

IPMC



2018 GROUP A PUBLIC COMMENT AGENDA

OCTOBER 24 - 31, 2018
GREATER RICHMOND CONVENTION CENTER
RICHMOND, VA

2018 Public Comment Agenda

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by

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PM8-18 Part I

IPMC: SECTION 310, 310.1, 310.2, 310.3, 310.4, ICC

Proposed Change as Submitted

Proponent: Jonathan Roberts, UL LLC, representing UL LLC (jonathan.roberts@ul.com)

THIS IS A 2 PART CODE CHANGE. PART I WILL BE HEARD BY THE IPMC COMMITTEE. PART II WILL BE HEARD BY THE IFC CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.

2018 International Property Maintenance Code

Add new text as follows

SECTION 310 STORM SHELTERS

310.1 Inspection and maintenance. Storm shelters required by Section 423 of the International Building Code, Section 1106 of the International Existing Building Code, or otherwise legally required in a jurisdiction shall be inspected and maintained in accordance with this section.

310.2 Door function. Storm shelter doors, and door hardware, shall be maintained to ensure proper door operation as required by ICC 500.

310.3 Damage or missing components. Storm shelters shall be maintained in accordance with ICC 500 so that walls and roofs are intact and undamaged. Any damage to the storm shelter or its impact-protective systems shall be repaired or replaced in accordance with ICC 500. Missing equipment or components shall be replaced.

310.4 Replacement components. Where it is necessary to replace impact-protective systems, including certified doors, shutters, windows or their frames, hardware, and closing mechanisms, replacements shall comply with applicable ICC 500 requirements.

Add new standard(s) follows

ICC

International Code Council
500 New Jersey Avenue, NW 6th
Floor
Washington DC 20001
US

ICC 500-2014:

ICC/NSSA Standard for the Design and Construction of Storm Shelters

Reason: Storm shelters are relied upon to protect citizens in communities prone to tornadoes, hurricanes, or other similar extreme weather events. It is important to make sure that the shelters, in particular the impact protection systems, doors, and latching components are maintained in an operable condition so they will provide shelter when needed. This proposal includes basic safety requirements for maintaining desired protection.

Cost Impact: The code change proposal will not increase or decrease the cost of construction. This change would not result in any increase in the initial construction cost, but could be a minimal increase for the inspection, maintenance, and repairs, especially if the storm shelter is damaged by an inclement weather event.

Analysis: The referenced standard, ICC 500-2014, is currently referenced in other 2018 I-codes.

PM8-18 Part I

Public Hearing Results

Committee Action:

Disapproved

Committee Reason: The committee felt that the proposal has merit but needs more work. It should be revised to apply to all storm shelters, not just those required by the IBC. Further it should be expanded to address systems within storm shelters. Lastly, the term "any damage" in Section 310.3 is too broad and could lead to inconsistent interpretation. (Vote: 7-2)

Assembly Action:

None

PM8-18 Part I

Individual Consideration Agenda

Public Comment 1:

Proponent: Jonathan Roberts, UL LLC, representing UL LLC (jonathan.roberts@ul.com) requests As Modified by This Public Comment.

Modify as follows:

2018 International Property Maintenance Code

SECTION 310 STORM SHELTERS

310.1 Inspection and maintenance. Storm shelters required by Section 423 of the International Building Code, Section 1106 of the International Existing Building Code, or otherwise legally required in a jurisdiction shall shelters shall be inspected and maintained in accordance with this section.

310.2 Door function. Storm shelter doors, and door hardware, shall be maintained to ensure proper door operation as required by ICC 500.

310.3 Damage or missing components. Storm shelters shall be maintained in accordance with ICC 500 so that walls and roofs are intact and undamaged. Any damage to the storm shelter or its impact-protective systems that impair its functionality shall be repaired or replaced in accordance with ICC 500. Missing equipment or components shall be replaced.

310.4 Replacement components. Where it is necessary to replace impact-protective systems, including certified doors, shutters, windows or their frames, hardware, and closing mechanisms, replacements shall comply with applicable ICC 500 requirements.

Commenter's Reason: The committee liked the proposal and felt it had merit, but they also felt that it needed work. This amended public comment addresses the concerns of the committee as follows:

- The committee felt that the proposal should apply to all storm shelters, not just those required by the IBC. This change was made in section 310.1.
- Additionally the committee felt that the term "any damage" was too broad and could lead to inconsistent enforcement. As a result section 310.3 has also been amended to specifically focus on damage that impairs the functionality of the shelter only and not to focus on other maintenance items such as missing paint and other cosmetic issues.

