

ORDINANCE NO. 5356

AN ORDINANCE OF THE CITY OF FREMONT, NEBRASKA, AMENDING CHAPTER 9 OF THE FREMONT MUNICIPAL CODE REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES IN THE CITY OF FREMONT, NEBRASKA; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICTS THEREWITH; PROVIDING A SEVERABILITY AND SAVING CLAUSE, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Fremont, Nebraska, seeks to promote the general health, safety, morals, and welfare of the community; and

WHEREAS, the general health, safety, morals and welfare will be best served by updating certain codes heretofore adopted by the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA, AS FOLLOWS:

SECTION 1. CODE ADOPTION. That a certain set of documents, one (1) copy of which is on file in the office of the City Clerk of the City of Fremont, Nebraska, being marked and designated as the *Building and Property Maintenance Regulations*, including those editions and appendix chapters as follows, be and is hereby adopted as the *Building and Property Maintenance Regulations* of the City of Fremont, in the State of Nebraska for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said *Building and Property Maintenance Regulations* on file in the office of the City Secretary are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance:

- International Building Code (IBC) – 2012 Edition: Chapters 1 – 26, Chapters 30 – 35, and Appendices C, G, I, and J.
- International Fire Code (IFC) – 2012 Edition: All Chapters and Appendix D.
- International Residential Code (IRC) – 2012 Edition: Chapters 1 - 10, Chapters 43 – 44, and Appendices E, F, G, H, and I.
- NFPA 70: National Electrical Code (NEC) – 2014 Edition: All Chapters.

- International Existing Building Code (IEBC) – 2012 Edition: All Chapters.
- Uniform Mechanical Code (UMC) – 2012 Edition: All Chapters.
- Uniform Plumbing Code (UPC) – 2012 Edition: All Chapters.
- International Fuel Gas Code (IFGC) – 2012 Edition: All Chapters.
- International Property Maintenance Code (IPMC) – 2012 Edition: All Chapters.
- International Energy Conservation Code (IECC) – 2009 Edition: All Chapters.

SECTION 2. MUNICIPAL CODE AMENDMENT. That the Fremont Municipal Code (FMC) is hereby amended by repealing Chapter 9 Building Regulations in its entirety and replacing it with Chapter 9 Building and Property Maintenance Regulations, attached hereto and incorporated herein as Exhibit B.

SECTION 3. REPEALER. That all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY. That if any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

SECTION 4. EFFECTIVE DATE. That this ordinance and the rules, regulations, provisions, requirements, and matters established and adopted hereby shall take effect and be in full force January 1, 2016, and after its passage, approval, and publication as required by law.

Any building or other permits issued prior to the effective date of this chapter shall be valid for the period specified in the permit or in accordance with the prior ordinance under which the permit was issued. In the event of expiration of a permit issued prior to the effective date of this chapter before commencement of the work pursuant to said permit, the permit shall be considered null and void and application for a new permit shall be required to be made in conformity with the terms of this chapter.

SECTION 5. PENALTIES. Any person, firm or corporation violating any of the provisions of the code shall be deemed guilty of a misdemeanor and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued or permitted, and upon conviction punishable by a fine of not more than \$1,000.00 or by imprisonment of not more than ninety (90) days or by both such fine and imprisonment.

PASSED AND APPROVED THIS THE 29 DAY OF December, 2015.



Scott Getzschman

Scott Getzschman, Mayor

ATTEST:

Tyler Ficken

Tyler Ficken, City Clerk

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Chapter 9

BUILDING AND PROPERTY MAINTENANCE REGULATIONS

Article 1. Adoption of Codes and Amendments.

§9-101. Adoption of codes and amendments as related to this title.

The following editions of the below named codes, are adopted with amendments and revisions as set forth herein:

International Building Code (IBC) – 2012 Edition: Chapters 1 – 26, Chapters 30 – 35, and Appendices C, G, I, and J.

International Fire Code – 2012 Edition: All Chapters and Appendix D.

