

ORDINANCE NO. _____

1 AN ORDINANCE amending Chapter 20.08 of the Lincoln Municipal Code (LMC),
2 the Lincoln Building Code, by amending Section 20.08.010 to adopt the 2006 Edition of the
3 International Building Code (IBC) as specifically amended by Chapter 20.08 of the LMC; amending
4 Section 20.08.040 to correct misnumbered IBC sections and to apply the provisions of the Inter-
5 national Fire Code to Chapter 20.08; adding a new Section 20.08.045 to amend IBC Section 201.1
6 relating to applicability; amending Section 20.08.060 to require a building permit for changes of
7 occupancy; amending Section 20.08.070 relating to retaining walls exempt from permit; adding a
8 new Section 20.08.075 to amend IBC Section 105.4.1 relating to orders not stayed; amending
9 Section 20.08.090 to revise permit fees; amending Section 20.08.100 relating to fee refunds;
10 amending Section 20.08.110 relating to inspections and surveys; adding a new Section 20.08.115
11 to delete IBC Section 109.3.3 relating to lowest floor elevation; amending Section 20.08.140 relating
12 to certificates of occupancy; adding a new Section 20.08.145 to delete IBC Section 111 relating to
13 service utilities; amending Section 20.08.150 relating to the Building Appeals Board and appeal
14 fees; amending Section 20.08.160 relating to violations and penalties; adding a new Section
15 20.08.165 to amend IBC Section 114 relating to stop work orders; adding a new Section 20.08.172
16 to amend IBC Section 310.1 relating to R-3 Residential Occupancies; adding a new Section
17 20.08.174 to amend IBC Section 406.1.2 relating to Group U Occupancies; adding a new Section
18 20.08.176 to amending IBC Section 406.1.4 relating to private garage separation; amending Section
19 20.08.180 relating to premises identification; amending Sections 20.08.190 and 20.08.200 to amend

1 the IBC section number; repealing Section 20.08.210 relating to enclosed parking garages; adding
2 a new section 20.08.215 to amend IBC Sections 717.2 and 717.2.1 relating to fireblocking;
3 amending Section 20.08.220 relating to draftstopping in attics in Groups R-1 and R-2 Occupancies;
4 adding a new Section 20.08.225 to add an exception to IBC Section 903.2.7 relating to Group R
5 sprinkler requirements; amending Section 20.08.230 to amend the IBC section number; adding a
6 new Section 20.08.232 to amend IBC Section 1004.1.1 relating to occupant loads in areas without
7 fixed seating; adding a new Section 20.08.235 to amend Exception 2 of IBC Section 1007.3 relating
8 to exit stairway area of refuge; amending Sections 20.08.240 and 20.08.250 to amend the IBC
9 section number; amending Section 20.08.260 to amend the IBC section number and exception
10 number and to revise the exception relating to stair treads and risers; repealing Section 20.08.270
11 relating to exception for height of handrails; adding a new Section 20.08.275 to amend IBC Section
12 1013.2 relating to guard heights; adding a new section 20.08.277 to amend IBC Section 1014.2.1
13 relating to exit access for multiple tenant buildings; amending Section 20.08.290 relating to lighting;
14 amending Section 20.08.300 to delete IBC Chapter 13 relating to the Energy Code and to set forth
15 that the section will be covered by state law and regulations; adding a new Section 20.08.305 to
16 delete IBC Sections 1403.5 and 1403.6 relating to flood resistance; adding a new Section 20.08.315
17 to amend IBC Section 1406.3 relating to fire resistance of balconies and similar projections;
18 amending Section 20.08.320 relating to roof recovering versus replacement; adding a new Section
19 20.08.325 to amend IBC Section 1607.11.2.2 relating to special purpose roofs; amending Section
20 20.08.330 relating to ground snow loads; amending Section 20.08.340 relating to rain-on-snow
21 surcharge loads; amending Section 20.08.350 relating to flood loads; repealing Section 20.08.360
22 relating to general procedure for determining maximum considered earthquake and design special
23 response accelerations; adding a new Section 20.08.355 to delete IBC Section 1803.4 relating to

1 flood hazard areas, grading and fill; adding a new section 20.08.357 to amend IBC Section 1805.2.1
2 relating to frost protection; adding a new Section 20.08.359 to delete IBC Section 1807.1.2.1
3 relating to flood hazard areas; adding a new Section 20.08.365 to add Section 2304.11.5.1 to the IBC
4 relating to deck support structure; adding a new Section 20.08.367 to delete IBC Table 2308.8(1)
5 relating to Floor Joist Spans for Residential Sleeping Areas; amending Section 20.08.370 relating
6 to window cleaning and exterior maintenance anchorage systems; amending Section 20.08.380 to
7 clarify that IBC Chapters 27, 28 and 29, relating to electrical, mechanical, and plumbing systems,
8 are deleted as the sections are covered by LMC Titles 23, 24 and 25; adding a new Section
9 20.08.385 and repealing Section 20.08.400 to sequentially align IBC Section 3202.3.3 within
10 Chapter 20.08 of the LMC; amending Section 20.08.410 relating to demolition of buildings;
11 amending Section 20.08.430 relating to construction fences; repealing Section 20.08.440 to delete
12 amended IBC Table 3306.1, Protection of Pedestrians; adding a new Section 20.08.475 to add
13 Section C105 to the IBC relating to snow load; Repealing Section 20.08.480 relating to special
14 purpose roofs; and repealing Sections 20.08.010, 20.08.040, 20.08.060, 20.08.070, 20.08.090,
15 20.08.100, 20.08.110, 20.08.140, 20.08.150, 20.08.160, 20.08.180, 20.08.190, 20.08.200, 20.08.220,
16 20.08.230, 20.08.240, 20.08.250, 20.08.260, 20.08.290, 20.08.300, 20.08.320, 20.08.330, 20.08.340,
17 20.08.350, 20.08.370, 20.08.380, 20.08.410, and 20.08.430 of the Lincoln Municipal Code as
18 hitherto existing.

19 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

20 Section 1. That Section 20.08.010 of the Lincoln Municipal Code be amended to
21 read as follows:

22 **20.08.010 Adoption of International Building Code, ~~2000~~ 2006 Edition.**

23 Except as hereinafter provided by specific amendment, the following publications are hereby
24 adopted and incorporated into Title 20 of the Lincoln Municipal Code:

1 (a) International Building Code, ~~2000~~ 2006 Edition, First Printing (including Appendix
2 C, as published by the International Code Council, Inc.) hereinafter referred to as the International
3 Building Code.

4 (b) Elevated Residential Structures ~~HUD-FLA-184, dated September, 1984, published~~
5 ~~by U.S. Government Printing Office: 1976 0-222-193~~ F.E.M.A. Publication No. 54, dated March 1984,
6 published by U.S. Government Printing Office: 2002-717-395/96287.

7 (c) Flood-proofing Non-residential Structures, F.E.M.A. Publication No. 102, dated May,
8 1986.

9 The documents described in (b) and (c) above are adopted for reference to design standards
10 and techniques only, as they relate to “floodproofing” of approved buildings located in the flood
11 hazard areas of the City of Lincoln, Nebraska, as set forth in Chapters 27.52 and 27.53 ~~27.55~~ “Flood
12 Plain District” of the Lincoln Municipal Code.

13 One printed copy of each publication described above has been filed in the office of the City
14 Clerk for use of and examination by the public.

15 Section 2. That Section 20.08.040 of the Lincoln Municipal Code be amended to
16 read as follows:

17 **20.08.040 Section 101.4 Amended; Referenced Codes.**

18 Section 101.4 of the International Building Code is amended to read as follows:

19 ~~104.1~~ **101.4 Referenced codes.** The other codes listed in Sections 101.4.1 through 101.4.45
20 and referenced elsewhere in this code shall be considered part of the requirements of this code to
21 the prescribed extent of each such reference.

22 ~~104.1.1~~ **101.4.1 Electrical.** The provisions of the Lincoln Electric Code, Chapter
23 23.10 of the Lincoln Municipal Code, shall apply to the installation of electrical systems, including
24 alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

25 ~~104.1.2~~ **101.4.2 Gas.** The provisions of the Lincoln Gas Piping Systems Code,
26 Chapter 24.05 of the Lincoln Municipal Code, shall apply to the installation of gas piping from the
27 point of delivery, gas appliances and related accessories as covered in this code. These requirements
28 apply to gas piping systems extending from the point of delivery to the inlet connections of
29 appliances and the installation and operation of residential and commercial gas appliances and
30 related accessories.

1 ~~104.1.3~~ **101.4.3 Mechanical.** The provisions of the Lincoln Heating, Ventilating,
2 and Cooling Code, Chapter 25.03 of the Lincoln Municipal Code, shall apply to the installation,
3 alterations, repairs, and replacement of mechanical systems, including equipment, appliances,
4 fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and
5 refrigeration systems, incinerators, and other energy-related systems.

6 **101.4.4 Plumbing.** The provisions of the Lincoln Plumbing Code, Chapter 24.10
7 of the Lincoln Municipal Code, shall apply to the installation, alterations, repairs, and replacement
8 of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and
9 where connected to a water or sewage system and all aspects of a medical gas system.

10 **101.4.5 Fire Prevention.** The provisions of the International Fire Code shall apply
11 to matters affecting or relating to structures, processes and premises from the hazard of fire and
12 explosion arising from the storage, handling or use of structures, materials or devices; from
13 conditions hazardous to life, property or public welfare in the occupancy of structures or premises;
14 and from the construction, extension, repair, alteration or removal of fire suppression and alarm
15 systems or fire hazards in the structure or on the premises from occupancy or operation.

16 Section 3. That Chapter 20.08 of the Lincoln Municipal Code be amended by adding
17 a new section numbered 20.08.045 to read as follows:

18 **20.08.045 Section 102.1 Amended; Applicability; General.**

19 Section 102.1 of the International Building Code is amended to read as follows:

20 **102.1 General.** Where, in any specific case, different sections of this code specify different
21 materials, methods of construction or other requirements, the most restrictive shall govern. Where
22 there is a conflict between a general requirement and a specific requirement, the specific requirement
23 shall be applicable. Where there is a conflict between the International Building Code, as adopted
24 or amended, any other section of the Lincoln Municipal Code, or recommendation or requirement
25 from a manufacturer, the most restrictive shall govern.

26 Section 4. That Section 20.08.060 of the Lincoln Municipal Code be amended to
27 read as follows:

28 **20.08.060 Section 105.1 Amended; Permits Required.**

29 Section 105.1 of the International Building Code is amended to read as follows:

1 **105.1 Permits required.** No person, firm, or corporation shall erect, construct, enlarge,
2 alter, repair, move, improve, remove, convert, change occupancy, or demolish any building,
3 structure, swimming pool, or parking lot in the city, or within three miles of the corporate limits of
4 the city and outside of any other organized city or village, or cause the same to be done, without first
5 obtaining a building permit from the building official. A separate building permit is required for
6 each building or structure. A building permit for a building or structure may also permit work on
7 a swimming pool and parking lot if the plans for the swimming pool or parking lot are approved by
8 the building official in conjunction with issuance of the building permit.

