MEMBERS PRESENT: Bart Caldwell, Chairperson  
Dave Kriens, Vice Chairperson  
Chuck Gassman  
Randy Tinker  
Blake O’Brien  
Chad Layland  
Martie Mendenhall  
Cheryl Peterson  
Matthew Keller  
Jon Thyberg  
Mel Shivvers

MEMBERS ABSENT: Don Stockton  
Candy Morgan

STAFF PRESENT: Brian Bishop, Deputy Building Official  
Cody Christensen, Permit and Development Administrator  
Ann DiDonato, Assistant City Attorney II  
Jonathan Lund, Fire Marshal  
Patrick Phelan, Fire Protection Engineer  
Jeremy Eekhoff, Fire Protection Engineer  
Michelle Wall, PDC Support Staff

GUESTS:

Meeting was called to order by Chairperson Bart Caldwell at 3:30 p.m. Meeting was held at the Des Moines Municipal Service Center located at 1551 East Martin Luther King Jr. Parkway.

Item 1: Introductions

Board members, staff, and the public introduced themselves.

Item 2: Old Business

a. Minutes January 17, 2019 Building and Fire Code Board of Appeals

Randy Tinker made a motion to approve the January 17, 2019 minutes. Dave Kriens seconded motion. Motion passed unanimously.
Chuck Gassman asked if there was an update on the Lennox properties that was heard in the last meeting. Brian Bishop stated that the property owner was working on a solution and planning to do baseboard heating once the electrical systems had been looked at. They have not completed the work at this time, but have agreement to complete the work in June.

Item 3: Staff Report.

Deputy Building Official (DBO) Bishop provided a brief staff report to discuss items of interest from the Permit and Development Center (PDC). Several changes in staff have occurred over the past few months and replacements have been hired. Positions were opened due to retirement and others leaving for different opportunities. Ed McNeece will now serve as our new building inspector and Ryan Johnson and Kurt Melville have been hired for internal review. A Commercial Plans Examiner position is currently opened and applications are being accepted. Jeremy Eekhoff has been added to the staff for Fire Protection.

The Permit and Development Center has renovations underway. It is anticipated in its completions in the next few weeks. The new Energov System is also in the works to replace the current Tidemark program currently used for permitting. This system will revolutionize how we do business adding features such as online permitting, online plans submissions, real time wireless updates done by Ipads for the inspectors, and greatly improve overall efficiency. This project has several milestone dates in progress and it is targeted to launch next year.

Jonathan Lund introduced new Fire Protection staff member Jeremy Eekhoff. Jeremy is an Iowa native and a Registered Professional Engineer in Fire Protection. He is currently doing sprinkler system plan review and kitchen hood review but will branch out to further areas as well. They anticipate more timely access for reviewing plans with Jeremy on board.

Item 4: New Business

a) Central Iowa Code Consortium preliminary recommendations

Brian Bishop started the conversation explaining the process as only recommendations at this time. They will still have to go through process to get things finalized. There will be another public meeting this week in Urbandale and the executive committee will have their final meeting on June 5th for a final recommendation.

Randy Tinkered asked if any other communities had joined or if this would be same communities that participated when this was done three years ago.

Jonathan Lund stated that Pella and Adel had joined and that Norwalk had signed the MOU but did not participate, but they do have a member on the executive committee.

Chuck Gassman asked if the rumor that Ankeny was leaving the group was true.

Fire Marshal Lund stated the executive committee had not received notice of this and that Ankeny was a strong participant in several committees and had done the work. He would be very surprised that they would drop out and did not believe that to be true.
Brian Bishop started with the **2018 Building Code Recommendations** with a brief overview of many of the changes. The changes discussed included but were not limited to the following: (please reference online draft material)

**308.5.4 Eight or fewer persons receiving care in a dwelling unit.** Eight or fewer persons receiving care in a dwelling unit. A facility such as the above within a dwelling unit and having eight or fewer persons receiving custodial care shall be classified as a group R-3 occupancy or shall comply with the International Residential Code.

  Exception: Day care facilities that provide custodial care for 16 or fewer persons for less than 24-hours per day in a single-family dwelling, and where registered with the State of Iowa Department of Human Services as child development homes on or before January 1, 2017, are permitted to comply with the International Residential Code.