International Residential Code (IRC) – 2012 Edition: Chapters 1 - 10, Chapters 43 – 44, and Appendices E, F, G, H, and I.

NFPA 70: National Electrical Code (NEC) – 2014 Edition: All Chapters.

International Existing Building Code (IEBC) – 2012 Edition: All Chapters.

Uniform Mechanical Code (UMC) – 2012 Edition: All Chapters.

Uniform Plumbing Code (UPC) – 2012 Edition: All Chapters.

International Fuel Gas Code (IFGC) – 2012 Edition: All Chapters.

International Property Maintenance Code (IPMC) – 2012 Edition: All Chapters.

International Energy Conservation Code (IECC) – 2009 Edition: All Chapters.

§9-102. Amendments.

The city council may, from time to time, by ordinance adopt amendments and revisions to the above enumerated codes. Copies of each of the above adopted codes, and any additional building regulations or codes adopted hereafter, shall be maintained in the office of the city clerk for inspection. Copies of amendments or revisions to the above enumerated codes shall also be maintained in the office of the city clerk for inspection. Any reference to the aforementioned codes shall be considered as inclusive of any amendments made thereto.

Article 2. Building Code.

§9-201. International Building Code adopted.

The International Building Code, 2012 edition: Chapters 1-26, Chapters 30-35, and Appendices C, G, I, and J, as recommended by the International Code Council (ICC), and herein adopted by the City of Fremont is hereby amended to include the following local amendments.

§9-202. City of Fremont local amendments.

- A. Section [A]105.2 Work exempt from permit; amend building exemption number 1 to read as follows:
 1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 80 square feet (7.43 m²).
- B. Section [A]105.2 Work exempt from permit; amend building exemption number 2 to read as follows:
 2. Fences not over 32 inches (812.8 mm) high.
- C. Section [A]105.2 Work exempt from permit; amend building exemption number 7 to read as follows:

7. Painting, papering, tiling, carpeting, counter tops and similar finish work.

D. Section [A]105.2 Work exempt from permit; amend building exemption number 9 to read as follows:

9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 18 inches (457.2 mm) deep, are not greater than 5,000 gallons (18,925 L) and are installed entirely above ground.

E. Section [A]105.2 Work exempt from permit; strike electrical, gas, mechanical, and plumbing exemptions.

F. Section 406.3.4 Separation; amend scenario 1 to read as follows:

1. The private garage shall be separated from the dwelling unit and its attic area by means of gypsum board, not less than 5/8 inch (15.9 mm) in thickness, applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than a 5/8-inch (15.9 mm) Type X gypsum board or equivalent and 5/8-inch (15.9 mm) gypsum board applied to structures supporting the separation from habitable rooms above the garage. Door openings between a private garage and the dwelling unit shall be equipped with either solid wood doors or solid or honeycomb core steel doors not less than 1 3/8 inches (34.9 mm) in thickness, or doors in compliance with Section 716.5.3 with a fire protection rating of not less than 20 minutes. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Doors shall be self-closing and self-latching.

G. Section 1612.3 Establishment of flood hazard areas, amend to read as follows:

1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for City of Fremont, Nebraska," dated August, 1978, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

H. Section 1809.5. Frost Protection; amend exception 2 to read as follows:

2. Area of 400 square feet (37 m²) or less; and

I. TABLE 1809.7 PRESCRIPTIVE FOOTINGS SUPPORTING WALLS OF LIGHT-FRAME CONSTRUCTION; amend to read as follows:

TABLE 1809.7 PRESCRIPTIVE FOOTINGS SUPPORTING WALLS OF LIGHT-FRAME CONSTRUCTION^{a, b, c, d, e}

NUMBER OF FLOORS SUPPORTED BY THE FOOTING ^f	WIDTH OF FOOTINGS (inches)	THICKNESS OF FOOTINGS (inches)
1	16	8
2	20	10
3	24	12

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

- a. Depth of footings shall be in accordance with Section 1809.4.
- b. The ground under the floor shall be permitted to be excavated to the elevation of the top of the footing.
- c. Interior stud-bearing walls shall be permitted to be supported by isolated footings. The footing width and length shall be twice the width shown in this table, and footings shall be spaced not more than 6 feet on center.
- d. See Section 1905 for additional requirements for concrete footings of structures assigned to Seismic Design Category C, D, E or F.
- e. For thickness of foundation walls, see Section 1807.1.6.
- f. Footings shall be permitted to support a roof in addition to the stipulated number of floors. Footings supporting roof only shall be as required for supporting one floor.