9 Section 5. That Section 20.08.070 of the Lincoln Municipal Code be amended to
10 read as follows:

11 **20.08.070 Section 105.2 Amended; Exempted Work Exempt from Permit.**

12 Section 105.2 of the International Building Code is amended to read as follows:

13 **105.2 ~~Exempted work~~ Work exempt from permit.** A building permit will not be required
14 for the following:

- 15 (1) Fences not over 6 feet 4 inches high;
- 16 (2) Cases, counters, or partitions not over 5 feet 9 inches high;
- 17 (3) Retaining walls which are not over 4 feet in height measured from the bottom of the
18 footing to the top of the wall unless supporting a surcharge or impounding flammable liquids;
- 19 (4) Painting, papering, and similar finish work;
- 20 (5) Window awnings supported by an exterior wall of Group R, Division 3, and Group
21 M Occupancies when projecting not more than thirty-six inches into a front or rear yard may project
22 into a side yard twenty-four inches or two-fifths of the required side yard (in accordance with Title
23 27 of the Lincoln Municipal Code);
- 24 (6) Shingling and residing.

25 Unless otherwise exempted by this code, separate plumbing, electrical, and mechanical
26 permits will be required for the above exempted items. Exemption from the permit requirements
27 of this code shall not be deemed to grant authorization for any work to be done in any manner in
28 violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

29 Section 6. That Chapter 28.08 of the Lincoln Municipal Code be amended by adding
30 a new section numbered 20.08.075 to read as follows:

1 **20.08.075 Section 105.4.1 Added; Orders Not Stayed.**

2 Section 105.4.1 is added to the International Building Code to read as follows:

3 **105.4.1 Orders not stayed.** Orders, deadlines, provisions and/or penalties established by
4 the building official or any other officer or other designated authority with the City of Lincoln
5 charged with the administration and enforcement of any code or ordinance under the Lincoln
6 Municipal Code shall not be stayed or nullified because of the issuance or granting of a building
7 permit.

8 Section 7. That Section 20.08.090 of the Lincoln Municipal Code be amended to
9 read as follows:

10 **20.08.090 Section 108.3 Amended; Permit Fees.**

11 Section 108.3 of the International Building Code is amended to read as follows:

12 **108.3 Permit fees.** The fee for each permit shall be as set forth in Table 1A below:

13 **TABLE 1A -- BUILDING PERMIT FEES**

Total Valuation	Fee
\$0 to and including \$1,000	\$30.00 <u>50.00</u>
Each additional \$1,000 or fraction thereof in excess of \$1,000	\$ 2.00
Reinspection fee (wrong address, work does not pass inspection, work not complete, etc.)	\$30.00 <u>50.00</u>

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20 The determination of value or valuation under any of the provisions of this code shall be
21 made by the building official. The value to be used in computing the building permit and building
22 plan review fees shall be the total value of all construction work for which the permit is issued, as
23 well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators,
24 fire extinguishing systems and any other permanent equipment. The building official may determine
25 valuation by applying the ~~I.C.B.C.~~ ICC valuation or other recognized method of estimating building
26 construction project cost.

27 The value or valuation used by the building official in computing the building permit and
28 plan review fees is only an estimate and is not intended to be used as conclusive evidence of the
29 actual value of all construction work for which the permit is issued as well as all finish work,

1 painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing
2 systems and any other permanent equipment for purposes of determining whether said value exceeds
3 a certain percentage of the fair market value of the building in question.

4 **108.3.1 Plan review fees.** When a plan or other data are required to be submitted
5 by Section 106.1, a plan review fee shall be paid at the time of submitting plans and specifications
6 for review. Plan review fees shall also cover zoning, special permit, use permit, or planned unit
7 development reviews. Said plan review fee shall be an amount equal to ~~38%~~ 58% of the building
8 permit fee as shown in Table 1A above, or \$100.00, whichever is greater, for commercial buildings,
9 accessory buildings and apartments.

10 The plan review fees in this subsection are separate from and in addition to the permit fees
11 specified in Section 108.3 and shall not be credited to the total building permit fee if such permit is
12 issued. There shall be no refund for plan review after any plan review has been completed by the
13 Department of Building and Safety, even if the application is withdrawn.

14 One additional plan review of corrections made on the original plans after the initial plan
15 review shall be performed at no cost to the applicant; however, where plans require further
16 corrections, are incomplete, or are changed necessitating additional plan review, an additional plan
17 review fee shall be charged at the rate of 10% of the total permit fee or \$50.00, whichever is greater,
18 for each additional review. ~~Fastrack, sShell and limited permit applications will be subject to~~
19 ~~additional plan review fees as specified in this section.~~

20 ~~Commercial fastrack and Hlimited permit reviews will be subject to an additional plan review~~
21 ~~fee at the rate of twenty percent of the total building permit fee or \$100.00, whichever is greater.~~

22 ~~When a commercial plan or other data is submitted in an area where a special permit, use~~
23 ~~permit, or planned unit development designation has been granted, a special permit review fee shall~~
24 ~~be charged for each application at the rate of ten percent of the total building permit fee or \$50.00,~~
25 ~~whichever is greater.~~

26 If plans are revised or changed to the extent a complete review is required, an additional plan
27 review fee shall be charged at the full plan review rate.

28 ~~**108.3.2 Thermal insulation fees.** A fee for each building or structure which is~~
29 ~~required to provide and inspect thermal design and insulation in accordance with the provisions of~~
30 ~~Chapter 13 of this code shall be paid to the building official. The permit fee shall be equal to ten~~

1 percent of the building permit fee set forth elsewhere herein for commercial buildings and
2 apartments.

3 **108.3.2 Fair Housing Act Plan Review & Inspection Fees.** A fee of \$30.00 shall
4 be assessed for each dwelling unit in a multi-family building for review and inspection regarding
5 the Fair Housing Act based on Federal and State Laws.

6 **108.3.3 Flood plain development fees.**

7 **108.3.3.1** A fee shall be assessed for any development permit applied for under
8 Lincoln Municipal Code Chapters ~~27.55~~ 27.52 and 27.53 and shall be paid at the time of application
9 therefor. The fee for each permit shall be as follows:

10 (1) ~~For all development involving the new construction of buildings or other~~
11 ~~structures and substantial improvements thereto, an amount equal to 10% of~~
12 ~~the building permit fee as established under the Lincoln Building Code or as~~
13 ~~the same may be amended, with a minimum fee of \$150.00.~~

14 ~~(2) All other development permits -- \$100.00.~~

15 **Flood Plain Development Permit Fees**

16	<u>Flood Plain Permit</u>	<u>15% of Building Fee (\$250.00 Minimum)</u>
17	<u>Flood Plain - All other Development</u>	
18	<u>(roads, trails, pipelines& levees)</u>	<u>\$250.00</u>
19	<u>Flood Plain Permit – Fill</u>	<u>\$250.00</u>
20		<u>+ \$50.00 per acre (\$2,500.00 Maximum)</u>
21	<u>Flood Plain – Mobile Home Placement</u>	<u>\$50.00</u>
22	<u>Floodplain – Accessory Buildings</u>	<u>\$50.00</u>
23	<u>Flood Plain – Residential</u>	
24	<u>Non-substantial Improvement</u>	<u>\$100.00</u>

25 **108.3.3.2** In those cases where a development permit is required for a structure, but
26 a building permit is not required, the value of construction as determined by Section 108.3 of the
27 Lincoln Building Code shall be used to calculate the development permit fee.

28 **108.3.3.3** Any work requiring a development permit commenced prior to the
29 issuance of the permit shall result in the assessment of an investigation fee in accordance with

1 Section 108.4 of the Lincoln Building Code, which investigation fee shall be in addition to the
2 development permit fee.

3 **108.3.3.4** The building official may refund not more than two-thirds (2/3) of the
4 development permit fee when an application for which such fee has been paid is withdrawn or
5 canceled prior to commencement of plan review.

6 **108.3.3.5 Expiration.** Permit application and permits shall expire in accordance
7 with Section 105.

8 Section 8. That Section 20.08.100 of the Lincoln Municipal Code be amended to
9 read as follows:

10 **20.08.100 Section 108.6 Amended; Fee Refunds.**

11 Section 108.6 of the International Building Code is amended to read as follows:

12 **108.6 Fee refunds.** There shall be no refunds or credits given on permits or applications
13 regulated by this chapter which have expired. Permit holders returning an unused permit prior to
14 the expiration date of the permit shall be limited to a maximum refund amounting to two-thirds of
15 the total building permit ~~and insulation~~ fee, with the remaining one-third to be used to pay ~~in part~~
16 the cost of processing the permit. The building official may authorize refunding of not more than
17 two-thirds of the plan review fee or permit deposit paid when an application for a permit for which
18 such fee has been paid is withdrawn or canceled before any plan reviewing is done.

19 No refund shall be issued on a permit deposit or plan review fee, flood plain development
20 fee, demolition fee, or any other fee collected by the department, where refund amount is less than
21 ~~\$30.00~~ \$50.00. Where a fee has been collected in error, the building official may authorize a 100%
22 refund.

23 Section 9. That Section 20.08.110 of the Lincoln Municipal Code be amended to
24 read as follows:

25 **20.08.110 Section 109.1 Amended; Inspections and Surveys.**

26 Section 109.1 of the International Building Code is amended to read as follows:

27 **R109.1 Inspections and surveys.** All construction or work for which a permit is required
28 shall be subject to inspection by the building official and all such construction work shall remain
29 accessible and exposed for inspection purposes until approved by the building official. In addition,
30 certain types of construction shall have continuous inspection as specified in Section 1704.

1 Approval as a result of an inspection shall not be construed to be an approval of a violation
2 of the provisions of this code or of other ordinances of the city. Inspections presuming to give
3 authority to violate or cancel the provisions of this code or of other ordinances of the city shall not
4 be valid.

5 A survey of the lot or lots upon which permitted work for additions, alterations, or repairs
6 are being accomplished shall be provided by a duly licensed surveyor of the State of Nebraska
7 before plans and specifications shall be accepted by the building official to verify compliance of the
8 construction or work with building line setback requirements of the Lincoln Municipal Code. All
9 boundary corners of a lot or lots with permanent survey monuments shall be marked in the field by
10 a duly licensed surveyor of the State of Nebraska.

11 The monuments set shall be constructed of material capable of being detected by commonly
12 used magnetic locators. These monuments shall consist of an iron pipe or steel rod with a minimal
13 diameter of one-half inch and minimal length of twenty-four inches. A durable cap bearing the
14 registration number of the professional land surveyor responsible for the establishment of the
15 monument shall be affixed securely to the top of each monument.

16 ~~Each survey monument shall be an iron pipe of a minimum diameter of three-quarters inch~~
17 ~~or a one-half inch rebar and shall have a minimum length of twenty-four inches into the ground.~~
18 Said permanent survey monument shall be maintained and readily identifiable during the entire
19 period of the time that the construction work is being accomplished for which a permit is required.

20 It shall be the duty of the permit applicant to cause the work to remain accessible and
21 exposed for inspection purposes. Neither the building official nor the city shall be liable for expense
22 entailed in the removal or replacement of any material required to allow inspection.

23 Section 10. That Chapter 20.08 of the Lincoln Municipal Code be amended by
24 adding a new section numbered 20.08.115 to read as follows:

25 **20.08.115 Section 109.3.3 Deleted: Lowest Floor Elevation.**

26 Section 109.3.3 of the International Building Code is hereby deleted. This section will be
27 covered by Lincoln Municipal Code Chapters 27.52 and 27.53.