**423.4 Group E occupancy.** In areas where the shelter design wind speed for tornadoes in 250 mph in accordance with Figure 304.2 (1) of ICC 500, all Group E occupancies with a program occupant load of 50 or more shall have a storm shelter constructed in accordance with Chapters 1 through 5 & 8 of ICC 500.

The installation of portable buildings for utilization on the campus or site for educational purposes is considered new construction and classified as Group E occupancies. Exceptions: 1 Group E day care facilities. 2. Group E occupancies accessory to place of religious worship. 3. Buildings meeting the requirements for shelter design in ICC 500. 4. Accessory structures to existing group E sites where the occupancy classification of said structures are classified as Groups A-5 and U

**423.4.1 Required Occupant Capacity.** The required occupant capacity of the storm shelter shall include all buildings classified as a Group E occupancy on the campus or site (whichever is larger) and shall be the greater of the following:

1. The total occupant load of the classrooms, vocational rooms and offices in the Group E occupancy. 2. The occupant load of any indoor assembly space that is associated with the Group E occupancy. Exceptions: 1. Where a new building is being added on an existing Group E site, and where the new building is not of sufficient size to accommodate the required occupant capacity of the storm shelter for all of the buildings on-site, the storm shelter shall at a minimum accommodate the required capacity for the new building. 2. Where approved by the code official, the required occupant capacity of the shelter shall be permitted to be reduced by the occupant capacity of any existing storm shelters on the campus or site.

**903.1.2 Existing Buildings.** For other than new construction or where current code contains retroactive provisions an automatic sprinkler system shall be provided pursuant to the building and fire codes in effect at the time of construction in accordance with provisions of the International Existing Building Code.

**903.2.1.1 Group A-1.** An automatic sprinkler system shall be provided throughout stories containing Group A-1 occupancies and throughout all stories from the Group...
A-1 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 6,000 square feet (1115 m2).
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multiple-theater complex.

1014.4 Modify Code Section: IFC 1014.4 (correlation: IBC 1014.4) Insert item # 6 with the following language: 6. Handrails within a dwelling unit or serving an individual dwelling unit of groups R-2 and R-3 shall be permitted to be interrupted at one location in a straight stair when the rail terminates into a wall or ledge and is offset and immediately continues.

1015.9 Walking surfaces. A guard shall be provided along retaining walls where a finished walking surface such as sidewalks, patios, driveways, parking lots or similar is located on the top side of a retaining wall. The guard shall be installed along any portion of the wall measuring 30 inches or greater in height measured at any point within 36 inches horizontally to the edge of the open side. A guard shall not be required along portions of the retaining wall where the horizontal distance between the edge of the finished walking surface and the face of the wall is greater than 72 inches.

1301.1 Energy Code Scope. The provisions of the International Energy Code as currently adopted and amended by the Iowa State Building Code Bureau shall apply to all matters governing the design and construction of buildings for energy efficiency. Administration shall be as prescribed in chapter 1 of the currently State adoption of the IECC and these regulations shall be known as the [NAME OF JURISDICTION].

1608.2 Ground Snow Load. The ground snow load to be used in determining the design snow load for roofs is hereby established at 30 pounds per square foot. Subsequent increases or decreases shall be allowed as otherwise provided by code, except that the minimum allowable flat roof snow load may be reduced to not less than 80 percent of the ground snow load.

Fire Marshal Lund recapped the 2018 Recommended Fire Codes with Amendments discussing but not limited to the following:

503.2.1 Dimensions. Fire apparatus access roads shall have a minimum unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4268 mm).

3311.1 Stairways required. Where building construction exceeds 30-feet [9.144 mm] in height above the lowest level of fire department vehicle access, two temporary or permanent stairways shall be provided. As construction progresses, such stairways shall be extended to within one floor of the highest point of
construction having secured decking or flooring. * Noted that this is an OSHA requirement.