J. Section 3103.1 General; amend to read as follows:

3103.1 General. The provisions of Sections 3103.1 through 3103.4 shall apply to structures erected for a period of less than 180 days, between April 1 and October 31. Tents and other membrane structures erected for a period of less than 180 days shall comply with the International Fire Code. Those erected for a longer period of time shall comply with applicable sections of this code.

Article 3. Fire Code.

§9-301. International Fire Code adopted.

The International Fire Code, 2012 edition: All Chapters and Appendix D, as recommended by the International Code Council (ICC), and herein adopted by the City of Fremont is hereby amended to include the following local amendments.

§9-302. City of Fremont local amendments.

Reserved.

Article 4. Residential Code.

§9-401. International Residential Code adopted.

The International Residential Code, 2012 edition: Chapters 1-10, Chapters 43-44, and Appendices E, F, G, H, and I, as recommended by the International Code Council (ICC), and herein adopted by the City of Fremont is hereby amended to include the following local amendments.

§9-402. City of Fremont local amendments.

- A. Section R105.2 Work exempt from permit; amend building exemption number 1 to read as follows:
1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 80 square feet (7.43 m2).
- B. Section R105.2 Work exempt from permit; amend building exemption number 2 to read as follows:
2. Fences not over 32 inches (812.8 mm) high.
- C. Section R105.2 Work exempt from permit; amend building exemption number 6 to read as follows:
6. Painting, papering, tiling, carpeting, counter tops and similar finish work.
- D. Section R105.2 Work exempt from permit; amend building exemption number 7 to read as follows:
7. Prefabricated swimming pools that are less than 18 inches (457.2 mm) deep.
- E. Section R105.2 Work exempt from permit; amend building exemption number 10 to read as follows:
10. Decks not exceeding 80 square feet (7.43 m2) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.
- F. Section R105.2 Work exempt from permit; strike electrical, gas, and mechanical exemptions.
- G. Section R105.8 Responsibility; amend to read as follows:
- R105.8 Responsibility.** It shall be the duty of every person who performs work for the installation or repair of building and structure systems, for which this code is applicable, to comply with this code.
- H. TABLE R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA; amend to read as follows:

TABLE R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

SNOW LOAD	WIND SPEED ^e	SEISMIC DESIGN CATEGORY ^g	SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMP ^f	ICE SHIELD UNDER-LAYMENT REQUIRED ⁱ	FLOOD HAZARDS ^h	AIR FREEZING INDEX ^j	MEAN ANNUAL TEMP ^k
			Weathering ^a	Frost line depth ^b	Termite ^c	Decay ^d					
25lb LL	90 Exposure C	A	Severe	36"	Moderate to Heavy	Slight to Moderate	-5	Yes *L	1-2-08	2000	50

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for

concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.

- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with "moderate to severe," "slight to moderate," or "none to slight" in accordance with Figure R301.2(7) depending on whether there has been a history of local damage.
- e. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- f. The outdoor design dry-bulb temperature shall be selected from the columns of 97 1/2-percent values for winter from Appendix D of the International Plumbing Code. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
- g. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- h. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of all currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
- i. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
- j. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99 percent) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)" at www.ncdc.noaa.gov/fpsf.html.
- k. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)" at www.ncdc.noaa.gov/fpsf.html.

1. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

I. **Section R302.2 Townhouses; amend to read as follows:**

R302.2 Townhouses. Each townhouse shall be considered a separate building and shall be separated by a common 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with Chapters 34 through 43. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.