28 Section 11. That Section 20.08.140 of the Lincoln Municipal Code be amended to
29 read as follows:

1 **20.08.140 Section 110 Amended; Certificate of Occupancy.**

2 Section 110 of the International Building Code is amended to read as follows:

3 **SECTION 110 -- CERTIFICATE OF OCCUPANCY**

4 **110.1 Use ~~or~~ and occupancy.** No building or structure shall be used or occupied, and no
5 change in the existing use or occupancy classification of a building or structure or portion thereof
6 shall be made until the building official has issued a certificate of occupancy therefor, as provided
7 in Chapter 27.77 of the Lincoln Municipal Code.

8 It shall be the responsibility of a permit holder or the permit holder's agent to call for all
9 required inspections, including the final inspection, of all additions, alterations, or repairs performed
10 under a building permit. Final inspection shall be called for by the permit holder or the permit
11 holder's agent prior to occupancy of the building or structure or portion thereof. In the event any
12 permit holder or permit holder's agent shall fail to call for ~~final~~ required inspections as herein pro-
13 vided or in the event any permit holder or permit holder's agent shall have a backlog of one or more
14 permit(s) with no final inspections completed, the building official is authorized to withhold further
15 issuance of any permit or perform any further inspections under this code to said permit holder or
16 the permit holder's agent until required ~~final~~ inspections have been completed as provided by this
17 code. Written notice shall be given to the permit holder by the building official.

18 **110.2 Change in use.** Changes in the character or use of a building shall not be made
19 except as specified in ~~Section 3405~~ Chapter 34 of this code.

20 **110.3 Certificate issued.** After the building official performs a final inspection, a
21 certificate of occupancy shall be issued when it is found that the building or structure complies with
22 requirements of issuance set forth in Chapter 27.77 of the Lincoln Municipal Code.

23 **110.4 Temporary certificate.** If the building official finds that no substantial hazard will
24 result from occupancy of any building or portion thereof before the same is completed, a temporary
25 certificate of occupancy may be issued for the use of a portion of portions of a building or structure
26 prior to the completion of the entire building or structure. A 30-day temporary certificate may be
27 issued for interior items and a 90-day temporary certificate may be issued for exterior items upon
28 written request, subject to the approval of the building official. An additional 30 days may be
29 granted by the building official upon written request and for a fee of \$100.00. Each additional 30-
30 day extension will constitute the necessity of an additional fee.

1 **110.5 Posting.** The certificate of occupancy shall be posted in a conspicuous place on the
2 premises and shall not be removed except by the building official.

3 **110.6 Revocation.** The building official may, in writing, suspend or revoke a certificate
4 of occupancy issued under the provisions of this code whenever the certificate is issued in error, or
5 on the basis of incorrect information supplied, or when it is determined that the building or structure
6 or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

7 Section 12. That Chapter 20.08 of the Lincoln Municipal Code be amended to add
8 a new section numbered 20.08.145 to read as follows:

9 **20.08.145 Section 111 Deleted; Service Utilities.**

10 Section 111 of the of the International Building Code is hereby deleted.

11 Section 13. That Section 20.08.150 of the Lincoln Municipal Code be amended to
12 read as follows:

13 **20.08.150 Section 112 Amended; Board of Appeals.**

14 Section 112 of the International Building Code is amended to read as follows:

15 **SECTION 112 -- BOARD OF APPEALS**

16 **112.1 Creation.** There is hereby created a Building ~~and Thermal Insulation Code Advisory~~
17 ~~and~~ Appeals Board consisting of seven members and shall hereinafter be referred to as the Building
18 Code Board of Appeals.

19 Membership on the Building Code Board of Appeals shall consist of the following:

- 20 (1) The building official (ex officio member);
- 21 (2) The Building Services Manager for the City of Lincoln (ex officio member);
- 22 (3) A registered professional architect who has passed the State of Nebraska's architect
23 examination and is a representative from business and industry;
- 24 (4) A registered professional engineer actively engaged in and is a representative from
25 business and industry;
- 26 (5) A general building contractor;
- 27 (6) A residential building contractor;
- 28 (7) A State of Nebraska registered engineer or architect.

29 The registered professional architect, engineer, and the contractors shall be appointed by the
30 Mayor with concurrence of the City Council for staggered terms of three years each. Vacancies on

1 the board shall be filled by appointment for the unexpired term only. The Building Services
2 Manager shall be a permanent secretary of the board and shall keep a record of all meetings.

3 **112.2 Authority and Duties.** The Building Code Board of Appeals shall hear and decide
4 appeals of orders, decisions or determinations made by the building official relative to the
5 application and interpretation of this code or the suitability of alternate materials and methods of
6 installation. The Board of Appeals shall have no authority relative to the interpretation of the
7 administrative provisions of this code. The Board of Appeals may grant variances for alterations
8 or repairs of an existing building or structure after finding that: (1) There are practical difficulties
9 involved in carrying out the provisions of this code; (2) The requested variance is in conformance
10 with the intent and purpose of this code; and (3) The variance does not substantially lessen any fire-
11 protection requirements or any degree of structural integrity. The board shall make recommenda-
12 tions to the Mayor at the Mayor's request. The board shall adopt reasonable rules and regulations
13 for conducting its investigations and shall render all decisions and recommendations in writing to
14 the building official.

15 **112.3 Meetings.** The Building Code Board of Appeals shall meet at the call of the building
16 official or upon a written request signed by two or more of its members and filed with the secretary.

17 **112.4 Appeals to Board.** Any person who is aggrieved by any decision of the building
18 official relating to suitability of alternate materials, methods of construction, or interpretations of
19 any provisions of this code, and any person who seeks a variance from the strict application of this
20 code for the alteration or repair of existing buildings whenever there are practical difficulties
21 involved in carrying out the provisions of this code, may appeal such decision by filing an appeal
22 on forms furnished by the building official within thirty days from the date of such decision. The
23 filling of a completed appeals form, along with the payment of the prescribed fee, shall be sufficient
24 for the purpose of commencing an appeal proceeding hereunder:

25 (1) A ~~\$50.00~~ \$250.00 fee for review of a decision of the building official interpreting a
26 provision or provisions of this code;

27 (2) A ~~\$100.00~~ \$250.00 fee for review of a decision of the building official concerning
28 the suitability of alternate materials or types of installation.

29 **112.5 Hearing Date.** The building official shall refer all properly and timely filed appeals
30 to the Building Code Board of Appeals for hearing. The secretary of said board shall in each appeal

1 notify the appellant in writing of the date, time, and place of hearing before the board, which date
2 shall be no later than thirty days from the filing of the appeal. Such notice shall be served upon the
3 applicant by personal service or registered mail.

4 **112.6 Hearing Procedure.** Hearings on appeal need not be conducted according to
5 technical rules relating to evidence and witnesses. Oral evidence shall be taken only on oath or
6 affirmation. Any relevant evidence shall be admitted if it is the type of evidence upon which
7 responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the
8 existence of any common law or statutory rule which may make improper the admission of such
9 evidence over objection in civil actions in courts of competent jurisdiction in this state. Irrelevant
10 and unduly repetitious evidence shall be excluded. The appellant, the building official, and any
11 other party to an appeal hereunder shall have these rights, among others:

- 12 (1) To call and examine witnesses on any matter relevant to the issues of the hearing;
- 13 (2) To introduce documentary and physical evidence;
- 14 (3) To cross-examine opposing witnesses on any matter relevant to the issues of the
15 hearing; and
- 16 (4) To rebut the evidence against him or her.

17 **112.7 Decision of Board.** The Building Code Board of Appeals shall then, within a
18 reasonable time after the hearing, render a written decision which shall state its findings and
19 conclusions. Decisions of the board may be appealed as provided by law.

20 **112.8 Enforcement.** Enforcement of any decision, notice, or order of the building official
21 issued under this code shall be stayed during the pendency of an appeal therefrom which is properly
22 and timely filed, except in cases of emergency, where enforcement of the same is necessary for the
23 protection of life, limb, or property.

24 Section 14. That Section 20.08.160 of the Lincoln Municipal Code be amended to
25 read as follows:

26 **20.08.160 Section 113 Amended; Violations and Penalties.**

27 Section 113 of the International Building Code is amended to read as follows:

28 **SECTION 113 -- VIOLATIONS AND PENALTIES**

29 **113.1 Unlawful acts.** It shall be unlawful for any person, firm, or corporation to erect,
30 construct, enlarge, alter, repair, move, improve, remove, convert, change occupancy, or demolish,

1 use, occupy, or maintain any building or structure in the city or within three miles of the corporate
2 limits of the city and outside of any other organized city or village, or cause the same to be done
3 contrary to or in violation of any of the provisions of this code.

4 **113.2 Penalty.** Any person, firm, or corporation who shall violate any of the provisions of
5 this code shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any
6 sum not to exceed \$500.00, or be imprisoned in the county jail for a period not to exceed six months,
7 or by both such fine and imprisonment, except that each person so convicted shall be fined in a sum
8 of not less than \$200.00 for the first offense, not less than \$250.00 for the second offense, and not
9 less than \$300.00 for the third offense and each offense thereafter. Each day that such violation is
10 committed or permitted to continue shall constitute a separate offense and shall be punishable as
11 such hereunder.

12 **113.3 Prosecution of violation; Deleted.** If the notice of violation is not complied with and
13 the abatement or correction of the violation is not completed within the time frame given in the
14 notice of violation, the Building Official may withhold issuance of any further building permits and
15 may withhold any further inspection pending compliance with the order of abatement or correction
16 and the Building Official is authorized to request the legal counsel of the jurisdiction to institute the
17 appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require
18 the removal or termination of the unlawful occupancy of the building or structure in violation of the
19 provisions of this code or of the order or direction made pursuant thereto.

20 **113.4 Violation penalties; Deleted.**

21 Section 15. That Chapter 20.08 of the Lincoln Municipal Code be amended by
22 adding a new section numbered 20.08.165 to read as follows:

23 **20.08.165 Section 114 Amended; Stop Work Order.**

24 Section 114 of the International Building Code is amended to read as follows:

25 **114.1 Notice to owner.** Whenever the building official finds any work regulated by this
26 code being performed in a manner either contrary to the provisions of this code or dangerous or
27 unsafe, the building official is authorized to issue a stop work order. Upon notice from the building
28 official that work on any building or structure is being performed contrary to the provisions of this
29 code or in an unsafe and dangerous manner, such work will be immediately stopped. The stop work
30 order shall be in writing and shall be given to the owner of the property involved, or to the owner's

1 agent, or to the person doing the work, and shall state the conditions under which work shall be
2 permitted to resume. If the owner or owner’s agent fails to comply with the stop work order or fails
3 to correct any violations or unsafe and dangerous work practices ordered to be abated or corrected
4 within thirty days or the time frame given in the stop work order, the building official shall withhold
5 issuance of any further building permits and withhold any further inspections pending compliance
6 with the stop work order and abatement or correction of any violations or unsafe and dangerous
7 work practices.