**903.3.1.2 NFPA 13R sprinkler systems.** Automatic sprinkler systems in Group R and I occupancies up to and including four stories in height in buildings not exceeding 60 feet (18 288 mm) in height above grade plane shall be installed throughout in accordance with NFPA 13, unless allowed to be sprinklered in accordance with NFPA 13D by the International Building Code. The number of stories of Group R occupancies constructed in accordance with Sections 510.2 and 510.4 of the International Building Code shall be measured from the horizontal assembly creating separate buildings.

**1014.4 insert item 6 Handrails.** Handrails within a dwelling unit or serving an individual dwelling unit of groups R-2 and R-3 shall be permitted to be interrupted at one location in a straight stair when the rail terminates into a wall or ledge and is offset and immediately continues.

**1015.9 Walking surfaces.** A guard shall be provided along retaining walls where a finished walking surface such as sidewalks, patios, driveways, parking lots or similar is located on the top side of a retaining wall. The guard shall be installed along any portion of the wall measuring 30 inches or greater in height measured at any point within 36 inches horizontally to the edge of the open side. A guard shall not be required along portions of the retaining wall where the horizontal distance between the edge of the finished walking surface and the face of the wall is greater than 72 inches.

*Cody Christensen brought up the vehicle incident going through the guardrail and explained this was asked by City Council.

**D104.4 Public Streets.** Where two fire apparatus access roads are required, they both shall be public streets. Where public streets are not feasible the streets shall be designed, constructed and maintained as public streets.

**Residential Code Recommendations**

**R101.2 Residential Scope.** (change) The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of the following:

1. Detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures not more than three stories above grade plane in height. 2. Owner-occupied lodging houses with five or fewer guestrooms. 3. Detached one- and two-family dwellings and townhouses that contain offices of up to 20 percent of the dwelling unit area. 4. Live/work units within detached one- and two-family dwellings and townhouses that comply with the requirements of Section 419 of the International Building Code. 5. Care facilities within detached one- and two-family dwellings and townhouses with eight or fewer persons receiving care who have the ability to respond to emergency situations and evacuate.
6. In-home child care facilities within detached one- and two-family dwellings and townhouses where in-home child care is provided to no more than eight children, and of these eight children no more than six are five years old or younger, no more than four are twenty-four months old or younger, and no more than three are eighteen months old or younger. 7. In-home child care facilities that provide custodial care for 16 or fewer persons in detached one- and two-family dwellings and townhouses that were registered with the State of Iowa Department of Human Services as child development homes and have held such registration continuously in good standing since on or before January 1, 2017. 8. Care facilities within detached one- and two-family dwellings and townhouses that are provided with a residential fire sprinkler system complying with Section P2904 or NFPA 13D with eight or fewer persons receiving care who have impairments that prevent them from responding to emergency situations and evacuating.

R302.6 Dwelling Garage Separation. From the residence and attics Not less than 5/8-inch gypsum board or equivalent applied to the garage side From habitable rooms above the garage and structure(s) supporting floor/ceiling assemblies used for separation required by this section Not less than 5/8-inch gypsum board or equivalent. Garages located less than 5 feet from a dwelling unit on the same lot, Not less than 5/8-inch gypsum board or equivalent applied to the interior side of exterior walls and ceilings within the garage

R303.3 Bathrooms. Bathrooms shall be provided with a mechanical ventilation system. The minimum ventilation rates shall be 50 cfm for intermittent ventilation or 20 cfm for continuous ventilation. Ventilation air from the space shall be exhausted directly to the outside.

Exception: Toilet rooms containing only a water closet and/or lavatory may be provided with a recirculating fan.

R305.11 Fished Basement Exception: Existing basements not having a height as specified in this section are allowed to be finished with a ceiling height that is not decreased more than the minimal measurement created by applying a finished ceiling of gypsum board or acoustical ceiling tiles.

Section R310.2.4 Emergency escape windows under decks and porches. Emergency escape and rescue openings installed under decks and porches shall be fully openable and provide a path not less than 36 inches (914mm) in height to a yard or court. Cantilever areas of all construction elements shall be regulated in accordance with this section.

R311.7.8.2. Handrails within a dwelling unit or serving an individual dwelling unit shall be permitted to be interrupted at one location in a straight stair when the rail terminates into a wall or ledge and is offset and immediately continues.
R403.1.1 exception #3. Decks less than 30” above grade (measured at any point within 36” horizontally to the edge of any side), or decks not supported by a dwelling, shall not require footings that extend below the frost line.

