



Amendments to the 2021 International Existing Building Code

The following sections, paragraphs, and sentences of the *2021 International Existing Building Code* are hereby amended as follows: Standard type is text from the IEBC. Underlined type is text inserted. ~~Lined through type is deleted text from IEBC.~~

Section 101.1; amend to insert the Department Name

101.1 Title. These regulations shall be known as the Existing Building Code of The Town of Eagle Building Department hereinafter referred to as “this code”.

Section 102.4; change to read as follows:

[A] 102.4 Referenced codes and standards. The codes, when specifically adopted, and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted. {No change to rest of section.}

Section 103.1; amend to insert the Department Name

103.1 Creation of agency. The Town of Eagle Building Department is hereby created.....

Section 108.6 Refunds; amend Section 108.6 to read as follows:

108.6 Refunds. The Building Official may authorize the refund of any fee paid which was erroneously paid or collected. The Building Official may authorize a refund of not more than eighty percent (80%) of the permit fee paid when no work has been performed under an active permit. The Building Official may authorize a refund of not more than eighty percent (80%) of the plan review fee paid if withdrawn or cancelled before any plan review has been performed. Any request for a refund of any fee shall be filed in writing by the original applicant and shall not be more than one hundred eighty (180) days after the date of fee payment.

(Reason: Establishes a concise refund policy.)

Section 108; add a new Section 108.7 Re-inspection Fee as follows:

108.7 Re-inspection Fee. A fee as established by Town Council resolution may be charged when:

1. The inspection called for is not ready when the inspector arrives;
2. The building address is not clearly posted;
3. Town-approved plans are not on the job site available to the Inspector;
4. The building is locked or work otherwise not available for inspection when called;
5. A correction notice has been issued more than once for the same item(s);
6. Failure to maintain erosion control, trash control or site disturbance fence protection.

Any re-inspection fees assessed shall be paid before any more inspections are made on that job site.

Section 112.1; insert a sentence after the first sentence of the section to read as follows:

112.1 General. In order to hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The Planning and Zoning Commission shall serve as the board of appeals. ... (remainder of paragraph left unchanged)

Section 112.3; add a phrase to the first sentence to read as follows:

112.3 Qualifications. The board of appeals shall consist of members who are qualified by experience, or general knowledge and/or training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

Section 113.4 Violation Penalties; amend Section 113.4 to read as follows:

113.4 Violation Penalties. The Any person, firm or corporation violating any of the provisions of the International Existing Building Code, 2021 Edition, or who fails to comply with any of the requirements thereof, or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this Code, shall be deemed guilty of a Class A municipal offense and each person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued or permitted. Any municipal offense under this Section shall be deemed one of "strict liability".

Section 202; amend definition of "Change of Occupancy" by adding conditions as follows:

CHANGE OF OCCUPANCY. Any of the following shall be considered as a change of occupancy....

3. Any change in the business occupant
4. Any change in the business name
5. Any change in the business owner

Exception: Individual Office occupancies (excluding medical/dental care occupancies) leased as executive suites (as defined by ordinance) which are not part of a mixed-use occupancy such as office/warehouse and/or there is no change in electric or gas meter accounts.

Section 202; amend definition of Existing Building as follows:

EXISTING BUILDING. A building, structure, or space, with an approved final inspection issued under a code edition which is at least 2 published code editions preceding the currently adopted building code; a building, structure or space that is undergoing a change of occupancy or use. Components that were illegally installed or improperly installed do not maintain a legal non-conforming status. ~~erected prior to the date of adoption of the appropriate code, or one for which a legal building permit has been issued.~~

Section 202; amend definition of Existing Structure as follows:

EXISTING STRUCTURE. A building, structure, or space, with an approved final inspection issued under a code edition which is at least 2 published code editions preceding the currently adopted building code; a building, structure or space that is undergoing a change of occupancy or use. Components that were illegally installed or improperly installed do not maintain a legal non-conforming status. ~~erected prior to the date of adoption of the appropriate code, or one for which a legal building permit has been issued.~~

Section 202; amend definition of Work Area to read as follows:

WORK AREA. The portions of a building ~~consisting of all~~ including all reconfigured spaces as indicated on the construction documents and including the entire tenant space or spaces bounded by walls containing the subject work area. If the work area includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be included in the work area calculations and shall be protected in its entirety on that particular floor level. ~~Work area excludes other portions of the building where incidental work entailed by the intended work must be performed and portions of the building where work not initially intended by the owner is specifically required by this code.~~

Section 406.1; add a code reference to read as follows:

406.1 Material. Existing electrical wiring and equipment undergoing *repair* shall be allowed to be repaired or replaced with like material, in accordance with the requirements of NFPA 70.

Section 702.7; add a code reference to read as follows:

702.7 Materials and methods. All new work shall comply with the materials and methods requirements in the *International Building Code*, *International Energy Conservation Code*, *International Mechanical Code*, National Electrical Code, and *International Plumbing Code*, as applicable, that specify material standards, detail of installation and connection, joints, penetrations, and continuity of any element, component, or system in the building.

Section 705.4; amend Section 705.4 to read as follows:

705.4 Reinstallation of materials. Existing slate, clay or cement tile ~~shall~~ may be permitted for reinstallation provided that all used materials are inspected and approved by a qualified independent third party entity approved in advance by the building official, except that damaged, cracked or broken slate or tile shall not be reinstalled.

Section 802.5.1; change to read as follows:

802.5.1 Minimum requirement. Every portion of ~~a floor, such as a balcony or a loading dock,~~ open-sided walking surfaces, including mezzanines, equipment platforms, aisles, stairs, ramps, and landings that are more than 30 inches (762 mm) above the floor or grade below and is not provided with guards, or those in which the existing guards are judged to be in danger of collapsing, shall be provided with guards.

Section 803.1; add sentence to read as follows:

For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the work area shall be extended to include at least the entire tenant space or spaces bounded by walls capable of resisting the passage of smoke containing the subject work area, and if the work area includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level.

Section 804.6.2 Transoms; add language to read as follows:

804.6.2 Transoms. In all buildings of Group B, E, I-1, I-2, R-1 and R-2 occupancies,[Remainder unchanged]

Section 808.2; create a new Section 808.2 to read as follows:

808.2 Plumbing installations. Level 2 alterations shall be compliant with the provisions of the adopted

Section 904.1; add sentence to read as follows:

For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the *work area* shall be extended to include at least the entire tenant space or spaces bounded by walls containing the subject *work area*, and if the *work area* includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level.

Section 1001.3; amend Section 1001.3 to read as follows:

Section 1001.3. Certificate of occupancy. A certificate of occupancy shall be issued where a *change of occupancy* occurs ~~that results in a different occupancy classification as determined~~ as defined by the *International Existing Building Code* and by the *International Building Code*.

Section 1009.1; amend Section 1009.1 deleting the *Exception* in its entirety:

~~Exception: Only where the occupant load of the story is increased by more than 20 percent, plumbing fixtures for the story shall be provided in quantities specified in the International Plumbing Code based on the increased occupant load.~~

END