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction

The change would not result in any increase in the initial construction cost, but could be a minimal increase for the inspection, maintenance, and repairs, especially if the storm shelter functionality is decreased.

Public Comment 2:

Proponent: Lucas Pump, representing Self (l.pump@cedar-rapids.org) requests As Submitted.

Commenter's Reason: This proposal adds basic safety requirements that are specific to the maintenance of *required*

storm shelters, that is not in previous code editions. This is maintenance code, and this speaks to the specific maintenance of these structures.

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction

The maintenance of *required* storm shelters may increase - but, the initial cost of construction will not be affected.

PM8-18 Part I

PM8-18 Part II

IFC: 301.1, SECTION 320, 320.1, 320.2, 320.3, 320.4, ICC

Proposed Change as Submitted

Proponent: Jonathan Roberts, UL LLC, representing UL LLC (jonathan.roberts@ul.com)

2018 International Fire Code

Revise as follows

301.1 Scope. The provisions of this chapter shall govern the occupancy and maintenance of all structures and premises for precautions against fire and the spread of fire and general requirements of fire and life safety.

Add new text as follows

SECTION 320 STORM SHELTERS

320.1 Inspection and maintenance. Storm shelters required by Section 423 of the International Building Code, Section 1106 of the International Existing Building Code, or otherwise legally required in a jurisdiction shall be inspected and maintained in accordance with this section.

320.2 Door function. Storm shelter doors and door hardware shall be maintained to ensure proper door operation as required by ICC 500.

320.3 Damage or missing components. Storm shelters shall be maintained in accordance with ICC 500 so that walls and roofs are intact and undamaged. Any damage to the storm shelter or its impact-protective systems shall be repaired or replaced in accordance with ICC 500. Missing equipment or components shall be replaced.

320.4 Replacement components. Where it is necessary to replace impact-protective systems, including certified doors, shutters, windows or their frames, hardware, and closing mechanisms, replacements shall comply with applicable ICC 500 requirements.

Add new standard(s) follows

ICC

International Code Council, Inc.
500 New Jersey Avenue, NW 6th
Floor
Washington DC 20001
US

ICC 500-2014:

ICC/NSSA Standard for the Design and Construction of Storm Shelters

Reason: Storm shelters are relied upon to protect citizens in communities prone to tornadoes, hurricanes, or other similar extreme weather events. It is important to make sure that the shelters, in particular the impact protection systems, doors, and latching components are maintained in an operable condition so they will provide shelter when needed. This proposal includes basic safety requirements for maintaining desired protection.

Cost Impact: The code change proposal will not increase or decrease the cost of construction. This change would not result in any increase in the initial construction cost, but could be a minimal increase for the inspection, maintenance, and repairs, especially if the storm shelter is damaged by an inclement weather event.

Analysis: The referenced standard, ICC 500-2014, is currently referenced in other 2018 I-codes.

PM8-18 Part II

Public Hearing Results

Committee Action:

Disapproved

Committee Reason: The committee stated objection to adding the standard to the code and that the requirements should not be retroactive. (Vote: 8-4)

Assembly Action:

None

PM8-18 Part II

Individual Consideration Agenda

Public Comment 1:

Proponent: Lucas Pump, representing Self (l.pump@cedar-rapids.org) requests As Submitted.

Commenter's Reason: This proposal adds basic safety requirements that are specific to the maintenance of *required* storm shelters, that is not in previous code editions. This is maintenance code, and this speaks to the specific maintenance of these structures. The reference standard ICC 500 is currently referenced in other 2018 I-Codes.

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction

The maintenance of *required* storm shelters may increase, but the initial cost of construction will not be affected.

PM8-18 Part II

PM9-18

IPMC: 404.4, 404.4.1, 404.5, Table TABLE 404.5

Proposed Change as Submitted

Proponent: Gerard Hathaway, NYS Dept. of State, Div. of Building Standards and Codes, representing New York State Department of State, Division of Building Standards and Codes (gerard.hathaway@dos.state.ny.us)

2018 International Property Maintenance Code

Revise as follows

404.4 ~~Bedroom~~ Habitable room and living room-bedroom requirements. Every habitable room and bedroom ~~and living room~~ shall comply with the requirements of Sections 404.4.1 through 404.4.5.

404.4.1 Room area. Every ~~living room shall contain not less than 120 square feet (11.2 m²) and every bedroom~~ habitable room shall contain not less than 70 square feet (6.5 m²) and every bedroom occupied by more than one person shall contain not less than 50 square feet (4.6 m²) of floor area for each occupant thereof.

404.5 Overcrowding. Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

**TABLE 404.5
MINIMUM AREA REQUIREMENTS**

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room ^{a, b}	120 70	120	150
Dining room ^{a, b}	Norequirement	80	100
Bedrooms	Shall comply with Section 404.4.1		

For SI: 1 square foot = 0.0929 m².