J. **Section R302.3 Two-family dwellings; amend to read as follows:**

R302.3 Two-family dwellings. Dwelling units in two-family dwellings shall be separated from each other by wall and/or floor assemblies having not less than a 2-hour fire-resistance rating when tested in accordance with ASTM E 119 or UL 263. Fire-resistance-rated floor/ceiling and wall assemblies shall extend to and be tight against the exterior wall, and wall assemblies shall extend from the foundation to the underside of the roof sheathing.

K. **Section R302.5.1 Opening protection; amend to read as follows:**

R302.5.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1³/₈ inches (35 mm) in thickness, solid or honeycomb-core steel doors not less than 1³/₈ inches (35 mm) thick, or 20-minute fire-rated doors, equipped with a self-closing device.

Exception: A self-closing device is not required in one-family dwellings.

L. **TABLE R302.6 DWELLING/GARAGE SEPARATION; amend to read as follows:**

TABLE R302.6 DWELLING/GARAGE SEPARATION

SEPARATION	MATERIAL
From the residence and attics	Not less than 5/8-inch gypsum board or equivalent applied to the garage side
From all habitable rooms above the garage	Not less than 5/8-inch Type X gypsum board or equivalent

Structure(s) supporting floor/ceiling assemblies used for separation required by this section	Not less than 5/8-inch gypsum board or equivalent
Garages located less than 3 feet from a dwelling unit on the same lot	Not less than 5/8-inch gypsum board or equivalent applied to the interior side of exterior walls that are within this area

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

- M. Section R311.3.1 Floor elevations at the required egress doors; amend to read as follows:

R311.3.1 Floor elevations at the required egress doors.

Landings or finished floors at the required egress door shall not be more than 1 1/2 inches (38 mm) lower than the top of the threshold.

Exception: The landing or floor on the exterior side shall not be more than 7 3/4 inches (196 mm) below the top of the finished floor provided the door does not swing over the landing or floor.

Where exterior landings or floors serving the required egress door are not at grade, they shall be provided with access to grade by means of a ramp in accordance with Section R311.8 or a stairway in accordance with Section R311.7.

- N. Section R311.3.2 Floor elevations for other exterior doors; amend to read as follows:

R311.3.2 Floor elevations for other exterior doors. Doors other than the required egress door shall be provided with landings or floors not more than 7 3/4 inches (196 mm) below the top of the finished floor.

Exception: A landing is not required where a stairway of three or fewer risers is located on the exterior side of the door, provided the door does not swing over the stairway.

- O. SECTION R313 AUTOMATIC FIRE SPRINKLER SYSTEMS; strike section in its entirety and amend to read as follows:

SECTION R313 RESERVED

- P. Section R403.1 General; amend to read as follows:

R403.1, General. All exterior walls shall be supported on continuous concrete footings, or other approved structural systems which shall be of sufficient design to accommodate all loads according to Section R301 and to transmit the

resulting loads to the soil within the limitations as determined from the character or the soil. Footings shall be supported on undisturbed natural soils or engineered fill.

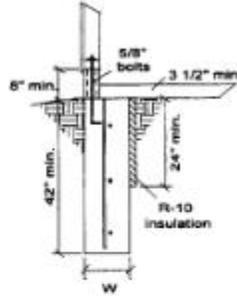
Q. Section R403.1.1 Minimum size; amend to read as follows:

R403.1.1, Minimum size. Minimum sizes for concrete and masonry footings shall be as set forth in Table R403.1 and Figure R403.1(1). The footing width, W, shall be based on the load-bearing value of the soil in accordance with Table R401.4.1. Spread footings shall be at least 8 inches (203 mm) thick. Footing projections, P, shall be at least 2 inches (51 mm) and shall not exceed the thickness of the footing. The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R 401.4.1. Footings for wood foundations shall be in accordance with the details set forth in Section R403.3, and Figures R403.1(2) and R403.1(3).

