

CITY OF UNALASKA  
UNALASKA, ALASKA

ORDINANCE 2022-18

AN ORDINANCE OF THE UNALASKA CITY COUNCIL AMENDING UNALASKA MUNICIPAL CODE TITLE 17 BY ADOPTING PORTIONS OF THE 2018 EDITION OF THE UNIFORM PLUMBING CODE, THE 2020 EDITION OF THE NATIONAL ELECTRICAL CODE AND THE 2021 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF UNALASKA, as follows:

**Section 1: Classification.** This Ordinance is a Code Ordinance.

**Section 2: Amendment of Section 17.04.020.** Section 17.04.020 of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are **bold underlined**, deletions are ~~everstruck~~]

**§ 17.04.020 POWERS AND DUTIES.**

(A) The Building Official shall have power to issue all building, ~~electrical, and plumbing~~ permits as they may be required and shall have all other powers and duties prescribed for ~~him~~ **them** by this title, and any building or fire code adopted by the city. The powers and duties of a Building Official may also be performed by authorized representatives of the Building Official and under ~~his~~ **their** supervision and control. ~~Such authorized representatives may bear such titles as electrical inspector, plumbing inspector, and other titles appropriate to their assigned powers and duties.~~

(B) The City Council may by ordinance establish a schedule of fees for permits required by this title. Until the applicable permit fee is paid in full, no action shall be taken on a permit application.

**Section 3: Amendment of Section 17.16.010.** Section 17.16.010 of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are **bold underlined**, deletions are ~~everstruck~~]

**§ 17.16.010 UNIFORM PLUMBING CODE AND OTHER PLUMBING STANDARDS.**

**(A)** The ~~most current~~ **2018** edition of the Uniform Plumbing Code **sections 101.0 — 103.2, 103.4, 105.0 — 105.2.2, and 105.3 — 106.6 of chapter 1, chapters 2 — 10, chapter 11 excluding the requirements of section 1101.5, chapters 12 — 17, and appendices A — L** published by the International Conference of Building Officials and the International Association of Plumbing and Mechanical Officials shall regulate the design, erection, installation, alteration, addition, repair, relocation, replacement, maintenance or use of any plumbing system in the City of Unalaska **with the following revisions and exceptions:** ~~, except those structures covered by the CABO and One and Two Family Dwelling Code (See § 17.28.010).~~

**(1) Exception: All buildings and structures in the City that are included within the International Residential Codes as adopted by Chapter 17.28.**

**(2) Exception: The installation of fuel gas distribution piping and equipment, fuel-gas-fired water heaters and water heater venting systems shall be regulated by the 2012 edition of the International Fuel Gas Code as adopted by 13 AAC 50.024.**

**(3) Revision: Section 1210.2.3 (prohibited locations), of the 2018 Uniform Plumbing Code is amended by adding section 1210.2.3.1 to read: “1210.2.3.1. Liquefied petroleum gas piping may not serve any gas fired appliance located in a pit or basement where heavier than air gas might collect to form a flammable mixture.”**

**(B) Uniform Swimming Pool, Spa and Hot Tub Code, 2018 edition, sections 101.0 — 103.2, 103.4, 105.3 — 106.6, chapters 2 — 10, and appendices A — C, published by the International Conference of Building Officials and the International Association of Plumbing and Mechanical Officials shall regulate the design, erection, installation, alteration, addition, repair, relocation, replacement, maintenance or use of any swimming pool, spa, or hot tub system in the City of Unalaska**

**(C) Uniform Solar, Hydronics and Geothermal Code, 2018 edition, sections 101.0 — 103.2, 103.4, 105.2 — 105.2.2, 105.3 — 106.6, chapters 2 — 12, and appendices A — C, published by the International Conference of Building Officials and the International Association of Plumbing and Mechanical Officials shall regulate the design, erection, installation, alteration, addition, repair, relocation, replacement, maintenance or use of any solar, hydronics or geothermal system in the City of Unalaska**

**Section 4: Amendment of Section 17.20.010.** Section 17.20.010 of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are **bold underlined**, deletions are ~~overstruck~~]

