

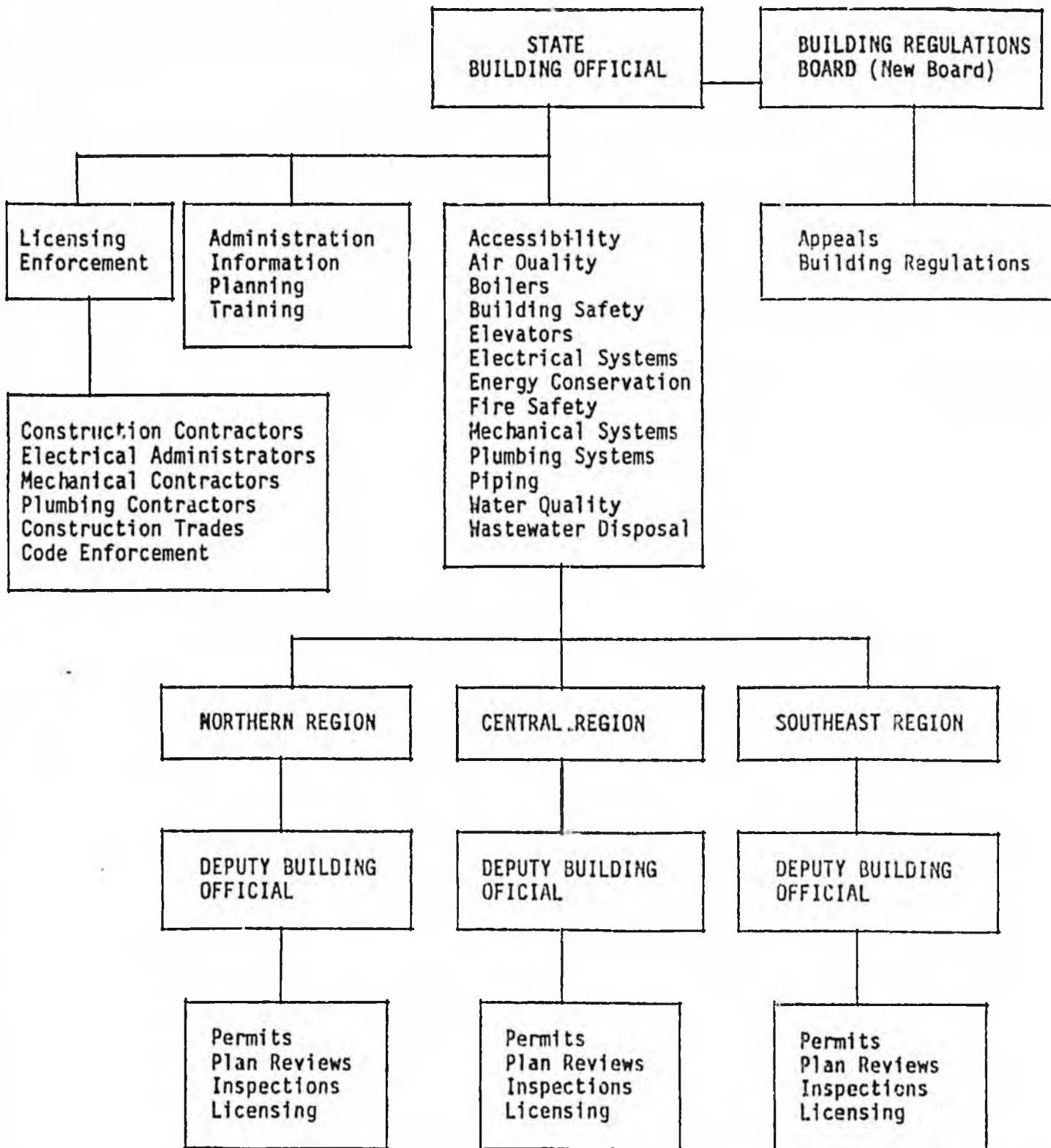
ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672
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**FRAGMENTED BUILDING REGULATIONS
ADMINISTERED WITHIN THE STATE OF ALASKA**

<u>DEPARTMENT</u>	<u>DIVISION</u>	<u>ACTIVITY</u>
COMMERCE & ECONOMIC DEVELOPMENT	Occupational Licensing	Architects, Contractors, Electric Admin., Engineers, Land Surveyors
	Measurement Standards	Mobile Home Inspection
COMMUNITY AND REGIONAL AFFAIRS	Community Development	Energy Conservation in Residential Buildings
	Energy	Grants, Loans
EDUCATION	Education Finance Support Services	School Construction, Plan Reviews
ENVIRONMENTAL CONSERVATION	Environmental Quality	Drinking Water, Plan Reviews, Inspections, Wastewater, Disposal, Plan Reviews, Inspections
HEALTH & SOCIAL SERVICES	Planning	Health Care, Construction, Plan Reviews
LABOR	Labor Standards	Amusement Rides, Ski Lifts, Boilers, Electrical, Elevators, Plumbing, Permits, Boiler Certification, Elevator
	OSHA	Safety Compliance, Voluntary Compliance, Industrial Hygiene, Powder Handling, Hazardous Materials
PUBLIC SAFETY	Fire Prevention	Arson Investigation, Fire Code Inspection, Building Plan Reviews, Fire Service, Training, Fireworks Permits, Hazardous Materials
REVENUE	Alaska Housing Finance Corp.	Loans for Residential Construction, Business Loans
TRANSPORTATION AND PUBLIC FACILITIES	Design and Construction	Building Plan Reviews, Building Construction Inspection, Permit Reviews, Harbors & Waters

(2)

SUGGESTED CONSOLIDATED ORGANIZATION OF BUILDING AND FIRE



(9)

**FRAGMENTED BUILDING REGULATIONS
ADMINISTERED WITHIN THE STATE OF ALASKA**

<u>DEPARTMENT</u>	<u>DIVISION</u>	<u>ACTIVITY</u>
COMMERCE & ECONOMIC DEVELOPMENT	Occupational Licensing	Architects, Contractors, Electric Admin., Engineers, Land Surveyors
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COMMUNITY AND REGIONAL AFFAIRS	Community Development	Energy Conservation in Residential Buildings
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REVENUE	Alaska Housing Finance Corp.	Loans for Residential Construction, Business Loans
TRANSPORTATION AND PUBLIC FACILITIES	Design and Construction	Building Plan Reviews, Building Construction Inspection, Permit Reviews, Harbors & Waters

(8)

NEW ALASKA DIVISION OF BUILDING SAFETY

NORTHERN OFFICES

SOUTHEAST OFFICES

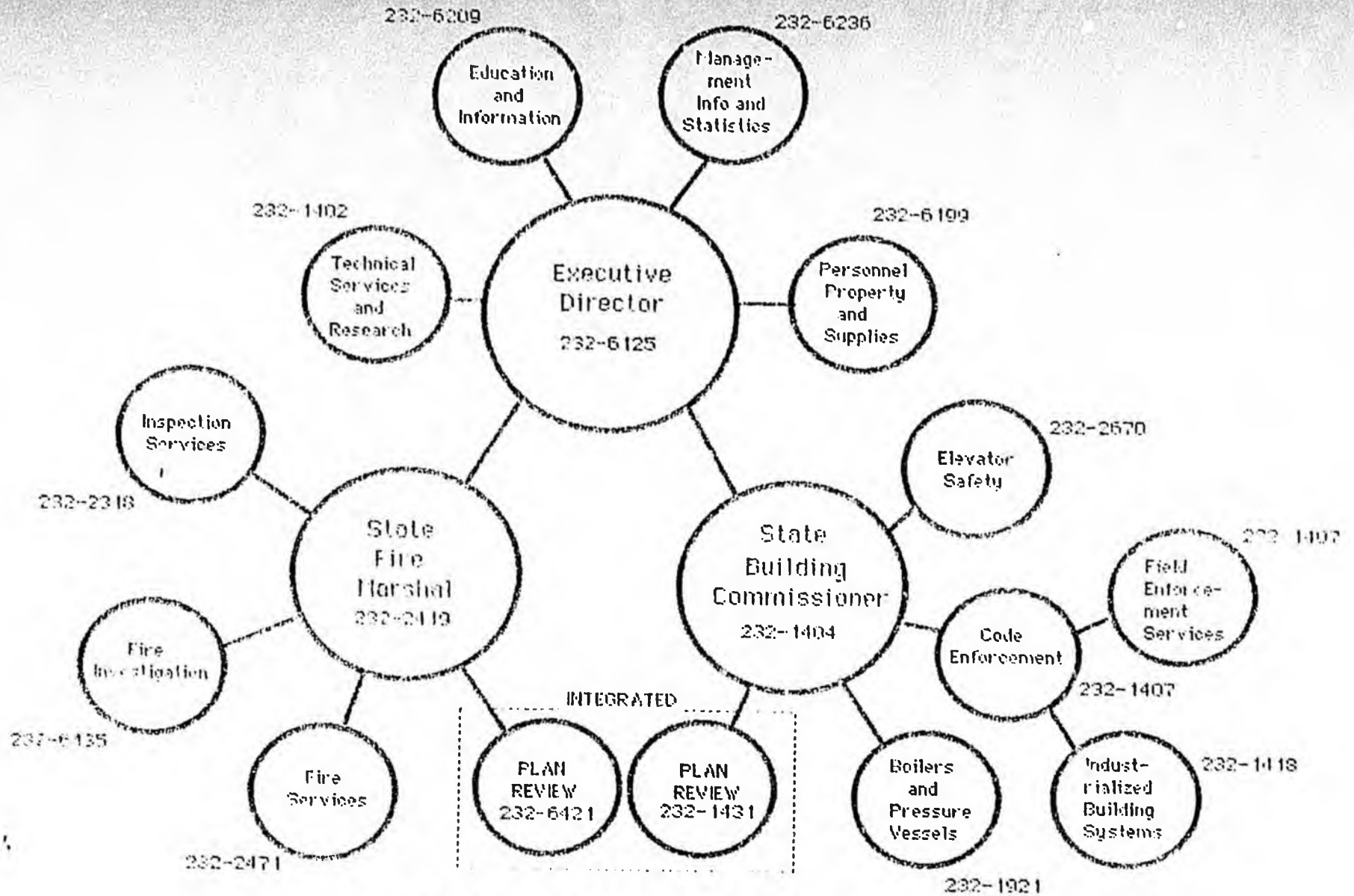
NORTHERN OFFICES				CENTRAL OFFICES					SOUTHEAST OFFICES			
				EDUCATION SPECIALIST I PON 2020 DATE 19 STEP A 35110.99 DPS FP FP AWC	SECRETARY I PON 2004 DATE 10 STEP J 35372.44 DPS FP FP AWC	DIVISION DIRECTOR PON 2001 DATE 24 STEP D 77217.24 DPS FP FP AWC	CODES APPEALS BOARD	LICENSING APPEALS BOARD				
ASST BUILDING OFFICIAL PON 2003 DATE 21 STEP 7 72071.43 DPS FP FP FAI				DATA PROCESS CLERK II PON 4504 DATE 07 STEP D 30774.01 DOL LSS HI AWC	ADMINISTRATIVE ASST II PON 4510 DATE 14 STEP F 44474.15 DOL LSS HI AWC	BUILDING OFFICIAL PON 4501 DATE 21 STEP K 76148.34 DOL LSS HI AWC	CCC LIC EXAM I PON 2000 DATE 12 STEP D 30547.34 DCED DL DL JNU	CCC LIC EXAM I PON 2009 DATE 12 STEP J ✓	ASST BUILDING OFFICIAL PON 2004 DATE 20 STEP H 70274.10 DPS FP FP JNU			
				ACCOUNTING CLERK II PON 4507 DATE 09 STEP F 32703.41 DOL LSS HI AWC	CLERK TYPIST III PON 4073 DATE 08 STEP C 20374.96 DCMA EP WZ AWC			INVESTIGATOR III PON 2026 DATE 10 STEP F 37474.33 DCED DL DL AWC				
ADMINISTRATION	INSPECTION	FIRE PREVENTION	OCCUPATIONAL LICENSING	ADMINISTRATION	INSPECTION	FIRE PREVENTION	ENERGY CONSERVATION	WEATHERIZATION INSTITUTIONAL BUILDINGS	ADMINISTRATION	INSPECTION	FIRE PREVENTION	OCCUPATIONAL LICENSING
CLERK IV PON 4524 DATE 09 STEP E 35302.42 DOL LSS HI FAI	B & P VESSEL INSP PON 4505 DATE 10 STEP K 49152.34 DOL LSS HI FAI	DEPUTY FIRE MARSHALL I PON 2012 DATE 24 STEP K 72548.57 DPS FP FI FAI	INVESTIGATOR III PON 2022 DATE 10 STEP D ✓ 33037.67 DCED DL DL AWC	ADMINISTRATIVE ASST I PON 4097 DATE 12 STEP E 37404.94 DCMA EP EC AWC	B & P VESSEL INSP PON 4503 DATE 10 STEP J 37304.32 DOL LSS HI AWC	DEPUTY FIRE MARSHALL I PON 2011 DATE 26 STEP J 41241.77 DPS FP FP AWC	ARCH ASST III PON 4097 DATE 17 STEP D 33049.41 DCMA EP EC AWC	COMM DEVEL SPECIALIST II PON 4095 DATE 16 STEP F 50546.10 DCMA EP WZ AWC	ADMINISTRATIVE ASST I PON 4098 DATE 12 STEP C 35306.93 DCMA EP EC JNU	B & P VESSEL INSP PON 4508 DATE 10 STEP K 41296.37 DOL LSS HI JNU	DEPUTY FIRE MARSHALL I PON 2017 DATE 24 STEP D 35150.02 DPS FP FP JNU	INVESTIGATOR III PON _____ DATE _____ STEP _____ DCED DL DL _____
CLERK TYPIST III PON 2016 DATE 00 STEP A 30104.49 DPS FP FP FAI	ELECT INSP W6 IA PON 4512 DATE 30 STEP B 48743.54 DOL LSS HI FAI	DEPUTY FIRE MARSHALL I PON 2014 DATE 24 STEP C 41244.37 DPS FP FI FAI		CLERK IV PON 4091 DATE 07 STEP C 30154.04 DCMA EP IBC AWC	B & P VESSEL INSP PON 4507 DATE 10 STEP E 35444.90 DOL LSS HI AWC	DEPUTY FIRE MARSHALL I PON 2010 DATE 26 STEP A 49497.90 DPS FP FP AWC	ENERGY SPECIALIST II PON 4102 DATE 10 STEP F 37490.70 DCMA EP EC AWC	COMM DEVEL SPECIALIST II PON 4090 DATE 16 STEP B 44330.14 DCMA EP WZ AWC	CLERK IV PON _____ DATE _____ STEP _____ _____ JNU	ELEV INSP W6 IA PON 4525 DATE 30 STEP B 57320.01 DOL LSS HI JNU	DEPUTY FIRE MARSHALL I PON _____ DATE _____ STEP _____ DPS FP FP JNU	
	ELEV INSP W6 IA PON 4511 DATE 30 STEP B 57320.01 DOL LSS HI FAI	DEPUTY FIRE MARSHALL I PON 2008 DATE 24 STEP A 57134.75 DPS FP FI FAI		CLERK IV PON 4090 DATE 07 STEP D 30911.21 DCMA EP WZ AWC	ELECT INSP W6 IA PON 4504 DATE 30 STEP B 39550.77 DOL LSS HI WAS	DEPUTY FIRE MARSHALL I PON 2010 DATE 24 STEP J 41244.37 DPS FP FP AWC	ENERGY SPECIALIST II PON 4104 DATE 10 STEP K 41141.00 DCMA EP EC AWC	ENERGY SPECIALIST II PON 4094 DATE 10 STEP F 37490.70 DCMA EP WZ AWC	CLERK TYPIST III PON 2013 DATE 00 STEP A 27033.19 DPS FP FP JNU	ELECT INSP W6 IA PON 4519 DATE 30 STEP B 57320.01 DOL LSS HI JNU		
	PLUMB INSP W6 IA PON 4520 DATE 30 STEP B 41330.04 DOL LSS HI FAI			CLERK TYPIST III PON 2007 DATE 00 STEP F 30945.10 DPS FP FP AWC	ELECT INSP W6 IA PON 4524 DATE 30 STEP B 50250.64 DOL LSS HI WAS	FIRE PROT ENGINEER PON 2013 DATE 14 STEP B 50727.02 DPS FP FP AWC	GRANTS ADMINISTRATOR PON 4107 DATE 17 STEP J 37307.21 DCMA EP EC AWC	ENERGY SPECIALIST II PON 4101 DATE 10 STEP B 31179.54 DCMA EP WZ AWC		PLUMB INSP W6 IA PON 4523 DATE 30 STEP B 50250.64 DOL LSS HI SIT		
				CLERK TYPIST III PON 4517 DATE 00 STEP D 27301.40 DOL LSS HI AWC	ELECT INSP W6 IA PON 4522 DATE 30 STEP D 50250.64 DOL LSS HI KEN		GRANTS ADMINISTRATOR PON 4094 DATE 17 STEP C 40001.70 DCMA EP EC AWC					
				CLERK TYPIST III PON 4092 DATE 00 STEP F 30911.21 DCMA EP EC AWC	PLUMB INSP W6 IA PON 4520 DATE 30 STEP B 41330.04 DOL LSS HI FAI							
				CLERK TYPIST III PON 4527 DATE 00 STEP D 30119.49 DOL LSS HI WAS								

2016 FAI
18 A

EXISTING NORTHERN POSITIONS NOT USED

EXISTING CENTRAL POSITIONS NOT USED

EXISTING SOUTHEAST POSITIONS NOT USED



**INDIANA DEPARTMENT OF
FIRE AND BUILDING SERVICES**
1039 N. Meridian St., Suite 900, Indianapolis, IN 46204 (317) 232-6422

Missions

Public Law 8-1984 established a new Department which centralized the regulatory activities of the Offices of the State Fire Marshal and the State Building Commissioner. The Bureau of Elevator Safety of the Division of Labor and the staff of the Boiler and Pressure Vessel Board were placed within the Office of the State Building Commissioner. An Office of the Administrator was created concomitant with the establishment of the Department. The Administrator, now the Executive Director, is charged to oversee all departmental responsibilities, e.g., code research and development, education and information, automated data processing and word processing, personnel, and property. His duties support the lawful responsibilities of the State Fire Marshal and the State Building Commissioner.

The following statements represent a brief capsule summary of each of the Departmental missions.

Commission - creates and reviews rules for statewide fire and building safety regulation.

Executive Director - supervises division activities, coordinates departmental activities, serves as Commission Secretary.

Technical Services and Research - performs research and provides technical services necessary for the Commission and Department to carry out provisions of state laws and rules.

Education and Information - develops and administers training, continuing education, and qualification/proficiency testing programs; provides public information on fire and building safety regulations.

Management Information and Statistics - collects and processes data for fire incident reporting, buildings data base, and Departmental data and word processing needs.

Building Commissioner - administers and enforces statewide rules and laws governing new building construction, lifting devices, amusement devices, boiler and pressure vessels, and manufactured building systems.

Elevator Safety - inspects regulated lifting and amusement devices. Monitors the installation, use, and maintenance of lifting devices for compliance with state rules.

Field Enforcement - monitors building construction activity for compliance with state rules, and provides liaison for the Building Commissioner to local building officials, designers, and builders.

Industrialized Buildings - monitors the factory manufacture of mobile and modular building structures for compliance with state and federal codes.

Boiler and Pressure Vessels - inspects boilers and pressure vessels, and monitors their construction, use, and maintenance for compliance with state rules.

Plan Review - reviews construction documents for compliance with fire and building rules and standards for safety, energy conservation, and accessibility to the handicapped. Staffed by personnel from the Offices of the State Building Commissioner and the State Fire Marshal to provide an integrated, one-stop design review of both building and fire safety rules.

Fire Marshal - administers and enforces statewide rules and laws governing all aspects of fire prevention and fire safety, including plan review, inspection, investigation, training, education, and information.

Fire Services - provides educational, training, and information services to all statewide fire departments. Administers firefighter personnel standards certification programs.