8 **114.2 Unlawful continuance.** Any person who shall continue any work in or about the
9 structure after having been served with a stop work order, except such work as that person is
10 directed to perform to remove a violation or unsafe condition, shall be subject to penalties as
11 prescribed by law.

12 **114.3 Time to correct violations.** The International Building Code violations or any other
13 Lincoln Municipal Code violations stated in the stop work order shall be abated within thirty days,
14 unless directed otherwise by the building official, or be subject to penalties as prescribed in this
15 code.

16 Section 16. That Chapter 20.08 of the Lincoln Municipal Code be amended by
17 adding a new section numbered 20.08.172 to read as follows:

18 **20.08.172 Section 310.1 Amended; Residential Group R; R-3 Residential Occupancies.**

19 The R-3 Residential Occupancies of Section 310.1 of the International Building Code are
20 amended to read as follows:

21 **R-3 Residential occupancies where the occupants are primarily permanent in nature and not**
22 **classified as Group R-1, R-2, R-4 or I, including:**

23 Buildings that do not contain more than two dwelling units.

24 Adult facilities that provide accommodations for twelve or fewer persons of any age for less
25 than 24 hours.

26 Child care facilities that provide accommodations for twelve or fewer persons of any age for
27 less than 24 hours.

28 Congregate living facilities with 16 or fewer persons.

29 Adult and child care facilities that are within a single-family home are permitted to comply
30 with the International Residential Code.

1 Section 17. That Chapter 20.08 of the Lincoln Municipal Code be amended by
2 adding a new section numbered 20.08.174 to read as follows:

3 **20.08.174 Section 406.1.2 Amended; Area Increase of Group U Occupancies.**

4 Section 406.1.2 of the International Building Code is amended to read as follows:

5 **406.1.2 Area increase.** Group U occupancies used for the storage of private or pleasure-type
6 motor vehicles where no repair work is completed or fuel is dispensed are permitted to be 3,000
7 square feet (279 m²) when the following provisions are met:

8 1. For a mixed occupancy building, the exterior wall and opening protection for the
9 Group U portion of the building shall be as required for the major occupancy of the building. For
10 such a mixed occupancy building, the allowable floor area of the building shall be as permitted for
11 the major occupancy contained therein.

12 2. For a building containing only a Group U occupancy, the exterior wall shall not be
13 required to have a fire-resistance rating and the area of openings shall not be limited when the fire
14 separation distance is 5 feet (1524 mm) or more.

15 More than one 900-square-foot Group U occupancy shall be permitted to be in the same
16 building, provided each 900-square-foot area is separated by fire walls complying with Section 705.

17 Section 18. That Chapter 20.08 of the Lincoln Municipal Code be amended by
18 adding a new section numbered 20.08.176 to read as follows:

19 **20.08.176 Section 406.1.4 Amended; Private Garage Separation.**

20 Section 406.1.4 of the International Building Code is amended to read as follows:

21 **406.1.4 Separation.** Separations shall comply with the following:

22 1. The private garage shall be separated from the dwelling unit and its attic area by
23 means of a minimum 5/8-inch Type X gypsum board applied to the garage side. Garages beneath
24 habitable rooms shall be separated from all habitable rooms above by not less than a 5/8-inch Type
25 X gypsum board or equivalent. Door openings between a private garage and the dwelling unit shall
26 be equipped with either solid wood doors or solid or honeycomb core steel doors not less than 13/8
27 inches (34.9 mm) thick, or doors in compliance with Section 715.4.3. Openings from a private
28 garage directly into a room used for sleeping purposes shall not be permitted.

29 2. A separation is not required between a Group R-3 and U carport, provided the carport
30 is entirely open on two or more sides and there are not enclosed areas above.

1 Section 19. That Section 20.08.180 of the Lincoln Municipal Code be amended to
2 read as follows:

3 **20.08.180 Section 501.2 Amended; Premises Identification.**

4 Section 501.2 of the International Building Code is amended to read as follows:

5 **501.2 Premises identification.** ~~Premises shall have addresses provided on buildings as~~
6 ~~specified under Chapter 14.24 of the Lincoln Municipal Code.~~ Buildings shall have approved
7 address numbers, building numbers or approved building identification in accordance with Lincoln
8 Municipal Code Chapter 14.24. Address numbers shall be a minimum of four (4) inches in height,
9 except address numbers located on a building set back any distance from the property line shall be
10 a minimum of (8) inches in height.

11 Section 20. That Section 20.08.190 of the Lincoln Municipal Code be amended to
12 read as follows:

13 **20.08.190 Section ~~503.4~~ 503.1.4 Added; Location on Property.**

14 Section ~~503.4~~ 503.1.4 is added to the International Building Code to read as follows:

15 **~~503.4~~ 503.1.4 Location on property.** Buildings shall adjoin or have access to a public way
16 or yard on not less than one side. Required yards shall be permanently maintained. For the purpose
17 of this section, the centerline of an adjoining public way shall be considered an adjacent property
18 line. Active primary railroad lines where rail cars cannot be parked for extended periods of time may
19 also be considered as a public way.

20 Section 21. That Section 20.08.200 of the Lincoln Municipal Code be amended to
21 read as follows:

22 **20.08.200 Section ~~506.2.3~~ 503.1.5 Added; Primary Railroad Lines.**

23 Section ~~506.2.3~~ 503.1.5 is added to the International Building Code to read as follows:

24 **~~506.2.3~~ 503.1.5 Primary railroad lines.** For the purpose of this section, active primary
25 railroad lines where rail cars cannot be parked for extended periods of time may also be considered
26 as a public way.

27 Section 22. That Section 20.08.210 of the Lincoln Municipal Code be and the same
28 is hereby repealed.

29 ~~**20.08.210 Section 508.2 Amended; Group S-2 and Group I-1 Enclosed Parking Garage**~~
30 ~~**with Groups A, B, M or R above.**~~

31 ~~Section 508.2 of the International Building Code is amended to read as follows:~~

~~508.2 Group S-2 and Group I-1 enclosed parking garage with Groups A, B, M or R above.~~ A basement first story above grade plane of a building shall be considered as a separate and distinct building for the purpose of determining area limitations, continuity of fire walls, limitation of number of stories and type of construction, when all of the following conditions are met:

~~1. The basement first story above grade plane is of Type IA construction and is separated from the building above with a horizontal assembly having a minimum 3-hour fire resistance rating. Openings in the horizontal assembly having a minimum 3-hour fire-resistance rating shall be protected by shaft, stairway, ramp or escalator enclosures extending above and below such openings. The walls of such enclosures shall have not less than a 2-hour fire-resistance rating and openings therein shall be protected by opening protectives having a minimum 1 1/2-hour fire-protection rating.~~

~~**Exception:** Where the walls of such enclosures extending below the horizontal assembly having a minimum 3-hour fire-resistance rating to the foundation are provided with a fire-resistance rating of not less than 3 hours with openings therein protected as required for walls forming a 3-hour fire barrier, the enclosure walls extending above such floor used as the horizontal assembly having a minimum 3-hour fire-resistance rating shall be permitted to have a 1-hour fire-resistance rating provided:~~

~~1. The building above is not required to be of Type I construction; and~~

~~2. The enclosure walls do not enclose an exit stairway, a ramp or an escalator required to have enclosure walls with not less than a 2-hour fire-resistance rating.~~

~~2. The building above the horizontal assembly having a minimum 2-hour fire-resistance rating contains only Groups A having an assembly room with an occupant load of less than 300, B, M or R and~~

~~3. The building below the horizontal assembly having a minimum 3-hour fire-resistance rating is a Group S-2 enclosed parking garage, used exclusively for the parking and storage of private motor vehicles.~~

~~**Exceptions:**~~

~~1. Entry lobbies, mechanical rooms and similar uses incidental to the operation of the building shall be permitted.~~

~~2. Groups A having an assembly room with an occupant load of less than 300, B and M shall be permitted in addition to those uses incidental to the operation of the building (including storage areas), provided that the entire structure below the horizontal assembly having a minimum 3-hour fire-resistance rating is protected throughout by an approved automatic sprinkler system.~~

~~4. The maximum building height in feet shall not exceed the limits set forth in Table 503 for the least restrictive type of construction involved.~~

Section 23. That Chapter 20.08 of the Lincoln Municipal Code be amended by adding a new section numbered 20.08.215 to read as follows:

1 **20.08.215 Sections 717.2 and 717.2.1 Amended; Fireblocking; Materials.**

2 Sections 717.2 and 717.2.1 of the International Building Code are amended to read as
3 follows:

4 **717.2 Fireblocking required.** Fireblocking shall be provided to cut off all concealed draft
5 openings (both vertical and horizontal) and to form an effective fire barrier between stories, and
6 between a top story and the roof space. Fireblocking shall be provided in wood-frame construction
7 in the following locations:

- 8 1. In concealed spaces of stud walls and partitions, including furred spaces, at the
9 ceiling and floor level and at 10 foot (3048 mm) intervals both vertical and
10 horizontal. Batts or blankets of mineral or glass fiber or other approved non-rigid
11 materials shall be allowed as fireblocking in walls constructed using parallel rows
12 of studs or staggered studs.
- 13 2. Fireblocking of cornices of a two-family dwelling is required at the line of dwelling
14 unit separation.

15 **717.2.1 Materials.** Fireblocking shall consist of 2-inch (51 mm) nominal lumber, or two
16 thicknesses of 1-inch (25.4 mm) nominal lumber with broken lap joints, or one thickness of 23 /32-
17 inch (19.8 mm) wood structural panels with joints backed by 23/32-inch (19.8 mm) wood structural
18 panels or one thickness of 3/4-inch (19.1 mm) particle board with joints backed by 3 /4 -inch (19.1
19 mm) particle board, 1/2-inch (12.7 mm) gypsum board, or 1/4-inch (6.4 mm) cement-based
20 millboard. Loose-fill insulation material shall not be used as a fire block unless specifically tested
21 in the form and manner intended for use to demonstrate its ability to remain in place and to retard
22 the spread of fire and hot gases. The integrity of all fireblocks shall be maintained.

23 Section 24. That Section 20.08.220 of the Lincoln Municipal Code be amended to
24 read as follows:

25 **20.08.220 Section ~~716.4.2~~ 717.4.2 Exception 3 Amended; Draftstopping in Attics; Groups**
26 **R-1 and R-2.**

27 Exception 3 to Section ~~716.4.2~~ 717.4.2 of the International Building Code is amended to read
28 as follows:

- 29 3. In occupancies in Groups R-1 and R-2 that do not exceed four stories in
30 height, the attic space shall be subdivided by draftstops into areas not
31 exceeding 3,000 square feet (279 m²).

1 Section 25. That Chapter 20.08 of the Lincoln Municipal Code be amended by
2 adding a new section numbered 20.08.225 to read as follows:

3 **20.08.225 Section 903.2.7 Exception Added; Group R Sprinkler Requirements .**

4 Section 903.2.7 of the International Building Code is amended to read as follows:

5 **[F] 903.2.7 Group R.** An automatic sprinkler system installed in accordance with Section
6 903.3 shall be provided throughout all buildings with a Group R fire area.

7 Exception: A sprinkler system is not required when all of the following conditions exist:

8 (1) The building is an R-2 apartment occupancy and contains 8 or fewer apartment
9 units

10 (2) Separation is maintained between living units by means of 1 hour fire partitions
11 creating a complete vertical separation from foundation to roof.

