bill for an Act providing for the promulgation of energy efficiency standards for buildings and factory built structures in the state building code, respectfully make the following report:

1. That the Senate recede from its amendment H-3794 to House File 75 as amended, passed and reprinted by the House.
2. That House File 75, as amended, passed and reprinted by the House be amended as follows:
  1. Page 1, line 24, by inserting after the word "system." the words "Air exchange fans designed to provide ventilation shall not be considered a cooling system."
  2. Page 1, line 25, by striking the word "may" and inserting in lieu thereof the word "shall".
  3. Page 1, line 28, by inserting after the word "buildings" the words "including farm buildings for livestock use".
  4. Page 2, by striking lines 11 through 14 and inserting in lieu thereof the words "construction and to all other new construction in the state which will contain more than one hundred thousand cubic feet of enclosed space that is heated or cooled."
  5. Page 2, line 26, by striking the words and numerals "100,000 cubic feet" and inserting in lieu thereof the words "one hundred thousand cubic feet of enclosed space that is heated or cooled".
  6. Page 2, by striking lines 34 and 35.

ON THE PART OF THE HOUSE:

ARLO HULLINGER, CHAIR  
ROLLIN K. HOWELL  
HERBERT C. HINKHOUSE  
ANDREW VARLEY  
COOPER EVANS

*House adopted  
5/18 (p. 1361)*

ON THE PART OF THE SENATE:

JAMES V. GALLAGHER, CHAIR  
JOHN SCOTT  
LOUIS P. CULVER  
JAMES E. BRILES  
RICHARD R. RAMSEY

*Senate adopted  
5/18 (p. 1681)*

FILED  
MAY 17, 1977

SENATE AMENDMENT TO  
HOUSE FILE 75

H-3794

- 1 Amend House File 75, as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, lines 13 and 14, by striking the words
- 4 "used primarily for agricultural purposes" and
- 5 inserting in lieu thereof the words "where the heating
- 6 or cooling system is designed to heat or cool an
- 7 enclosed area of less than one hundred thousand cubic
- 8 feet".
- 9 2. Page 2, line 20, by striking the words "during
- 10 normal business hours".
- 11 3. Page 2, by striking lines 34 and 35 and
- 12 inserting in lieu thereof the following: "Buildings
- 13 having a heating or cooling system designed to heat
- 14 or cool an enclosed area of less than one hundred
- 15 thousand cubic feet are exempt from the requirement
- 16 of this section."

H-3794 FILED  
RECEIVED FROM SENATE  
APRIL 27, 1977

*House refused to concur 5/4 (p. 1897)*  
*Senate insisted 5/9 (p. 1405)*

HOUSE FILE 75

H-3917

- 1 Amend the Senate amendment H-3794 to House
- 2 File 75 as amended, passed, and reprinted by the
- 3 House as follows:
- 4 1. Page 1, line 8, by striking line 8 and
- 5 inserting in lieu thereof the words "feet, or farm
- 6 buildings used primarily for agricultural purposes."
- 7 2. Page 1, line 15, by inserting after the
- 8 word "feet" the words ", or farm buildings used
- 9 primarily for agricultural purposes,".

H-3917 FILED - *Withdrawn* BY PERKINS of Greene  
MAY 2, 1977 *5/4 (p. 1897)*

HOUSE FILE 75

S-3432

1 Amend House File 75 as amended, passed and  
2 reprinted by the House as follows:  
3 1. Page 2, line 20, by striking the words  
4 "during normal business hours".

S-3432 FILED & ADOPTED (p. 1197) BY RICHARD R. RAMSEY  
APRIL 26, 1977

HOUSE FILE 75

S-3433

1 Amend House File 75 as amended, passed and  
2 reprinted by the House as follows:  
3 1. Page 2, lines 13 and 14, by striking the words  
4 "used primarily for agricultural purposes" and inserting  
5 in lieu thereof the words "where the heating or cooling  
6 system is designed to heat or cool an enclosed area of  
7 less than one hundred thousand cubic feet".  
8 2. Page 2, by striking lines 34 and 35, and  
9 inserting in lieu thereof the following: "Buildings  
10 having a heating or cooling system designed to heat or  
11 cool an enclosed area of less than one hundred thousand  
12 cubic feet are exempt <sup>from (p. 1220)</sup> for the requirement of this section."

S-3433 FILED & ADOPTED (p. 1197) BY RICHARD R. RAMSEY  
APRIL 26, 1977

HOUSE FILE 75  
FISCAL NOTE

Date Prepared: April 25, 1977  
Requested by: Senator Gallagher

Prepared in regard to House File 75, An Act providing for the promulgation of energy efficiency standards for building and factory built structures in the state building code.