R. Section R403.1.1 Minimum size; amend to read as follows:

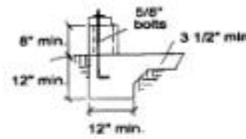
R403.1.1, Minimum size. Minimum sizes for concrete and masonry footings shall be as set forth in Table R403.1 and Figure R403.1(1). The footing width, W, shall be based on the load-bearing value of the soil in accordance with Table R401.4.1. Spread footings shall be at least 8 inches (203 mm) thick. Footing projections, P, shall be at least 2 inches (51 mm) and shall not exceed the thickness of the footing. The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R 401.4.1. Footings for wood foundations shall be in accordance with the details set forth in Section R403.3, and Figures R403.1(2) and R403.1(3).

S. Figure R403.1(1); replace figure with the following:



TYPICAL TRENCH FOOTING

12" min. wide, 42" min. deep. Extend foundation min. 8" above grade. Limited to supporting one floor, one roof and no masonry veneer. Vertical #4 bar @ 48" o.c., horizontal #4 bar @ 3 locations. Anchor bolts required as per chart.

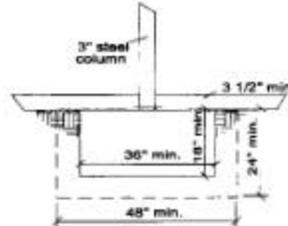


TYPICAL FLOATING FOUNDATION

Floating foundation approved for detached structures no more than 750 sq. ft. Min. 12" deep in the ground, and 12" wide at the base. Extend min. 8" above grade. Anchor bolts required as per chart.

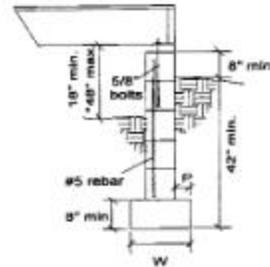
EXCEPTIONS:

1. Detached structures less than 150 sq. ft. do not require foundations.
2. Floating foundations may use max. one course of concrete block as a curb.



TYPICAL COLUMN FOOTING

Min. 36"x 36"x 18" for support of 1 floor and 1 ceiling/roof, and min. 48"x 48"x 24" for support of 2 floors and 1 ceiling/roof. The above column pad is limited to the support of floors and ceiling/roofs with a joist/trafter span of <= 15 ft. and beam/girder span of <= 14 ft. Min. 6"x 6"x 1/4" steel base plate is required.



TYPICAL SPREAD FOUNDATION

2" nominal thickness treated sill plate, 5/8" bolts, min. 7" into concrete or 15" into masonry. Max. 12" from ends. 16"x 8" min. footing size. 42" min. depth for exterior walls. 8" min. depth for interior walls. Extend the foundation min. 8" above grade.

* Foundations with more than 48" of unsupported clearance shall be designed in accordance with Table R404.1(1), and Figure R404.1(2).

FIGURE R403.1(1) MINIMUM FOOTING AND FOUNDATION REQUIREMENTS (AMENDED)

GENERAL NOTES

1. Footings shall comply with Table R403.1, but shall not be less than twice the foundation wall thickness.
2. Anchor bolt spacing 8" o.c. max. or the same as the rebar spacing, whichever is less, and 12" from each end of the sill.
3. Anchor bolts shall be 5/8" diameter, with 3/16"x 2" galvanized washers. Bolts shall be imbedded min. 7" into concrete and 15" into masonry.
4. Foundations shall extend not less than 12" below the top of the floor slab.
5. Footing sizes are based on an assumed soil bearing pressure of 1,500 lbs./sq. ft. Footings on soil with a lower allowable soil pressure shall be designed in accordance with good engineering practice, and a soils engineer's recommendations.

T. Figure R403.1(2); amend all references to gravel footings to read as follows:
Footings shall comply with Section R403.

