



BUILDING CONSTRUCTION CODE CHANGE PROPOSAL

Proposed Amendments to the 2012 International Green Construction Code Chapter 1

Submitted by: Phoenix Planning & Development Department Code Committee

SECTION 101 GENERAL

[A] 101.1 Title.

These regulations shall be known as the Phoenix Green Construction Code of ~~[NAME OF JURISDICTION]~~ hereinafter referred to as "this code."

101.2 General.

The use of this code is optional, unless specifically required through ordinance by the city of Phoenix.

This code is an overlay document to be used in conjunction with the other codes and standards adopted by the jurisdiction. This code is not intended to be used as a standalone construction regulation document and permits are not to be issued under this code. This code is not intended to abridge or supersede safety, health or environmental requirements under other applicable codes or ordinances.

101.3 Scope.

The provisions of this code shall apply to the design, construction, addition, alteration, change of occupancy, relocation, replacement, repair, equipment, building site, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures and to the site on which the building is located. Occupancy classifications shall be determined in accordance with the *International Building Code*[®] (IBC[®]).

Exceptions:

1. The code shall not apply to items 1.1, 1.2 and 1.3 except where the jurisdiction adopts the jurisdictional requirements of Section 302.1, Item 1, for residential buildings.
 - 1.1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height above grade plane with a separate means of egress, their accessory structures, and the site or lot upon which these buildings are located.
 - 1.2. Group R-3 residential buildings, their accessory structures, and the site or lot upon which these buildings are located.
 - 1.3. Group R-2 and R-4 residential buildings four stories or less in height above grade plane, their accessory structures, and the site or lot upon which these buildings are located.
2. The code shall not apply to equipment or systems that are used primarily for industrial or manufacturing.
3. The code shall not apply to temporary structures *approved* under Section 3103 of the *International Building Code*.
4. Where ASHRAE 189.1 is selected in accordance with Section 301.1.1, ASHRAE 189.1 shall not apply to buildings identified in Exceptions 1 through 3.

101.3.1 Residential construction.

In lieu of the requirements of this code the following shall be deemed-to-comply with this code:

1. Group R-2 and R-4 residential buildings five stories or more in height above grade plane, their accessory structures, and the site or lot upon which these buildings are located that comply with ICC 700, with a minimum energy efficiency category requirements of the Silver performance level or equivalent.
2. Group R-2 and R-4 portions of mixed use buildings that comply with ICC 700, with a

minimum energy efficiency category requirements of the Silver performance level or equivalent. The remainder of the building and the site upon which the building is located shall comply with the provisions of this code.

101.4 Appendices.

Provisions in the appendices shall not apply unless specifically adopted.

101.5 Intent.

This code is intended to safeguard the environment, public health, safety and general welfare through the establishment of requirements to reduce the negative impacts and increase the positive impacts of the built environment on the natural environment and building occupants. This code is not intended to abridge or supersede safety, health or environmental requirements under other applicable codes or ordinances.

SECTION 102 APPLICABILITY

Reserved

~~102.1 Code conflicts.~~

~~Where there is a conflict between a general requirement and a specific requirement of this code, the specific requirement shall be applicable. Where, in any specific case, different sections of the code specify different materials, methods of construction or other requirements, the most practical requirement to meet the intent of the code shall govern.~~

~~102.2 Other laws.~~

~~The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.~~

~~102.3 Application of references.~~

~~References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.~~

~~102.4 Referenced codes and standards.~~

~~The following codes shall be considered part of the requirements of this code: the *International Building Code*, the *International Code Council Performance Code*[®] (ICCPG[®]), the *International Energy Conservation Code*[®] (IECC[®]), the *International Existing Building Code*[®] (IEBC[®]), the *International Fire Code*[®] (IFC[®]), the *International Fuel Gas Code*[®] (IFGC[®]), the *International Mechanical Code*[®] (IMC[®]), the *International Plumbing Code*[®] (IPC[®]), *International Property Maintenance Code*[®] (IPMC[®]), and the *International Residential Code*[®] (IRC[®]).~~

~~102.4.1 Conflicting provisions.~~

~~Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code or the International Codes listed in Section 102.4, the provisions of this code or the International Codes listed in Section 102.4, as applicable, shall take precedence over the provisions in the referenced code or standard.~~