Fire Investigation - investigates cause and origin of fires, assists in prosecution and suppression of the crime of arson.

Inspection Services - executes field enforcement requirements for compliance with fire prevention rules and standards.

A REPORT ON

**CONSOLIDATION
OF STATE
BUILDING REGULATIONS**

**ALASKA CENTRAL CHAPTER
INTERNATIONAL CONFERENCE
OF BUILDING OFFICIALS**

DECEMBER 11, 1986

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INTRODUCTION

One of the basic responsibilities of government is the protection of the life, safety, and health of its citizens* and the protection of their properties and possessions. The State of Alaska under its Constitution carries out this responsibility through its various agencies and through delegation of authority to local jurisdictions.

Police protection is provided at the state and local levels to deal with crimes of violence, theft, vandalism, arson, substance abuse, traffic violations, etc.

Safety protection is provided at the state and local levels through examination of the qualifications of persons in various professions and occupations and through inspection of work places. Safety protection also is provided through agencies for fire prevention and fire fighting.

Health protection is provided at the state and local levels to deal with food production, processing, preparation, distribution and dispensing. Health protection also is provided at the state and local levels through examination, licensing, and certifications of persons and businesses concerned with personal services, medical services, drug dispensing, and other health-related occupations and through inspection and certification of hospitals, clinics, and other health-care facilities.

Fire, life safety, health, and property protection is provided at the state and local levels through examination of the qualifications of persons in various professions and occupations, through review of construction drawings and specifications, and through inspection of construction sites and work places.

Fire, life safety, health, and property protection is a major concern of those who are involved in the design, code review, construction, and maintenance of buildings and facilities. These buildings and facilities range through the whole spectrum of single family residences, high-rise hotels and apartment buildings, office buildings, schools, government facilities, hospitals, prisons, shopping centers, commercial and industrial structures, etc.

A great number of state and local agencies have adopted regulations covering the design, construction, and maintenance of buildings and facilities and the various occupations, trades, and professions involved. These many agencies have produced great numbers of regulations and, in the process, have adopted a vast array of codes and standards. Most of these regulations are

* "The people's safety is the highest law. - Roman legal and political maxim". Dr. Laurence J. Peter, THE PETER PYRAMID (New York: William Morrow and Company, 1986), p. 150.

highly-technical, but in many cases have been created independently and without knowledgeable coordination. This has resulted in an overlapping of regulations, with conflicts of enforcement by different agencies and jurisdictions, and with inconsistencies between the codes and standards.

Building and construction regulations in Alaska have grown too large, complex, and conflicting. Their enforcement is inconsistent, repetitive, time-consuming, and expensive. The costs and time delays created by these regulations have become too great for the government, the design professionals, the construction industry, and the consumers to bear in these days of diminished revenues and increasing operating and capital costs.

The Alaska Central Chapter International Conference of Building Officials together with other professional organizations and construction industry groups is concerned about the many regulations, codes and standards covering the construction industry and the increasing complexities of their enforcement. There is concern about the deepening of frustrations faced by construction industry personnel and government employees as they face multiplying inconsistencies and duplications of regulations. There is concern that these frustrations could lead to further disregard for sound practices and provisions that are intended to protect the life, safety, and health of the people of Alaska and its visitors.

The Committee on State Building Codes of the Alaska Central Chapter International Conference of Building Officials has been working since January, 1986, to delineate the full scope of the building regulations problems and to formulate methods of solving those problems in ways that will help to reduce the code enforcement costs to governments, construction industry enterprises and to the public while maintaining standards to assure protection of life, safety, and health and to preserve property assets.

Other states have faced these same problems. Arizona, Indiana, Oregon, and Montana each recently have reorganized their fragmented code-enforcement and permit agencies into single, consolidated departments. The success of these other states indicate that the State of Alaska can be successful also in achieving these cost-saving and time-saving goals.

- "In government and out, there are vast realms of bureaucracy dedicated to seeking more information, in perpetuity, if need be, in order to avoid taking action, - Peg Greenfield", Dr. Laurance J. Peter, THE PETER PYRAMID (New York: William Morrow and Company, 1986), p. 72.

HISTORICAL BACKGROUND

BUILDING REGULATIONS

The regulation of building construction is not a recent phenomenon. It can be traced throughout recorded history for over 4000 years*. The concern for peoples' safety has increased with the development of civilizations from early, nomadic societies, through mercantile and industrial cities, to our present concern with "high-rise" building fires and toxically "sick" homes and workplaces

The purpose of rules and regulations covering building design, construction, and use is to provide minimum standards to safeguard life or limb, health, property, and public welfare. These minimum standards are best defined through adoption of model codes and standards which have been developed and refined through a broad-based consensus of designers, constructors, materials producers, researchers, code enforcement officials, and building owners and users.

The State of Alaska and its local jurisdictions have been using such model codes and standards for decades. Most of the codes and standards that have been adopted have been the ones that also are most commonly used throughout the Western United States. The provisions of these codes and standards are known and understood by the construction industry in Alaska and the local and national suppliers to it.

Table 1 shows a list of the building regulations adopted by the State of Alaska, the year when first adopted, the department responsible for enforcement, the Alaska Statute authorizing adoption, the Alaska Administrative Code regulations for enforcement, and the model codes and standards adopted. This list is not complete nor does it include the many, many codes and standards referred to and made a part of these model codes and standards.

However, the adoption of such model codes and standards by the State of Alaska and its local jurisdictions have been fragmented, inconsistent, and out of time sequence. Different departments and agencies have established regulations that adopt codes and standards that are different from those adopted by other departments and agencies. Some have adopted portions of one model code or standard while others have adopted other

* "When you build a new house, make a parapet around your roof so that you may not bring the guilt of bloodshed on your house if someone falls from the roof", Deuteronomy 22:8, HOLY BIBLE, New International Version (East Brunswick NJ, New York International Bible Society, 1978).

* "All unenclosed floor and roof openings, - - - and roofs used for other than service of the building shall be protected by a guardrail", Section 1711, UNIFORM BUILDING CODE, 1985 Edition (Whittier CA, 1985), p. 82.

TABLE 1 BUILDING REGULATIONS ADOPTED BY THE STATE OF ALASKA

ACTIVITY	YEAR	DEPT	STATUTE	REGULATIONS	STANDARDS CURRENTLY ENFORCED
Architectural Barriers	1967	DOTPF	AS 35,10,015	17 AAC 30,010	ANSI A117.1, 1980 Specifications for Making Buildings and Facilities Accessible to and Usable by Physically Handicapped People
Architect, Engineers & Land Surveyors	1972	Comm & Econ Dev	AS 08,48,011	12 AAC 36,010-250	--
Boiler & Pressure Vessels	1955	Labor	AS 18,60,180	08 AAC 80,010-900	ASME Boiler & Pressure Vessel Code, 1983
Certificate of Fitness	1974	Labor	AS 18,62,020	08 AAC 90,010-900	National Electrical Code, 1984 National Electrical Safety Code, 1984
Contractor Licensing	1968	Comm & Econ Dev	AS 08,18,011	12 AAC 21,010-300	--
Electrical Administrator	1960	Comm & Econ Dev	AS 08,40,010	12 AAC 02,010-900	National Electrical Code, 1984 National Electrical Safety Code, 1984
Electric Work	1969	Labor	AS 18,60,580	08 AAC 70,010-090	NFPA 70 National Electrical Code, 1984
Elevators	1976	Labor	AS 18,60,800	08 AAC 77,005-905	ANSI/ASME A17.1, 1984 Safety Code for Elevators, Dumb-waiters, Escalators, and Moving Walks
Fire Prevention	1955 1973	Public Safety	AS 18,70,010	13 AAC 50,010-080	Uniform Building Code, 1985 Uniform Fire Code, 1985 Uniform Mechanical Code, 1985 NFPA 10, 13, 13A, 53M, 56A, 56B, 56C, 56F, 76A
Health Care Facilities	1949	Health & Soc Serv	AS 18,20,060	07 AAC 09,050-	NFPA 101 Life Safety Code National Electrical Code, 1984 Uniform Building Code, 1985 Uniform Mechanical Code, 1985 Uniform Plumbing Code, 1979 ANSI/ASME A17.1, 1984 Safety Code for Elevators, Dumb-waiters, Escalators, and Moving Walks
High Voltage Lines	1972	Labor	AS 18,60,670	--	--
Occupational Safety & Health	1955 1973	Labor	AS 18,60,01, AS 08,52,010	08 AAC 61,010-960 08 AAC 62,010-070 08 AAC 75,010-030	Occupational Safety & Health Explosive Handlers Bldg Safety Regulations
Piping	1970	Labor	AS 18,60,850	--	ASME B31.1 Power Piping, 1967 ASME B31.2 Fuel Gas Pipe, 1968 ASME B31.3 Petroleum Pipe, 1966 ASME B31.4 Liquid Petrol Piping, 1966 ASME B31.4a L P Piping, Transport, 1968 ASME B31.8 Gas Transmission, 1968
Plumbing Code	1972	Labor	AS 18,60,705	08 AAC 63,010-030	Uniform Plumbing Code, 1979
Recreational Devices	1967	Labor	AS 05,20,010	13 AAC 15,160-320	ASME B77.1, 1960 Safety Code for Aerial Passenger Tramways Uniform Building Code, 1967 NFPA 101 Life Safety Code, 1967
Water & Wastewater Quality	1971	Environ Conserv	AS 46,03,020	18 AAC 50,010-900 18 AAC 70,010-110 18 AAC 72,010-990 18 AAC 75,010-900 18 AAC 80,010-900	Air Quality Control Water Quality Standards Wastewater Disposal Oil & Hazardous Substance Pollution Control Drinking Water

portions of the same code or standard. This has resulted in codes and standards dealing with building regulations being scattered through many nine different departments of the State of Alaska. Table 2 shows nine departments involved with building regulations, the enforcing divisions, and the construction activity or business use involved.

LOCAL ADOPTION OF BUILDING REGULATIONS

Local jurisdictions within the State of Alaska also have adopted building regulations. The major municipalities of Anchorage, Fairbanks, and Juneau have established building safety divisions with plan review, permit issuing, and code inspector services, and quasi-judicial boards of appeal. Other cities have partial permit issuing and inspection services. Other localities depend entirely upon state agencies for building regulation and enforcement.

Some of the model codes and standards used by the State of Alaska have been adopted by acts of the Legislature. Others have been adopted in regulations established in the Alaska Administrative Code. Adoption at the local levels have been by city councils, borough assemblies and municipal assemblies. Amendments to the model codes and standards have been made at state and local levels. The model codes and standards adopted have been adopted by the different local and state agencies at different times and of different editions. The amendments have not been coordinated between agencies nor between local and state levels.

BUILDING REGULATION REFORM IN OTHER STATES

Four other states within recent years have undertaken major reform of their building regulations and the enforcements agencies. The State of Arizona recently combined the Office of Manufactured Housing and the Office of the State Fire Marshal into a new Department of Building and Fire Safety. The State of Oregon revised its building code system in the early 1970's. The State of Indiana undertook that task in 1984-1985. The State of Montana began this process in 1985.

Oregon:*

The State of Oregon faced a situation during the 1950's and 1960's very similar to that being experienced by the State of Alaska today. There were four state agencies enforcing building regulations with code conflicts, duplications, and differences of interpretation.

The Health Department enforced the plumbing code, but without permit or inspection services.

* Walter M. Friday PE, OREGON'S EXPERIMENT IN STATEWIDE CODE CONFORMITY, THIRD YEAR (Oregon State Department of Commerce, September 1976)

TABLE 2

FRAGMENTED BUILDING REGULATIONS AS ADMINISTERED
WITHIN THE STATE OF ALASKA

DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT	DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS	DEPARTMENT OF EDUCATION	DEPARTMENT OF ENVIRONMENTAL CONSERVATION	DEPARTMENT OF HEALTH AND SOCIAL SERVICES	DEPARTMENT OF LABOR
Division of Occupational Licensing	Division of Community Development	Education Finance and Support Services	Division of Environmental Quality	Division of Planning	Division of Labor Standards
Architects Contractors Electric Admin Engineers Land Surveyors	Energy Conservation In Residential Buildings	School Construction Plan Reviews	Drinking Water Plan Reviews Inspections Wastewater Disposal Plan Reviews Inspections	Health Care Construction Plan Reviews	Amusement Rides Ski Lifts Boilers Electrical Elevators Plumbing Permits -- Boiler Certification -- Elevator
Division of Measurement Standards	Division of Energy				OSHA
Mobile Home Inspection	Grants Loans				Safety Compliance Voluntary Compliance Industrial Hygiene Powder Handling Hazardous Materials
DEPARTMENT OF PUBLIC SAFETY	DEPARTMENT OF REVENUE	DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES			
Division of Fire Prevention	Alaska Housing Finance Corp	Design and Construction			
Arson Investig Fire Code Inspection Building Plan Reviews Fire Service Training Fireworks Permits Hazardous Materials	Loans for Residential Construction Business Loans	Building Plan Reviews Building Const Inspection Permit Reviews Harbors & Waters			

The Bureau of Labor enforced the electrical code, boiler code, and elevator code.

The State Fire Marshal enforced the fire and exit requirements. There were minimal state codes and no structural or mechanical codes were enforced.

Cities and counties usually adopted the Uniform Building Code, but amended it at their discretion. There was no continuity or uniformity of policy in building regulation matters.

Except for the larger cities, there was little regulation of mechanical systems.

Legislation was proposed in 1971, but not enacted, to establish a unified building code system. The existing state building regulations and enforcement agencies were unified into a single department by administrative action. Legislation was passed in 1973 that mandated a statewide building code regulatory agency in one department. The building code regulatory reform in Oregon has proven to be very successful. It has reduced the duplications and inconsistencies, eliminated costly construction delays, and fewer, but more qualified code enforcement employees. Key points in the adopting legislation called for:

Statewide building code uniformity at all levels of government.

Adoption of model codes and standards.

Local code enforcement.

Certification of Building inspectors and officials.

Plumbing permit fee and inspection system.

Indiana:*

Indiana Public Law 8-1984 established a new Department of Fire Prevention and Building Safety and a new Fire Prevention and Building Safety Commission. The new department would combine all state building and fire regulation activities into one agency and would create an umbrella agency to coordinate, prioritize, and unify all sub-agency operations.

* Charles W. Coffey, Consolidated Fire and Building Department Enforcement - A Success Story, BUILDING STANDARDS (Whittier, CA: International Conference of Building Officials, September - October 1986), pp. 24-27.

The new 15-member (unpaid) Fire Prevention and Building Safety Commission has consolidated the myriad codes and standards into a unified code system and has acted as an appeals board to resolve code disputes between the public and code and administrative officials.

COMPARISON OF ALASKA WITH OTHER STATES

Table 3 shows the complexities of building regulation enforcement in the State of Alaska - through its many different departments - compared with Arizona, Indiana, Oregon, and Montana who use single, unified agencies.

BUILDING REGULATION REFORM IN ALASKA

Beginning in the early 1970's there was concern within the State of Alaska for some degree on uniformity in building codes and regulations and code enforcement. Concerned individuals and groups expressed an interest in consolidating the building regulation functions. Task forces were formed, studies were made, and reports were published. Legislative bills were introduced. Regulatory reform recommendations came from within the State administration, from within the Legislature, from private organizations, professional societies, and individuals. The recommendations ranged from establishing better planning and coordination among the various state and local agencies to consideration of existing agency functions into one state-wide agency.

During 1979-1982 an administrative attempt at regulatory reform was made by the Regulatory Reform Action Plan. Included in it were provisions to: eliminate duplicative and/or contradictory regulations at all levels to avoid "layering"; streamline the regulatory process, abolish all rules, reports, permits, codes, and licenses that did not have a "public interest"; and to consolidate the primary building regulation functions into one agency. However, legislation was not enacted and the Plan died.

The second Task Force on Fire Prevention and Control was created by the 1984 Legislature to look at the entire fire problem in the State of Alaska. Among the mandates of this task was to study the activities of the various fire protection groups in the state and submit a report making recommendations to improve fire prevention and control. The report stated:

"The state shall promote a uniform interagency system for building and safety code enforcement to encompass all aspects of construction and building maintenance, including but not limited to fire, electrical, structural, plumbing, sanitation, energy, handicapped and accident safety, and the program of incentives for local jurisdictions to administer their own programs."

* Report of the Second Task Force on Fire Prevention and Control, FIRE, ALASKA'S PUBLIC SAFETY CRISIS (December, 1984) p. 53-54.

TABLE 3

ALASKA BUILDING REGULATIONS COMPARED TO OTHER STATES

- Enforced
- Law by Department of Law
- by other agencies

ALASKA
 Department of Commerce and Economic Development
 Department of Community and Regional Affairs
 Department of Education
 Department of Environmental Conservation
 Department of Health and Social Services
 Department of Labor
 Department of Public Safety
 Department of Revenue
 Department of Transportation and Public Facilities
 (State-funded buildings only)

Municipality of Anchorage
 City of Fairbanks
 City and Borough of Juneau

ARIZONA
 Department of Building and Fire Safety

ARIZONA
 Department of Fire Prevention and Building Safety

MONTANA
 Department of Commerce, Building Codes Bureau

NEBRASKA
 Department of Commerce, Building Codes Division

APPLICATION	MODEL CODE OR STANDARD	ALASKA	ANCHORAGE	FAIRBANKS	JUNEAU	ARIZONA	ARIZONA	MONTANA	NEBRASKA
Access/use by disabled/aged	ANSI Access Standard	●	●	●	●	●	●	●	●
Code administration	Uniform Admin Code		●	●	●	●	●	●	●
Door/window security	Uniform Security Code		●	●	●	●	●	●	●
Dwelling construction	BOCA 1-2 Dwelling Code		●	●	●	●	●	●	●
Dwelling construction	Uniform Housing Code		●	●	●	●	●	●	●
Elevator/escalator safety	ANSI Elevator Code	●	●	●	●	●	●	●	●
Energy conservation	ASHRAE Energy Standard	●	●	●	●	●	●	●	●
Energy conservation	Uniform Energy Code	●	●	●	●	●	●	●	●
Electrical safety	ANSI Elect Safety Code	●	●	●	●	●	●	●	●
Electrical systems	NFPA Electrical Code	●	●	●	●	●	●	●	●
Fire safety	Uniform Fire Code	●	●	●	●	●	●	●	●
Institutional safety	NFPA Life Safety Code	●	●	●	●	●	●	●	●
Mechanical systems	Uniform Mech Code	●	●	●	●	●	●	●	●
Mobile home manufacturing	NFPA Mobile Home Std	□	●	●	●	●	●	●	●
Plumbing systems	Uniform Plumbing Code	●	●	●	●	●	●	●	●
Sign construction	Uniform Sign Code	●	●	●	●	●	●	●	●
Structural/life safety	Uniform Building Code	●	●	●	●	●	●	●	●
Substandard structures	Uniform Abatement Code	●	●	●	●	●	●	●	●
Aerial tramways		●	●	●	●	●	●	●	●
Air quality		●	●	●	●	●	●	●	●
Boilers		●	●	●	●	●	●	●	●
Carnival rides		●	●	●	●	●	●	●	●
Construction safety		●	●	●	●	●	●	●	●
High voltage lines		●	●	●	●	●	●	●	●
Industrial housing		●	●	●	●	●	●	●	●
Pipe lines		●	●	●	●	●	●	●	●
Pollution control		●	●	●	●	●	●	●	●
Ski lifts		●	●	●	●	●	●	●	●
Water quality		●	●	●	●	●	●	●	●
Wastewater disposal		●	●	●	●	●	●	●	●
Professional registrations									
Architect		●	●	●	●	○	○	○	○
Engineer		●	●	●	●	○	○	○	○
Land Surveyor		●	●	●	●	○	○	○	○
Occupational licenses									
Construction Contractor		●	●	●	●	●	●	●	●
Electrician		●	●	●	●	●	●	●	●
Electrical Administrator		●	●	●	●	●	●	●	●
Mechanical		●	●	●	●	●	●	●	●
Plumbing		●	●	●	●	●	●	●	●

BUILDING REGULATION REFORM ACTIVITIES BY THE ALASKA CHAPTERS OF THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS

During 1985 the three Alaska chapters of the International Conference of Building Officials held a teleconference and a number of meetings to discuss the the problems of and the need for building regulation reform within the State of Alaska. In January, 1986 the Alaska Central Chapter ICBU decided to form the Committee on State Building Codes to be the nucleus for a state-wide effort to instigate the changes needed in the ways the State of Alaska and its local jurisdictions were adopting and enforcing (or not enforcing) building regulations.