- a. See Section 404.5.2 for combined living room/dining room spaces.
- b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

Reason: The purpose of this code change is to coordinate the minimum room area requirements found in the International Property Maintenance Code (IPMC) with those found in the International Residential Code (IRC) and the International Building Code (IBC). We have received technical support questions on this subject in New York State, and nationally it has been discussed in industry related online chat rooms.

IPMC 404.4.1 requires that every living room contain not less than 120 square feet (11.2 m²) and every bedroom contain not less than 70 square feet (6.5 m²). The IBC has similar language which is somewhat compatible with the IPMC, requiring that every dwelling unit shall have not less than one room (not specifically a living room) that shall have not less than 120 square feet (11.2 m²) of net floor area, and that other habitable rooms (not only but including bedrooms) shall have a net floor area of not less than 70 square feet (6.5 m²). However, IRC R304.1 simply requires that habitable rooms (including living rooms, bedrooms, etc.) shall have a floor area of not less than 70 square feet (6.5 m²).

Possible scenarios: A dwelling unit could be constructed under the IRC or IBC with a 70 square foot living room as allowed by both the IRC and IBC, receive a Certificate of Occupancy, and they would not be in compliance with the 2018 IPMC, which requires a minimum 120 square foot living room.

The proposed changes to IPMC 404.4 and 404.4.1 are meant to use language (the term "habitable rooms") which is compatible with both the IRC and IBC for consistency. Also, to allow small dwellings to have the minimum 70 square foot living rooms as intended by both the IRC and IBC.

This code change proposal also includes a change in IPMC 404.5 Overcrowding, specifically Table 404.5 Minimum Area Requirements. The "Living Room"/"1-2 occupants" cell of the table has been changed to delete the minimum 120 square foot requirement, and allow a minimum 70 square foot Living Room for 1-2 occupants in small dwellings constructed under either the IRC or IBC.

This change continues the effort to allow smaller dwellings built under the IRC and IBC to be compatible with the IPMC once they are completed. Code change proposal RB106-13 (R304.1, R304.2), approved for the 2015 IRC, removed the requirement that every dwelling unit have at least one room not less than 120 square feet. One of the prime reasons given for that code change proposal was to allow small dwellings to be built under the IRC.

Cost Impact: The code change proposal will decrease the cost of construction. Allowing small homes to be built, without forcing them to provide a 120 square foot living room, will decrease cost.

PM9-18

Public Hearing Results

Committee Action:

Disapproved

Committee Reason: The committee felt that a 70 square foot living room for up to 2 occupants was too small when compared to the efficiency unit requirements that require a minimum of 120 square feet for a maximum of one occupant. (Vote: 6-3)

Assembly Action:

None

PM9-18

Individual Consideration Agenda

Public Comment 1:

Proponent: Gerard Hathaway, representing Self (gerard.hathaway@dos.ny.gov) requests As Submitted.

Commenter's Reason:

Reason Statement in Response to Committee Disapproval, the original proposal as submitted and this builds on the original reason statement.

One committee member did not think the IPMC has the right or ability to consider a project, approved with a certificate of occupancy, designed in accordance with the IRC or IBC, to be non-compliant as soon as it is completed. IPMC Section 404.5 Overcrowding and Table 404.5 Minimum Area Requirements are retroactive for property maintenance purposes and apply to dwelling units built under the IRC and IBC for municipalities who have adopted the IRC, IBC and IPMC. Municipalities often have local requirements to re-inspect properties when they change hands to confirm that the conditions of the C of O are still in place or as a regular inspection schedule.

The Committee felt that a 70 square foot living room for up to 2 occupants was too small when compared to the efficiency unit requirements that require a minimum of 120 square feet for a maximum of one occupant.

Under IBC Section 1207.4 "Efficiency dwelling units" it is stated that; "An efficiency living unit shall conform to the code except as modified herein." The section allows smaller units if specific provisions are followed. The IPMC has a corresponding Section 404.6 with occupancy limitations that apply only to Efficiency Units constructed under the IBC, and does not apply to dwelling units constructed under the IRC.

The IPMC Efficiency Unit minimum floor area of 120SF is because it is allowed to be the only room except for the required separate closet and bathroom for one occupant, and increasing by 100SF per additional occupant.

The IRC allows a minimum floor area of 70SF per habitable room. However, must still be in compliance with the requirements of the IPMC. The dwelling unit constructed under the IRC to minimum area requirements would have floor areas that add-up as follows: Living Room (70SF), plus Bedroom (70SF for one occupant) plus bathroom closets and any other non-habitable spaces, this is already more than the 120SF Efficiency minimum. If there were two occupants that would add another 70SF if in separate bedrooms (one 100SF bedroom required if they shared).