~~102.5 Partial invalidity.~~

~~In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.~~

~~102.6 Existing structures.~~

~~The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *International Building Code*, the *International Existing Building Code*, the *International Property Maintenance Code* or the *International Fire Code*, or as is deemed necessary by the code official for the general safety and welfare of building occupants and the public.~~

~~102.7 Mixed occupancy buildings.~~

~~In mixed occupancy buildings, each portion of a building shall comply with the specific requirements of this code applicable to each specific occupancy.~~

SECTION 103 DUTIES AND POWERS OF THE CODE OFFICIAL

Reserved

~~103.1 General.~~

~~The *code official* established in the *International Building Code* is hereby authorized and directed to enforce the provisions of this code. The *code official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions and how this code relates to other applicable codes and ordinances. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code and other applicable codes and ordinances. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code or other applicable codes and ordinances.~~

~~103.2 Applications and permits.~~

~~The *code official* shall enforce compliance with the provisions of this code as part of the enforcement of other applicable codes and regulations, including the referenced codes listed in Section 102.4.~~

~~103.3 Notices and orders.~~

~~The *code official* shall issue all necessary notices or orders to ensure compliance with this code.~~

~~103.4 Inspections.~~

~~The *code official* shall make inspections, as required, to determine code compliance, or the *code official* shall have the authority to accept reports of inspection by approved agencies or individuals. The *code official* is authorized to engage such expert opinion as deemed necessary to report on unusual technical issues that arise, subject to the approval of the appointing authority.~~

SECTION 104 CONSTRUCTION DOCUMENTS

Reserved

~~104.1 Information on construction documents.~~

~~The content and format of construction documents shall comply with the *International Building Code*.~~

SECTION 105 APPROVAL

Reserved

~~105.1 General.~~

~~This code is not intended to prevent the use of any material, method of construction, design, system, or innovative approach not specifically prescribed herein, provided that such construction, design, system or innovative approach has been *approved* by the *code official* as meeting the intent of this code and all other applicable laws, codes and ordinances.~~

~~105.2 Approved materials and equipment.~~

~~Materials, equipment, devices and innovative approaches *approved* by the *code official* shall be constructed, installed and maintained in accordance with such approval.~~

~~105.2.1 Used materials, products and equipment.~~

~~The use of used materials, products and equipment that meet the requirements of this code for new materials is permitted. Used equipment and devices shall be permitted to be reused subject to the approval of the *code official*.~~

~~105.3 Modifications.~~

~~Wherever there are practical difficulties involved in carrying out the provisions of this code, the *code official* shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the *code official* shall first find that special individual reason makes the strict letter of this code impractical and that the modification is in compliance with the intent and purpose of this code and that such modification does not lessen the minimum requirements of this code. The details of granting modifications shall be recorded and entered in the files of the department.~~

~~105.4 Innovative approaches and alternative materials, design, and methods of construction and equipment.~~

The provisions of this code are not intended to prevent the installation of any material or to prohibit any design, innovative approach, or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design, innovative approach or method of construction shall be reviewed and *approved* where the *code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, design, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code. The details of granting the use of alternative materials, designs, innovative approach and methods of construction shall be recorded and entered in the files of the department.

105.4.1 Research reports.

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

105.4.2 Tests.

Wherever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *code official* shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *code official* shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the *code official* for the period required for retention of public records.

105.5 Compliance materials.

The *code official* shall be permitted to approve specific computer software, worksheets, compliance manuals and other similar materials that meet the intent of this code.

105.6 Approved programs.

The *code official* or other authority having jurisdiction shall be permitted to deem a national, state or local program to meet or exceed this code. Buildings *approved* in writing by such a program shall be considered to be in compliance with this code.

105.6.1 Specific approval.

The *code official* or authority having jurisdiction shall be permitted to approve programs or compliance tools for a specified application, limited scope or specific locale. For example, a specific approval shall be permitted to apply to a specific section or chapter of this code.

SECTION 106 PERMITS

Reserved

106.1 Required.

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any energy, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the *code official* and obtain the required permit under the applicable code or regulation relevant to the intended work. Separate permits shall not be issued under this code. Exemptions from permit requirements shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other applicable laws, codes or ordinances of this jurisdiction.