#### **§ 17.20.010 NFPA 70 NATIONAL ELECTRICAL CODE.**

The most current **2020** edition of **NFPA 70** the National Electrical Code published by the National Fire Protection Association shall regulate the design, construction, installation, alteration, addition, repair, relocation, replacement, maintenance, or use of any electrical conductors, **raceways, signaling and communication conductors, optical fibers** and equipment within the City of Unalaska for the following: ~~except those structures covered by the CABO One and Two Family Dwelling Code (See § 17.28.010).~~

- (1) Public and private premises, including buildings, structures, mobile homes, recreational vehicles and floating buildings.**
- (2) Yards, lots, parking lots, carnivals, and industrial substations.**
- (3) Installations of conductors and equipment that connect to the supply of electricity**
- (4) Installations used by the electric utility, such as office buildings, warehouses, garages, machine shops, and recreational buildings, that are not an integral part of the generating plant, substation, or control center.**
- (5) Installations supplying shore power to ships and watercraft in marinas and boatyards, including monitoring of leakage current.**

**(6) Installations used to export electric power from vehicles to premises wiring or for bidirectional current flow.**

**Section 5: Amendment of Section 17.28.010.** Section 17.28.010 of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are **bold underlined**, deletions are ~~everstruck~~]

**§ 17.28.010 INTERNATIONAL RESIDENTIAL CABO ONE AND TWO FAMILY DWELLING CODE.**

**(A) The most current 2021 edition of the International Residential CABO One and Two Family Dwelling Code published by the International Code Council Conference of Building Officials Chapters 1 through 24, and chapters 33 and 44 including appendices AE, AH, AI, AJ, AK, AM and AQ, AU, with the Amendments as specified in this section and in Chapter 17.28.020, shall regulate apply to the design, erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures not more than three stories above grade plane in height all buildings and structures included within its guidelines in the City of Unalaska.**

**(B) The version of the International Residential Code applicable as the residential building code for buildings used for residential purposes containing four or fewer dwelling units shall be determined by the date construction began, as determined by the date the foundation began installation.**

**(C) The 2020 edition of ICC 600 Standard for Residential Construction in High Wind Regions shall apply to the design, erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of conventional light-frame construction of IRC Section 301.**

**Section 6: Amendment of Section 17.28.020.** Section 17.28.020 of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are **bold underlined**, deletions are ~~everstruck~~]

**§ 17.28.020 INTERNATIONAL RESIDENTIAL CODE REVISIONS**

**The following revisions are made to the IRC as adopted by reference in Sections 17.28.010:**

**(1) Amend each and all the references contained in the IRC which refer to the "International Building Code" by replacing each and all with "Building Code as adopted by Chapter 17.12.010**

**(2) Amend each and all the references contained in the IRC which refer to the "ICC Electrical Code" by replacing each and all with "NFPA 70, National Electrical Code" as adopted by Chapter 17.20.010**

**(3) Amend each and all the references contained in the IRC which refer to the "International Plumbing Code" by replacing each and all with "Uniform Plumbing Code" as adopted by Chapter 17.16.010**

**(4) Excluded from adoption are sections R103, R104.4, R106.3.1, R109, R110, R112, R313, and Chapters 15 – 32 and 34 – 43; and Appendices AA – AD, AF, AG, AL, AN – AP, AR - AS, and AV - AX.**

**(5) R101.1- Insert “City of Unalaska” for [NAME OF JURISDICTION]**

**(6) R101.2- Exclude Exception 2**

**(7) R105.3- Amend to read: “To obtain a *permit*, the applicant shall first file an application therefor in writing on a form furnished by the City for that purpose and by meeting other guidelines published by the Unalaska Department of Public Works and Department of Public Utilities.”**

**(8) R108.6- Insert the following at the end of the paragraph: “This fee shall be the same as the building permit fee.”**

**(9) R301- Conventional light-frame construction as detailed in this Section does not apply in Unalaska due to basic 3-second gust wind speed in excess of 110-miles per hour. Amend this Section by replacing all light-frame standards with the standards found in *ICC 600 Standard for Residential Construction in High Wind Regions (2020 Edition)*.**