Again, this proposal is meant simply to coordinate provisions of the IRC with the occupancy limitations of the IPMC.

Cost Impact: The net effect of the public comment and code change proposal will decrease the cost of construction. The cost impact has no net effect.

Public Comment 2:

Proponent: Lucas Pump, representing Self (l.pump@cedar-rapids.org) requests As Submitted.

Commenter's Reason: This proposal aligns the IRC & IBC with the IPMC. A dwelling unit could be constructed under the IRC or IBC with a 70 sq. ft. living room, and would be immediately not in compliance with the current IPMC. This proposal makes sense, and it prevents conflicts with the other I-Codes. The action committee's reason statement is making a reference to total sq. footage of efficiency units - which is a completely different code section in 404.6. This proposal is referencing the room area of a specific room, not the total living area.

Cost Impact: The net effect of the public comment and code change proposal will decrease the cost of construction.

This will allow for a smaller living room at 70 sq. ft. - versus the current 120 sq. ft. requirement, which will decrease the cost of construction.

PM9-18

PM10-18

IPMC: 602.2

Proposed Change as Submitted

Proponent: Kelly Kirk, City of Norfolk, representing City of Norfolk; Christina Jackson, City of Norfolk, representing City of Norfolk

2018 International Property Maintenance Code

Revise as follows

602.2 Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms* based on the winter outdoor design temperature for the locality indicated in Appendix D of the International Plumbing Code. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating. Additionally, the installation of one or more portable space heaters shall not be used to achieve compliance with this section.

Exception: In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

Reason: This proposed change is submitted with the intent to bring the IPMC 602.2 verbiage in line with the current IRC R303.9 verbiage so that these I-Codes cohesively reflect the intent of the ICC as currently written in the IRC R303.9.

Bibliography: 2015 IPMC, Section 602.2 - Heating Facilities, Residential Occupancies; ICC; Fourth Printing, December 2015; Page 2.
2015 IRC, Section R303.9 - Required Heating; ICC; Second Printing, January 2016; Page 56.

Cost Impact: The code change proposal will not increase or decrease the cost of construction
None

PM10-18

Public Hearing Results

Committee Action:

As Modified

Committee Modification: 602.2 Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in Appendix D of the International Plumbing Code. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating. ~~Additionally,~~ The installation of one or more portable space heaters shall not be used to achieve compliance with this section.
(no change to the exception)

Committee Reason: The committee agreed that this proposal brings the IPMC 602.2 verbiage in line with the current IRC R303.9 verbiage so that these I-Codes consistently address the installation of portable space heaters. The modification removes an unnecessary word. (Vote: 9-0)

Assembly Action:

None

PM10-18

Individual Consideration Agenda

Public Comment 1:

Proponent: Steven Rosenstock, representing Edison Electric Institute (srosenstock@eei.org) requests Disapprove.

Commenter's Reason: This proposal should be disapproved for the following reasons:

- 1) It is unenforceable. In the property maintenance code, it would require code officials to try to track the sale and use of portable space heaters in residential and commercial buildings on a continuous basis. If found, then a code official would have to confiscate such units, which are available in hardware stores and on-line, and could be replaced in a day.
- 2) It should not apply to existing buildings. The language in the IRC is designed for new construction, to ensure that portable / temporary systems are not used to comply with requirements for heating.
- 3) In existing buildings, it would prevent the use of such systems during periods of building renovations when central heating systems are taken off-line.
- 4) In existing buildings, it would prevent their use in times of emergencies (e.g., a central heating system shut down and could not be repaired or replaced for a significant amount of time, possibly allowing unsafe thermal conditions).
- 5) In existing buildings, portable electric space heaters do not create any emissions or indoor air quality issues.
- 6) Portable electric space heaters are safe to use in existing buildings and are required to meet safety standards, such as UL 1278.
- 7) The International Fire Code (IFC) allows the use of listed portable electric space heaters. Therefore, this provision would conflict with the IFC.

According to the US Energy Information Administration, Nationwide, **37% of U.S. households** supplement their main equipment with a secondary source of heat. **Almost half of these households use portable electric heaters, the most common secondary heating choice in every climate region.** (*emphasis added*) (see <https://www.eia.gov/todayinenergy/detail.php?id=30672> for more information).

For all of these reasons, this proposal does not belong in the Property Maintenance code.

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction

Disapproval of this proposal will have no impact on the cost of construction. Portable electric space heaters are not installed during construction.

PM10-18