



CITY OF WASILLA

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COUNCIL MEMORANDUM NO. 93-118

From: Mayor Stein
Date: December 8, 1993
Subject: Building Code Establishment

Mat-Su Homebuilders president Bill Bruu and member Jim Lester presented a proposal to the Planning Commission on November 27 to establish a building code ordinance for the City. Copies of their materials are attached. The proposal is to adopt and enforce national building codes and state energy standards for new single-family through four-plex construction only. State enforcement would continue to apply to five-unit and above residential construction and commercial building. The Homebuilders propose that the City maintain the records and appoint a building official but that inspections be done by contract licensed private inspectors.

Benefits of building code enforcement include:

- Overall housing quality improved
- Electrical and plumbing safety enforced
- Energy standards reduce operating costs and environmental impacts
- Fire safety improve to save lives and reduce insurance costs
- Develop perception of high quality housing available in Wasilla
- Protect resale value of homes
- Protect second buyers of homes

The Commission unanimously supported establishment of a building code ordinance for Wasilla.

Staff recommends that Council schedule a special work session to study the proposal, hear from homebuilders and other interested parties and develop an ordinance for formal Council consideration.

John C. Stein, Mayor

A RESOLUTION OF

MAT-SU HOMEBUILDERS ASSOCIATION

WHEREAS, it being the goal of the Mat-Su Homebuilders Association to foster the safe and sound construction of affordable housing for the citizens of the City of Wasilla,

WHEREAS, it being the goal of the Mat-Su Homebuilders Association that the cost of housing be kept as affordable as possible to extend the benefits of home ownership to the greatest number of citizens possible,

BE IT THEREFORE RESOLVED, The Mat-Su Homebuilders Association urges and recommends that the City of Wasilla adopt the Uniform Building Code, The Uniform Plumbing Code, The Uniform Mechanical Code, National Electrical Code, Model Energy Code and the State of Alaska Building Energy Efficiency Standards and provide for the enforcement of the same.

DRAFT RESOLUTION

OF

CITY OF WASILLA PLANNING COMMISSION

Whereas, fostering safe and sound housing for the citizens of the City of Wasilla is a goal of the planning commission,

Whereas, the Mat-Su Home Builders Association has submitted a proposal to the planning commission for the adoption of the Uniform Building Code, the Uniform Plumbing Code, the Uniform Mechanical Code, the National Electrical Code and the State of Alaska Building Energy Efficiency Standards,

Whereas, adoption of building codes will foster construction of safer residential properties for the citizens of the City of Wasilla,

Be It Therefore Resolved, That the Planning Commission does submit and recommend that the Wasilla City Council Adopt an ordinance adopting the uniform codes.

Mat-Su Homebuilders Association

Questions & Answers

Pertaining to City of Wasilla Code Adoption

What is the Mat-Su Homebuilders Association?

Answer: The local chapter of the National Association of Home Builders, a nation wide professional group of contractors and affiliates that foster affordable, sound, safe and sanitary homes.

Who are the Mat-Su Homebuilders?

Answer: The members of the Mat-Su Homebuilders Association are licensed general and residential contractors and affiliates doing business in the Matanuska Susitna Borough and The City of Wasilla.

Why is the Mat-Su Homebuilders Association interested in the adoption of building codes?

Answer: There are many aspects to this answer. We will try to address them in their priority:

1. There is a public perception that construction in "the Valley" is totally unregulated. This perception, whether true or not, reduces the willingness of the home buying public to consider the valley and the City of Wasilla as a good place to invest. This perception needs to be changed.

2. Recent experience with the real estate recession uncovered many examples of poor and not to code construction. This led to Alaska Housing Finance Corporation(AHFC), for example, spending more than 25 million dollars to rectify. Some of the construction was so bad that AHFC sold some of the properties "AS IS, WHERE IS" with no warranties as to future financing.

3. Building technologies are advancing exponentially. The International Conference of Building Officials(ICBO) are constantly reviewing these technologies. Those that are proven and tested by ICBO are certified to provide safe, sound and sanitary construction standards. Access to this information is provided through the adoption process of the codes.

4. A quote from a recent request for proposal issued by AHFC, "Both urban areas and rural villages of Alaska are strapped with inefficient, degenerating building stock which consumes excessive amounts of energy". The RFP goes on to say, "Excessive fuel consumption depletes personal income reserves, as well as, community funds that might be used for economic development or other projects". The State of Alaska has adopted statutes that require compliance with "Building Energy Efficiency Standards" in order to be financed with state funds. Other secondary lenders such as Fannie Mae, Freddie Mac and FHA are also addressing the home energy problem with specialized loan programs. Code implementation will begin to address these very real problems.

Why would the City of Wasilla want to adopt the "Building Codes"?

Answer: The City of Wasilla is maturing and needs to better control its own destiny. Administration and enforcement of building codes is an effective method to improve the housing stock of the city. The issuance of building permits will allow the city to better track the tax base of the city and will make major efforts to remove the negative perception about the valley.

Who would administer and enforce the codes?

Answer: The Mat-Su Homebuilders Association envisions a system where the City adopts and administers the code. The city would be responsible to appoint a "Building Official" as defined within the Code. And as a Class "A" member of the International Conference of Building Officials, would maintain an Official version of the code manuals.

Enforcement has a further answer. Within the Mat-Su community there are approximately 20 certified independent inspectors. These individuals are certified by the International Conference of Building Officials and AHFC to perform code compliance inspections on single family dwellings and up to and including four-plexs. The city could either contract individually with these individuals or require the permit applicant to contract for inspection services. (Note: AHFC already requires contractors to contract for the services of a certified inspector.)

The Mat-Su Homebuilders Association is willing to provide the City with a list of qualified members willing to serve on an advisory board formed to assist the "Building Official" with code interpretations.