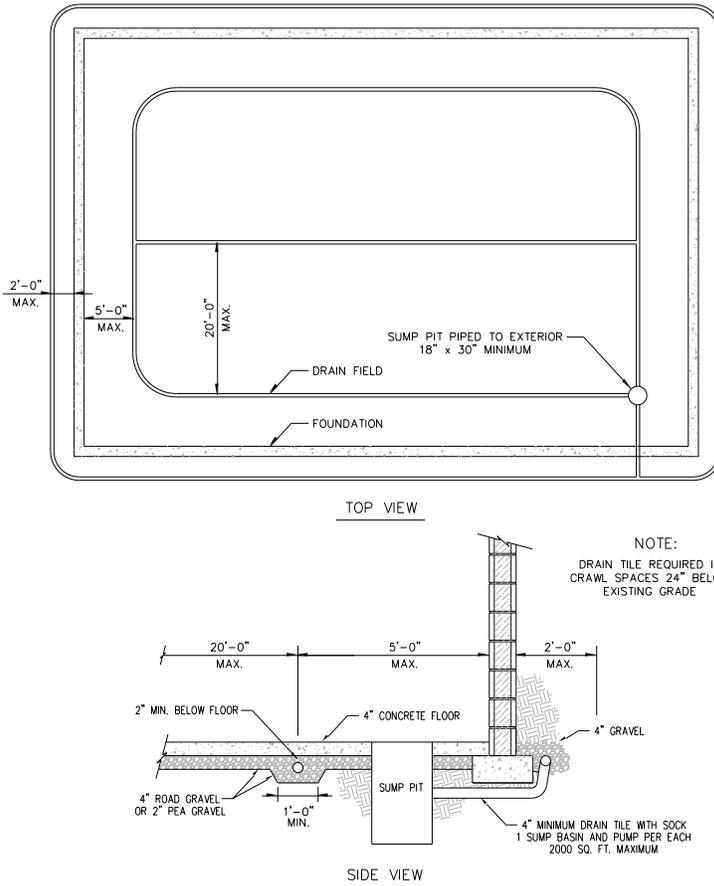
U. Figure R403.1(3); amend all references to gravel footings to read as follows:
Footings shall comply with Section R403.

V. Section R403.2 Footings for wood foundations; amend to read as follows:
R403.2 Footings for wood foundations. Footings for wood foundations shall be in accordance with Figures R403.1(2) and R403.1(3).

W. Section R405.1 ; amend to read as follows:
R405.1 Concrete or masonry foundations. Drains shall be provided in accordance with Figure R405.1(1), around all concrete or masonry foundations that retain earth and

enclose habitable or usable spaces, including crawl spaces with a depth of 24 inches (609.6 mm) below grade.

FIGURE R405.1(1) DRAIN TILE PLAN



X. Section R501.3 Fire protection of floors; strike section in its entirety.

Article 5. Electrical Code.

§9-501. National Electrical Code adopted.

NFPA 70: National Electrical Code, 2014 edition, as recommended by the National Fire Protection Agency (NFPA), and herein adopted by the City of Fremont is hereby amended to include the following local amendments.

§9-502. City of Fremont local amendments.

A. Section 90.2(B) Not Covered; add subsection (6) to read as follows:

(6) Installations of electrical fixtures, equipment or connections pertaining to or repair of communication signal system or low voltage control of gas facilities of

utilities except as to their initial connection to the supply line.

B. Section 210.8(A) Dwelling Units; add subsection (11) to read as follows:

(11) Any GFCI receptacle that is supplying power to a condensate pump, sump pump, flood pump, sewage pump, or ejector pump shall have a built in audible alarm sound when the GFCI is in the open or tripped position.

C. Section 210.11(C)(3) Bathroom Branch Circuits; amend to read as follows:

(3) Bathroom Branch Circuits. In addition to the number of branch circuits required by other parts of this section, at least one 120-volt, 20-ampere branch circuit shall be allowed to supply only one bathroom receptacle outlet(s).