12 (3) Each living unit has its own separate exit access independent of other living units.

13 Section 26. That Section 20.08.230 of the Lincoln Municipal Code be amended to
14 read as follows:

15 **20.08.230 Section ~~1003.3.1.4~~ 1003.5, Exception 5 4 Added; Floor Elevation.**

16 Section ~~1003.3.1.4~~ 1003.5 of the International Building Code is amended by adding
17 Exception 5 4 to read as follows:

18 Exception 5 4. Doors serving building equipment rooms which are not normally
19 occupied.

20 Section 27. That Chapter 20.08 of the Lincoln Municipal Code be amended by
21 adding a new section numbered 20.08.232 to read as follows:

22 **20.08.232 Section 1004.1.1 Amended; Occupant Load in Areas without Fixed Seating.**

23 Section 1004.1.1 of the International Building Code is amended to read as follows:

24 **1004.1.1 Areas without fixed seating.** The number of occupants shall be computed at the
25 rate of one occupant per unit of area as prescribed in Table 1004.1.1. For areas without fixed seating,
26 the occupant load shall not be less than that number determined by dividing the floor area under
27 consideration by the occupant per unit of area factor assigned to the occupancy as set forth in Table
28 1004.1.1. Where an intended use is not listed in Table 1004.1.1, the building official shall establish
29 a use based on a listed use that most nearly resembles the intended use.

1 Section 28. That Chapter 20.08 of the Lincoln Municipal Code be amended by
2 adding a new section numbered 20.08.235 to read as follows:

3 **20.08.235 Section 1007.3 Exception 2 Amended; Exit Stairway Area of Refuge.**

4 Exception 2 of Section 1007.3 of the International Building Code is amended to read as
5 follows:

6 2. The area of refuge is not required in buildings or facilities that are equipped
7 throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1.

8 Section 29. That Section 20.08.240 of the Lincoln Municipal Code be amended to
9 read as follows:

10 **20.08.240 Section ~~1003.3.1.8.2~~ 1008.1.8.6 Amended; Delayed Egress Locks.**

11 Section ~~1003.3.1.8.2~~ 1008.1.8.6 of the International Building Code is amended to read as
12 follows:

13 **~~1003.3.1.8.2~~ 1008.1.8.6 Delayed egress locks.** Approved, listed, delayed egress locks shall
14 be permitted to be installed on doors serving any occupancy except Group A and H occupancies in
15 buildings which are equipped throughout with an automatic sprinkler system in accordance with
16 Section 903.3.1.1 or an approved automatic smoke or heat detection system installed in accordance
17 with Section 907, provided that the doors unlock in accordance with Items 1 through 6 below. A
18 building occupant shall not be required to pass through more than one door equipped with a delayed
19 egress lock before entering an exit.

20 1. The doors unlock upon actuation of the automatic sprinkler system or automatic fire
21 detection system.

22 2. The doors unlock upon loss of power controlling the lock or lock mechanism

23 3. The door locks shall have the capability of being unlocked by a signal from the fire
24 command center.

25 4. The initiation of an irreversible process which will release the latch in not more than
26 15 seconds when a force of not more than 15 pounds (67 N) is applied for 1 second to the release
27 device. Initiation of the irreversible process shall activate an audible signal in the vicinity of the
28 door. Once the door lock has been released by the application of force to the releasing device,
29 relocking shall be by manual means only.

30 **Exception:** Where approved, a delay of not more than 30 seconds is permitted.

1 5. A sign shall be provided on the door located above and within 12 inches (305 mm)
2 of the release device reading: PUSH UNTIL ALARM SOUNDS. DOOR CAN BE OPENED IN 15
3 SECONDS.

4 6. Emergency lighting shall be provided at the door.

5 Section 30. That Section 20.08.250 of the Lincoln Municipal Code be amended to
6 read as follows:

7 **20.08.250 Section ~~1003.3.3.1~~ 1009.1 Exception 5 Added; Stairway Width.**

8 Section ~~1003.3.3.1~~ 1009.1 of the International Building Code is amended by adding an
9 Exception 5 to read as follows:

10 Exception 5. Private stairways serving less than 10 occupants within an individual
11 apartment unit (R2) may be 34 inches in width.

12 Section 31. That Section 20.08.260 of the Lincoln Municipal Code be amended to
13 read as follows:

14 **20.08.260 Section ~~1003.3.3.3~~ 1009.3 Exception 5 4 Amended; Stair Treads and Risers.**

15 Exception ~~5 4~~ to Section ~~1003.3.3.3~~ 1009.3 of the International Building Code is amended
16 to read as follows:

17 Exception ~~5 4~~: ~~Private steps and stairways serving an occupant load of less than~~
18 ~~10 and stairways to unoccupied roofs may be constructed with an~~
19 ~~eight-inch (203 mm) maximum rise and nine-inch (229 mm) In~~
20 Group R-3 occupancies; within dwelling units in Group R-2
21 occupancies; and in Group U occupancies that are accessory to a
22 Group R-3 occupancy or accessory to individual dwellings units
23 in Group R-2 occupancies; the maximum riser height shall be 7.75
24 inches (197 mm); the minimum tread depth shall be 10 inches (254
25 mm) including nosing; the minimum winder tread depth at the
26 walk line shall be 10 inches including nosing (254 mm); and the
27 minimum winder tread depth shall be 7 inches (152 mm).

28 Section 32. That Section 20.08.270 of the Lincoln Municipal Code be and the same
29 is hereby repealed.

1 ~~20.08.270~~ **Section 1003.3.3.11.1 Exception Added; Height.**

2 ~~Section 1003.3.3.11.1 of the International Building Code is amended by adding an exception~~
3 ~~to read as follows:—~~

4 ~~Exception: Within individual dwelling units of Apartment occupancies, the top of handrails~~
5 ~~and handrail extensions may be not less than 30 inches (762 mm) nor more than 38 inches (965 mm)~~
6 ~~above landings and the nosing of treads.—~~

7 Section 33. That Chapter 20.08 of the Lincoln Municipal Code be amended by
8 adding a new section numbered 20.08.275 to read as follows:

9 **20.08.275 Section 1013.2 Amended; Guard Height.**

10 Section 1013.2 of the International Building Code is amended to read as follows:

11 **1013.2 Height.** Guards shall form a protective barrier not less than 42 inches (1067 mm)
12 high, measured vertically above the leading edge of the tread, adjacent walking surface or adjacent
13 seatboard.

14 Exceptions:

15 1. Guards shall form a protective barrier not less than 36 inches (1067 mm) high,
16 for occupancies in Group R-3, and within individual dwelling units in occupancies in Group
17 R-2.(Excluding exterior balcony railings)

18 2. For occupancies in Group R-3, and within individual dwelling units in
19 occupancies in Group R-2, guards whose top rail also serves as a handrail shall have a height not
20 less than 34 inches (864 mm) and not more than 38 inches (965 mm) measured vertically from the
21 leading edge of the stair tread nosing.

22 3. The height in assembly seating areas shall be in accordance with Section
23 1025.14.

24 Section 34. That Chapter 20.08 of the Lincoln Municipal Code be amended by
25 adding a new section numbered 20.08.277 to read as follows:

26 **20.08.277 Section 1014.2.1 Amended; Exit Access, Multiple Tenants.**

27 Section 1014.2.1 of the International Building Code is amended to read as follows:

28 **1014.2.1 Multiple tenants.** Where more than one tenant occupies any one floor of a
29 building or structure, each tenant space, dwelling unit and sleeping unit shall be provided with

1 access to the required exits without passing through adjacent tenant spaces, dwelling units and
2 sleeping units.

3 Section 35. That Section 20.08.290 of the Lincoln Municipal Code be amended to
4 read as follows:

5 **20.08.290 Section ~~1204.1~~ 1205.1 Exception Added Amended; Lighting, General.**

6 Section ~~1204.1~~ 1205.1 of the International Building Code is amended ~~by adding an~~
7 ~~Exception thereto~~ to read as follows:

8 **Exception:** ~~In I-1 and all R Occupancies, artificial light may only be allowed in kitchens and~~
9 ~~non-habitable rooms.~~

10 **1205.1 General.** Every space intended for human occupancy shall be provided with natural
11 light by means of exterior glazed openings in accordance with Section 1205.2 or shall be provided
12 with artificial light in accordance with Section 1205.3. Exterior glazed openings shall open directly
13 onto a public way or onto a yard or court in accordance with Section 1206. When a building is
14 converted into or contains dwelling units, each dwelling unit must have at least one habitable room
15 that provides a minimum glazing area of 8% of the floor area of that room in accordance with
16 Section 1205.2 or shall conform to the requirements of adjoining rooms in accordance with Section
17 1205.2.1. Ventilation shall conform with Section 1203.4.

18 Section 36. That Section 20.08.300 of the Lincoln Municipal Code be amended to
19 read as follows:

20 **20.08.300 Chapter 13 ~~Amended Deleted; Energy Code.~~**

21 Chapter 13 of the International Building Code is ~~amended to read as follows:~~ hereby deleted.

22 This section will be covered by State law and regulations.

23 ~~CHAPTER 13~~
24 ~~ENERGY CODE~~

25 ~~SECTION 1300 – PURPOSE OF ENERGY CODE.~~

26 ~~The purpose of this chapter is to provide minimum design requirements and criteria that~~
27 ~~will result in a more efficient utilization of energy by providing thermal design and insulation~~
28 ~~standards for building construction. Any references in this code to the International Energy Code~~
29 ~~shall comply with this section.~~

30 ~~SECTION 1301 - GENERAL.~~

31 ~~1301.1 Solar energy collectors.~~ Collectors which function as building components shall
32 comply with the applicable provisions of the code.