The objectives of this state-wide effort are to streamline proceduras for adopting building regulations, codes, and standards within the State of Alaska, to consolidate the frayed state code agencies into one, unified code enforcement agency, to streamline the enforcement of building regulations, and to establish an effective, quick-acting appeals process for code and regulation disputes.

INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS

The International Conference of Building Officials (ICBU) is a non-profit organization, headquartered in Whittier, California, which has been publishing the Uniform Building Codes and Standards since 1922. The Uniform "family" of codes and standards have been adopted by the Municipality of Anchorage, the State of Alaska, and government units throughout Alaska and the Lower 48 states. Agencies of State of Alaska, the Municipality of Anchorage, City of Fairbanks, City and Borough of Juneau, and many other Alaska cities and boroughs are Class A (voting) members of ICBU.

There are three, independent chapters of ICBU in Alaska. Each is affiliated with the International Conference of Building Officials. Members of these chapters include building officials, fire officials, architects, engineers, builders, contractors, material suppliers, and others interested in codes and standards for better design and construction and who work toward improvement of the safety of buildings and structures throughout Alaska.

The Alaska Central Chapter ICBU was formed in 1979 and organized as a non-profit corporation in Alaska in 1984. Its geographic area is generally south of the Denali Highway and Norton Sound and west of the Richardson Highway. The Alaska Northern Chapter ICBU was formed in 1985. Its geographic area is generally north of Norton Sound, the Denali Highway, and the Wrangell Mountains and east of the Richardson Highway. The Alaska Southeastern Chapter ICBU was formed in 1985. Its geographic area is generally southeastern Alaska.

PROBLEM STATEMENTS

UNKNOWN EXTENT OF BUILDING REGULATIONS

Many, many state, federal, and local departments, divisions, agencies, boards and commissions administer an uncounted number of rules, regulations, codes and standards covering the construction industry. As previously stated, Table 2 shows an incomplete list of the jurisdiction of state departments and the segments of the construction process covered.

There is not available to the public a comprehensive list of the rules, regulations, codes and standards that apply to the design, construction, and use of buildings and structures within the State of Alaska.

The latest known outline of the government regulatory permits currently required in Alaska is given in the 360-page book "DIRECTORY OF PERMITS". This publication disclaims being the "final authority on permits in Alaska" because of "inadequate information and time constraints". It was prepared by the Alaska Department of Environmental Conservation, but it costs \$85.00 per copy and is available only from the publisher in Seattle.

The only other known current recap of statutes and regulations relating to building construction is in "DESIGN STANDARDS MANUAL FOR BUILDINGS", published by the Alaska Department of Transportation and Public Facilities. It was last revised in February, 1984 and usually is available only to design professionals who are performing services for this agency.

An overview of permits required for civil engineering work in the Municipality of Anchorage is in "PROCEDURES FOR OBTAINING MUNICIPAL AND STATE PERMITS IN THE MUNICIPALITY OF ANCHORAGE". It was published privately by DOWL Engineers in November, 1984, for the use of its staff and consultants. It is not available to the general public.

An outdated list is in "ALASKA BUILDING CODE SURVEY and DIRECTORY OF CODE ENFORCEMENT OFFICIALS", published June 1, 1980 by the Codes and Standards Committee, Alaska Chapter The American Institute of Architects.

PROBLEM: How can the State of Alaska and its local jurisdictions expect design professionals, contractors, developers, suppliers, and the general public to comply with building regulations the extent of which even the code enforcement personnel do not know?

* DIRECTORY OF PERMITS, State of Alaska, Department of Environmental Conservation (Seattle, WA: (Book Publishing Company, 1985), Title page,

UNCOORDINATED ADOPTION OF MODEL CODES AND STANDARDS

Model building codes and standards are published by a number of non-profit organizations. The most commonly used in Alaska and the Western United States are the "Uniform" codes and standards, published by the International Conference of Building Officials (ICBO). Other codes and standards in common use are those published by the National Fire Protection Association (NFPA), American National Standards Institute (ANSI), American Society for Testing Materials (ASTM), American Concrete Institute (ACI), American Institute for Steel Construction (AISC), and similar organizations.

These codes and standards usually are revised on an annual basis using a consensus method with nation-wide participation. New editions are published periodically - usually every three years. The latest editions reflect the most modern state of the art of building design, product manufacture, construction techniques, and safety protection. These codes and standards commonly inter-relate to each other. The latest revision to one usually is reflected by a corresponding revision in others.

An incomplete review of current and past statutes, regulations, rules, and ordinances shows that state agencies and local jurisdictions sometimes have adopted different codes or standards covering the same subjects.

EXAMPLE: An agency of the State of Alaska adopted a code that differed from all the others in current use at that time and that was then out of print and had been for a decade or more.

State of Alaska agencies and local jurisdictions often adopt different editions of the same codes and standards. This creates conflicts when code provisions have been revised in the latest editions.

EXAMPLE: A state agency was using an edition of a model code that was nine years older than that used by local jurisdictions. The older edition was out of print and had not been available for six years.

State of Alaska agencies and local jurisdictions often adopt only parts of codes and standards without due consideration for other related provisions within the code or standard.

EXAMPLE: The Division of Fire Prevention has adopted only portions of the 1985 editions of the Uniform Building Code, Uniform Fire Code and related standards in the Alaska Fire Prevention Code. Some of the deleted provisions have been adopted and enforced by other agencies, but some have not. All are important for protection of people and property.

Some agencies adopt codes and standards but only enforce portions of them.

EXAMPLE: The Division of Fire Prevention previously had adopted chapters concerning structural design and construction in the 1979 editions of the Uniform Building Code and Uniform Building Code Standards in the Alaska Fire Prevention Code. This agency, however, did not review drawings for compliance of the structural design nor did it do field inspections for compliance of the construction.

PROBLEM: How can the State of Alaska and its local jurisdictions expect design professionals, contractors, developers, suppliers, and the general public to comply with building regulations based on model codes and standards that conflict?

FRAGMENTED ADOPTION OF BUILDING REGULATIONS

State agencies and local jurisdictions adopt rules, regulations, codes and standards and revisions to them by different methods and at different times. Some are adopted by legislative action, some by administrative action, some by actions of local governmental units.

EXAMPLE: Revisions to the State Plumbing Code are made only by legislative action to amend applicable sections of Alaska Statutes. Revisions to the Alaska Fire Prevention Code are made administratively to amend applicable provisions in the Alaska Administrative Code.

The time required for adoption of revisions of state rules and regulations to adopt the latest editions of model codes and standards can be very lengthy resulting in confusions during design and construction of buildings and facilities and certifications of materials and equipment used in them.

EXAMPLE: The Alaska Plumbing Code still utilizes portions of the 1979 edition of the Uniform Plumbing Code and standards. Most local jurisdictions in Alaska and most jurisdictions in other western states have been using the 1982 editions for 3 or more years. Many have adopted or are in the process of adopting the 1985 editions.

EXAMPLE: Until recently*, the Alaska Fire Prevention Code utilized portions of the 1979 editions of the Uniform Building Code and Uniform fire Code and related codes and standards. Most local jurisdictions in Alaska and most jurisdictions in other western states have been using the 1982 editions for 3 or more years. Many had adopted or were in the process of adopting the 1985 editions.

* The latest revisions to the Alaska Fire Prevention Code, incorporated in Title 13 AAC 50, 51, 53, and 55, became effective October 1, 1986, but still were not available to the general public at the time that this was written.

PROBLEM: How can the State of Alaska and its local jurisdictions expect design professionals, contractors, developers, suppliers, and the general public to comply with building regulations that overlap in jurisdiction and conflict with others?

INCONSISTENCIES AND CONFLICTS

Problems are created when the jurisdictions of different agencies overlap and conflicting provisions from different code or standard or from different editions of the same code or standard are applied to the same project. What is allowed in one code or standard may be prohibited in different code or standard and vice versa. These conflicts may arise during the review of the design, during construction, and - in the worst case - after construction is completed and the building is occupied.

EXAMPLE: Until recently, the 1979 edition of the Uniform Building Code, as utilized in the Alaska Fire Prevention Code, allowed stair risers to be a maximum of 7.5 inches high and stair treads at least 10.5 inches wide. The 1985 edition, as utilized by the Municipality of Anchorage, only allows stair risers up to 7.0 inches high and stair treads at least 11 inches wide. Thus a 10 foot story height in Eagle River (under the State Fire Marshal's Jurisdiction) would require only 16 risers and 15 treads. In nearby Mountain View (within a municipal service area) there would have to be at least 18 risers and 17 treads. These differences are compounded in stairs connecting multiple stories. The reconstruction cost to correct inadvertent discrepancies can be very expensive.

Problems are created when a provision in one code or standard is negated by another code or standard. Each agency usually insists upon compliance with the minimum requirements of its own regulations. This will result in extended construction delays while individuals and firms try to resolve inter-agency differences or will result in the overbuilding far in excess of the intention when the construction must meet both codes.

EXAMPLE: One governmental unit nearly lost its federal funds due to non-compliance with federal regulations while use of a building element was delayed for months by a dispute between state and local agencies.

Problems are created when the latest edition of a code or standard is adopted by one agency or jurisdiction while another is still using an older edition of the same or related code or standard. These editions may differ by 3 to 6 years.

EXAMPLE: The Alaska Division of Fire Prevention had adopted the 1970 editions of the Uniform Building Code, Uniform Fire Code and related standards in the Alaska Fire Prevention Code. The Greater Anchorage Area Borough and then the Municipality of Anchorage adopted and enforced the 1970, 1973, 1976, and 1979 editions. Parts of the Borough (and then the Municipality) were covered by the latest editions while the rest of it was under the older (out of print) version.

FRAGMENTED METHODS OF ADOPTION OF BUILDING REGULATIONS

Problems are created when different methods of adoption are used. Meaningful public testimony and input can be difficult. The process often involves decisions by officials who do not have adequate understanding of the complex, technical issues. When public testimony by knowledgeable individuals is restricted by time or geographic constraints, conflicts and inconsistencies can be added in regulations or amendments to model codes and standards without expert testimony or in response to testimony only by restrictive special interest groups.

EXAMPLE: House Bill 63 of the 1986 Legislature amended the 1985 edition of Uniform Plumbing Code, as utilized in the Alaska Plumbing Code, but did not provide for the effects it would have on provisions of other model codes such as the National Electrical Code as adopted by the state and local jurisdictions. This bill was vetoed by the Governor and, hopefully, will be re-introduced in an improved version.

Problems are created when different agencies are constrained from enforcing provisions of state and local regulations which lie outside of an agency's principal area of power. During the review of drawings, specifications, or documents, an agency may discover violations of the regulations of other agencies, but must approve the submittals to their agency and are prevented or hindered from reporting the violations discovered.

EXAMPLE: The Division of Fire Prevention, during review of drawings and specifications, may discover design defects and violations of the regulations of the Department of Commerce and Economic Development, the Department of Labor, or other state agency. The State Fire Marshal is prohibited from disapproving the drawings based on those defects. They may be reviewed only for fire exiting and fire-resistive construction. If the drawings meet those minimum requirements, they must be approved, even if they have violated other state laws.

Problems are created when an agency may discover violations of the regulations of other agencies, but are forced to approve the submittals under the jurisdiction of the agency and is prevented or hindered from reporting other violations discovered.

EXAMPLE: The Division of Fire Prevention, during the review of drawings, specifications, or documents, may discover that that one or more of the designers is not be licensed to practice in Alaska. The State Fire Marshal is allowed to report the non-licensing violation to the Division of Occupational Licensing. The Division of Occupational Licensing may investigate and find that there is illegal practice and refer it to the Attorney General for action. The Attorney General may (but usually doesn't) take action in the courts. Meanwhile the building has been built based on approvals only for fire exits and fire resistive construction. It may contain structural, environmental, or other defects due to the lack of appropriate technical knowledge by the unlicensed party.

Problems are created when two or more agencies have overlapping jurisdiction and the plan reviewers, field inspectors, and supervisors of the different agencies do not have corresponding levels of training, and state-of-the-art knowledge of codes, standards, and construction techniques.

EXAMPLE: Drawings may be reviewed and approved by an experienced, long-time plan reviewer in one agency. Construction according to the approved plans may be inspected by a field inspector from another agency who has some construction experience but limited code enforcement experience. The field inspector may reject the construction technique or equipment and insist on reconstruction based on the way the inspector thinks that it should be done. A later inspection may require that the work be reconstructed yet again according to the approved plans.

DELAYS AND DUPLICATIONS

Multiple permits, design reviews, and code compliance inspections usually are required for an individual building to be constructed. The offices of the various agencies involved usually are in a different location, often in a different city or region.

There are duplications of permit processing, agency review, and field inspection. Two or more agencies may perform the same or related review of drawings, specifications, and other documents. Many agencies may perform the same or related field inspection of buildings and facilities - some during construction and some after.

Delays are created when agency personnel visit the construction site at different times to perform overlapping and duplicate code compliance inspections.

Problems of duplication are created when multiple sets of drawings, specifications, and other documents must be submitted to different agencies that have overlapping jurisdiction. Comments noted on the review set returned from one agency have to be correlated with the comments on another review set from another agency. During the rush of design, bidding, and construction, human errors can compound problems when conflicts or violations are not resolved and corrected.

Delays are created when there are conflicts between agencies over interpretation and application of code and standards provisions. These delays are compounded when mail between cities is delayed. These delays can be extensive when resolution of conflicts must be referred to higher levels of agencies.

ADDITIONAL COSTS

There is duplication of services with increased personnel and administrative costs when two or more one agencies perform the same or closely-related reviews.

EXAMPLE: The Alaska Division of Fire Prevention, Alaska Department of Transportation, the City of Seward, and other agencies performed reviews of the State Prison in Seward with a duplication of plan review fees. The City of Seward used an out-of-state code review service. Many agencies performed on-site field inspections, most of which were redundant. There were additional costs to resolve the conflicts between the various agencies due to different interpretations of code provisions.

There are increased travel and personnel costs when two or more agencies perform the same or closely-related field inspections on the same project.

There are increased costs when design professionals, general contractors, specialty contractors, builders, and code officials have to research the current, applicable rules and regulations concerning building design and construction. The current, fragmented regulatory structure is extremely wasteful in time and money in a period of declining revenues and increased competition.

In many cases, current, detailed knowledge of the fragmented regulatory structure is beyond the personnel resources and budgets of the individuals, firms, and agencies concerned.

Frustrations with the fragmented regulatory structure can lead to willful non-compliance with the rules, regulations, codes, and standards with the hope that the violations may not be discovered. This often results in wasteful redesign and reconstruction, and/or increased life safety danger. In many cases the discovery is made long after the construction is completed and correction must be made at the owner's expense.

APPEALS OF DECISIONS

Most model codes provide for establishment of an independent Appeals Board to consider appeals of code interpretation by officials and to provide for alternate materials and methods of construction. The members of these appeals boards usually are knowledgeable about design and construction and with code provisions. Many local jurisdictions in Alaska and state-wide agencies in most other states have appointed such appeals boards as a low-cost, quick-acting means of resolving code enforcement disputes.

The various state agencies in Alaska have deleted such appeals boards when adopting the model codes. The appeals usually go only to the division head or the department commissioner. These individuals usually do not have the technical expertise to make the necessary judgements. The case then must be appealed to the court system. This adds to the burden of the court system with lengthy delays in construction or - more likely - the construction proceeds, based on the official ruling which may not be correct and often unnecessary and expensive. Meanwhile frustration builds because of the lack of speedy due process.

The construction seasons are critically short in many regions of Alaska. Many of the component parts and equipment items are fabricated in other states. The shipping distances to most project sites from the fabrication plants are very long. These factors create a denial of due process when dealing with the existing administrative appeal processes. Too often, arbitrary, erroneous enforcement decisions are complied with at higher construction cost because due process through the courts would mean extensive delays at even higher cost or (more likely) abandonment of the project.

RECOMMENDATIONS

UNIFY MODEL CODES AND STANDARDS

It is recommended that the State of Alaska unify and simplify the use of model codes and standards by adopting the latest editions of codes and standards that are most commonly used throughout the western United States and whose provisions are most known and understood by the construction industry in Alaska and the national suppliers to it.

Model building codes and standards recommended to be adopted initially would include the following codes and standards that have been adopted previously by the State of Alaska in these or earlier editions and have been adopted already by some of the local jurisdictions:

- ANSI A17.1, 1984, Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks.
- ANSI A117.1, 1986, Providing Accessibility and Usability for Physically Handicapped People.
- ASHRAE 90A- 1980, 90B-1975, and 90C-1977, Energy Conservation in New Building Design.
- NATIONAL ELECTRICAL CODE, 1984 edition,
- NATIONAL ELECTRICAL SAFETY CODE, 1984 edition,
- UNIFORM ADMINISTRATIVE CODE, 1985 Edition
- UNIFORM BUILDING CODE, 1985 Edition
- UNIFORM BUILDING CODE STANDARDS, 1985 Edition
- UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1985 Edition
- UNIFORM FIRE CODE, 1985 Edition
- UNIFORM FIRE CODE STANDARDS, 1985 Edition
- UNIFORM MECHANICAL CODE, 1985 Edition
- UNIFORM PLUMBING CODE, 1985 Edition
- UNIFORM SOLAR ENERGY CODE, 1985 Edition
- UNIFORM SWIMMING POOL, SPA, AND HOT TUB CODE, 1985 Edition

The latest editions of standards published by the National Fire Protection Association that are currently in use throughout Alaska should be adopted initially.

CONSOLIDATE BUILDING REGULATIONS

The building regulations are recommended to be effective throughout the entire State of Alaska.

The building regulations that are now scattered throughout the Alaska Statutes and the Alaska Administrative Code are recommended to be consolidated in one title of the Alaska Administrative Code with appropriate consolidation of the authorizing Alaska Statutes.

SIMPLIFY REGULATION ADOPTION PROCEDURES

All revisions to the building regulations of the State of Alaska are recommended to be adopted as amendments to the Alaska Administrative Code. There must be written announcement of the proposed amendments, public hearings and teleconferences for public comment, and adoption by the decision of a building code board.

ESTABLISH A SINGLE CODE ADMINISTRATIVE AGENCY

All code enforcement is recommended to be consolidated within a new Division of Building Safety. This would be a single state-wide agency, with regional offices for convenient public access to staff and services and reduced travel costs.

The plan review and field inspection personnel would be cross-trained for to avoid duplication of staff services and travel with regular staff training for uniformity of code interpretations and standardization of field inspection. Appropriate certifications of code enforcement personnel would be implemented.

CONSOLIDATE PERMIT PROCESSES

It is recommended that the single agency provide one-stop permit application services, expedited plan review services, and access to code enforcement staff for clarifications.

Regional offices are recommended to be established in the Anchorage, Fairbanks, and Juneau with appropriate satellite offices in smaller communities.

SIMPLIFY APPEALS PROCESSES

It is recommended that a Building Regulations Board, composed of technically-qualified persons, be established that would act as a quasi-judicial appeals board to consider appeals concerning code interpretations and the decisions of code officials.

Public hearings would be held after due notice and testimony taken in person or by teleconference from other locations. The decisions of such Building Regulations Board would be appealable to the court system.

ALLOW LOCAL BUILDING REGULATION ENFORCEMENT

It is recommended that the local code enforcement agencies in Anchorage, Fairbanks, and Juneau have code enforcement delegated to their jurisdictions with expanded scope to include all activities for which they provide qualified services. Other cities could assume such duties as may be appropriate.