Who would pay for the administration and enforcement of the codes?

The applicant. The city could charge for the permit and the cost of the contract inspector or charge for the permit only when the applicant contracts for the inspector.

What Codes does the City need to adopt?

Answer: The Mat-Su Homebuilders recommends adoption of the following codes:

1991 Uniform Building Code
1991 Uniform Mechanical Code
1991 Uniform Plumbing Code
1990 National Electrical Code
as they pertain to the construction of 1-4 family dwellings, and the:

1992 Model Energy Code or
State of Alaska Building Energy Efficiency Std.

Where will these codes apply?

Answer: Only within the city limits of the City of Wasilla and

will apply to 1-4 family dwellings.

When will these codes apply?

Answer: Current predictions are that 1994 will be a banner year in new home construction in the Mat-Su Borough and the City. It would behoove the city to adopt the codes as soon as possible this year.

How should the City administer the Codes?

Answer: Again the Mat-Su Homebuilders recommends the following:

Step One: The city adopts the recommended codes by ordinance.

Step Two: The Mayor appoint a "Building Official" from staff.

Step Three: The City join the International Conference of Building Officials as a class A member and establish a code library.

Step Four: The city expand its driveway permit system to include a building permit system.

Step Five: The City establish administrative procedure to track either contract inspections or applicants contracted inspections.

Step Six: The City establish administrative procedure for the issuance of a Certificate of Occupancy upon certified completion of construction.

What liabilities will the City incur with the adoption of these codes?

Answer: Section 202(f) of the Uniform Building Code discusses liability of the Building Official and the liability of the parent jurisdiction. In summation, the jurisdiction must protect the building official and the jurisdiction itself assumes no liability for damages to persons or property as a result of the enforcement of the codes.

Sample ordinance for the adoption of the
Uniform Building Code, Uniform Mechanical Code,
Uniform Plumbing Code and National Electrical Code
by the City of Wasilla.

Ordinance # _____

An Ordinance of the City of Wasilla adopting the 1991 edition of the Uniform Building Code, 1991 Uniform Plumbing Code, 1991 Uniform Mechanical Code, and the 1990 National Electrical Code, Model Energy Code, 1992 Edition, published by the Council of American Building Officials, State of Alaska Building Energy Efficiency Standards, September 1991 Edition, published by the Department of Community & Regional Affairs regulating the erection, construction and occupancy of all new residential buildings including detached single family and up to and including four family dwellings in the City of Wasilla; providing for the issuance of permits and collection of fees therefor; providing for the violation thereof, repealing all

other ordinances and parts of ordinances in conflict therewith.

The Council of the City of Wasilla does ordain as follows:

Section 1. That certain documents, one(1) copy of which is on file and is open for inspection of the public in the office of the City Clerk of the City of Wasilla, being marked and designated as:

Uniform Building Code, 1991 Edition, published by the International Conference of Building Officials including Appendix Chapters 1, 7, 10, 12, 23 Div 1, 2 & 3, 24, 25, 37, 38, 55, 57.

Uniform Plumbing Code, 1991 Edition, published by the International Association of Plumbing and Mechanical Officials

Uniform Mechanical Code, 1991 Edition, published by the International Association of Plumbing and Mechanical Officials

National Electrical Code, 1990 Edition, published by the National Fire Protection Association

Model Energy Code, 1992 Edition, published by the Council of American Building Officials

State of Alaska Building Energy Efficiency Standards, September 1991 Edition, published by the Department of Community & Regional Affairs,

and the same are hereby adopted as the code of the City of Wasilla for the regulating the erection, construction and occupancy of all new residential buildings including single family detached dwellings up to and including four family dwellings in the City of Wasilla providing issuance of permits and collection of fees therefor, and each and all regulations, provisions and terms of such Uniform Building Code, 1991 Edition, Uniform Plumbing Code, 1991 Edition, Uniform Mechanical Code, 1991 Edition, National Electrical Code, 1990 Edition published by

the International Conference of Building Officials, Model Energy Code, 1992 Edition, published by the Council of American Building Officials, State of Alaska Building Energy Efficiency Standards, September 1991 Edition, published by the Department of Community & Regional Affairs all of which are on file in the office of the City of Wasilla are hereby referred to, adopted and made part hereof as if fully set out in this ordinance.

Section 2. It shall be unlawful for any person, firm or corporation to erect, construct, occupy any new residential property, single family detached up to and including a four family dwelling, or cause or permit the same to be done in violation of the above adopted codes.

Section 3. That ordinance No. _____ of the City of Wasilla entitled _____ and all other ordinances or part of ordinances in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not effect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any one or mores sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 5. That the City Clerk is hereby ordered and directed to cause this ordinance to be published.

Section 6. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect _____ 199_ from and after the date of its final passage and adoption.

MAT-SU HOMEBUILDERS ASSOCIATION
CODE ADMINISTRATION

Suggested Means & Methods

City shall issue a building permit to the applicant upon submission of one set of approved plans, the name and certification number of the chosen inspector and upon payment of a building permit fee. The City shall require of the applicant to post said permit at the proposed construction site.

City will issue a final certificate of occupancy upon the submission by the permit holder of the following:

A full set of plans with all changes noted;

Certification by an International Conference of Building Officials Certified Combination Dwelling Inspector that he/she has performed the following inspections and certification:

Plans Review

Foundation Inspection

Framing, Plumbing Rough-in, Mechanical Rough-in, Electrical Rough-in Insulation installation, vapor retarder installation

Certification that the construction meets State of Alaska Building Energy Efficiency Standards (BEES)

Final Inspection

City shall upon passage of the ordinance adopting the uniform codes, designate an individual as the "Building Official".