1 ~~Collectors located above or upon a roof and not functioning as building components shall~~
2 ~~not reduce the required fire-resistance or fire retardancy classification of the roof-covering materials.~~

3 ~~**Exceptions:**~~

4 ~~1. Collectors installed on one- and two-family dwellings.~~

5 ~~2. Noncombustible collectors located on buildings not over three stories in height or~~
6 ~~9,000 square feet (836 m²) in total floor area.~~

7 ~~3. Collectors that comply with the provisions of Section 2603.14.~~

8 ~~**SECTION 1302 - APPLICATION AND SCOPE.**~~

9 ~~**1302.1 General.** The requirements of this chapter shall apply to all new buildings and~~
10 ~~structures or portions thereof which are heated and/or mechanically cooled and afford facilities or~~
11 ~~shelter for assembly, business, education, institutional, and mercantile occupancies as defined in~~
12 ~~Chapter 3 of this code. R-1, R-2, R-3, R-4, and I-1 occupancies shall comply with the energy~~
13 ~~requirements adopted in the International Residential Code as amended by Lincoln Municipal Code~~
14 ~~Section 20.10.700.~~

15 ~~**1302.2 Alternate materials, method of construction, design or insulating system.** The~~
16 ~~provisions of this chapter are not intended to prevent the use of any material, method of~~
17 ~~construction, design or insulating system not specifically prescribed herein, provided that any such~~
18 ~~variance from these standards has been approved by the building official or thermal insulation~~
19 ~~appeals board.~~

20 ~~**1302.3 Existing buildings, additions or alterations.** The provisions of this chapter are not~~
21 ~~intended to apply to existing buildings until such time as additions, alterations or repairs are made.~~

22 ~~**SECTION 1303 - DEFINITIONS**~~

23 ~~For the purpose of this chapter, certain terms and words are hereby defined. Words used in~~
24 ~~the present tense shall include the future, the singular number shall include the plural.~~

25 ~~**APPROVED MECHANICAL ENGINEERED SYSTEM.** The equipment and ductwork~~
26 ~~installed for the purpose of supplying air to, or removing air from, any room or space by mechanical~~
27 ~~means in accordance with the Lincoln Heating Code.~~

28 ~~**BASEMENT.** Basement as described in Section 203 of this code.~~

29 ~~**BTU (British thermal unit).** Approximately equal to the heat required to raise the~~
30 ~~temperature of one pound of water from fifty-nine degrees Fahrenheit to sixty degrees Fahrenheit.~~

31 ~~**BTUH.** Heat flow in BTU per hour.~~

32 ~~**CONDITIONED SPACE.** Interior space which is conditioned within the human comfort~~
33 ~~range by an energy-using system. A basement, crawl space, or garage is considered a conditioned~~
34 ~~space when it is provided with a positive heat supply to maintain a minimum temperature of fifty~~
35 ~~degrees.~~

36 ~~**CRAWL SPACE.** Accessible underfloor area less than full story height and below a level~~
37 ~~of occupancy.~~

38 ~~**GLAZING.** Glass or glass-like (plastic) material, which is transparent or translucent, a pane~~
39 ~~or sheet, which is installed in prepared openings such as doors, windows and enclosures.~~

40 ~~**EFFECTIVE SOUTH GLAZING.** Glazing facing within fifteen degrees of true south,~~
41 ~~shaded by a permanent exterior shading device on July 21st and unshaded on December 21st.~~

42 ~~**HEATED SLAB.** A floor containing heated pipes, ducts or electrical heating elements for~~
43 ~~complete or partial heating of the building.~~

44 ~~**INSULATION.** A material installed specifically for thermal resistance.~~

45 ~~**P.S.F.** Pounds per square foot.~~

1 ~~RESISTANCE (thermal). A measure of the ability to retard heat flow, measured in~~
2 ~~Fahrenheit degrees per BTU/(hour) (square foot). R is a numerical reciprocal of U, thus $R = 1/U$.~~
3 ~~Thermal resistance values, based on mean temperature difference of seventy-five degrees~~
4 ~~Fahrenheit, shall be obtained from the most recent ASHRAE handbook of fundamentals or from~~
5 ~~manufacturer's data as determined by a recognized independent testing laboratory.~~

6 ~~U-VALUE (co-efficient of heat transmission). Heat flow rate in BTUH through one foot~~
7 ~~of building assembly for a one degree Fahrenheit air-to-air temperature difference as determined by~~
8 ~~procedures set forth in the 1993 edition, ASHRAE handbook of fundamentals.~~

9 ~~UNCONDITIONED SPACE. A space which is not conditioned within the human comfort~~
10 ~~range by an energy-using system. A basement, crawl space, or garage is considered unheated space~~
11 ~~unless it is provided with a positive heat supply to maintain a minimum temperature of fifty degrees.~~

12 ~~UNHEATED SLAB. An unheated floor, relying for warmth from heat delivered above floor~~
13 ~~level by the heating system.~~

14 ~~VAPOR BARRIER. A material with high resistance to the passage of water vapor applied~~
15 ~~to surfaces to prevent vapor travel and shall be a minimum actual thickness of 3 mil.~~

16 ~~SECTION 1304 -- INSULATION REQUIREMENTS - COMMERCIAL BUILDINGS~~

17 ~~The maximum average coefficient of heat transmission for construction elements between~~
18 ~~conditioned and unconditioned space for a commercial occupancy shall be as follows:~~

19 ~~Commercial buildings shall conform to the insulation requirements as set forth in Section~~
20 ~~4.0 of ASHRAE Standards 90-75 and the following values for components:~~

21 CONSTRUCTION ELEMENT	22 U-VALUE	23 R-VALUE
24 Walls (includes glazing and doors)	25 .186	26 5.38
27 Ceilings and roofs	28 .075	29 13.33
30 Floors (except slabs)	31 .053	32 18.87
33 Glazing	34 .650	35 1.54

36 ~~Walls: Insulation shall be applied to a minimum depth 3 feet~~
37 ~~below grade or to the basement floor, whichever is less.~~

38 ~~Walls: Where practicable, walls shall meet stated U-value for walls (except basement, cellar~~
39 ~~and crawl space) at exterior floor perimeter bands.~~

40 ~~Where provisions of Section 1305 are being applied, all residential walls (except walls of~~
41 ~~basements, cellars and crawl spaces) shall have a maximum U-value of .135.~~

42 ~~For interior applied insulation, it shall be applied to a minimum depth of three feet below~~
43 ~~grade or to the basement floor whichever is less.~~

44 ~~When insulation is applied to the exterior side of foundation walls which are partly above~~
45 ~~grade, the insulation shall have a protective covering installed as recommended by the manufacturer~~
46 ~~on the above-grade section and the top one foot of the insulation material below grade.~~

47 ~~Glazing and Doors: Glazed area other than effective south glazing shall total no more than~~
48 ~~fifteen percent of the gross floor area. Additional glass area may be added as effective south~~
49 ~~glazing. The effective south glazing area must be integrated into the design so that indoor~~
50 ~~temperatures throughout the building can be maintained within the human comfort range at all times.~~
51 ~~A thermal storage material equal to a minimum of twenty-two B.T.U. per degree Fahrenheit for each~~
52 ~~square foot of effective south glazing shall absorb the heat energy from the solar input which might~~
53 ~~otherwise result in building temperature variations above the human comfort range. Basement floor~~

1 area shall contribute to glazed area allowance for basement only. All spaces around exterior framing
2 shall be filled with insulation.

3 ~~———— **Slab-at-grade Floors:** Perimeter insulation shall be used to reduce the slab heat loss. The~~
4 ~~thermal resistance of the insulation around the perimeter of the floor shall have a minimum~~
5 ~~resistance of R=7 for heated slabs and R=5 for unheated slabs. The insulation shall extend downward~~
6 ~~from the top of the slab for a minimum distance of twenty-four inches or downward to the bottom~~
7 ~~of the slab, then horizontally below the slab for a minimum total distance of twenty-four inches.~~
8 ~~This applies only to that part of the total slab which is below a heated space. Insulation not required~~
9 ~~for floors more than three feet below grade.~~

10 ~~———— **Air leakage - Windows** -- Windows shall be designed to limit air leakage into or from the~~
11 ~~building. Air leakage rate for windows shall not exceed 0.5 cfm per foot of sash crack when tested~~
12 ~~at a pressure differential of 1.576 lb/ft., equivalent to the impact pressure of 25 mph wind.~~

13 ~~———— **Air leakage - Doors:** All exterior doors shall be designed to limit air leakage into or from~~
14 ~~the building when in a closed position.~~

15 ~~———— Air leakage for manual sliding glazed doors shall not exceed 0.5 cubic feet per minutes per~~
16 ~~square foot of door area in the closed position, when tested at a pressure differential of 1.567 lb/ft.~~

17 ~~———— Compliance with the criteria for air leakage of all types of windows and doors shall be~~
18 ~~determined by American Society for Testing Materials 283-73, "standards method of test for rate~~
19 ~~of air leakage through exterior windows, curtain walls, and doors."~~

20 ~~———— **Fireplaces:** All woodburning fireplaces and combustion air intakes for woodburning~~
21 ~~fireplaces shall be equipped with dampers.~~

22 ~~———— **Caulking and Sealants:** Exterior joints around windows and door frames, between wall and~~
23 ~~foundation, between wall and roof, between wall panels, at penetrations of utility services through~~
24 ~~walls, floors and roofs, and all other openings to the exterior envelope shall be caulked, gasketed,~~
25 ~~and/or otherwise sealed in an approved manner.~~

26 ~~———— **Vapor Barriers:** When the construction includes any material including insulation that~~
27 ~~would be damaged by moisture or its freezing, a vapor barrier shall be installed as near to the warm~~
28 ~~surface of the walls, ceiling, roof, and floors as practicable. Vapor barriers are not, however,~~
29 ~~required on ceilings which have a ventilated attic space above the ceiling. The vapor barrier shall~~
30 ~~have a maximum transmission rating of 1.0 perm or a rating lower than that of all other materials~~
31 ~~included as part of the wall, ceiling, roof, or floor of which the vapor barrier is applied, whichever~~
32 ~~is lowest.~~

33 ~~———— **Building Insulation:** Materials used for insulation shall be of approved effectiveness and~~
34 ~~adequate durability as established by nationally recognized testing laboratories or agencies to assure~~
35 ~~that required design conditions concerning heat losses are maintained. Insulation in contact with~~
36 ~~the ground shall be of such a type so as not to be adversely affected by soil, vermin, or water.~~
37 ~~Insulation used in attic spaces shall not block air movement from eave vents are used. When eave~~
38 ~~vents are installed, adequate baffling of the vent opening must be provided to deflect the incoming~~
39 ~~air above the surface of the insulation.~~

40 ~~———— **Insulation Air Barrier:** An air barrier, which may be house wrap, drywall, rigid sheathing~~
41 ~~or similar material, is required on the cold side of insulated walls located adjacent to attics, unheated~~
42 ~~spaces or sky light enclosures.~~

43 ~~**SECTION 1305 – BUILDING ENVELOPE ALTERNATIVE**~~

44 ~~———— Notwithstanding any other provisions of these standards, all building occupancies where the~~
45 ~~U-value of any one component of roof, ceiling, walls, glazing, floor, or doors, does not meet the~~

1 specific requirements of this chapter, such U-value may be increased and the U-value for other
2 components decreased until the average U-value for the building envelope does not exceed the total
3 resulting from conformance to the requirements of the 1993 edition of the ASHRAE Handbook of
4 Fundamentals. Similarly, when the average U-value for glazed areas is below 0.650, total glazed
5 area may be increased such that the product of glazed area and average glazing U-value does not
6 exceed that resulting from conformance to the requirements of the 1993 edition of the ASHRAE
7 Handbook of Fundamentals.

8 ——— In determining the building envelope average U-value by the provisions of this section,
9 allowable heat loss for glazing not within 15 degrees of true south shall be (fifteen percent of gross
10 floor area) x (0.650). Effective south glazing shall be treated as opaque walls with a U-value of .07.

11 **~~SECTION 1306 – PERFORMANCE ALTERNATIVE~~**

12 ——— Notwithstanding any other provisions of these standards, all building occupancies where the
13 U-value of any one component of roof, ceiling, walls, glazing, floor, or doors, and the total glazing
14 area does not meet the specific requirements of this chapter, such U-value and glazing areas may be
15 increased providing a full year energy analysis is performed in sufficient technical detail to show
16 the monthly heat gain and heat loss from the structure including ventilation and infiltration to the
17 satisfaction of the Department of Building and Safety, or a registered engineer or architect concurs
18 in writing that the energy requirements of the structure for heating and cooling does not exceed the
19 total resulting from conformance to the requirements of the 1993 edition of the ASHRAE Handbook
20 of Fundamentals.—

21 Section 37. That Chapter 20.08 of the Lincoln Municipal Code be amended by
22 adding a new section numbered 20.08.305 to read as follows:

23 **20.08.305 Sections 1403.5 and 1403.6 Deleted; Flood Resistance.**

24 Sections 1403.5 and 1403.6 of the International Building Code are hereby deleted This
25 section will be covered by Lincoln Municipal Code Chapters 27.52 and 27.53.