IMPLEMENTATION

PHASED PLAN OF IMPLEMENTATION

The building regulation reform in the State of Alaska must be accomplished in a phased sequence of steps that will allow the continued enforcement of building regulations within the State of Alaska and allow the orderly consolidation of building regulations and code enforcement functions. The steps listed below are in general, chronological order of priority.

UNIFY ADOPTION OF BUILDING REGULATIONS

Legislation must be drafted that will determine the process by which building regulations are written. Provisions must be made that all new building regulations and the revisions to existing regulations will be adopted as amendments to the Alaska Administrative Code. The process must be similar to that presently used by the Departments of Labor and Public Safety. This would include published announcements and letters describing the proposed amendments, public hearings concerning them in major cities, and teleconferences for public comment. The final language of the regulations and revisions must be the decision of a new Building Regulations Board.

UNIFY CODE ADMINISTRATION

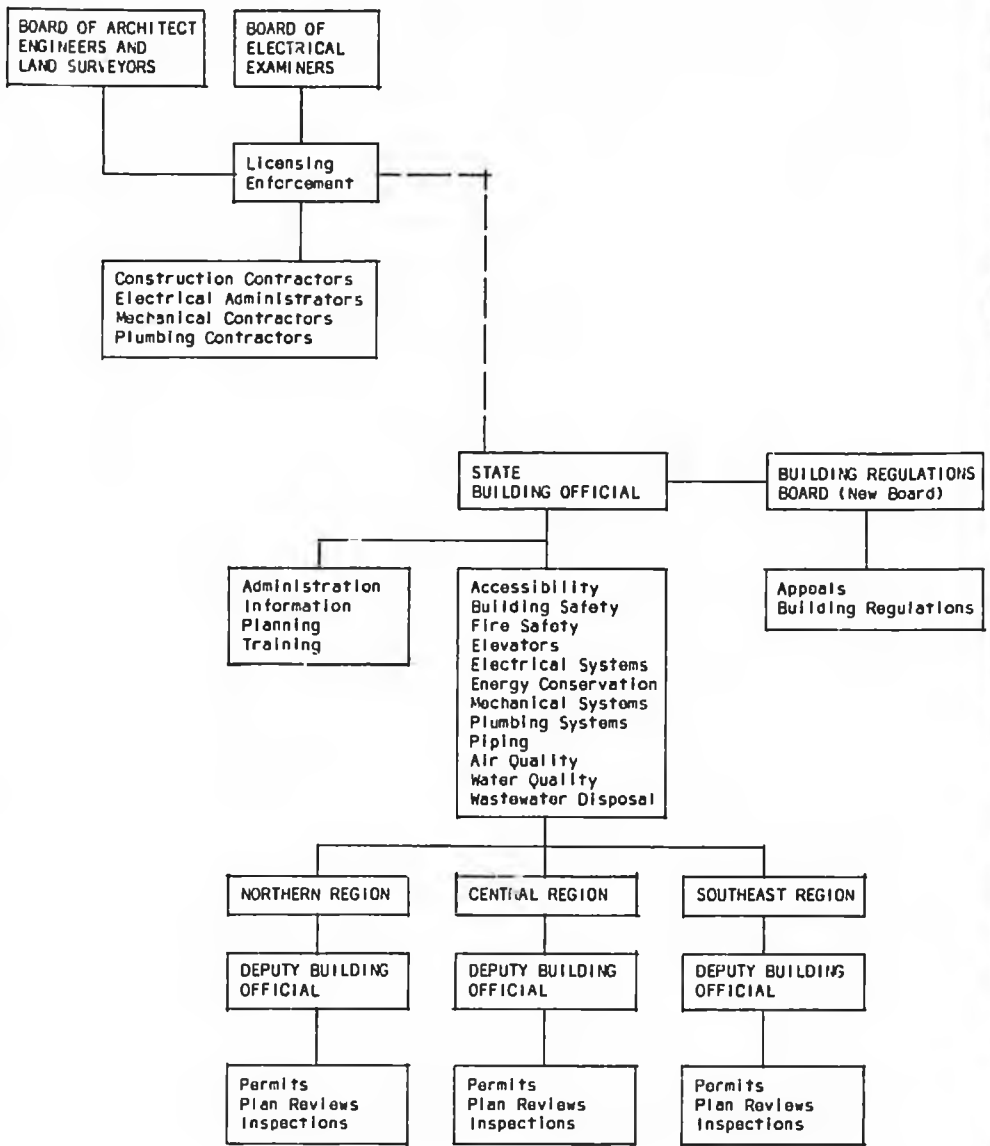
Legislation must be drafted that will establish a new Division of Building Safety within one of the existing departments of the State of Alaska. Table 4 shows a suggested organization for this agency. Provision must be made for consolidation of all building regulation activities that now are scattered among nine or more departments. These code enforcement services would include permit application and issuing, plan review, field inspection, certifications, licensing, appeals processing, and related functions.

The first consolidation should be the building regulation activities currently under the Departments of Labor and Public Safety since these departments contain a major portion of code enforcement functions. Additional building regulations activities and functions from other departments should be combined with them in an orderly manner.

Consolidation of field inspection services would take place over an extended period of time to allow continuity of inspections for construction currently under way and for orderly transfers of personnel. Time must be allowed for cross-training of some field personnel.

TABLE 4

SUGGESTED DIVISION OF BUILDING SAFETY



Code enforcement functions currently performed by local jurisdictions would continue until full consolidation is completed. Consideration should be given for contracting of state field inspections within certain regions by personnel of such local jurisdictions as a means of reducing travel expenses and avoiding construction delays.

UNIFY MODEL CODES AND STANDARDS

Legislation must be drafted that will accomplish the consolidation of in an orderly manner. New regulations must be put into effect that will supercede all existing regulations. The latest editions of the recommended model codes and standards presently in use in Alaska and that are known and understood by the construction industry in Alaska and the national suppliers to it.

Legislation must be drafted that latest edition of all such model codes and standards must be adopted, with amendments appropriate for Alaska's climate and conditions, by the end of the calendar year following the year of the first printing of the latest edition. This usually occurs in a three-year cycle.

EXAMPLE: The 1988 Edition of the UNIFORM BUILDING CODE most probably will be first printed in May, 1988. This edition would have to be adopted, with amendments appropriate for Alaska's climate and conditions, by December 31, 1989.

ESTABLISH A BUILDING REGULATIONS BOARD

Legislation must be drafted that will establish a new Building Regulations Board. This new Board would act as a quasi-judicial appeals board to consider appeals concerning code interpretations and the decisions of code officials. All of its appeal decisions would be appealable to the court system.

It also would have the authority to consider revisions to the building regulations, to conduct hearings concerning proposed revisions to building regulations, and to decide the final language of such revisions.

The new Building Regulations Board would be composed of nine technically-qualified persons, appointed by the Governor and confirmed by the Legislature, who would serve three-year, staggered terms. The members should be selected from among architects, engineers, constructors, developers, code officials, and others knowledgeable about building design and construction and code enforcement. This new Board would be similar to appeal boards now existing in Anchorage, Fairbanks, and Juneau.

ESTABLISH BUILDING LICENSING LIAISON

Legislation must be drafted that will transfer the administration of the existing Board of Registration for Architect, Engineers, and Land Surveyors, and the Board of Electrical Examiners into the same state department with the new Division of Building Safety.

Transfer of this administrative functions into the same department would improve the inter-agency efforts to enforce the existing provisions for professional licensing and practice and for licensing and certification of construction-related businesses and occupations.

DELEGATE AUTHORITY TO LOCAL JURISDICTIONS

Legislation must be drafted that will allow code enforcement authority to be delegated to cities, boroughs, and municipalities that have assumed such services. These services could include permit application and issuing, plan review, field inspection certifications, licensing, appeals processing, and related functions.

Local jurisdictions would continue to have the power to adopt local amendments to the state-wide building regulation provided that they are no less stringent.

Local appeal boards could act as a quasi-judicial body concerning building regulation matters within the local jurisdiction and, if specifically delegated, within the same region. All decisions of the local appeal boards would be appealable to the state-wide Building Regulations Board.

PPENDIX

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212-354-3300

Safety Code for Elevators and Escalators
Energy Conservation in New Building Design
Standard for Providing Accessibility and Usability
for Physically Handicapped People
Other specialized standards that often are cited
in other codes.

AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM)
1961 Race Street
Philadelphia, Pennsylvania 19103
215-299-5400

AMERICAN SOCIETY OF HEATING, REFRIGERATING AND
AIR-CONDITIONING ENGINEERS, INC.
1791 Tullie Circle NE
Atlanta, Georgia 30329
404-636-8400

ASHRAE Standard for Energy Conservation
in New Building Design

BUILDING OFFICIALS & CODE ADMINISTRATORS,
INTERNATIONAL (BOCA)
4051 West Flossmoor Road
Country Club Hills, Illinois 60477
312-799-2300

COUNCIL OF AMERICAN BUILDING OFFICIALS (CABO)
5203 Leesburg Pike, Suite 708
Falls Church, Virginia 22041
703-931-4533

INTERNATIONAL ASSOCIATION OF PLUMBING AND
MECHANICAL OFFICIALS (IAPMO)
5032 Alhambra Avenue
Los Angeles, California 90032
213-223-1471

INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS (ICBO)
5360 South Work Mill Road
Whittier, California 90601.
213-699-0541

Uniform Administrative Code
Uniform Building Code
Uniform Fire Code
Uniform Mechanical Code
Uniform Plumbing Code
Uniform Sign Code
Uniform Code for the Abatement of Dangerous Building
Uniform Swimming Pool, Spa, and Hot Tub Code
Uniform Building Security Code
Uniform Solar Energy Code.
Related standards

NATIONAL CONFERENCE OF STATES ON BUILDING
CODES AND STANDARDS (NCSBCS)
481 Carlisle Drive
Herndon, Virginia 22070
703-437-0100

NATIONAL FIRE PROTECTION ASSOCIATION (NFPA)
Batterymarch Park
Quincy, Massachusetts 02269
617-328-9290

National Electrical Code
Life Safety Code
Other related standards that often are cited
in other codes.

ALASKA CENTRAL CHAPTER ICBO
7233 Madelynne Drive
Anchorage, Alaska 99504-4656
907-337-6315

COMMITTEE UN STATE BUILDING CODES

Donald Cather	Code Official
John Crittenden	Architect
Earl Fullingim	Architect
Walter Gardner	Electrical Consultant
V Kay Larson	Construction Manager
John McCool	Architect
Jack McGary	Code Official
Richard Meyer	Code Official
James Sipman	Architect
Ron Watts	Code Official

HOUSE BILL NO.
IN THE LEGISLATURE OF THE STATE OF ALASKA
FIFTEENTH LEGISLATURE - SECOND SESSION
A BILL

For an Act entitled: "An Act relating to the plumbing code."
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 18.60.705 is repealed and reenacted to read:

Sec. 18.60.705. PLUMBING CODE. (a) The following publications are adopted [DEPARTMENT OF LABOR SHALL ADOPT,] as the official minimum plumbing code for the state: [,]

(1) the Uniform Plumbing Code, 1988 [1979] edition, adopted at the 57th [49th] Annual Conference, September, 1986 [1978], International Association of Plumbing and Mechanical Officials, chs 1 -- 13 and appendices, Useful Tables, and Installation Standards, but excluding Part I, Administration, pages 1a -- 6a, and subject to AS 18.60.710 -- 18.60.740; and

(2) The Uniform Solar Energy Code, 1988 edition, adopted at the 57th Annual Conference, September, 1986, International Association of Plumbing and Mechanical Officials; chs. 1 -- 9 and appendices; and

(3) the Uniform Swimming Pool, Spa and Hot Tub Code, 1988 edition, adopted at the 57th Annual Conference, September, 1986, International Association of Plumbing and Mechanical Officials, chs. 1 -- 5, but excluding Part I, Administration, pages 1 -- 9.

* Section 2. AS 18.60.740(1) is amended to read:

(1) "code" means the 1988 editions of the Uniform Plumbing Code, the Uniform Solar Energy Code, and the Uniform Swimming Pool, Spa and Hot Tub Code [1979 EDITION], adopted at the 57th [49th] Annual Conference, September 1986 [1978], International Association of Plumbing and Mechanical Officials.

* Section 3. Notwithstanding AS 18.60.705(a) as enacted in sec. 1 of this Act if plastic pipe that is made from a substance permitted under the official state plumbing code as amended by this Act was installed in a plumbing or drainage system before the effective date of this Act, the manner in which that pipe was installed is considered acceptable under the official state plumbing code, as amended by this Act, if the manner of installation met the requirements of the state or local plumbing code that was in effect at the time of the installation.

RESOLUTION OF THE ALASKA MUNICIPAL LEAGUE

RESOLUTION NO. 88-14

A RESOLUTION IN SUPPORT OF THE TIMELY
ADOPTION OF MODERN CONSTRUCTION CODES.

WHEREAS, the League supports the elimination of conflict between state and local plumbing and electrical codes, and

WHEREAS, many municipalities in Alaska have adopted the 1985 Edition of the Uniform Plumbing Code (UPC), and

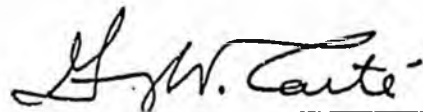
WHEREAS, conflicts now exist among state and local building code officials, the public in general, and municipal government construction projects due to state enforcement of provisions of the 1979 UPC, especially with regard to the use of plastic pipe, and

WHEREAS, the widespread and safe use of plastic piping materials in Alaska will promote lower construction costs and increased resistance of plumbing systems to corrosion and freeze-thaw damage in both private and public sector construction projects, and

WHEREAS, resolutions and support for the most recent UPC have been adopted by many Alaskan professional associations, including fire chiefs, firefighters, building officials, home builders, the National Federation of Independent Businesses, and others;

NOW, THEREFORE, BE IT RESOLVED that the Alaska Municipal League urges that the State of Alaska adopt the most recent edition of the UPC including the provisions pertaining to plastic pipe.

Adopted this 13th day of November 1987.



George W. Carte, President

ATTEST:



Scott A. Burgess, Executive Director



ALASKA FIRE CHIEF'S ASSOCIATION

POST OFFICE BOX 304 • CORDOVA, ALASKA 99574 • TEL. (907) 424-7475

RESOLUTION 87-4

TITLE: SUPPORT OF AN OBJECTIVE AND TIMELY ADOPTION OF CODES
PERTAINING TO SAFETY AND CONSTRUCTION REGULATION

WHEREAS municipal building officials share the common goals of the firefighters and fire chiefs to save lives and reduce property loss in the State of Alaska; and

WHEREAS building officials unanimously agree with the conclusion of the Alaska Task Force on Fire Prevention and Control that adopting and enforcing all modern construction codes will reduce fire loss in Alaska; and

WHEREAS due to recent funding shortfalls affecting the start up of the Alaska Fire Commission, it is especially important that all organizations actively pursue, within their jurisdictions, the stated goals of the Commission; and

WHEREAS the International Association of Fire Chiefs requested the support of all building officials to keep polybutylene plastic pipe in the Uniform Plumbing Code during the 1987 ICBO annual business meeting; and

WHEREAS modern plastic pipes have recently shown great potential for fire suppression in low cost sprinkler systems; and

WHEREAS the building officials in Alaska who enforce fire and life safety standards unanimously concur with the International Association of Plumbing and Mechanical Officials, authors of the Uniform Plumbing Code, that plastic plumbing pipes in combustible buildings have not been shown to be a significant hazard to life and property.

Therefore, be it resolved that

The Alaska Fire Chief's Association and the Alaska State Firefighter's Association urge the Alaska Legislature to adopt the most recent edition of the Uniform Plumbing Code (UPC) including the provisions pertaining to plastic pipes. Local governments will still have the option of amending the code to meet specific local conditions.

Recommendation: Pass

Adoption: Pass X No Pass

JAN 21 '98 11:57 LIO - ANCH 277-6112

P.1/3

Sen Kelly

TELECOPY COVER SHEET
ANCHORAGE INFORMATION OFFICE

TO: Juneau FOR: Sen Labor & Comm PHONE: _____

FROM: ANCH LIO - MR SIMON PHONE: _____

ADDITIONAL INSTRUCTIONS: Pls. Make Copies for every member

DATE/TIME SENT: 1-21-98 / 11:30am PLEASE ACK. RECEIPT: _____

DISPOSAL OF ORIGINAL: THROW AWAY

HOLD FOR PICK UP

NUMBER OF PAGES: 3 (NOT COUNTING COVER SHEET)

BY: David

Memo
Tim Kelly
01/20/83
Page 1

MEMORANDUM

DATE: January 20, 1988

TO: Tim Kelly, Chair
Senate Labor & Commerce Committee

COPY: Richard I. Eliason, L&C Comm.
Bettye M Fahrekamp, L & C Comm.
Mike Szymanski, L&C Comm.
Rick Uehling, L&C Comm.
Jan Faiks, Senate President (Bill Sponsor)

SUBJECT: SSSB 300: Building Code Consolidation

REFER: Committee TeleConference: Wed. 01/20/88

I attended the referenced TeleConference and found that in deferring my speaking position to others who wanted to address the issue from Anchorage that time suddenly came to an end at 4:50 pm and I was unable to address the committee verbally. At the close of the meeting I provided the LIO staff a copy of my prepared statement and asked that it be Telecopied to you. However, my prepared statement, which I had planned as a summary of the purpose and intent of SB 300, was not all that I had intended to say, especially after hearing some of the testimony at the hearing.

Before I proceed in my comments, please let me note that as a direct participant in the formulation of SB 300, I am speaking in part for myself (in support of the bill) but hope that some of my comments will be considered as objective. And to further clarify my position let me add that in addition to being an architect, I am a professional member of national ICBO, a charter member of the Alaska Chapter ICBO, past code committee member of AIA (beginning 1958) and member & past chair of the Codes & Standards Committee of the Alaska Chapter AIA (1978;1982). In addition to my professional memberships and participations, I have served on the Municipality of Anchorage's Building Board for three and one-half years (participating and/or drafting codes in 1976, 1979 and 1982) and a member of Mayor's Committee for revising and updating the Municipality's Zoning Ordinance in 1984-85).

During 1986 I served as chair of the Code Consolidation Committee for the Alaska Central Chapter ICBO. This past year, with Ron Watts as chair of the APDC Code Consolidation Committee, I served as one of approximately 15 committee members working with Senator Faiks staff on the Sponsor Substitute Bill. The bill before you now is a result of that committee's concentrated effort.

It was found that the first draft of SB 300 (05/13/87) ended up being too lengthy and could easily confuse or be misleading with its complexity. A method was found by working with senate and legal staff to simplify the bill

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 01/20/88
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but still include the original intent of committee's purpose. The final Bill you are now addressing is necessarily a compromise Bill. The diverse character of the committee working on it attests to that: code enforcement officials, contractors, architects, engineers, mechanical and engineering consultants, material suppliers, etc.

It was not the committee's intent to direct or insist that the various agency code functions be consolidated in any one particular department. We believed then, and still so believe, that the determination of which department is a matter for the Bill's sponsor and the legislature to resolve in response to the input from the public, the existing agencies, users (designers, builders, etc.), etc.

Based on a poll of the committee members, and in response to queries to affiliated member organizations of the APDC, a consensus seemed to favor the Fire Marshal's office (Public Safety), in a choice between Labor and Public Safety. I cannot personally say whether there was a poll to determine a choice between Public Safety or Commerce. The committee did discuss Commerce originally, tho.

My own personal choice would be a separate Department of Building and Fire Safety (such as occurs in other states). If such is not feasible because of apparent concern of funding a new department (a position I do not accept: A new department will not necessarily cost more in state expenditures; there could be a cost savings and/or it could pay for it self with user fees - to address only the cost of the bureaucracy if one ignores potential cost savings alone to the building industry.), then I would personally support consolidation in Commerce & Economic Development as Senator Faiks proposes, in part because of other licensing functions already occurring there (contractors, architects, engineers, etc., directly related to the construction industry. In any event, the issue is not which department, as noted in the testimony, but code adoption and consolidation, which everyone seems to agree is necessary and desired).