R1305.1.1 Appliances in rooms. Appliances installed in a basement or similar space shall be accessed by an opening or door and an unobstructed passageway measuring not less than 24 inches (610 mm) wide and large enough to allow removal of the largest appliance in the space, provided there is a level service space of not less than 30 inches (762 mm) deep and the height of the appliance, but not less than 30 inches (762 mm), at the front or service side of the appliance with the door open.

E3704.7 Prohibited Locations. Feeders supplying a Townhome shall not cross a property line other than the individual unit served. For the purposes of this provision, the term Townhome shall mean a single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from foundation to roof and with a yard or public way on not less than two sides.

Cody Christensen recapped the 2018 Existing Building Code Recommendations

Section 302.7 Fire Protection Existing buildings containing R-2 occupancies shall be made to comply with the International Building Code section 903.2.8 within two (2) years of any of the following situations: 1. Fire damage to three or more dwelling units, not including smoke or water damage or other damage from fire-fighting operations. 2. Issuance of a building permit for a Level III alteration as identified in Chapter 6 of the International Existing Building Code.

Cody Christensen stated there was a lot of discussion on this subject and this is where they landed. Mostly in response to the fire at the Eddy Apartment where four people were killed. They voluntarily added sprinkler systems, but based on current code, would not have had to. This provision is meant to correct what they feel is a deficiency. It was also noted that insurance companies will pay for ICC (Increased cost of compliance) if this measure is made code.

1106.1.3 Storm Shelter Location. Storm shelters shall be located within the buildings they serve or shall be located where the maximum distance of travel from not fewer than one exterior door of each building to a door of the shelter serving that building does not exceed 1,000 feet.

Cody also noted that this will also now trigger a review with increase of aggregate space.

Cody Christensen concluded the review and asked that members read through the other recommendations for MEPs that are available online.

b) Code adoption timeline

Jonathan Lund explained further that after the June 5th meeting that the final recommendation drafts would be available online for every city to review and go through their internal process.
Brian Bishop stated that the anticipated code adoptions would take place around Jan. 1, 2020. Working the schedule backwards they would hope to have a document to the City Council in the fall which would mean for this group that the ordinance structure would need to be completed by late summer. A vote would be held on the recommendations sometime in September for a target date to move things forward. Typically, it takes three readings to get an ordinance enacted by City Council.

Jonathan Lund stated they had hoped to get recommendation to City Council for a mid-September meeting and then the first October meeting with the plan for the ordinances to go into effect in January 2020. He also noted that there could be some flexibility in the dates, but allowing for enough time to get the readings completed.

Assistant City Attorney Ann DiDonato brought up concerns about the short turnaround of time to get these code amendments into ordinance form.

Jonathan Lund stated that many of these had already been passed in 2015 and while there are a number of changes, the CICC documents provided also include the 2015 and will not need to be reviewed. He noted as example that the fire code changes have 50 pages, but 38 of those pages were done in 2015.

Ann DiDonato stated that with proper staffing it could be done.

Brian Bishop stated that it would maybe be better to have the model ordinance ready to be voted on in the August meeting.

Ann DiDonato stated having these ready for City Council by second September meeting or the two October meetings would give enough time to the public to review. This would be adequate.

Bart Caldwell stated this would mean we would be having a board meeting every month until this was complete. He asked for further explanation of process.

Brian Bishop explained that once recommendations are put into ordinance form, a workshop would be held with City Council so they have a good understanding of the changes to have good working knowledge to discuss items of controversy with their constituents.

Jonathan Lund noted that most of the heavy lifting and debate should take place prior to giving to the City Council. The purpose of this ICCC is to have a forum to take items of change or controversy and means of consistency.

Bart Caldwell asked if other communities will follow the same timeline and process.

Jonathan Lund stated that it varies between communities.

Cody Christensen stated that Des Moines was the first to adopt last year, but many other communities are looking to do their adoption in a timely manner as well.

**Item 5: Adjourn**

A motion to adjourn was made by Randy Tinker and seconded by Chuck Gassman. The motion passed with unanimous approval and the meeting adjourned at 5:10 p.m.