26 Section 38. That Chapter 20.08 of the Lincoln Municipal Code be amended by
27 adding a new section numbered 20.08.315 to read as follows:

28 **20.08.315 Section 1406.3 Amended; Balcony and Similar Projections; Fire Resistance.**

29 Section 1406.3 of the International Building code is amended to read as follows:

30 **1406.3 Balconies and similar projections.** Balconies, roof soffits, and similar projections
31 of combustible construction other than fire-retardant-treated wood shall be fire-resistance rated in
32 accordance with Table 601 for floor construction or shall be of Type IV construction in accordance
33 with Section 602.4. The aggregate length shall not exceed 50 percent of the building’s perimeter on
34 each floor.

35 Exceptions:

1 1. On buildings of Type I and II construction, three stories or less in height,
2 fire-retardant-treated wood shall be permitted for balconies, porches, decks and exterior stairways
3 not used as required exits.

4 2. Untreated wood is permitted for pickets and rails or similar guardrail devices that are
5 limited to 42 inches (1067 mm) in height.

6 3. Balconies and similar projections on buildings of Type III, IV and V construction
7 shall be permitted to be of Type V construction, and shall not be required to have a fire-resistance
8 rating where sprinkler protection is extended to these areas.

9 4. Where sprinkler protection is extended to the balcony areas, the aggregate length of
10 the balcony on each floor shall not be limited.

11 Section 39. That Section 20.08.320 of the Lincoln Municipal Code be amended to
12 read as follows:

13 **20.08.320 Section 1510.3 Amended; Recovering vs. Replacement.**

14 The Section 1510.3 of the International Building Code is amended to read as follows:

15 **1510.3 Recovering vs. replacement.** New roof coverings shall not be installed without first
16 removing existing roof coverings where any of the following conditions occur:

17 1. Where the existing roof or roof covering is water soaked or has deteriorated to the
18 point that the existing roof or roof covering is not adequate as a base for additional roofing.

19 2. Where the existing roof covering is wood shake, slate, clay, cement or asbestos-
20 cement tile.

21 3. Before applying new roof sheathing, all old roof covering materials shall be removed
22 and the roof's original sheathing exposed. New roofing materials shall not be installed over existing
23 rotten or deteriorated shingles or sheathing. No more than two layers of shingles may be installed
24 on a roof. Subsequent roofing after two layers of shingles will require the removal of all shingles
25 to the base roof sheathing or structure.

26 **Exceptions:**

27 ~~1. Complete and separate roofing systems, such as standing-seam metal roof~~
28 ~~systems, that are designed to transmit the roof loads directly to the building's structural~~
29 ~~system and that do not rely on existing roofs and roof coverings for support, shall not require~~
30 ~~the removal of existing roof coverings.~~

1 ~~2. Metal panel, metal shingle, and concrete and clay tile roof coverings shall be~~
2 ~~permitted to be installed over existing wood shake roofs when applied in accordance with~~
3 ~~Section 1510.4.~~

4 ~~3. Up to three layers of roof covering may be allowed if load calculations are~~
5 ~~approved.~~

6 Section 40. That Chapter 20.08 of the Lincoln Municipal Code be amended by
7 adding a new section numbered 20.08.325 to read as follows:

8 **20.08.325 Section 1607.11.2.2 Amended; Special Purpose Roofs.**

9 Section 1607.11.2.2 of the International Building Code is amended to read as follows:

10 **1607.11.2.2 Special purpose roofs.** Roofs to be used for special purposes shall be designed
11 for appropriate loads as approved by the building official. Greenhouse roof bars, purlins, and rafters
12 shall be designed to carry a 100-pound minimum concentrated load in addition to the live load of
13 fifteen pound per square foot.

14 Section 41. That Section 20.08.330 of the Lincoln Municipal Code be amended to
15 read as follows:

16 **20.08.330 Section 1608.2 Amended; Ground Snow Loads.**

17 **1608.2 Ground snow loads.** The ground snow loads to be used in determining the design
18 snow loads for roofs are given in ASCE 7 or Figure 1608.2 for the contiguous United States and
19 Table 1608.2 for Alaska. ~~Site-specific case studies shall be made in areas designated CS in Figure~~
20 1608.2. Ground snow loads for sites at elevations above the limits indicated in Figure 1608.2 and
21 for all sites within the CS areas shall be approved. Ground snow load determination for such sites
22 shall be based on an extreme value statistical analysis of data available in the vicinity of the site
23 using a value with a 2-percent annual probability of being exceeded (50-year mean recurrence
24 interval). Snow loads are zero for Hawaii, except in mountainous regions as approved by the
25 building official. The ground snow load shown in Table 1608.2 for Lincoln and Lancaster County,
26 Nebraska shall be 30 pounds per square foot.

27 Section 42. That Section 20.08.340 of the Lincoln Municipal Code be amended to
28 read as follows:

29 **20.08.340 Section 1608.3.4 Amended; Rain-on-Snow Surcharge Load.**

30 Section 1608.3.4 of the International Building Code is amended to read as follows:

1 **1608.3.4 Rain-on-snow surcharge load.** Roofs with a slope less than ~~three~~ two inches per
2 foot shall be designed for a rain-on-snow surcharge load determined in accordance with Section 7.10
3 of ASCE 7. The rain-on-snow load shall be five pounds per square foot for Lincoln and Lancaster
4 County, Nebraska.

5 Section 43. That Section 20.08.350 of the Lincoln Municipal Code be amended to
6 read as follows:

7 **20.08.350 Section 1612 Deleted; Flood Loads.**

8 Section 1612 of the International Building Code and all subsections thereof are hereby
9 deleted. This section will be covered by Lincoln Municipal Code Chapters 27.52 and 27.53.

10 Section 44. That Section 20.08.360 of the Lincoln Municipal Code be and the same
11 is hereby repealed.

12 ~~**20.08.360 Section 1615.1 Amended; General Procedure for Determining Maximum**~~
13 ~~**Considered Earthquake and Design Spectral Response Accelerations.**~~

14 ~~Section 1615.1 of the International Building Code is amended to read as follows:~~

15 ~~**1615.1 General procedure for determining maximum considered earthquake and**~~
16 ~~**design spectral response accelerations.**~~ Ground motion accelerations, represented by ~~response~~
17 ~~spectra and coefficients derived from these spectra, shall be determined in accordance with the~~
18 ~~general procedure of Section 1615.1 or the site-specific procedure of Section 1615.2. The site-~~
19 ~~specific procedure of Section 1615.2 shall be used for structures on sites classified as Site Class F,~~
20 ~~in accordance with Section 1615.1.1.~~

21 ~~The mapped maximum considered earthquake spectral response acceleration at short periods,~~
22 ~~S_S , and at 1-second period, S_T , shall be determined from Figures 1615(1) through (10). Where a site~~
23 ~~is between contours, straight line interpolation or the value of the higher contour shall be used.~~

24 ~~The Site Class shall be determined in accordance with Section 1615.1.1. The maximum~~
25 ~~considered earthquake spectral response accelerations at short period and 1-second period adjusted~~
26 ~~for site class effects, S_{MS} and S_{MT} , shall be determined in accordance with Section 1615.1.2. The~~
27 ~~design spectral response accelerations at short period, S_{DS} , and at 1-second period, S_{DT} , shall be~~
28 ~~determined in accordance with Section 1615.1.3. The general response spectrum shall be determined~~
29 ~~in accordance with Section 1615.1.4. The ground motion acceleration value for Figure 1615(1) for~~
30 ~~Lincoln and Lancaster County, Nebraska is 18.0 and the value for Figure 1615(2) is 5.0.~~

31 ~~**Exception:** For structures located on sites with mapped spectral response acceleration at~~
32 ~~short period, S_S , less than or equal to 0.15g and mapped spectral response acceleration at 1-second~~
33 ~~period, S_T , less than or equal to 0.04g, the Site Class, maximum considered earthquake spectral~~
34 ~~response accelerations at short period and at 1-second period adjusted for site class effects (S_{MS} and~~
35 ~~S_{MT}), and the design spectral response accelerations at short period and at 1-second period (S_{DS} and~~
36 ~~S_{DT}) need not be determined. Such structures shall be categorized as Seismic Design Category A and~~
37 ~~need only comply with the requirements of Section 1616.4.~~

38 Section 45. That Chapter 20.08 of the Lincoln Municipal Code be amended by
39 adding a new section numbered 20.08.355 to read as follows:

1 **20.08.355 Section 1803.4 Deleted: Flood Hazard Areas, Grading and Fill.**

2 Section 1803.4 of the International Building Code is hereby deleted. This section will be
3 covered by Lincoln Municipal Code Chapters 27.52 and 27.53.

4 Section 46. That Chapter 20.08 of the Lincoln Municipal Code be amended by
5 adding a new section numbered 20.08.357 to read as follows:

6 **20.08.357 Section 1805.2.1 Amended; Frost Protection.**

7 Section 1805.2.1 of the International Building Code is amended to read as follows:

8 **1805.2.1 Frost protection.** Foundation walls, piers, and other permanent supports of
9 buildings and structures shall be protected by one or more of the following methods:

10 (1) Extending below the frost line of the locality; or

11 (2) Erecting on solid rock.

12 Exception: Free-standing buildings meeting all of the following conditions shall not be
13 required to be protected:

14 1. Classified in Occupancy Category I, in accordance with Section 1604.5;

15 2. Area of 600 square feet (56 m²) or less for light-frame construction or 400
16 square feet (37 m²) or less for other than light-frame construction; and

17 3. Eave height of 10 feet (3048 mm) or less.

18 Footings shall not bear on frozen soil unless such condition is of a permanent character.

19 Section 47. That Chapter 28.08 of the Lincoln Municipal Code be amended by
20 adding a new section numbered 20.08.359 to read as follows:

21 **20.08.359 Section 1807.1.2.1 Deleted; Flood Hazard Areas.**

22 Section 1807.1.2.1 of the International Building Code is hereby deleted. This section will
23 be covered by Lincoln Municipal Code Chapter 27.52 and 27.53.

24 Section 48. That Chapter 20.08 of the Lincoln Municipal Code be amended by
25 adding a new section numbered 20.08.365 to read as follows:

26 **20.08.365 Section 2304.11.5.1 Added; Deck Supporting Structure.**

27 Section 2304.11.5.1 is added to the International Building Code read as follows:

28 **2304.11.5.1 Deck supporting structure.** Decks shall be supported by a continuous
29 column and shall not be supported by the deck below.