During the testimony several issues were raised that seemed to confuse the issue. If I may I would like to respond to some:

1. Certification of Plan Reviewers and Field Inspectors. As noted some if not all municipalities require such certification. Although not spelled out in the Bill, National ICBO provides such training and examinations. Certification will assure uniformity throughout the state. Reviewers and Inspectors, by definition need and should have the necessary background to provide such services. The permit, plan review and field inspections fees are so structured to adequately compensate qualified personnel. All other participants in the construction area require licensing and this proposal will bring the state in line with other jurisdictions. The certification function details should not be spelled out in the statutes. Following adoption of the Bill, specific details or certification will be set forth in state regulations.

2. Applicability of Codes proposed in the Bill. The family of codes tabulated in the Bill includes the the ICBO building, plumbing, mechanical codes as well as applicable electrical codes. These codes address and include all occupancies of

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buildings, including single family residential duplex, triplex, fourplex and multifamily units as well as commercial structures. The family of codes applies equally to privately funded or government funded construction. The Bill does not and should not differentiate. There seemed to be some confusion on the proposed state building code during testimony as to exclusion of specific occupancies (i.e., designated residential) and/or specific locations (i.e., rural areas and/or population number cutoffs) or the applicability of the energy standards promulgated by the Department of Community and Regional Affairs. The energy standards would apply to all structures and occupancies.

The exclusion of a particular occupancy or particular code based on community size would be, I feel, a serious mistake. It would defeat the whole purpose of having one uniform family of codes equally applied throughout the state. I am sure the committee realized the possible controversy regarding this matter; we only hope the Senate committee will give full consideration to the ramifications of such exclusions. Once again, if there should be exclusions, the exclusions should only be addressed in the state regulations, not the statute; the Bill does not preclude modifications by regulation.

3. The issue on plastic pipe: The proposed current plumbing code does not permit plastic pipe. Based on ICBO research, input during code formulation, etc., plastic pipe was deleted from the code as an approved material by the experts on code promulgation and enforcement. Most of the jurisdictions adopting the ICBO family of codes have accepted the deletion. However, that does not mean that the proposed plumbing code cannot be amended to address the use of plastic piping. Again, this is a matter to be addressed by regulation during the process of amending, not only the plumbing code, but all of the proposed codes as may be required in addressing Alaskan concerns. *My own personal opinion is that we shouldn't arbitrarily alter standard codes; considerable time and effort go into compiling national standards and we should benefit from that effort and expertise.*

4. Accessibility Standards: It was suggested that barrier free design, commonly referred to as "Handicap Accessibility", should not be applicable to non-government funded projects in some or all rural areas. *I personally object strongly to this suggestion for two reasons, at least: I have served in the past as a member of the Governor's Committee on the Employment of the Handicapped and to say that considerable effort has gone into educating the public on barrier free design and providing employment access in both the public and private sectors would be an understatement. The proposed Federally Accessibility Standard (based on the ANSI A117.1 standard) required for Federally funded facilities, is currently being adopted by DOT/DF and the Municipality of Anchorage (currently the ANSI Standard is applicable in both entities).*

The public's acceptance of barrier free design has come a long way in the past ten years nationally and in the state. Discussion or even consideration of non-applicability of accessibility standards in some rural facilities would be a tremendous setback. It could jeopardize possible state funded projects, such as

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ASHA or the Department of Community and Regional Affairs including potential leasing by any governmental agency. Please remember that accessibility goes beyond providing ramps or elevators; it includes stair and railing design, door and cabinet hardware, toilet, shower and tub grab bars, etc. many items that are now readily accepted industry wide, such as lever handles on doors. With the exception of elevators and ramps, the cost of such "handicap" amenities are cost negligible and add to the safety and general welfare of the occupants whether able bodied or elderly, infirmed with arthritis or crutch-bound due to skiing incident or a back injury related to the work place.

5. Comments by Kent Woodman: As much as I appreciate Mr. Woodman's interest and comments on the proposed Bill, I sat in stunned disbelief of many of his comments. His seven pages of typed comments that have been submitted might be too lengthy to refute page by page. However, I would appreciate this opportunity to comment on some and the tenor of his presentation.

a. The design and construction community has been aware of the work of the two committees over the past two years. Implying that the 01/13/88 Draft has made sweeping changes is inaccurate in its implication. The current draft reflects more accurately the committee's original intent, and I am sure the Bill's sponsor's position when originally conveyed. The drafts of all bills, including the original formalized Bill of 05/13/87 did not change in substance from the original concept; all Bill drafts have been widely circulated throughout the state.

b. His alleged assertion that "the many" from Labor must be moved to Commerce is totally false. Had he participated in the two years effort, for which he would have been most joyously embraced by all to help the effort, he would have had access to the many pages of research that has tabulated positions in all the departments reviewed by the committee. From his perspective (technical) he may not be seeing the overall picture. None of the committee's recommendations were offered lightly and then only after extensive research and debate.

c. Section 1. Comments: We also hope that nothing has fallen thru the cracks. There is no guarantee, obviously. But the committee and legislative counsel has spent considerable time in reviewing existing state statutes and regulations. If something has been missed, however, there should be no problem in ameliorating the condition upon discovery.

d. Section 1.18.01.021(d): Mr. Woodman has totally misconceived the intent of this provision. It is not the intent to have either the department or the board start rewriting the uniform codes and standards. Experts in promulgating codes and standards have prepared these publications, including local enforcement personnel. The intent was to allow amendments that might apply particularly to Alaskan conditions, such as snow loading, footing depths, etc. Generally more

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stringent, not less stringent, as he suggests. We agree that some codes might have extraneous provisions, but these items should be addressed in the normal code revision process.

e. Section 3-18.6-030: The intent of this provision is to require code enforcement personnel, such as plan reviewers and field inspectors, to pass competency examinations and acquire certification by a recognized and department designated entity, such as National ICEO. The details of these requirements should be set forth in state regulations and not be included in state statutes, similar to other licensing.

f. Section 3-18.6-040: Mr. Woodman's concerns about the number of board members constituting a quorum, voting majority, administrative support locations and times of meetings are the purview of the compilation of applicable state regulations and *should not* be in the statute. The committee has not overlooked such questions, but feel that at the time such regulations are up for formulation, discussion and review, his concerns, suggestions and participation will probably be most welcome.

Alarm and Signal/Communication expertise was not intentionally omitted from the board's make-up. The board of eleven members is cumbersome and counsel recommended that the number be established at nine. However, eleven was arrived at as a compromise in part because of the vast state area and the committee's concept that a reduced number would be sitting for a quorum for conducting business. The disciplines or categories of board member expertise was based on issues generally addressed by a building regulations board. The makeup of the board in no way precludes Alarm and Signal/Communications expertise from participating in the code process, as it does not exclude other disciplines such as acoustical engineers, lighting consultants, kitchen or theater disciplines, or other members of the design and construction industries.

g. Administrative Appeal: The committee carefully considered and debated "administrative appeal". Basically, this is the present condition, and the reason that a Buildings Regulation Board is proposed in the first place. In fact, the proposed appeals process is a key-stone of the Bill. To better explain, let me give this example: A field inspector cites a contractor for code violation during construction. If the contractor disputes the inspector's code conclusion, of course the contractor would ask the Administrative Official to make a determination. If the Administrative Official upholds his inspector's citation, then the contractor must appeal to the board for a code interpretation. The department head or commissioner cannot (as the bill provides) and should not be involved in non-binding jurisdiction in code interpretation and subsequent discretionary power in these matters. *Quite frankly, this is one of the problems facing the design, construction and enforcement sectors now.*

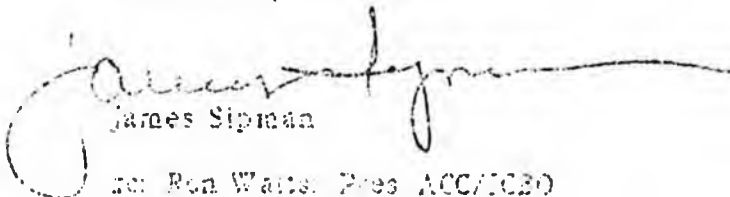
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Memo
Tim Kelly
01/20/88
Page 6

h. The committee discussed at great length ways to implement the building regulation board's hearings, locations, quorums, etc., whether it be by mini-sub-boards, TeleConferencing, or utilizing existing building boards now functioning in such municipalities of Fairbanks, Anchorage or Juneau or other existing communities. We feel that this item should be addressed by state regulation, not statute.

i. Section 12.15.70.100(a) This provision is inserted in the bill as a housekeeping item; it already exist as statute. It was not the committee's intent to alter basic legal statutes and we believe legal counsel has only altered this provision editorially. However, I am sure we will all defer to counsel's comments on this item.

In conclusion, I would like to say that the comments and interest shown by Mr. Woodman and other participants in your TeleConference have been noted and appreciated. Thanks again to you, your committee and the Bill's sponsor for providing us this opportunity to participate in the legislative process. At least most if not all agree on the need of regulatory reform; code consolidation is one step in this direction. The committee member's two year concentrated effort on this issue surely demonstrates a need for and a commitment to the proposed Bill. Please do not hesitate to contact the committee's chair or me if you have any questions.

Respectfully submitted:



James Sipman

cc: Ron Watts, Pres ACC/ICBO
Chair APDC Committee

encl: Sipman Teleconf notes 01/20/88

James Sipman
P.O. Box 213333
Anchorage AK 99521-3333

(907) 337-8360

COPY

PREPARED TELECONFERENCE NOTES: 33SB 300 01/20/88
Sipman

My name is James Sipman; the last name is spelled.....
I am an architect in private practice here in Anchorage.

Thank you for providing us the opportunity to participate in this
Teleconference and allowing us to express our thoughts on SB 300.

As you all know, regulatory reform has been discussed for many
years, through at least three administrations. Although that subject
covers a broad range of topics, whether its oil, fishing, water, waste,
for example, it very much also applies to the design and construction
sectors of the state.

SB 300, after more than ten years of waiting and 2 years of
concentrated effort in preparation, it is now before you. Although a
compromise measure, it basically addresses the problems that many,
if not all, Alaskan residents face in some manner or another, whether
one is a home owner/buyer, a developer, a contractor, an architect or
engineering designer, or a code enforcement official.

Currently too many different departments enforce different parts of
the various codes and standards. Often the codes and standards are
in conflict, often the same codes, but of different editions. What SB
300 establishes is one family of codes and standards for the State
and defines what edition should be used throughout the state. For
the most part this family of codes and standards is already in effect
but scattered. SB 300 will allow one department to address building
regulations, providing for one central permitting process,
consolidating functions, establishing basically one standard
throughout the state.

Another important provision of SB 300 is the establishment of an
appeals process that currently does not exist - excepting bureaucratic
decisions on a particular matter. By establishing a peer group to
review appeals and promulgate codes, the residents of the state will
be better served in that a uniform codes and standards progression
will occur outside a possible political atmosphere.

The current draft bill does not purport to resolve all issues regarding
the consolidating of codes and standards. However, it will allow
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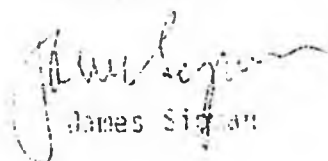
make them more applicable to Alaskan conditions, and at the time regulations are promulgated for each applicable code, additional public input will occur to allow an end result acceptable to most if not all interested parties. To repeat, the passage of this bill will not preclude those parties who might have reservations at this time about some individual portion or section from being heard when the final regulations/instruments are proposed.

Building Codes and Standards are established to promote the general health, safety and welfare of the residents of a specific jurisdiction. Hence, such codes and standards should be uniform and equally applied throughout the jurisdiction. In this case the State of Alaska.

This is a good time for reviewing existing and proposed building regulations. Because of the current slowdown in the design and construction communities, all interested parties can take the necessary time to see that a responsible and equitable solution is reached. Additionally, it would be great to have regulatory reform in place as we try to turn the state's economy around.

This bill is of major interest to many of us in the design and construction sectors. I think that I can speak for many of my colleagues in saying we urge your careful consideration and passage of the bill in its currently presented format. Thank you again for your time and patience.

Submitted:


James Sipman

THE PRECEDING DOCUMENT(S) MAY NOT FILM
LEGIBLY. BECAUSE OF POOR QUALITY OF THE
ORIGINAL.

EXPLANATION CONCERNING LEGISLATIVE ACTION ON CONSOLIDATION

By Ron Watts
June 1987

As has been stated several times in meetings and in publications, there is a serious effort to bring about consolidation of building regulations and functions within the State of Alaska. There is strong support throughout the design and construction industry for building regulation consolidation and reform.

Senator Jan Faiks agreed to sponsor a bill to accomplish consolidation. A bill was drafted and introduced as Senate Bill 300 during the 1987 regular session of the State Legislature by Senator Faiks.

The bill generally covers the five major objectives of

- (1) establishing a procedure to adopt the latest editions of the basic family of building codes;
- (2) consolidate all State functions and programs covering building design, building plan review, building construction, and inspection from all departments of the State into one department;
- (3) establish a building regulations board to act as a quasi-judicial appeals board for decisions made by state code officials;
- (4) placing all construction contractor, electrical contractor, architect, engineer and land surveyor licensing functions into the same department with building regulations;
- (5) permitting code adoption and enforcement by local jurisdictions and municipalities.

November 10, 1987

**CONSOLIDATION
OF
STATE OF ALASKA BUILDING CODE REGULATIONS AND FUNCTIONS**

PROBLEMS

1. Building codes are only partially adopted in the State of Alaska.
2. No private or public buildings outside local code areas have to meet earthquake or structural codes.
3. There is lack of uniformity in administering and enforcing partially adopted codes.
4. Fragmentation occurs within nine or more departments administering building regulations.
5. Lack of uniform procedures for passing information between State departments and to the public.
6. There is no appeals process from decisions of State officials to an independent appeals board.
7. Costly duplication of effort and overlapping of administration and enforcement in building codes.

SOLUTIONS

1. State needs to unify and simplify the code adoption process.
2. Adopt latest edition of codes as a "family" of State building codes.
3. Establish an appeals process and an appeals board.
4. Consolidate all building regulation activities and functions into one State department.
5. Establish a one-stop review and permit service.
6. Cross train personnel to perform functions in related areas to minimize duplication.
7. Establish a phased plan of implementation for consolidation.

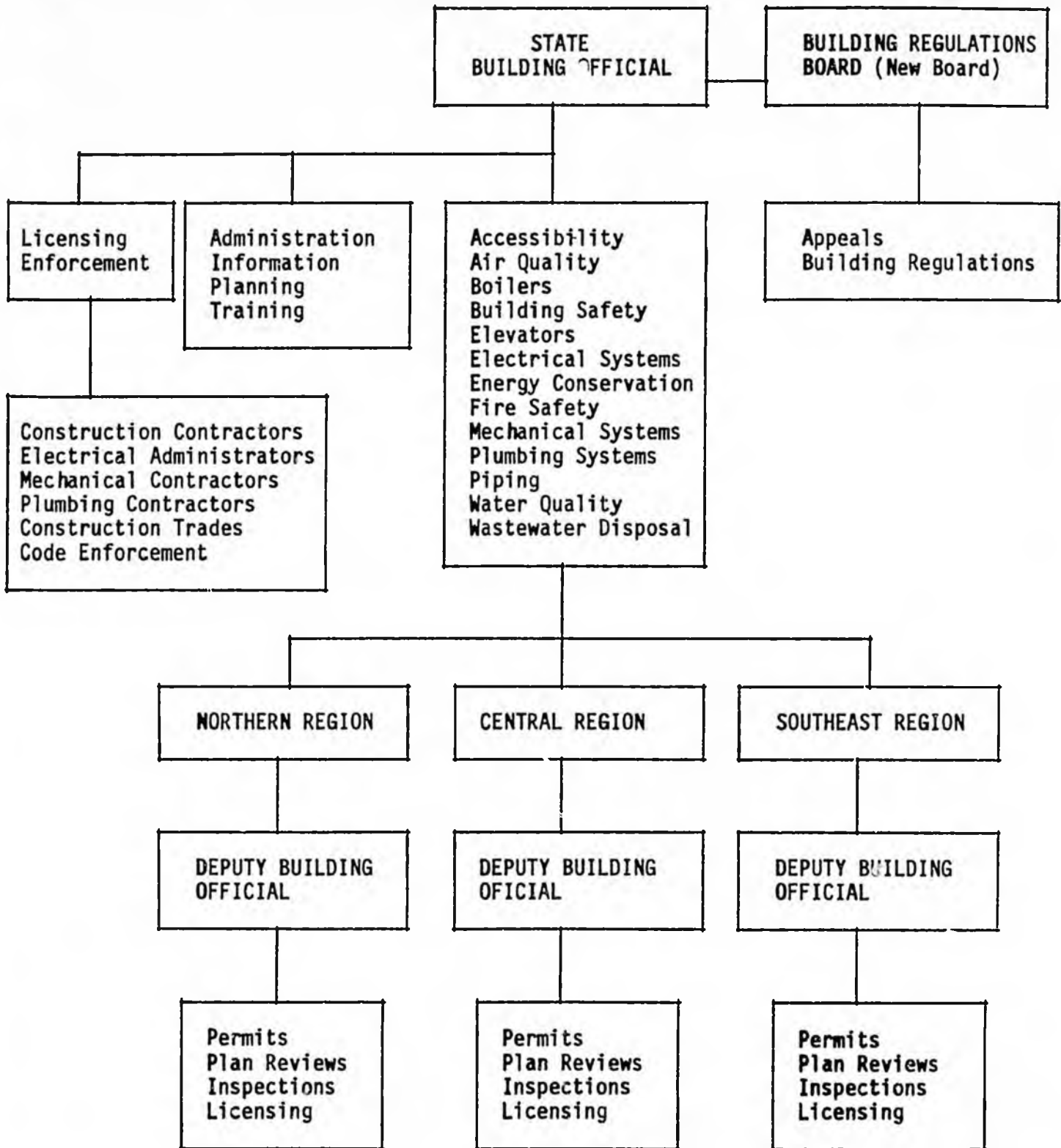
ADVANTAGES OF STATEWIDE CONSOLIDATED BUILDING CODES

1. There will be one group of updated Statewide building codes.
2. Architects, engineers, and contractors would be obligated to design and build to codes, even if there is no enforcement for inspections.
3. Better fire and life safety protection for the public.
4. Consolidation of all State activities will mean dealing with only one agency instead of several.
5. Provide more efficient service to the public.
6. Reduce cost of State government by reducing personnel duplication.
7. Local jurisdictions will know that the State will be using latest codes.