[Exception Unchanged]

D. Section 230.43 Wiring Methods for 1000 Volts, Nominal, or Less; amend to read as follows:

230.43 Wiring Methods for 1000 Volts, Nominal, or Less.

Service-entrance conductors shall be installed in accordance with the applicable requirements of this Code covering the type of wiring method used and shall be limited to the following methods:

- (1) Rigid metal conduit (RMC)
- (2) Electrical metallic tubing (EMT)
- (3) Electrical nonmetallic tubing
- (4) Wireways
- (5) Busways
- (6) Auxiliary gutters
- (7) Rigid polyvinyl chloride conduit (PVC)
- (8) Cablebus
- (9) Flexible metal conduit (FMC) not over 1.8 m (6 ft) long or liquidtight flexible metal conduit (LFMC) not over 1.8 m (6 ft) long between a raceway, or between a raceway and service equipment, with a supply-side bonding jumper routed with the flexible metal conduit (FMC) or the liquidtight flexible metal conduit (LFMC) according to the provisions of 250.102(A), (B), (C), and (E)
- (10) Liquidtight flexible nonmetallic conduit (LFNC)
- (11) High Density polyethylene conduit (HDPE)
- (12) Nonmetallic underground conduit with conductors (NUCC)
- (13) Reinforced thermosetting resin conduit (RTRC)

E. Section 230.70(A) Location; amend to read as follows:

(A) Location. The service disconnecting means shall be installed in accordance with 230.70(A)(1), (A)(2), and (A)(3).

The nearest point of entrance inside a building shall have a maximum of six feet of approved raceway from the point of entrance at the exterior wall. The distance can be increased from six feet to ten feet if Rigid Metal Conduit is used as the raceway.

F. **Section 230.71 General; amend to read as follows:**

(A) General. The service disconnecting means for each service permitted by Section 230.2, or for each set of service entrance conductors permitted by Section 230.40, Exception No. 1, No. 3, No. 4, or No. 5, shall consist of not more than six switches or six circuit breakers mounted in a single enclosure, (400 amps or over) in a group of separate enclosures, or in or on a switchboard or in switchgear. There shall be no more than six disconnects per service (400 amps or over) grouped in any one location. One main breaker or one set of main fuses per enclosure shall be allowed on services rated less than 400 amps on all electrical services,

G. **Section 330.104 Conductors; amend to read as follows:**

330.104 Conductors. Conductors shall be of copper, aluminum, copper-clad aluminum, nickel or nickel-coated copper, solid or stranded. The minimum conductor size shall be No. 14 copper and No. 8 aluminum or copper-clad aluminum.

H. **Section 334.10 Uses Permitted; amend to read as follows:**

334.10 Uses Permitted. Type NM, Type NMC, and Type NMS cables shall be permitted to be used in one and two family dwellings and associated garages and sheds, and multi-family dwellings three stories or less in height, except as prohibited in Section 334.12.

I. **Section 340.12 Uses Not Permitted; add exception to read as follows:**

Exception: One-family, two-family and multi-family residential dwellings three stories or less in height.

J. **Section 422.31(B) Appliances Rated over 300 Volt-Amperes; amend to read as follows:**

(B) Appliances Rated over 300 Volt-Amperes. For permanently connected appliances rated over 300 volt-amperes, the branch-circuit switch or circuit breaker shall be permitted to serve as the disconnecting means where the switch or circuit breaker is within sight from the appliance.

[Informational Note Unchanged]

K. **Section 440.14 Location; amend to read as follows:**

440.14 Location. Disconnecting means shall be located within sight from and readily accessible from the air-conditioning or refrigerating equipment. The disconnecting means shall be permitted to be installed on or within the air-conditioning or refrigerating equipment and shall be of dead front construction as accepted by NEMA Standards, except on non-accessible roof units.

The disconnecting means shall not be located on panels that are designed to allow access to the air-conditioning or refrigeration equipment or to obscure the equipment nameplate(s).

