
CITY COUNCIL REPORT

TO: Alton J. Washington
Assistant City Manager

FROM: Lionel D. Lyons, Director
Development Services Department

SUBJECT: BACK-UP INFORMATION REGARDING RESOLUTION TO ACCEPT CITY
MANAGER'S RECOMMENDATION REGARDING ADOPTION OF A
MODEL BUILDING CODE

The purpose of this report is to provide background information and the Code Review Committee's recommendation to adopt the 2003 International Code Council family of codes as the model building code for the City of Phoenix.

BACKGROUND

In February 2004, the City Manager established the Code Review Committee with a representation from a cross-section of nine staff from various City departments to ensure a neutral and objective analysis of both codes, as well as provide the technical expertise necessary to evaluate the merits of the two codes. The committee charge was to conduct a review of the two available model building codes – the National Fire Protection Association Building Construction and Safety Code (NFPA 5000) and the International Code Council (I-Codes), and to provide a recommendation of which code is the best code for the City of Phoenix. The committee membership included the following individuals:

Lionel D. Lyons, Committee Chair
Director, Development Services Department

Manny Gonzalez, Director
Housing Department

Barbara Koffron, Fire Marshall
Fire Department

Carlos Padilla, Assistant Director
Water Services Department

Barbara Stocklin
Historic Preservation Officer
Historic Preservation Office

Michelle Pierson
Economic Development Administrator
Community & Economic Development

Wylie Bearup, Deputy Director
Engineering & Architectural Services

Larry Litchfield, Assistant Director
Development Services Department

Joe McElvaney, Fire Protection Engineer
Development Services Department

The Code Review Committee held its first meeting on February 23, 2004, and met regularly for 15 weeks. The Committee concluded its work on June 8, 2004. Each

meeting was open to the public to provide a forum for public comment and participation and was facilitated by Bob Wingenroth, City Auditor.

The Committee developed a code adoption process to facilitate the tasks and participation of all interested parties associated with adoption of a new building code for the City of Phoenix. Updates to the code review process and related materials were regularly posted on the City of Phoenix Development Services Department web site.

DISCUSSION

The committee identified the codes to be evaluated as the *International Building Code*, *International Residential Code*, *International Existing Building Code* and the *International Energy Conservation Code* in comparison to the *NFPA 5000 Building Safety and Construction Code*. The committee developed the following seven criteria to use in evaluating the codes: (1) health and safety, (2) usability, (3) flexibility, (4) accessibility, (5) enforceability, (6) adaptability to the City of Phoenix, (7) technical support and evaluation services.

Using the criteria established the committee developed 50 questions for the two code vendors to present responses. In order to facilitate timely and efficient review of the two codes the committee established three subcommittees to develop and evaluate the Questions to Vendors and their subsequent responses. The subcommittees were:

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| Subcommittee 1: Health, Safety and Accessibility Barbara Koffron (Chair), Joe McElvaney, Carlos Padilla, Larry Litchfield |
| Subcommittee 2: Flexibility and Adaptability Wylie Bearup (Chair), Michelle Pierson, Barbara Stocklin, Larry Litchfield |
| Subcommittee 3: Usability, Enforceability, Technical Support and Evaluation Services Joe McElvaney (Chair), Barbara Koffron, Wylie Bearup, Manny Gonzalez |

In addition to its weekly meetings, the Committee held a public hearing on May 24, 2004 to receive comments and feedback from stakeholders affected by the adoption of a new building code. Approximately 100 people attended the hearing representing the building and development industry, trade groups and members of the community. Major issues of concern presented at the Public Hearing focused on five main areas: (1) cost of construction under a new code, (2) consistency and uniformity with other jurisdictions, (3) impact on economic development, (4) safety standards and provisions, and (5) training and certifications for city staff and industry.

ANALYSIS

Regardless of which code is adopted the transition to a new code will have an impact on both City staff and the development community. Training and certification updates are necessary to familiarize staff and industry users with a new code document. In addition, both codes have advantages and disadvantages and would require local amendments

to address any deficiencies and incorporate the City's unique ordinances and standards, such as the Bret Tarver Sprinkler Ordinance.

With regard to the technical provisions of the two codes, the Code Review Committee consensus is that the two codes have very few differences, but that both codes are less restrictive than the current code. Both codes recognize safety for first responders as a top priority. In addition, both are similar in that public safety would not be compromised by the adoption of either of the two codes.

However, the majority of the committee believe that transition to the I-Codes will take less staff time, and require less training for staff and customers, and appears to be less costly for the City as well as the industry. The I-Codes are the most widely adopted building codes nationwide. Feedback from the professional community indicated that users are more familiar with the I-Codes, as they have been adopted by surrounding municipalities. Adoption of the I-Codes will provide uniformity and consistency with other jurisdictions and promote regional cooperation. Through regional cooperation transportability of knowledge, expertise, and information sharing is made possible.

RECOMMENDATION

After careful analysis of both model codes, and consideration of input from a cross-section of the stakeholders and members of the community, the Code Review Committee voted 5 - 4 at its meeting on June 8 to recommend that the City Council adopt the International Code Council family of codes, to be locally amended, as the best code for the City of Phoenix.