**FRAGMENTED BUILDING REGULATIONS
ADMINISTERED WITHIN THE STATE OF ALASKA**

<u>DEPARTMENT</u>	<u>DIVISION</u>	<u>ACTIVITY</u>
COMMERCE & ECONOMIC DEVELOPMENT	Occupational Licensing	Architects, Contractors, Electric Admin., Engineers, Land Surveyors
	Measurement Standards	Mobile Home Inspection
COMMUNITY AND REGIONAL AFFAIRS	Community Development	Energy Conservation in Residential Buildings
	Energy	Grants, Loans
EDUCATION	Education Finance Support Services	School Construction, Plan Reviews
ENVIRONMENTAL CONSERVATION	Environmental Quality	Drinking Water, Plan Reviews, Inspections, Wastewater, Disposal, Plan Reviews, Inspections
HEALTH & SOCIAL SERVICES	Planning	Health Care, Construction, Plan Reviews
LABOR	Labor Standards	Amusement Rides, Ski Lifts, Boilers, Electrical, Elevators, Plumbing, Permits, Boiler Certification, Elevator
	OSHA	Safety Compliance, Voluntary Compliance, Industrial Hygiene, Powder Handling, Hazardous Materials
PUBLIC SAFETY	Fire Prevention	Arson Investigation, Fire Code Inspection, Building Plan Reviews, Fire Service, Training, Fireworks Permits, Hazardous Materials
REVENUE	Alaska Housing Finance Corp.	Loans for Residential Construction, Business Loans
TRANSPORTATION AND PUBLIC FACILITIES	Design and Construction	Building Plan Reviews, Building Construction Inspection, Permit Reviews, Harbors & Waters

**SUGGESTED CONSOLIDATED ORGANIZATION
OF BUILDING AND FIRE**



COMMITTEE ON REWRITE OF
SENATE BILL 300 REFERENCE
CONSOLIDATION OF STATE BUILDING REGULATIONS & FUNCTIONS

Raj Bhargava	Bhargava & Associates	301 E. Fireweed, Anch. 99503	276-3768
Tom Carberry	Spendard Builders	4412 Lois Drive, Anch. 99517	563-3141
Donald Cather	State Dept. of Labor	Mech. Sec., Box 107021, Anch. 99510	264-2447
Earl Fullingim	Private Architect	7233 Madelynne Dr., Anch. 99510	337-6458
Alexis Gabay	Sen. Jan Faiks' Office	3111 C St. #525, Anch., 99503	561-7610
Walter Gardner	Electrical Consultant	7731 Island Dr., Anch., 99504-2776	333-0771
Roger Head	State DOT/PF	Pouch 6900, Anch., 99518	266-1680
John McCool	McCool-McDonald Architects	901 W. 29th Ave., Anch., 99503	563-8474
Jack McGary	State Fire Marshal's Office	5700 E. Tudor Rd., Anch., 99507	269-5486
Richard Meyer	State Dept. of Health	3601 C St., #578, Anch., 99503	561-4211
Bill Morrow	VECO, Inc.	5151 Fairbanks St., Anch., 99503	561-1701
Clai Porter	N.C.P. Architectural & Constr.	118 E. Int'l Airport Rd., Anch., 99518	562-2283
*James Sipman	Private Architect	P.O. Box 213333, Anch., 99521-3333	337-5360
Ron Watts	Municipality Building Safety	P.O. Box 196650, Anch., 99519-6650	786-8307
Jim Wertman	CTA Architects & Engineers	Box 211749, Anch., 99521-1749	563-3229

*Chairman

STATE OF ALASKA THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU ALASKA 99811
907 465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 7, 1988

SUBJECT: Draft Sponsor Substitute SB 300 (Dated January 7, 1988); shortcomings of this version of the bill

TO: Senator Jan Faiks

FROM: George Utermohle *GU*
Legislative Counsel

This memorandum accompanies draft SSSB 300, dated January 7, 1988, and outlines perceived shortcomings of this abbreviated version of the draft bill.

First: The draft sponsor substitute incorporates proposed language relating to appeals to the Building Regulations Board. Though the proposed language is highly favored by its proponents, the language does not adequately address the powers and procedures of the board.

The board does not have discretion to refuse to hear an appeal. This could result in overloading the appeals process because:

- 1) the board hears appeals of every decision made by an inspector; the number of appealable decisions that an inspector makes during the construction season may number in the thousands so if only a small fraction of each inspector's decisions are appealed, the board would have to hold hundreds of hearings during the year;
- 2) the board is very large for a board with adjudicatory functions; the problem of getting a majority of the board together to hear an appeal on the short notice required in the bill will be significant; and,
- 3) the membership of the board consists of uncompensated citizens who have jobs and businesses on which they depend for a livelihood; since most construction

activities in the state occur in the relatively short construction season, most appeals will arise at the time that these people must be at their jobs and businesses, so the members of the board may not be available to obtain a quorum to hear the appeal.

The bill does not address what happens when the board cannot convene a hearing within the time required.

The bill requires the board to issue an oral decision at the end of the hearing and to issue a written decision within a few days. The intent is to have a quick resolution of the dispute. There is an implied assumption that a hearing will not take long and the board will immediately announce its decision. However, the language of the bill does not require the board to issue its decision immediately after a hearing. The language of the bill would allow the board to take evidence from the parties and then to continue the hearing to some later time. The bill does not limit the time that the board could take to reconvene the hearing in order to conclude the hearing and issue its oral decision.

In order to overcome these potential problems, the board should have the discretion to refuse a hearing if the board decides that the subject of the appeal is trivial or if the board does not have time to schedule and hold a hearing on the matter. The board can be required to issue its decisions in a timely manner by setting a deadline for a decision that is based on so many days after the appeal is filed, rather than a time determined by when the board considers the hearing to be concluded. These concepts were included in the version of the sponsor substitute dated 12/16/87.

Another matter related to this subject is the amount of time that a hearing could take. The board is subject to the adjudicatory provisions of the Administrative Procedure Act (APA). Formal hearings under the APA on a simple matter could last a whole day or more. The board may need authority to utilize informal procedures that could shorten the length of hearings before the board.

Second: This version of the bill transfers the Division of Fire Prevention from the Department of Public Safety to the Department of Commerce and Economic Development. In order to keep the bill short, a provision transferring the Alaska State Fire Commission was deleted from this version of the

Senator Jan Faiks
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January 7, 1987

bill. The effect of this approach is that the Fire Commission is left in a department that has no fire prevention or fire protection responsibilities. The Fire Commission should be moved to a more appropriate department.

Third: Amendments to AS 08.18, construction contractors, and AS 08.40, electrical administrators, that repealed the remaining authority of the Department of Labor to regulate these professions were deleted from this bill in order to keep the bill short. As long as the Department of Labor is responsible for enforcing building codes, it is logical that the department have a role in enforcing contractor licensing and electrical administrator licensing because the department has an established system of inspectors who visit construction sites, and who are in the best position to ensure compliance with licensing statutes. However, once responsibility for enforcing building codes is transferred to another department, the Department of Labor will not have the inspectors available to enforce licensing requirements. The residual authority of the Department of Labor to enforce AS 08.18 and AS 08.40 should be repealed if this version of the bill is enacted.

Enclosure

GU:bb
wkb1/015

STATE OF ALASKA THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 7, 1988

SUBJECT: Draft Sponsor Substitute for SB 300 (dated January 7, 1988); issues not addressed by the current version of the bill

TO: Senator Jan Faiks

FROM: George Utermohle *GU*
Legislative Counsel

During the course of the teleconference on draft SSSB 300 and during the preparation of the new draft version of the bill, issues arose that may need to be addressed by the bill. This memorandum briefly discusses those issues.

First: During the course of the teleconference, there was discussion on whether the Boiler Construction Code and the National Electric Code adopted under the bill provides for inspection of existing boilers and electrical wiring. If the present statutes relating to inspection of boilers and electrical wiring are repealed as proposed in this version of the bill and if the boiler code and the electrical codes do not provide for inspections, the state could lose its ability to enforce these codes. Should the bill address the issue of inspections in these instances or should the legislature rely on the department to handle any oversights in drafting through its authority to adopt an inspection code under the "catch-all" provision of AS 18.61.010(a)(17)?

Second: Also during the teleconference, someone noted that by virtue of their location in the Department of Public Safety, employees of the Division of Fire Prevention are commissioned as special officers and receive training at the trooper academy. There was some concern that these employees may lose their commissions if they are transferred out of the Department of Public Safety. The Department of Public Safety may issue commissions to employees of other departments and provide them with training at the trooper academy. This is already done with fish and game biologists and state park rangers. However to allay any fears

concerning the legal authority of employees of the Division of Fire Prevention once it is transferred to the Department of Commerce and Economic Development, a provision may be inserted into the bill to require that they receive special officer commissions from the Department of Public Safety.

Third: There are provisions included in AS 18.60 that refer to codes and standards other than those mentioned in the current version of the bill. These provisions relate to high voltage lines (AS 18.60.670-18.60.695), safety glazing (AS 18.60.750-18.60.780), and piping codes (AS 18.60.850). These provisions have not been included in any version of the bill so far, because they do not contain language assigning responsibility for their enforcement. It may be implied that the Department of Labor enforces these provisions because it enforces the other provisions of AS 18.60, but the provisions themselves are unclear as to what agency is responsible for their enforcement. Should these provisions be addressed by the bill? Should responsibility for enforcing these provisions be given to the Department of Commerce and Economic Development?

Fourth: In regard to hearings on appeals to the Building Regulations Board, the bill is silent as to the bases on which the appeal is to occur. Should the appeal be on the record developed below, i.e. the permit denial or notice of violation and the affirmation by the administrative official, or de novo? A de novo hearing would require considerably more time, which the board may not have, but would seem to be what the proponents of the bill have in mind.

Fifth: During the teleconference there were recurring references to transferring regulations of the Department of Environmental Conservation. This bill transfers responsibility for enforcing statutes and authority to adopt regulations relating to building codes but no regulations will be transferred by the bill. The Department of Environmental Conservation does not have any responsibility for adoption or enforcement of building codes; it does have authority to establish standards for environmental sanitation and food handling. Under this authority the department has established certain standards that relate to the design, construction, and operation of certain facilities like food stores, day care centers, swimming pools, barber shops, inter alia. The concern over the department's regulations probably arises because of

Senator Jan Faiks
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conflicts between the regulations and various codes. This issue was addressed by AS 18.05.040(b) when responsibility for environmental sanitation and food handling was in the Department of Health and Social Services. AS 18.05.040(b) prohibited the Department of Health and Social Services from adopting a regulation that duplicated, conflicted with, or was inconsistent with the plumbing codes. When these responsibilities were transferred to Department of Environmental Conservation the limitation imposed by AS 18.05.040(b) was not included, so the department is not required to conform with the plumbing codes. A provision similar to AS 18.05.040(b) could be included in the bill to require that the Department of Environmental Conservation follows the plumbing code in developing its environmental sanitation and food handling regulations.

GU:gc
WKG1:015

Legal Services

TO:	Name <i>George Utermuhle</i>	Dept./Div./Sect. <i>Legislative affairs</i>	Mail Stop
FROM:	Name <i>Don Cather</i>	Dept./Div./Sect. <i>HS&S - m?</i>	Telephone
SUBJ.:	<i>SB 300</i>		Date <i>1/13/88</i>

George : Language of this type eases my
 fears that there will be combining
 inspections of Boilers, Electrical
 & Recreational Devices...
 Everything else can be handled
 via regulations.

C. Watts:

Thanks IDC

AS POWER AND DUTIES OF THE DEPARTMENT. The department;

(1) may promulgate regulations to carry out the purposes of this chapter;

(2) may inspect new electrical installations in any place of employment or in any public structure. (Currently AS 18.60.580)

(3) is responsible for the inspection and certification of recreational devices. (Currentlt AS 05.20.010)

(4) shall formulate definitions, rules and regulations for the safe and proper construction, sale, installation, repair, use and operation of boilers and unfired pressure vessels. The definitions and regulations must be based upon and shall follow the generally accepted nationwide engineering standards, formula, and practices established for boiler and unfired pressure vessel construction and safety.

NEW BOILERS AND UNFIRED PRESSURE VESSELS. A power boiler, low pressure boiler, or unfired pressure vessel that does not conform to the regulations adopted by the Department of Labor governing new construction and installation may not be installed and operated unless it is of special design or construction, and is not covered by the rules and regulations, or is not in any way inconsistent with the regulations, in which case the Department may issue a special installation and operating permit.

Exemptions:

(1) boilers and unfired pressure vessels under federal regulation;

(2) unfired pressure vessels meeting the requirements of the Department of Transportation and Public Facilities for shipment of liquids or gases under pressure;

(3) air tanks located on vehicles operating under the regulations of another state authority and used for carrying passengers or freight;

(4) air tanks installed on the right-of-way of railroads and used directly in the operation of trains;

(5) unfired pressure vessels having a volume of five cubic feet or less or vessels having an inside diameter not exceeding six inches;

(6) unfired pressure vessels designed for a pressure not exceeding 15 pounds per square inch when not located in a place of public assembly;

(7) manually fired miniature boilers for model locomotive, boat, tractor, or stationary engines constructed or maintained as a hobby for exhibition use, having a volume less than five cubic feet and grate area less than two square feet and equipped with an American Society of Mechanical Engineers coded safety valve of adequate capacity and size, a water level indicator and pressure gauge;

(8) except as provided in (c) of this section, antique manually fired boilers of locomotive, boat, tractor, or stationary engines constructed or maintained as a hobby and equipped with an American Society of Mechanical Engineers coded safety valve of adequate capacity and size.

(b) The following boilers and unfired pressure vessels are exempt from the requirements.

(1) boilers and unfired pressure vessels located on farms and used solely for agricultural purposes;

(2) steam and hot water heating boilers, used exclusively for heating purposes, that are located in private residences or in apartment houses of fewer than six families;

(3) unfired pressure vessels containing only cold water under pressure for domestic supply purposes, including those containing air, the compression of which serves only as a cushion or airlift pumping system;

(4) unfired pressure vessels containing liquefied petroleum gas;

(5) unfired pressure vessels operating entirely full of water, and hot water supply boilers or domestic water heaters, if none of the following limitations is exceeded:

(A) a heat input of 200,00 British thermal units per hour (57,143 watts);

(B) a water temperature of 210 degrees Fahrenheit (99 degrees centigrade);

(C) a maximum water-containing capacity of 120 gallons (454.2 liters);

(6) coil type boilers unless the water-containing capacity is six gallons (22.8 liters) or greater, the water temperature exceeds 350 degrees Fahrenheit (176.5 degrees centigrade), steam is generated in the coil, or the diameter of the tubing is greater than ~~three-quarters~~ of an inch (18.75 millimeters).

(c) Notwithstanding (a)(8) of this section, an antique manually fired boiler may not be used for exhibition purposes without a special operating permit issued by the Department of Labor. (Currently AS 18.60.180-220)

(5) Carry out those duties pursuant to 18.61.010.

CS SB 300

* P9 221 - SEC 12

ON A PUBLIC BLDG IF ~~IF~~ AREN'T THERE IS THERE
SUFF TIME TO CORRECT THE PROBLEM
S/ WE HAVE A WAIVER SYSTEM

T STEWART - LABOR DEPT - CONSOLIDATED ADMINISTRATION

IDEA HAS MERIT :

NOT SURE WHAT IS EFFECT OF ADOPTING FULL CODES

SOME CODES HAVE POPULATION MINIMUMS

DIDN'T ACCT FOR VARIOUS DUTIES OF PERSONNEL INVOLVED

BOARD SIZE - OVERWORKED

ALSO MAY BECOME EXPENSIVE TO DO IT ALL

DEPT OF LABOR HAS 22 PEOPLE IN BLDG INSPECTING

Tom Castner - IBEW

GOOD IDEA

* DON'T WANT TO TAKE FUNCTIONS FROM D. OF LABOR

Dwight Perkins - Plumbers

P4 112 - SINGLE FAMILY & CERTIFICATE OF FITNESS

BOARD MAKE-UP - COMBINE 1/2 ; 6 ET

MOVE 1 ADPT FROM LABOR - 2 PUBLIC

PREFER DEPT. OF LABOR

PLUMBING CODE - RESSAUS COMMENT

Joe Merole - Retired Contractor - Keyakinan

IDEA LONG OVERDUE

DON'T MAKE TOO MANY CHANGES TO IT

DON'T BELONG IN COMMERCIAL - S/B LABOR

OCCUPATIONAL LICENSING DOESN'T CARE

S.F.

WHO IS RESPONSIBLE FOR PAYMENT IS INSPECTOR IS IN ERROR?

ANY BLDG. w/ SASE \$ S/B INSPECTOR INCLUDING AHFC

ANY BLDG. USED FOR PROFIT S/B INSPECTOR

S.S.N.S

WHAT IF 4 DAY IS TAKEN TO CONDO -

Howard Hacker - SOLICITOR

GOOD IDEA

NEED MORE INSPECTORS ON BOARD

S/B ALL RESIDENTS ? ALL BLDGS

Van Caren - VALDER

GOOD IDEA

Bruce Gordon - BLDG OFFICIAL OF KODIAK

ARCHITECTS ? ENGINEERS S/B LIABLE WHEN NO MUNICIPAL CONTROL

Bill Senectre - FOLKS

APPEALS BUSIEST AT BUSIEST TIME - IN FALL

WALT GARDNER - ANCH

P.4 L5 ECONOMIC CONDITIONS S/N MATTER

P.4 L10 OIL

P.4 L12

P.4 L14 THWARTS INTENT OF BILL

P.6 L10 WANTS QUORUM TO BE 7

* P.9 L22 IS APPEAL AN APPROPRIATE WORD

HANDICAP ACCESSIBILITY S/N BE LEFT OUT

DRG. AIR FOR BARRIERS FREE ENVIRONMENT

FAVORS BILL

BUT WANTS ACCESSIBILITY STANDARD

PUT STANDARD BACK IN

ALREADY IN ALL STATE & FED PROJECTS

Jim Sigman - ANCH ARCH.

HANDICAP CODE S/N INSERT

SIZE OF KIDGS S/N BE ADDRESSED IN STATUTE

P.4 L4-5 - NO ECONOMIC CONCERNS

L12 -

P.5 BOARD MAKE UP

PUTTING INSPECTORS ON TS FOX OVER CHICKEN COOP

NO STATE OR MUNICIPAL PEOPLE ON IT

P.6 - L6-12 QUORUM S/N BE IN STATUTE

P.9 - L21-24 - APPEAL BEFORE VIOLATION

KEEP IT IN COMMERCIAL

McGLAWLIN - ARCH IN ANCH

DEPT DOESN'T REALLY MATTER PROFESSIONAL P.S.
PNT IN HANDICAP STANDARDS

RON WATTS

INTENT TO REDUCE BUREAUCRACY NOT EXPAND IT

LEGISLATIVE OVERSIGHT SECTION CREATES A PROBLEM

* PG 2 B MAKE COLLECTION OR MAKE PROVISION
TO CORRECT THE VIOLATION

JOHN MCCOOL - ANCH

WOODMAN - ANCH

WANTS ALL BODYS INCLUDED

* WHAT ABOUT LICENSES - WHO NEED WHAT

? WANT ADMIN APPEAL BETWEEN

DON'T TIE UP BOARDS W/ SMALL APPEALS

MEYER - ANCH

TO OBSERVE

NAME/REPRESENTING ADDRESS PHONE #

- 1.
- 2.
- 3.
- 4.
- 5.

2 TESTIFIED
 0 UNABLE
 0 OBSERVED
 2 TOTAL

3:23P/5:00P START/END TIME

* DELIVER TO: LSNCLCO *
 * ORIGINAL *
 * DATE: 01/19/98 TIME: 16:40 *
 * FROM: LIDC01V *
 * SUBJECT: H&C L&C, WORK'S-COMP, F-S, 1-19 *
 * PRINT DATE: 01/23/98 TIME: 10:00 *
 *

*** FINAL TELECONFERENCE STATISTICS ***

DATE: _____
 ORGANIZATION: _____
 SUBJECT: _____
 LOCAL MODERATOR: _____

OBSERVED:

NAME/REPRESENTING ADDRESS PHONE #

NAME/REPRESENTING	ADDRESS	PHONE #
BOB WESTER	16010 EASY STREET	ANCH 99501 272-0373
C. MCKEE	338 E 12TH AVE	ANCH 99501 272-0397
✓ R FULTS	6311 DEBARR RD #124	ANCH 99504 339-3992
JEFF DAY	1400 BENSON #350	ANCH 277-5454
JERRY BAYDEN	422- R STREET	ANCH 99503 562-2266
H.P. GAZAWAY	1521 W 14TH AVE	ANCH 99501 277-2073
✓ ED HITE	5653 RENEE CL	ANCH 99504 333-0254
NICHELE HOSKINS	8050 PIONEER	ANCH 338-0750

TESTIFIED: 00
 OBSERVED: 08
 TOTAL: 08

START TIME: 3:00PM
 END TIME: 5:30PM

* DELIVER TO: LKNCLD

* ORIGINAL

* SENT: 01/19/88 TIME: 17:14

* FROM: LIOCSIT

* SUBJECT: HSL&C;FS;WKRS COMP,1-19-88

* PRINT DATE: 01/21/88 TIME: 09:53

JANUARY 19, 1988

JOINT LABOR & COMMERCE COMMITTEE

MONITORING COMMISSION

SITKA

MODERATOR-ELAINE SURDE

CORRECTED FINAL STATS TO REFLECT CORRECT COMMITTEE

THERE WERE NO PARTICIPANTS IN SITKA.