Following is the fiscal effect in dollars of the legislative proposal as required by Joint Rule 16.

House File 75 requires the state building code commissioner to promulgate energy efficiency standards for buildings and factory built structures as part of the state building code. The standards would apply to all new buildings in the state constructed after January 1, 1978 and all additions to existing buildings made after that date. Other provisions of the building code are applicable only to state owned buildings, all factory built structures and to other buildings and structures located in a governmental subdivision which chooses to adopt the code. An existing building or factory built structure is defined as including those buildings or structures for which engineering and architectural plans have been finalized as of January 1, 1978 (which gives the commissioner six months to promulgate standards). The bill does not affect renovations to existing buildings. Energy standards shall be administered and enforced by the commissioner but local administration and enforcement shall be used whenever possible.

The total estimated first-year cost of this proposal would be \$77,000. Estimated cost for second year and subsequent years would be \$45,000 per year.

It should be noted that the Energy Policy Council will apply for federal funds through Public Law 94-163 and through proposed HUD grants in Public Law 94-385 and if received will reduce the amount required.

Source: State Building Code Commissioner

FILED  
APRIL 26, 1977

GERRY RANKIN

## AN ACT

PROVIDING FOR THE PROMULGATION OF ENERGY EFFICIENCY  
STANDARDS FOR BUILDINGS AND FACTORY-BUILT STRUCTURES  
IN THE STATE BUILDING CODE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section one hundred three A point three (103A.3), Code 1977, is amended by adding the following new subsection:

NEW SUBSECTION. "New construction" means construction of buildings and factory-built structures which is commenced on or after January 1, 1978. Notwithstanding the definition in subsection fifteen (15) of section one hundred three A point three (103A.3) of the Code, when the term "new construction" appears in this chapter, "construction" is limited to the erection, reconstruction or conversion of a building or factory-built structure and additions to buildings or factory-built structures and does not include renovations or repairs.

Sec. 2. Section one hundred three A point seven (103A.7), unnumbered paragraph two (2), Code 1977, is amended by adding the following new subsection:

NEW SUBSECTION. The conservation of energy through thermal and lighting efficiency standards for buildings intended for human occupancy or use.

Sec. 3. Section one hundred three A point eight (103A.8), Code 1977, is amended by adding the following new subsection:

NEW SUBSECTION. Limit the application of thermal efficiency standards for energy conservation to new construction which will incorporate a heating or cooling system. Air exchange fans designed to provide ventilation shall not be considered a cooling system. The commissioner shall exempt any new construction from thermal efficiency standards for energy conservation if the commissioner determines that the standards

are unreasonable as they apply to a particular building or class of buildings including farm buildings for livestock use. Lighting efficiency standards shall recognize variations in lighting intensities required for the various tasks performed within the building. The commissioner shall consult with the energy policy council regarding standards for energy conservation prior to the promulgation of the standards.

Sec. 4. Section one hundred three A point ten (103A.10), Code 1977, is amended by adding the following new subsection:

NEW SUBSECTION. Notwithstanding the provisions of subsection one (1) of section one hundred three A point twenty-two (103A.22) of the Code:

a. Provisions of the state building code establishing thermal efficiency energy conservation standards shall be applicable to all new construction owned by the state, an agency of the state or a political subdivision of the state, to all new construction located in a governmental subdivision which has adopted either the state building code or a local building code or compilation of requirements for building construction and to all other new construction in the state which will contain more than one hundred thousand cubic feet of enclosed space that is heated or cooled.

b. Provisions of the state building code establishing lighting efficiency standards shall be applicable to all new construction owned by the state, an agency of the state or a political subdivision of the state and to all new construction, in the state, of buildings which are open to the general public during normal business hours.

Sec. 5. Section one hundred three A point nineteen (103A.19), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The specifications for all buildings to be constructed after the effective date of this Act and which exceed a total volume of one hundred thousand cubic feet of enclosed space that is heated or cooled shall be reviewed by a registered architect or registered engineer for compliance with applicable energy efficiency standards.

A statement that a review has been accomplished and that the design is in compliance with the energy efficiency standards shall be signed and sealed by the responsible registered architect or registered engineer. This statement shall be filed with the commissioner prior to construction. If the specifications relating to energy efficiency for a specific structure have been approved, additional buildings may be constructed from those same plans and specifications without need of further approval if construction begins within five years of the date of approval. Alterations of a structure which has been previously approved shall not require a review because of these changes, provided the basic structure remains unchanged.

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DALE M. COCHRAN  
Speaker of the House

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ARTHUR A. NEU  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 75, Sixty-seventh General Assembly.

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DAVID L. WRAY  
Chief Clerk of the House

Approved June 23, 1977

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ROBERT D. RAY  
Governor