**(10) R301.2(1)- Add the following information in the table:**

<b><u>Ground snow load</u></b>	<b><u>60 PSF</u></b>
<b><u>Wind Speed (3 second gust basic)</u></b>	<b><u>165 mph</u></b>
<b><u>Seismic Design Category</u></b>	<b><u>D2</u></b>
<b><u>Subject to damage from:</u></b>	
<b><u>Weathering</u></b>	<b><u>Yes, severe</u></b>
<b><u>Frost Line Depth</u></b>	<b><u>48”</u></b>
<b><u>Termite</u></b>	<b><u>No</u></b>
<b><u>Winter Design Temperature</u></b>	<b><u>-10 degrees F</u></b>
<b><u>Flood Hazards</u></b>	<b><u>No</u></b>
<b><u>Ice shield underlayment required</u></b>	<b><u>Yes</u></b>
<b><u>Air freezing index</u></b>	<b><u>2500</u></b>
<b><u>Mean annual temperature</u></b>	<b><u>35 degrees F</u></b>

**Section 7: Effective Date.** This ordinance is effective upon passage.

PASSED AND ADOPTED by a duly constituted quorum of the Unalaska City Council on October 25, 2022.

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Vincent M. Tutiakoff, Sr.  
Mayor

ATTEST:

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Marjie Veeder, CMC  
City Clerk

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## MEMORANDUM TO COUNCIL

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To: Mayor and City Council Members  
From: Tom Cohenour, Director of Public Works  
Bob Cummings, City Engineer  
Through: Chris Hladick, Interim City Manager  
Date: October 11, 2022  
Re: Ordinance 2022-18: Amending Sections of Title 17, Buildings and Construction, of the Unalaska Code of Ordinances, by Adopting Portions of the 2018 Edition of the Uniform Plumbing Code, the 2020 Edition of the National Electrical Code, and the 2021 Edition of the International Residential Code

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**SUMMARY:** Ordinance 2022-18 allows for revisions of several sections of the Unalaska Code of Ordinances, specifically §17.04.020 POWERS AND DUTIES, §17.16.010 UNIFORM PLUMBING CODE, §17-20-010 NATIONAL ELECTRICAL CODE, and §17.28.010 CABO ONE AND TWO FAMILY DWELLING CODE, and adds a new section entitled §17-28-020 INTERNATIONAL RESIDENTIAL CODE REVISIONS. These proposed revisions update Title 17 to nationally accepted standards by removing outdated building code references, and revises certain sections of the International Residential Code to allow for Unalaska's unique building environment.

**PREVIOUS COUNCIL ACTION:** Ordinance 2016-02, passed February 23, 2016, amended §17.04.030 to add paragraph (B) which adopted penalties for failure to obtain any permit required by Title 17. Additionally, §17.16.010, §17.20.010, and §17.28.010 have not been amended since originally adopted by the City Council of the City of Unalaska which occurred sometime in the 1980's.

**BACKGROUND:** The Unalaska Code of Ordinances is a living document which requires regular modifications to ensure it reflects the environment in which the City operates. The proposed updates have been discussed for several years and are now brought forth for Council's consideration.

**DISCUSSION:** The last four decades have seen tremendous growth in the number of commercial buildings and single and multi-family residences in Unalaska. National standards related to building and construction policy and codes have changed considerably in this time, however, Title 17 has not undergone a full review and revision since its original adoption. The proposed changes to Title 17 will update City Code with modern building codes and include specific design parameters tailored to our local conditions. The Plumbing Code and Electrical Codes (§17.16.010 & §17.20.010, respectively) are modified to align with the State of Alaska as adopted in Title 13 of the Alaska Administrative Code. The Residential Building Code (§17.28.010) adopts the most recent version published by the International Code Council.

**ALTERNATIVES:** The other option would be to remove the Residential Building Code (§17.28.010) and have no building standards for residential structures but continue to have commercial buildings governed by §17.12.010 and have plans reviewed by the State Fire Marshal.

**FINANCIAL IMPLICATIONS:** There are no concrete financial implications tied to adopting Ordinance 2022-18.

**LEGAL:** The proposed revisions to Title 17 are overdue. By continuing to reference outdated building codes, the City is potentially placing itself at risk. Staff has worked with the City Attorney's office in drafting the proposed revisions to Title 17.

**STAFF RECOMMENDATION:** Staff recommends adopting Ordinance 2022-18.

**PROPOSED MOTION:** I move to introduce Ordinance 2022-18 and schedule it for public hearing and second reading on October 25, 2022.

**CITY MANAGER COMMENTS:** This code revision is long overdue. We are prepared to take this item to a workshop for a more in depth review of the changes if council so chooses.