-Q-TOTAL

-Q-OBSERVED

-Q-UNABLE

-Q-NOTIFIED

DIDN'T DIAL IN-START/END TIME

* DELIVER TO: LKNCLD

* ORIGINAL

* SENT: 01/19/88 TIME: 17:27

* FROM: LIOCFBX

* SUBJECT: HSL&C;FS;WORKMENS COMP,1-19-88

* PRINT DATE: 01/21/88 TIME: 09:53

*****FINAL STATS*****

DATE: _____ JANUARY 19, 1988 _____

SITE: _____ FAIRBANKS _____

SPONSOR: _____ JOINT LABOR & COMMERCE COMMITTEE _____

SUBJECT: _____ HE 352 & SB 322; WORKER'S COMPENSATION _____

MODERATOR: _____ FRAN _____

TESTIFY:

NAME\REPRESENTING	ADDRESS	PHONE: #
-------------------	---------	----------

OBSERVE:

NAME \ REPRESENTING	ADDRESS	PHONE #
1. RON WILLIS	1716 SOUTHERN, FBKS, 99709	456-7554
2. MIKE ANDREWS	408 HAINES, FBKS, 99701	456-7254
3. TERRY DUSZYNSKI	AIDE TO SEN. FANNING	452-7624
4. FRED PRATT	P.O. BOX 72981 FBKS, 99707	452-3061
5. JUDITH HANNIG	626 2ND ST., FBKS, 99701	456-8717
6. ART ROBERTSON	600 UNIVERSITY AVE., FBKS, 99712	456-6901
7. CINDY SEARVANT	1017 W. ARDEN, INTL. BELL	456-7761
8. JIM WILSON	AIDE TO SEN. FARENKAMP	452-4882

TESTIFIED _____ 0 _____
 OBSERVED _____ 8 _____
 TOTAL _____ 8 _____

TIME START ___ 3:10 P.M.
 TIME END ___ 5:00 P.M.

A REPORT ON

**CONSOLIDATION
OF STATE
BUILDING REGULATIONS**

**ALASKA CENTRAL CHAPTER
INTERNATIONAL CONFERENCE
OF BUILDING OFFICIALS**

DECEMBER 11, 1986

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INTRODUCTION

One of the basic responsibilities of government is the protection of the life, safety, and health of its citizens and the protection of their properties and possessions. The State of Alaska under its Constitution carries out this responsibility through its various agencies and through delegation of authority to local jurisdictions.

Police protection is provided at the state and local levels to deal with crimes of violence, theft, vandalism, arson, substance abuse, traffic violations, etc.

Safety protection is provided at the state and local levels through examination of the qualifications of persons in various professions and occupations and through inspection of work places. Safety protection also is provided through agencies for fire prevention and fire fighting.

Health protection is provided at the state and local levels to deal with food production, processing, preparation, distribution and dispensing. Health protection also is provided at the state and local levels through examination, licensing, and certifications of persons and businesses concerned with personal services, medical services, drug dispensing, and other health-related occupations and through inspection and certification of hospitals, clinics, and other health-care facilities.

Fire, life safety, health, and property protection is provided at the state and local levels through examination of the qualifications of persons in various professions and occupations, through review of construction drawings and specifications, and through inspection of construction sites and work places.

Fire, life safety, health, and property protection is a major concern of those who are involved in the design, code review, construction, and maintenance of buildings and facilities. These buildings and facilities range through the whole spectrum of single family residences, high-rise hotels and apartment buildings, office buildings, schools, government facilities, hospitals, prisons, shopping centers, commercial and industrial structures, etc.

A great number of state and local agencies have adopted regulations covering the design, construction, and maintenance of buildings and facilities and the various occupations, trades, and professions involved. These many agencies have produced great numbers of regulations and, in the process, have adopted a vast array of codes and standards. Most of these regulations are

* "The people's safety is the highest law. - Roman legal and political maxim". Dr. Laurence J. Peter, THE PETER PYRAMID (New York: William Morrow and Company, 1986), p. 150.

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

A REPORT ON

**CONSOLIDATION
OF STATE
BUILDING REGULATIONS**

**ALASKA CENTRAL CHAPTER
INTERNATIONAL CONFERENCE
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DECEMBER 11, 1986

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INTRODUCTION

One of the basic responsibilities of government is the protection of the life, safety, and health of its citizens and the protection of their properties and possessions. The State of Alaska under its Constitution carries out this responsibility through its various agencies and through delegation of authority to local jurisdictions.

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Fire, life safety, health, and property protection is a major concern of those who are involved in the design, code review, construction, and maintenance of buildings and facilities. These buildings and facilities range through the whole spectrum of single family residences, high-rise hotels and apartment buildings, office buildings, schools, government facilities, hospitals, prisons, shopping centers, commercial and industrial structures, etc.

A great number of state and local agencies have adopted regulations covering the design, construction, and maintenance of buildings and facilities and the various occupations, trades, and professions involved. These many agencies have produced great numbers of regulations and, in the process, have adopted a vast array of codes and standards. Most of these regulations are

* "The people's safety is the highest law. - Roman legal and political maxim". Dr. Laurence J. Peter, THE PETER PYRAMID (New York: William Morrow and Company, 1986), p. 150.

ly technical, but in many cases have been created independently and without knowledgeable coordination. This has resulted in an overlapping of regulations, with conflicts of enforcement by different agencies and jurisdictions, and with inconsistencies between the codes and standards.

Building and construction regulations in Alaska have grown too large, complex, and conflicting. Their enforcement is inconsistent, repetitive, time-consuming, and expensive. The costs and time delays created by these regulations have become too great for the government, the design professionals, the construction industry, and the consumers to bear in these days of diminished revenues and increasing operating and capital costs.

The Alaska Central Chapter International Conference of Building Officials together with other professional organizations and construction industry groups is concerned about the many regulations, codes and standards covering the construction industry and the increasing complexities of their enforcement. There is concern about the deepening of frustrations faced by construction industry personnel and government employees as they face multiplying inconsistencies and duplications of regulations. There is concern that these frustrations could lead to further disregard for sound practices and provisions that are intended to protect the life, safety, and health of the people of Alaska and its visitors.

The Committee on State Building Codes of the Alaska Central Chapter International Conference of Building Officials has been working since January, 1986, to delineate the full scope of the building regulations problems and to formulate methods of solving those problems in ways that will help to reduce the code enforcement costs to governments, construction industry enterprises and to the public while maintaining standards to assure protection of life, safety, and health and to preserve property assets.

Other states have faced these same problems. Arizona, Indiana, Oregon, and Montana each recently have reorganized their fragmented code-enforcement and permit agencies into single, consolidated departments. The success of these other states indicate that the State of Alaska can be successful also in achieving these cost-saving and time-saving goals.

- "In government and out, there are vast realms of bureaucracy dedicated to seeking more information, in perpetuity, if need be, in order to avoid taking action. - Peg Greenfield". Dr. Laurence J. Peter, THE PETER PYRAMID (New York: William Morrow and Company, 1986), p. 72.

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

INTRODUCTION

One of the basic responsibilities of government is the protection of the life, safety, and health of its citizens and the protection of their properties and possessions. The State of Alaska under its Constitution carries out this responsibility through its various agencies and through delegation of authority to local jurisdictions.

Police protection is provided at the state and local levels to deal with crimes of violence, theft, vandalism, arson, substance abuse, traffic violations, etc.

Safety protection is provided at the state and local levels through examination of the qualifications of persons in various professions and occupations and through inspection of work places. Safety protection also is provided through agencies for fire prevention and fire fighting.

Health protection is provided at the state and local levels to deal with food production, processing, preparation, distribution and dispensing. Health protection also is provided at the state and local levels through examination, licensing, and certifications of persons and businesses concerned with personal services, medical services, drug dispensing, and other health-related occupations and through inspection and certification of hospitals, clinics, and other health-care facilities.

Fire, life safety, health, and property protection is provided at the state and local levels through examination of the qualifications of persons in various professions and occupations, through review of construction drawings and specifications, and through inspection of construction sites and work places.

Fire, life safety, health, and property protection is a major concern of those who are involved in the design, code review, construction, and maintenance of buildings and facilities. These buildings and facilities range through the whole spectrum of single family residences, high-rise hotels and apartment buildings, office buildings, schools, government facilities, hospitals, prisons, shopping centers, commercial and industrial structures, etc.

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The Alaska Central Chapter International Conference of Building Officials together with other professional organizations and construction industry groups is concerned about the many regulations, codes and standards covering the construction industry and the increasing complexities of their enforcement. There is concern about the deepening of frustrations faced by construction industry personnel and government employees as they face multiplying inconsistencies and duplications of regulations. There is concern that these frustrations could lead to further disregard for sound practices and provisions that are intended to protect the life, safety, and health of the people of Alaska and its visitors.

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HISTORICAL BACKGROUND

BUILDING REGULATIONS

The regulation of building construction is not a recent phenomenon. It can be traced throughout recorded history for over 4000 years. The concern for peoples' safety has increased with the development of civilizations from early, nomadic societies, through mercantile and industrial cities, to our present concern with "high-rise" building fires and toxically "sick" homes and workplaces.

The purpose of rules and regulations covering building design, construction, and use is to provide minimum standards to safeguard life or limb, health, property, and public welfare. These minimum standards are best defined through adoption of model codes and standards which have been developed and refined through a broad-based consensus of designers, constructors, materials producers, researchers, code enforcement officials, and building owners and users.

The State of Alaska and its local jurisdictions have been using such model codes and standards for decades. Most of the codes and standards that have been adopted have been the ones that also are most commonly used throughout the Western United States. The provisions of these codes and standards are known and understood by the construction industry in Alaska and the local and national suppliers to it.

Table 1 shows a list of the building regulations adopted by the State of Alaska, the year when first adopted, the department responsible for enforcement, the Alaska Statute authorizing adoption, the Alaska Administrative Code regulations for enforcement, and the model codes and standards adopted. This list is not complete nor does it include the many, many codes and standards referred to and made a part of these model codes and standards.

However, the adoption of such model codes and standards by the State of Alaska and its local jurisdictions have been fragmented, inconsistent, and out of time sequence. Different departments and agencies have established regulations that adopt codes and standards that are different from those adopted by other departments and agencies. Some have adopted portions of one model code or standard while others have adopted other

* "When you build a new house, make a parapet around your roof so that you may not bring the guilt of bloodshed on your house if someone falls from the roof". Deuteronomy 22:8, HOLY BIBLE, New International Version (East Brunswick NJ, New York International Bible Society, 1978).

* "All unenclosed floor and roof openings, - - - and roofs used for other than service of the building shall be protected by a guardrail". Section 1711, UNIFORM BUILDING CODE, 1985 Edition (Whittier CA, 1985), p. 82.

TABLE 1

BUILDING REGULATIONS ADOPTED BY THE STATE OF ALASKA

ACTIVITY	YEAR	DEPT	STATUTE	REGULATIONS	STANDARDS CURRENTLY ENFORCED
Architectural Barriers	1967	DOTPF	AS 35,10,015	17 AAC 50,010	ANSI A117.1, 1980 Specifications for Making Buildings and Facilities Accessible to and Usable by Physically Handicapped People
Architect, Engineers & Land Surveyors	1972	Comm & Econ Dev	AS 08,48,011	12 AAC 36,010-250	--
Boiler & Pressure Vessels	1955	Labor	AS 18,60,180	08 AAC 80,010-900	ASME Boiler & Pressure Vessel Code, 1983
Certificate of Fitness	1974	Labor	AS 18,62,020	08 AAC 90,010-900	National Electrical Code, 1984 National Electrical Safety Code, 1984
Contractor Licensing	1968	Comm & Econ Dev	AS 08,18,011	12 AAC 21,010-300	--
Electrical Administrator	1960	Comm & Econ Dev	AS 08,40,010	12 AAC 02,010-900	National Electrical Code, 1984 National Electrical Safety Code, 1984
Electric Work	1969	Labor	AS 18,60,580	08 AAC 70,010-090	NFPA 70 National Electrical Code, 1984
Elevators	1976	Labor	AS 18,60,800	08 AAC 77,005-905	ANSI/ASME A17.1, 1984 Safety Code for Elevators, Dumb-walters, Escalators, and Moving Walks
Fire Prevention	1955 1973	Public Safety	AS 18,70,010	13 AAC 50,010-080	Uniform Building Code, 1985 Uniform Fire Code, 1985 Uniform Mechanical Code, 1985 NFPA 10, 13, 13A, 53M, 56A, 56B, 56C, 56F, 76A
Health Care Facilities	1949	Health & Soc Serv	AS 18,20,060	07 AAC 09,050-	NFPA 101 Life Safety Code National Electrical Code, 1984 Uniform Building Code, 1985 Uniform Mechanical Code, 1985 Uniform Plumbing Code, 1979 ANSI/ASME A17.1, 1984 Safety Code for Elevators, Dumb-walters, Escalators, and Moving Walks
High Voltage Lines	1972	Labor	AS 18,60,670	--	--
Occupational Safety & Health	1955 1973	Labor	AS 18,60,01 AS 08,52,010	08 AAC 61,010-960 08 AAC 62,010-070 08 AAC 75,010-030	Occupational Safety & Health Explosive Handlers Bldg Safety Regulations
Piping	1970	Labor	AS 18,60,850	--	ASME B31.1 Power Piping, 1967 ASME B31.2 Fuel Gas Pipe, 1968 ASME B31.3 Petroleum Pipe, 1966 ASME B31.4 Liquid Petrol Piping, 1966 ASME B31.4a L P Piping, Transport, 1968 ASME B31.8 Gas Transmission, 1968
Plumbing Code	1972	Labor	AS 18,60,705	08 AAC 63,010-030	Uniform Plumbing Code, 1979
Recreational Devices	1967	Labor	AS 05,20,010	13 AAC 15,160-320	ASME B77.1, 1960 Safety Code for Aerial Passenger Trunways Uniform Building Code, 1967 NFPA 101 Life Safety Code, 1967
Water & Wastewater Quality	1971	Environ Conserv	AS 46,03,020	18 AAC 50,010-900 18 AAC 70,010-110 18 AAC 72,010-990 18 AAC 75,010-900 18 AAC 80,010-900	Air Quality Control Water Quality Standards Wastewater Disposal Oil & Hazardous Substance Pollution Control Drinking Water

portions of the same code or standard. This has resulted in codes and standards dealing with building regulations being scattered through many nine different departments of the State of Alaska. Table 2 shows nine departments involved with building regulations, the enforcing divisions, and the construction activity or business use involved.

LOCAL ADOPTION OF BUILDING REGULATIONS

Local jurisdictions within the State of Alaska also have adopted building regulations. The major municipalities of Anchorage, Fairbanks, and Juneau have established building safety divisions with plan review, permit issuing, and code inspection services, and quasi-judicial boards of appeal. Other cities have partial permit issuing and inspection services. Other localities depend entirely upon state agencies for building regulation and enforcement.

Some of the model codes and standards used by the State of Alaska have been adopted by acts of the Legislature. Others have been adopted in regulations established in the Alaska Administrative Code. Adoption at the local levels have been by city councils, borough assemblies and municipal assemblies. Amendments to the model codes and standards have been made at state and local levels. The model codes and standards adopted have been adopted by the different local and state agencies at different times and off different editions. The amendments have not been coordinated between agencies nor between local and state levels.

BUILDING REGULATION REFORM IN OTHER STATES

Four other states within recent years have undertaken major reform of their building regulations and the enforcement agencies. The State of Arizona recently combined the Office of Manufactured Housing and the Office of the State Fire Marshal into a new Department of Building and Fire Safety. The State of Oregon revised its building code system in the early 1970's. The State of Indiana undertook that task in 1984-1985. The State of Montana began this process in 1985.

Oregon:*

The State of Oregon faced a situation during the 1950's and 1960's very similar to that being experienced by the State of Alaska today. There were four state agencies enforcing building regulations with code conflicts, duplications, and differences of interpretation.

The Health Department enforced the plumbing code, but without permit or inspection services.

* Walter M. Friday PE, OREGON'S EXPERIMENT IN STATEWIDE CODE CONFORMITY, THIRD YEAR (Oregon State Department of Commerce, September 1976)

TABLE 2

FRAGMENTED BUILDING REGULATIONS AS ADMINISTERED
WITHIN THE STATE OF ALASKA

DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT	DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS	DEPARTMENT OF EDUCATION	DEPARTMENT OF ENVIRONMENTAL CONSERVATION	DEPARTMENT OF HEALTH AND SOCIAL SERVICES	DEPARTMENT OF LABOR
Division of Occupational Licensing	Division of Community Development	Education Finance and Support Services	Division of Environmental Quality	Division of Planning	Division of Labor Standards
Architects Contractors Electric Admin Engineers Land Surveyors	Energy Conservation In Residential Buildings	School Construction Plan Reviews	Drinking Water Plan Reviews Inspections Wastewater Disposal Inspections	Health Care Construction Plan Reviews	Amusement Rides Ski Lifts Boilers Electrical Elevators Plumbing Permits -- Boiler Certification -- Elevator
Division of Measurement Standards	Division of Energy				OSHA
Mobile Home Inspection	Grants Loans				Safety Compliance Voluntary Compliance Industrial Hygiene Powder Handling Hazardous Materials
DEPARTMENT OF PUBLIC SAFETY	DEPARTMENT OF REVENUE	DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES			
Division of Fire Prevention	Alaska Housing Finance Corp	Design and Construction			
Arson Investig Fire Code Inspection Building Plan Reviews Fire Service Training Fireworks Permits Hazardous Materials	Loans for Residential Construction Business Loans	Building Plan Reviews Building Const Inspection Permit Reviews Harbors & Waters			

The Bureau of Labor enforced the electrical code, boiler code, and elevator code.

The State Fire Marshal enforced the fire and exit requirements. There were minimal state codes and no structural or mechanical codes were enforced.

Cities and counties usually adopted the Uniform Building Code, but amended it at their discretion. There was no continuity or uniformity of policy in building regulation matters.

Except for the larger cities, there was little regulation of mechanical systems.

Legislation was proposed in 1971, but not enacted, to establish a unified building code system. The existing state building regulations and enforcement agencies were unified into a single department by administrative action. Legislation was passed in 1973 that mandated a statewide building code regulatory agency in one department. The building code regulatory reform in Oregon has proven to be very successful. It has reduced the duplications and inconsistencies, eliminated costly construction delays, and fewer, but more qualified code enforcement employees. Key points in the adopting legislation called for:

Statewide building code uniformity at all levels of government.

Adoption of model codes and standards.

Local code enforcement.

Certification of Building inspectors and officials.

Plumbing permit fee and inspection system.

Indiana:*

Indiana Public Law 8-1984 established a new Department of Fire Prevention and Building Safety and a new Fire Prevention and Building Safety Commission. The new department would combine all state building and fire regulation activities into one agency and would create an umbrella agency to coordinate, prioritize, and unify all sub-agency operations.

* Charles W. Coffee, Consolidated Fire and Building Department Enforcement - A Success Story, BUILDING STANDARDS (Whittier, CA: International Conference of Building Officials, September - October 1986), pp. 24-27.

The new 15-member (unpaid) Fire Prevention and Building Safety Commission has consolidated the myriad codes and standards into a unified code system and has acted as an appeals board to resolve code disputes between the public and code administrative officials.

COMPARISON OF ALASKA WITH OTHER STATES

Table 3 shows the complexities of building regulation enforcement in the State of Alaska - through its many different departments - compared with Arizona, Indiana, Oregon, and Montana who use single, unified agencies.

BUILDING REGULATION REFORM IN ALASKA

Beginning in the early 1970's there was concern within the State of Alaska for some degree of uniformity in building codes and regulations and code enforcement. Concerned individuals and groups expressed an interest in consolidating the building regulation functions. Task forces were formed, studies were made and reports were published. Legislative bills were introduced. Regulatory reform recommendations came from within the State administration, from within the Legislature, from private organizations, professional societies, and individuals. The recommendations ranged from establishing better planning and coordination among the various state and local agencies to consideration of existing agency functions into one state-wide agency.