1 Section 49. That Chapter 20.08 of the Lincoln Municipal Code be amended by
2 adding a new section numbered 20.08.367 to read as follows:

3 **20.08.367 Table 2308.8(1) Deleted; Floor Joist Spans for Residential Sleeping Areas.**

4 Table 2308.8(1) of the International Building Code is hereby deleted.

5 Section 50. That Section 20.08.370 of the Lincoln Municipal Code be amended to
6 read as follows:

7 **20.08.370 Section 2410 Added; Window Cleaning Anchorage Systems.**

8 Section 2410 is added to the Uniform Building Code to read as follows:

9 **SECTION 2410 – WINDOW CLEANING/EXTERIOR MAINTENANCE ANCHORAGE**
10 **SYSTEMS.**

11 All buildings where window cleaning or exterior maintenance is performed employing
12 suspended equipment shall be equipped with roof anchorage or other approved devices that will
13 provide for safe use of the equipment in conformance with the provisions of ANSI IWCA I-14.1.
14 Grading and landscaping shall be considered in determining the probability of suspended equipment
15 being necessary.

16 Section 51. That Section 20.08.380 of the Lincoln Municipal Code be amended to
17 read as follows:

18 **20.08.380 Chapters 27, 28 and 29 Deleted; Electrical, Mechanical, Plumbing Systems.**

19 Chapters 27, 28 and 29 of the International Building Code and all sections thereof are hereby
20 deleted. These sections are covered by Lincoln Municipal Code Titles 23, 24 and 25.

21 Section 52. That Chapter 20.08 of the Lincoln Municipal Code be amended by
22 adding a new section numbered 20.08.385 to read as follows:

23 **20.08.385 Section 3202.3.3. Deleted; Encroachments 15 Feet or More Above Grade.**

24 Section 3202.3.3 of the International Building Code is hereby deleted.

25 Section 53. That Section 20.08.400 of the Lincoln Municipal Code be and the same
26 is hereby repealed.

27 ~~**20.08.400 Section 3202.3.3. Deleted; Encroachments 15 Feet or More Above Grade.**~~

28 ~~Section 3202.3.3 of the International Building Code is hereby deleted.~~

29 Section 54. That Section 20.08.410 of the Lincoln Municipal Code be amended to
30 read as follows:

1 **20.08.410 Section 3303 Amended; Demolition of Buildings.**

2 Section 3303 of the International Building Code is amended to read as follows:

3 **SECTION 3303 -- DEMOLITION OF BUILDINGS**

4 **3303.1 Purpose.** The purpose of this section is to regulate and provide minimum standards
5 for the demolition of buildings.

6 **3303.2 Definition.** For the purpose of this section, the word "demolish" is defined as
7 follows: Demolish shall mean and include the razing, tearing down, or removal of all or part of a
8 building; the removal of the outer facing of a building but leaving a skeleton or structural frame; or
9 the removal of an upper story or stories of a building. Demolish shall also include "deconstruction"
10 which is the whole or partial disassembly of structures for the purposes of reusing salvaged building
11 materials.

12 **3303.3 Demolition permit.**

13 **3303.3.1 Permit required.** No person shall demolish or remove a building, or part
14 thereof, without first having obtained a permit therefor from the building official.

15 **3303.3.1 Application for permit.** To obtain a demolition permit the applicant shall
16 first file an application therefor in writing on a form furnished by the building official. Such
17 application shall set forth a statement of the facts necessary to fully describe the building, its use,
18 its legal description, and address. Provisions shall be made by the applicant for the proper
19 abandonment of all utilities as required by this code before a demolition permit may be issued.
20 Applications for demolition permits shall expire 180 days after the application date.

21 **3303.4 Advisory note; safety requirements.** All demolition work should be performed
22 in conformance with "Safety Requirements for Demolition," ANSI A10.6-1990 as published by
23 American National Standards Institute, Inc.

24 **3303.5 Liability insurance.** Whenever any building which is to be demolished has been
25 used, or is being used, for any occupancy group except detached one- or two-family occupancies,
26 the person applying for the demolition permit shall, as a part of the application, be required to:

- 27 1. At all times maintain public liability insurance coverage for all claims arising out of
28 all work in the City of Lincoln and within three miles of the corporate limits thereof done by or
29 under the supervision of the demolition contractor under the provisions of this code. Such insurance
30 shall be in the form of a commercial or comprehensive general liability policy, or an acceptable

1 substitute policy form as permitted by the City Attorney, with a minimum combined single limit of
2 \$500,000.00 aggregate for any one occurrence on any job for which a permit is required under this
3 code, provided the City of Lincoln shall be named an additional insured thereunder. The coverages
4 required herein shall be subject to review and approval by the City Attorney for conformance with
5 the provisions of this section.

6 2. At all times keep on file with the building official a current certificate of insurance
7 signed by a qualified agent of an insurance company licensed to do business in the State of Nebraska
8 and approved by the City Attorney for conformance with the provisions of this section evidencing
9 the existence of valid and effective policies of insurance naming the city as an additional insured for
10 the coverage required by subsection 1 of this section, the limits of each policy, the policy number,
11 the name of the insurer, the effective date and expiration date of each policy, the deductibles or self-
12 insurance retainers of each policy, and a copy of an endorsement placed on each policy requiring
13 thirty days notice by mail to the building official before the insurer may cancel the policy for any
14 reason, and upon request of the building official or the City Attorney, a copy of any endorsements
15 placed on such policies or the declarations page of such policies. Any termination, reduction, or
16 lapse of such insurance shall automatically terminate the privilege of the demolition contractor to
17 be issued permits under the provisions of this code, unless other insurance meeting the requirements
18 of this section is provided and in full force and effect at the time of such termination or cancellation.

19 Where the building official determines that the proposed demolition of a building involves
20 a greater risk than normal, the building official may require a certificate evidencing liability
21 coverage in excess of the minimum sum stated above.

22 **3303.6 Permit fees.** A fee for each demolition permit shall be paid to the building official
23 as follows:

24 Residential building (R-3 Occupancy)	\$100.00
25 Residential accessory building	\$ 25.00
26 All other residential, business or commercial building	\$125.00 <u>250.00</u>

27 Where work for which a permit is required by this chapter is commenced prior to obtaining
28 said permit, the fees above specified shall be doubled. The payment of such double fee shall not
29 relieve any person from fully complying with the requirements of this chapter in the execution of
30 the work or from any other penalties prescribed herein.

1 The applicant shall apply and pay for any street use permit, any permit for parking meters
2 which shall be out of use during the demolition. Fee refunds shall be in accordance with Section
3 108.6.

4 **3303.7 Utility disconnection.** All water and sanitary sewer services shall be disconnected
5 and sealed in accordance with the Lincoln Municipal Code Chapter 17.10 and said disconnects shall
6 be inspected and approved by the Public Works and Utilities Department.

7 **3303.8 Completion of demolition work.** All demolition work, including the removal of
8 the foundation, must start within 30 days, and must be completed within 60 days from the date of
9 the demolition permit issuance. Upon completion of the demolition work, the applicant shall clean
10 the premises of all debris, request an inspection of the premises and then fill all excavations and
11 grade the area with top soil or other material approved by the building official.

12 **3303.9 Building official may stop demolition.** The building official shall have the
13 authority to stop the demolition or removal of any building or structure or part thereof, when the
14 same is being done in a reckless or careless manner, or in violation of the provisions of this chapter
15 or any other ordinances of the city. When such work is stopped by order of the building official, it
16 shall not be resumed without approval of the building official.

17 A demolition permit may be revoked by the building official at any time upon a violation of
18 the terms thereof, or upon a violation of any provision of this chapter or any other ordinance of the
19 city.

20 **3303.10 Securing the demolition site.** All demolition sites shall be secured at all times
21 during the demolition process.

22 **3303.11 Expiration.** All demolition permits shall expire after ~~30~~ 60 days from issuance.
23 The building official may allow an extension of 30 days due to extenuating circumstances.
24 Demolition must be completed in accordance with 3303.8.

25 Section 55. That Section 20.08.430 of the Lincoln Municipal Code be amended to
26 read as follows:

27 **20.08.430 Section 3306.4 Amended; Construction Fences.**

28 Section 3306.4 of the International Building Code is amended to read as follows:

29 **3306.4 Construction fences.** Construction fences shall be at least 4 feet (1219 mm) in
30 height and shall be securely anchored at each end and every 15 feet (4572 mm) of length. The
31 largest opening in the fence shall be such that a 6-inch (152 mm) sphere may not pass through it.

The fence shall be erected a distance from the building equal to the height of the building or as otherwise approved by the building official. For the purposes of this section, construction fences shall also mean construction railings.

Section 56. That Section 20.08.440 of the Lincoln Municipal Code be and the same is hereby repealed.

20.08.440 — Table 3306.1 Amended; Protection of Pedestrians.

~~Section Table 3306.1 of the International Building Code is amended to read as follows:~~

Table 3306.1

PROTECTION OF PEDESTRIANS

HEIGHT OF CONSTRUCTION	DISTANCE OF CONSTRUCTION TO LOT LINE	TYPE OF PROTECTION REQUIRED
8 feet or less	Less than 5 feet	Construction fences
	5 feet or more	None
More than 8 feet	Less than 5 feet	Barrier and covered walkway
	5 feet or more, but not more than one-fourth the height of construction	Barrier and covered walkway
	5 feet or more, but between one-fourth and one-half the height of construction	Barrier
	5 feet or more, but exceeding one-half the height of construction	None

~~For SI: 1 foot = 304.8 mm.~~

Section 57. That Chapter 20.08 of the Lincoln Municipal Code be amended by adding a new section numbered 20.08.475 to read as follows:

20.08.475 Section C105 Added; Snow Load.

Section C105 is added to Appendix C to read as follows:

C105 Roof snow load. Agricultural buildings located in the AG zoning district as regulated by the Lancaster County Zoning Regulations shall be designed for a minimum of 20# roof snow load.

Section 58. That Section 20.08.480 of the Lincoln Municipal Code be and the same is hereby repealed.

1 ~~20.08.480~~ ~~Section C101.2 Added; Special Purpose Roofs.~~

2 ~~Section C101.2 is added to Appendix C of the International Building Code to read as~~
3 ~~follows:~~

4 ~~C101.2 Special purpose roofs. Roofs to be used for special purposes shall be designed for~~
5 ~~appropriate loads as approved by the building official. Greenhouse roof bars, purlins, and rafters~~
6 ~~shall be designed to carry a 100-pound minimum concentrated load in addition to the live load of~~
7 ~~fifteen pound per square foot.~~

8 Section 59. That Sections 20.08.010, 20.08.040, 20.08.060, 20.08.070, 20.08.090,
9 20.08.100, 20.08.110, 20.08.140, 20.08.150, 20.08.160, 20.08.180, 20.08.190, 20.08.200, 20.08.220,
10 20.08.230, 20.08.240, 20.08.250, 20.08.260, 20.08.290, 20.08.300, 20.08.320, 20.08.330, 20.08.340,
11 20.08.350, 20.08.370, 20.08.380, 20.08.410, and 20.08.430 of the Lincoln Municipal Code as
12 hitherto existing be and the same are hereby repealed.

13 Section 60. Pursuant to Article VII, Section 7 of the City Charter, this ordinance
14 shall be posted on the official bulletin board of the City in lieu of and in place of newspaper
15 publication with notice of passage and such posting to be given by publication one time in the
16 official newspaper by the City Clerk. This ordinance shall take effect and be in force from and after
17 its passage and publication as herein and in the City Charter provided.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2007:

Mayor