SECTION 107 FEES

Reserved

107.1 Fees.

Fees for permits shall be paid as required, in accordance with the schedule as established by the applicable governing authority for the intended work prescribed in an application.

SECTION 108 BOARD OF APPEALS**Reserved****108.1 General.**

Appeals of orders, decisions or determinations made by the *code official* relative to the application and interpretation of this code shall be made to the Board of Appeals created under the applicable *International Code*[®].

108.2 Limitations on authority.

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply or an equivalent or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

108.3 Qualifications.

The members of the board of appeals related to interpretation of this code shall be qualified by experience and training in the matters covered by this code and shall not be employees of the jurisdiction.

SECTION 109 CERTIFICATE OF OCCUPANCY**Reserved****109.1 Violations.**

Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Reasons:

The change to Section 101.2 clarifies that compliance with this code is voluntary. The remaining sections are reserved as this information is contained within the Administrative Provisions of the Phoenix Building Construction Code.

Cost Impact: No impact.

ACTION TAKEN:**2012 Code Committee**

Approved as submitted Modified and approved Denied Date: 11/7/2012
 No action taken

Development Advisory Board Technical Subcommittee

Approved as submitted Modified and approved Denied Date: 12/11/12
 No action taken

Development Advisory Board

Approved as submitted Modified and approved Denied Date: 12/20/12
 No action taken

Council Subcommittee

Approved as submitted Modified and approved Denied Date: 4/16/13
 No action taken

City Council Action

Approved as submitted Modified and approved Denied Date: 5/15/13
 No action taken



BUILDING CONSTRUCTION CODE CHANGE PROPOSAL

**Proposed Amendments to 2012 International Green Construction Code
Section 302.1**

Submitted by: Phoenix Planning & Development Department Code Committee

**TABLE 302.1
REQUIREMENTS DETERMINED BY THE JURISDICTION**

Section	Section Title of Description and Directives	Jurisdictional Requirements	
CHAPTER 1. SCOPE			
101.3 Exception 1.1	Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height above grade plane with a separate means of egress, their accessory structures, and the site or lot upon which these buildings are located, shall comply with ICC 700.	<input checked="" type="checkbox"/> Yes	No
101.3 Exception 1.2	Group R-3 residential buildings, their accessory structures, and the site or lot upon which these buildings are located, shall comply with ICC 700.	<input checked="" type="checkbox"/> Yes	No
101.3 Exception 1.3	Group R-2 and R-4 residential buildings four stories or less in height above grade plane, their accessory structures, and the site or lot upon which these buildings are located, shall comply with ICC 700.	<input checked="" type="checkbox"/> Yes	No
CHAPTER 4. SITE DEVELOPMENT AND LAND USE			
402.2.1	Flood hazard area preservation, general	Yes	<input checked="" type="checkbox"/> No
402.2.2	Flood hazard area preservation, specific	Yes	<input checked="" type="checkbox"/> No
402.3	Surface water protection	Yes	<input checked="" type="checkbox"/> No
402.5	Conservation area	<input checked="" type="checkbox"/> Yes	No
402.7	Agricultural land	<input checked="" type="checkbox"/> Yes	No
402.8	Greenfield sites	<input checked="" type="checkbox"/> Yes	No
407.4.1	High-occupancy vehicle parking	<input checked="" type="checkbox"/> Yes	No
407.4.2	Low-emissions, hybrid and electric vehicle parking	<input checked="" type="checkbox"/> Yes	No
409.1	Light pollution control	<input checked="" type="checkbox"/> Yes	No
CHAPTER 5. MATERIAL RESOURCE CONSERVATION AND EFFICIENCY			
503.1	Minimum percentage of waste material diverted from landfills.	<input checked="" type="checkbox"/> 50% 65% 75%	
CHAPTER 6. ENERGY CONSERVATION, EFFICIENCY AND CO₂e EMISSIONS REDUCTION			
302.1, 302.1.1, 602.1	zEPI of Jurisdictional Choice – The jurisdiction shall indicate a zEPI of 46 or less in each occupancy for which it intends to require enhanced energy performance.	Occupancy: _____ zEPI: _____	
604.1	Automated demand response infrastructure	Yes	<input checked="" type="checkbox"/> No
CHAPTER 7. WATER RESOURCES CONSERVATION, QUALITY AND EFFICIENCY			
702.7	Municipal reclaimed water	<input checked="" type="checkbox"/> Yes	No
CHAPTER 8. INDOOR ENVIRONMENT QUALITY AND COMFORT			
804.2	Post-Construction Pre-Occupancy Baseline IAQ Testing	Yes	<input checked="" type="checkbox"/> No
807.1	Sound transmission and sound levels	<input checked="" type="checkbox"/> Yes	No
CHAPTER 10. EXISTING BUILDINGS			
1007.2	Evaluation of existing buildings	<input checked="" type="checkbox"/> Yes	No
1007.3	Post Certificate of Occupancy zEPI, energy demand and CO ₂ e emissions reporting	Yes	<input checked="" type="checkbox"/> No