During 1979-1982 an administrative attempt at regulatory reform was made by the Regulatory Reform Action Plan. Included in it were provisions to: eliminate duplicative and/or contradictory regulations at all levels to avoid "layering"; streamline the regulatory process, abolish all rules, reports, permits, codes, and licenses that did not have a "public interest"; and to consolidate the primary building regulation functions into one agency. However, legislation was not enacted and the Plan died.

The second Task Force on Fire Prevention and Control was created by the 1984 Legislature to look at the entire fire problem in the State of Alaska. Among the mandates of this task was to study the activities of the various fire protection groups in the state and submit a report making recommendations to improve fire prevention and control. The report stated:

"The state shall promote a uniform interagency system for building and safety code enforcement to encompass all aspects of construction and building maintenance, including but not limited to fire, electrical, structural, plumbing, sanitation, energy, handicapped and accident safety, and the program of incentives for local jurisdictions to administer their own programs."

* Report of the Second Task Force on Fire Prevention and Control, FIRE, ALASKA'S PUBLIC SAFETY CRISIS (December, 1984) p. 53-54.

TABLE 3 ALASKA BUILDING REGULATIONS COMPARED TO OTHER STATES

- Enforced
- Now by Department of Law
- By other agencies

ALASKA
 Department of Commerce and Economic Development
 Department of Community and Regional Affairs
 Department of Education
 Department of Environmental Conservation
 Department of Health and Social Services
 Department of Labor
 Department of Public Safety
 Department of Revenue
 Department of Transportation and Public Facilities
 (State-funded buildings only)

Municipality of Anchorage
 City of Fairbanks
 City and Borough of Juneau

ARIZONA
 Department of Building and Fire Safety

INDIANA
 Department of Fire Prevention and Building Safety

MONTANA
 Department of Commerce, Building Codes Bureau

OREGON
 Department of Commerce, Building Codes Division

APPLICATION	MODEL CODE OR STANDARD	ALASKA	ANCHORAGE	FAIRBANKS	JUNEAU	ARIZONA	INDIANA	MONTANA	OREGON
Access/use by disabled/agud	ANSI Access Standard	●							
Code administration	Uniform Admin Code		●	●					
Door/window security	Uniform Security Code		●	●					
Dwelling construction	BOCA 1-2 Dwelling Code								
Dwelling construction	Uniform Housing Code		●						
Elevator/escalator safety	ANSI Elevator Code					●	●	●	●
Energy conservation	ASHRAE Energy Standard	●				●			
Energy conservation	Uniform Energy Code								
Electrical safety	ANSI Elect Safety Code		●	●	●	●	●	●	●
Electrical systems	NFPA Electrical Code		●	●	●	●	●	●	●
Fire safety	Uniform Fire Code		●	●	●	●	●	●	●
Institutional safety	NFPA Life Safety Code		●	●	●	●	●	●	●
Mechanical systems	Uniform Mech Code		●	●	●	●	●	●	●
Mobile home manufacturing	NFPA Mobile Home Std	□	●	●	●	●	●	●	●
Plumbing systems	Uniform Plumbing Code		●	●	●	●	●	●	●
Sign construction	Uniform Sign Code		●	●	●	●	●	●	●
Structural/life safety	Uniform Building Code		●	●	●	●	●	●	●
Substandard structures	Uniform Abatement Code		●	●	●	●	●	●	●
Aerial tramways			●						
Air quality		●							
Boilers			●						
Carnival rides			●						
Construction safety			●						
High voltage lines			●						
Industrial housing			●						
Pipe lines			●						
Pollution control			●						
Ski lifts			●						
Water quality			●						
Wastewater disposal			●						
Professional registrations									
Architect		●							
Engineer		●							
Land Surveyor		●					○	○	○
Occupational licenses									
Construction Contractor		●							
Electrician			●	●	●	●	●	●	●
Electrical Administrator		●							
Mechanical			●	●	●	●	●	●	●
Plumbing			●	●	●	●	●	●	●

BUILDING REGULATION REFORM ACTIVITIES BY THE ALASKA CHAPTERS OF THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS

During 1985 the three Alaska chapters of the International Conference of Building Officials held a teleconference and a number of meetings to discuss the the problems of and the need for building regulation reform within the State of Alaska. In January, 1986 the Alaska Central Chapter ICBO decided to form the Committee on State Building Codes to be the nucleus for a state-wide effort to instigate the changes needed in the ways the State of Alaska and its local jurisdictions were adopting and enforcing (or not enforcing) building regulations.

The objectives of this state-wide effort are to streamline procedures for adopting building regulations, codes, and standards within the State of Alaska, to consolidate the fragmented state code agencies into one, unified code enforcement agency, to streamline the enforcement of building regulations, and to establish an effective, quick-acting appeals process for code and regulation disputes.

INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS

The International Conference of Building Officials (ICBO) is a non-profit organization, headquartered in Whittier, California, which has been publishing the Uniform Building Codes and Standards since 1922. The Uniform "family" of codes and standards have been adopted by the Municipality of Anchorage, the State of Alaska, and government units throughout Alaska and the Lower 48 states. Agencies of State of Alaska, the Municipality of Anchorage, City of Fairbanks, City and Borough of Juneau, and many other Alaska cities and boroughs are Class A (voting) members of ICBO.

There are three, independent chapters of ICBO in Alaska. Each is affiliated with the International Conference of Building Officials. Members of these chapters include building officials, fire officials, architects, engineers, builders, contractors, material suppliers, and others interested in codes and standards for better design and construction and who work toward improvement of the safety of buildings and structures throughout Alaska.

The Alaska Central Chapter ICBO was formed in 1979 and organized as a non-profit corporation in Alaska in 1984. Its geographic area is generally south of the Denali Highway and Norton Sound and west of the Richardson Highway. The Alaska Northern Chapter ICBO was formed in 1985. Its geographic area is generally north of Norton Sound, the Denali Highway, and the Wrangell Mountains and east of the Richardson Highway. The Alaska Southeastern Chapter ICBO was formed in 1985. Its geographic area is generally southeastern Alaska.

PROBLEM STATEMENTS

UNKNOWN EXTENT OF BUILDING REGULATIONS

Many, many state, federal, and local departments, division agencies, boards and commissions administer an uncounted number of rules, regulations, codes and standards covering the construction industry. As previously stated, Table 2 shows an incomplete list of the jurisdiction of state departments and the segments of the construction process covered.

There is not available to the public a comprehensive list of the rules, regulations, codes and standards that apply to the design, construction, and use of buildings and structures within the State of Alaska.

The latest known outline of the government regulatory permits currently required in Alaska is given in the 360-page book "DIRECTORY OF PERMITS". This publication disclaims being the "final authority on permits in Alaska" because of "inadequate information and time constraints". It was prepared by the Alaska Department of Environmental Conservation, but it costs \$85.00 per copy and is available only from the publisher in Seattle.

The only other known current recap of statutes and regulations relating to building construction is in "DESIGN STANDARD MANUAL FOR BUILDINGS", published by the Alaska Department of Transportation and Public Facilities. It was last revised in February, 1984 and usually is available only to design professionals who are performing services for this agency.

An overview of permits required for civil engineering work in the Municipality of Anchorage is in "PROCEDURES FOR OBTAINING MUNICIPAL AND STATE PERMITS IN THE MUNICIPALITY OF ANCHORAGE". It was published privately by DUWL Engineers in November, 1984 for the use of its staff and consultants. It is not available to the general public.

An outdated list is in "ALASKA BUILDING CODE SURVEY AND DIRECTORY OF CODE ENFORCEMENT OFFICIALS", published June 1, 1981 by the Codes and Standards Committee, Alaska Chapter The American Institute of Architects.

PROBLEM: How can the State of Alaska and its local jurisdictions expect design professionals, contractors, developers, suppliers, and the general public to comply with building regulations the extent of which even the code enforcement personnel do not know?

* DIRECTORY OF PERMITS, State of Alaska, Department of Environmental Conservation (Seattle, WA: (Book Publishing Company, 1985), Title page.

UNCOORDINATED ADOPTION OF MODEL CODES AND STANDARDS

Model building codes and standards are published by a number of non-profit organizations. The most commonly used in Alaska and the Western United States are the "Uniform" codes and standards, published by the International Conference of Building Officials (ICBO). Other codes and standards in common use are those published by the National Fire Protection Association (NFPA), American National Standards Institute (ANSI), American Society for Testing Materials (ASTM), American Concrete Institute (ACI), American Institute for Steel Construction (AISC), and similar organizations.

These codes and standards usually are revised on an annual basis using a consensus method with nation-wide participation. New editions are published periodically - usually every three years. The latest editions reflect the most modern state of the art of building design, product manufacture, construction techniques, and safety protection. These codes and standards commonly inter-relate to each other. The latest revision to one usually reflected by a corresponding revision in others.

An incomplete review of current and past statutes, regulations, rules, and ordinances shows that state agencies and local jurisdictions sometimes have adopted different codes or standards covering the same subjects.

EXAMPLE: An agency of the State of Alaska adopted a code that differed from all the others in current use at that time and that was then out of print and had been for a decade or more.

State of Alaska agencies and local jurisdictions often adopt different editions of the same codes and standards. This creates conflicts when code provisions have been revised in the latest editions.

EXAMPLE: A state agency was using an edition of a model code that was nine years older than that used by local jurisdictions. The old edition was out of print and had not been available for six years.

State of Alaska agencies and local jurisdictions often adopt only parts of codes and standards without due consideration for other related provisions within the code or standard.

EXAMPLE: The Division of Fire Prevention has adopted only portions of the 1985 editions of the Uniform Building Code, Uniform Fire Code and related standards in the Alaska Fire Prevention Code. Some of the deleted provisions have been adopted and enforced by other agencies, but some have not. All are important for protection of people and property.

Some agencies adopt codes and standards but only enforce portions of them.

EXAMPLE: The Division of Fire Prevention previously had adopted chapters concerning structural design and construction in the 1979 editions of the Uniform Building Code and Uniform Building Code Standards in the Alaska Fire Prevention Code. This agency, however, did not review drawings for compliance of the structural design nor did it do field inspections for compliance of the construction.

PROBLEM: How can the State of Alaska and its local jurisdictions expect design professionals, contractors, developers, suppliers, and the general public to comply with building regulations based on model codes and standards that conflict?

FRAGMENTED ADOPTION OF BUILDING REGULATIONS

State agencies and local jurisdictions adopt rules, regulations, codes and standards and revisions to them by different methods and at different times. Some are adopted by legislative action, some by administrative action, some by actions of local governmental units.

EXAMPLE: Revisions to the State Plumbing Code are made only by legislative action to amend applicable sections of Alaska Statutes. Revisions to the Alaska Fire Prevention Code are made administratively to amend applicable provisions in the Alaska Administrative Code.

The time required for adoption of revisions of state rules and regulations to adopt the latest editions of model codes and standards can be very lengthy resulting in confusions during design and construction of buildings and facilities and certifications of materials and equipment used in them.

EXAMPLE: The Alaska Plumbing Code still utilizes portions of the 1979 edition of the Uniform Plumbing Code and standards. Most local jurisdictions in Alaska and most jurisdictions in other western states have been using the 1982 editions for 3 or more years. Many have adopted or are in the process of adopting the 1985 editions.

EXAMPLE: Until recently^{*}, the Alaska Fire Prevention Code utilized portions of the 1979 editions of the Uniform Building Code and Uniform fire Code and related codes and standards. Most local jurisdictions in Alaska and most jurisdictions in other western states have been using the 1982 editions for 3 or more years. Many had adopted or were in the process of adopting the 1985 editions.

* The latest revisions to the Alaska Fire Prevention Code, incorporated in Title 13 AAC 50, 51, 53, and 55, became effective October 1, 1986, but still were not available to the general public at the time that this was written.

PROBLEM: How can the State of Alaska and its local jurisdictions expect design professionals, contractors, developers, suppliers, and the general public to comply with building regulations that overlap in jurisdiction and conflict with others?

INCONSISTENCIES AND CONFLICTS

Problems are created when the jurisdictions of different agencies overlap and conflicting provisions from different code or standard or from different editions of the same code or standard are applied to the same project. What is allowed in one code or standard may be prohibited in different code or standard and vice versa. These conflicts may arise during the review of the design, during construction, and - in the worst case - after construction is completed and the building is occupied.

EXAMPLE: Until recently, the 1979 edition of the Uniform Building Code, as utilized in the Alaska Fire Prevention Code, allowed stair risers to be a maximum of 7.5 inches high and stair treads at least 10.5 inches wide. The 1985 edition, as utilized by the Municipality of Anchorage, only allows stair risers up to 7.0 inches high and stair treads at least 11 inches wide. Thus a 10 foot story height in Eagle River (under the State Fire Marshal's Jurisdiction) would require only 16 risers and 15 treads. In nearby Mountain View (within a municipal service area) there would have to be at least 18 risers and 17 treads. These differences are compounded in stairs connecting multiple stories. The reconstruction cost to correct inadvertent discrepancies can be very expensive.

Problems are created when a provision in one code or standard is negated by another code or standard. Each agency usually insists upon compliance with the minimum requirements of its own regulations. This will result in extended construction delays while individuals and firms try to resolve inter-agency differences or will result in the overbuilding far in excess of the intention when the construction must meet both codes.

EXAMPLE: One governmental unit nearly lost its federal funds due to non-compliance with federal regulations while use of a building element was delayed for months by a dispute between state and local agencies.

Problems are created when the latest edition of a code or standard is adopted by one agency or jurisdiction while another is still using an older edition of the same or related code or standard. These editions may differ by 3 to 6 years.

EXAMPLE: The Alaska Division of Fire Prevention had adopted the 1970 editions of the Uniform Building Code, Uniform Fire Code and related standards in the Alaska Fire Prevention Code. The Greater Anchorage Area Borough and then the Municipality of Anchorage adopted and enforced the 1970, 1973, 1976, and 1979 editions. Parts of the Borough (and then the Municipality) were covered by the latest editions while the rest of it was under the older (out of print) version.

FRAGMENTED METHODS OF ADOPTION OF BUILDING REGULATIONS

Problems are created when different methods of adoption are used. Meaningful public testimony and input can be difficult. The process often involves decisions by officials who do not have adequate understanding of the complex, technical issues. When public testimony by knowledgeable individuals is restricted by time or geographic constraints, conflicts and inconsistencies can be added in regulations or amendments to model codes and standards without expert testimony or in response to testimony only by restrictive special interest groups.

EXAMPLE: House Bill 63 of the 1986 Legislature amended the 1985 edition of Uniform Plumbing Code, as utilized in the Alaska Plumbing Code, but did not provide for the effects it would have on provisions of other model codes such as the National Electrical Code as adopted by the state and local jurisdictions. This bill was vetoed by the Governor and, hopefully, will be re-introduced in an improved version.

Problems are created when different agencies are constrained from enforcing provisions of state and local regulations which lie outside of an agency's principal area of power. During the review of drawings, specifications, or documents, an agency may discover violations of the regulations of other agencies, but must approve the submittals to their agency and are prevented or hindered from reporting the violations discovered.

EXAMPLE: The Division of Fire Prevention, during review of drawings and specifications, may discover design defects and violations of the regulations of the Department of Commerce and Economic Development, the Department of Labor, or other state agency. The State Fire Marshal is prohibited from disapproving the drawings based on those defects. They may be reviewed only for fire exiting and fire-resistive construction. If the drawings meet those minimum requirements, they must be approved, even if they have violated other state laws.

Problems are created when an agency may discover violations of the regulations of other agencies, but are forced to approve the submittals under the jurisdiction of the agency and is prevented or hindered from reporting other violations discovered.

EXAMPLE: The Division of Fire Prevention, during the review of drawings, specifications, or documents, may discover that that one or more of the designers is not be licensed to practice in Alaska. The State Fire Marshal is allowed to report the non-licensing violation to the Division of Occupational Licensing. The Division of Occupational Licensing may investigate and find that there is illegal practice and refer it to the Attorney General for action. The Attorney General may (but usually doesn't) take action in the courts. Meanwhile the building has been built based on approvals only for fire exits and fire resistive construction. It may contain structural, environmental, or other defects due to the lack of appropriate technical knowledge by the unlicensed party.

Problems are created when two or more agencies have overlapping jurisdiction and the plan reviewers, field inspectors, and supervisors of the different agencies do not have corresponding levels of training, and state-of-the-art knowledge of codes, standards, and construction techniques.

EXAMPLE: Drawings may be reviewed and approved by an experienced, long-time plan reviewer in one agency. Construction according to the approved plans may be inspected by a field inspector from another agency who has some construction experience but limited code enforcement experience. The field inspector may reject the construction technique or equipment and insist on reconstruction based on the way the inspector thinks that it should be done. A later inspection may require that the work be reconstructed yet again according to the approved plans.

DELAYS AND DUPLICATIONS

Multiple permits, design reviews, and code compliance inspections usually are required for an individual building to be constructed. The offices of the various agencies involved usually are in a different location, often in a different city or region.

There are duplications of permit processing, agency review, and field inspection. Two or more agencies may perform the same or related review of drawings, specifications, and other documents. Many agencies may perform the same or related field inspection of buildings and facilities - some during construction and some after.

Delays are created when agency personnel visit the construction site at different times to perform overlapping and duplicate code compliance inspections.

Problems of duplication are created when multiple sets of drawings, specifications, and other documents must be submitted to different agencies that have overlapping jurisdiction. Comments noted on the review set returned from one agency have to be correlated with the comments on another review set from another agency. During the rush of design, bidding, and construction, human errors can compound problems when conflicts or violations are not resolved and corrected.

Delays are created when there are conflicts between agencies over interpretation and application of code and standards provisions. These delays are compounded when mail between cities is delayed. These delays can be extensive when resolution of conflicts must be referred to higher levels of agencies.

ADDITIONAL COSTS

There is duplication of services with increased personnel and administrative costs when two or more one agencies perform the same or closely-related reviews.

EXAMPLE: The Alaska Division of Fire Prevention, Alaska Department Transportation, the City of Seward, and other agencies performed review of the State Prison in Seward with a duplication of plan review fees. The City of Seward used an out-of-state code review service. Many agencies performed on-site field inspections, most of which were redundant. There were additional costs to resolve the conflicts between the various agencies due to different interpretations of code provisions.

There are increased travel and personnel costs when two or more agencies perform the same or closely-related field inspections on the same project.

There are increased costs when design professionals, general contractors, specialty contractors, builders, and code officials have to research the current, applicable rules and regulations concerning building design and construction. The current, fragmented regulatory structure is extremely wasteful in time and money in a period of declining revenues and increased competition.

In many cases, current, detailed knowledge of the fragmented regulatory structure is beyond the personnel resources and budgets of the individuals, firms, and agencies concerned.

Frustrations with the fragmented regulatory structure can lead to willful non-compliance with the rules, regulations, codes, and standards with the hope that the violations may not be discovered. This often results in wasteful redesign and reconstruction, and/or increased life safety danger. In many cases the discovery is made long after the construction is complete and correction must be made at the owner's expense.

APPEALS OF DECISIONS

Most model codes provide for establishment of an independent Appeals Board to consider appeals of code interpretation by officials and to provide for alternate materials and methods of construction. The members of these appeals boards usually are knowledgeable about design and construction and with code provisions. Many local jurisdictions in Alaska and state-wide agencies in most other states have appointed such appeals boards as a low-cost, quick-acting means of resolving code enforcement disputes.

The various state agencies in Alaska have deleted such appeals boards when adopting the model codes. The appeals usually go only to the division head or the department commissioner. These individuals usually do not have the technical expertise to make the necessary judgements. The case then must be appealed to the court system. This adds to the overburden of the court system with lengthy delays in construction or - more likely - the construction proceeds, based on the official ruling which may not be correct and often unnecessary and expensive. Meanwhile frustration builds because of the lack of speedy due process.

The construction seasons are critically short in many regions of Alaska. Many of the component parts and equipment items are fabricated in other states. The shipping distances to most project sites from the fabrication plants are very long. These factors create a denial of due process when dealing with the existing administrative appeal processes. Too often, arbitrary, erroneous enforcement decisions are complied with at higher construction cost because due process through the courts would mean extensive delays at even higher cost or (more likely) abandonment of the project.