Reasons:

Above jurisdictional requirements create design and construction framework for new and existing commercial buildings and the entire construction site. This code uses baseline approach and prescriptive method to differentiate the benefits over the standard design and construction methods and these requirements include regional variability for maximum cost efficiency.

ICC 700-2008 applies as code framework for residential project.

Cost Impact: No cost impact.

ACTION TAKEN:**2012 Code Committee**

Date: 11/5/12

Approved as submitted Modified and approved Denied No action taken

Development Advisory Board Technical Subcommittee

Date: 12/11/12

Approved as submitted Modified and approved Denied No action taken

Development Advisory Board

Date: 12/20/12

Approved as submitted Modified and approved Denied No action taken

Council Subcommittee

Date: 4/16/13

Approved as submitted Modified and approved Denied No action taken

City Council Action

Date: 5/15/13

Approved as submitted Modified and approved Denied No action taken



BUILDING CONSTRUCTION CODE CHANGE PROPOSAL

Proposed Amendments to 2012 International Green Construction Code Section 603.6

Submitted by: Phoenix Planning & Development Department Code Committee

603.6 Energy display. A permanent, readily accessible and visible display shall be provided adjacent to the main building entrance or on a publicly available Internet web site. The display shall be capable of providing all of the following:

1. The current energy demand for the whole building level measurements, updated for each fuel type at the intervals specified in Section 603.3.
2. The average and peak demands for the previous day and the same day the previous year.
3. The total energy usage for the previous 18 months.

Reasons:

The IGCC design requirements use whole building life cycle assessment and baseline approach to differentiate the benefits over the standard design and construction methods. As a voluntary measure, this code is a significant value-added feature for the customers, who would be motivated to operate their buildings as designed to realize the operational cost savings. Public display of the energy demands and consumption data is not a public safety issue; therefore, it is not unreasonable to allow the customers to choose how such data should be displayed and tracked otherwise.

Cost Impact:

This is a cost-reducing measure by eliminating the cost of a power-sourced signage and its supporting structure.

ACTION TAKEN:

2012 Code Committee				Date: 11/5/12
<input checked="" type="checkbox"/> Approved as submitted	<input type="checkbox"/> Modified and approved	<input type="checkbox"/> Denied	<input type="checkbox"/> No action taken	
Development Advisory Board Technical Subcommittee				Date: 12/11/12
<input checked="" type="checkbox"/> Approved as submitted	<input type="checkbox"/> Modified and approved	<input type="checkbox"/> Denied	<input type="checkbox"/> No action taken	
Development Advisory Board				Date: 12/20/12
<input checked="" type="checkbox"/> Approved as submitted	<input type="checkbox"/> Modified and approved	<input type="checkbox"/> Denied	<input type="checkbox"/> No action taken	
Council Subcommittee				Date: 4/16/13
<input checked="" type="checkbox"/> Approved as submitted	<input type="checkbox"/> Modified and approved	<input type="checkbox"/> Denied	<input type="checkbox"/> No action taken	
City Council Action				Date: 5/15/13
<input checked="" type="checkbox"/> Approved as submitted	<input type="checkbox"/> Modified and approved	<input type="checkbox"/> Denied	<input type="checkbox"/> No action taken	