[Exception and Informational Notes Unchanged]

- L. ARTICLE 505 Zone 0, 1, and 2 Location; strike article in its entirety and amend to read as follows:

ARTICLE 505 RESERVED

- M. Section 545.10 Receptacle or Switch with Integral Enclosure; amend to read as follows:

545.10 Reserved.

- N. Section 590.3(B) 90 Days; amend to read as follows:

(B) 90 Days. Temporary electric power and lighting installation shall be permitted for a period not to exceed 90 days for holiday decorative lighting and similar purposes. Any appliance that is installed shall be allowed to be temporarily wired for a maximum of 5 working days.

- O. Section 800.1 Scope; amend to read as follows:

800.1 Scope. This article covers communications circuits and equipment. No permits shall be required nor do contractors need to be licensed to perform work which is covered by this article.

[Informational Notes Unchanged]

- P. Section 810.1 Scope; amend to read as follows:

810.1 Scope. This article covers antenna systems for radio and television receiving equipment, amateur and citizen band radio transmitting and receiving equipment, and certain features of transmitter safety. This article covers antennas such as wire-strung type, multi-element, vertical rod, flat, or parabolic and also covers the wiring and cabling that connect them to equipment. This article does not cover equipment and antennas used for coupling carrier current to power line conductors. No permits shall be required nor do contractors need to be licensed to perform work which is covered by this article.

- Q. Section 820.1 Scope; amend to read as follows:

820.1 Scope. This article covers coaxial cable distribution of radio frequency signals typically employed in community

antenna television (CATV) systems. No permits shall be required nor do contractors need to be licensed to perform work which is covered by this article.

Article 6. Existing Building Code.

§9-601. International Existing Building Code adopted.

The International Existing Building Code, 2012 edition, as recommended by the International Code Council (ICC), and herein adopted by the City of Fremont is hereby amended to include the following local amendments.

§9-602. City of Fremont local amendments.

Reserved.

Article 7. Mechanical Code.

§9-701. Uniform Mechanical Code adopted.

The Uniform Mechanical Code, 2012 edition, as recommended by the International Association of Plumbing and Mechanical Officials (IAPMO), and herein adopted by the City of Fremont is hereby amended to include the following local amendments.

§9-702. City of Fremont local amendments.

A. Section 114.1 General; amend to read as follows:

114.1 General. Fees shall be assessed in accordance with the provisions of this code and shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

B. Section 114.2 Permit Fees; amend to read as follows:

114.2 Reserved.

C. Section 506.1 Materials; strike exception number 3.

D. Section 506.2 Construction; strike exception number 2.

E. Section 510.8.2 Wall Terminations; add exception number 6 to read as follows:

(6) The exhaust from any hood serving commercial food heat-processing equipment terminating at/or across the property line adjoining a public way if the air is discharged away from neighboring building and is at least 10 feet from the air intake of the same or contiguous buildings, and where approval is given by City Council.

F. Section 924.1.1 Unvented Room Heaters; strike exception numbers 1 and 2.

G. Section 1006.1 General; add paragraph two to read as follows:

Temperature and relief valve downtubes shall be copper or metal piping with an inside diameter of the piping no less than the temperature, pressure, and vacuum relief device. The terminal end of the downtube shall not be threaded.

H. Section 1308.2 Provision for Location of Point of Delivery; amend to read as follows:

The location of the point of delivery shall be acceptable to the serving gas supplier and extend 6 inches (152.4 mm)

beyond the exterior surface of the structure. Gas piping shall be sleeved with plastic pipe or an approved inert material when passing through any exterior wall or any interior concrete or masonry wall. The interior space between the gas piping and sleeve shall be sealed at the wall to prevent entry of water, insects, or rodents. [NFPA 54:5.2]

- I. Section 1308.5.2.3 Copper and Brass; amend to read as follows:
1308.5.2.3 Reserved.
- J. Section 1308.5.2.4 Aluminum Alloy; amend to read as follows:
1308.5.2.4 Reserved.
- K. Section 1308.5.3 Metallic Tubing; amend to read as follows:
1308.5.3 Reserved.
- L. Section 1308.5.3.1 Steel; amend to read as follows:
1308.5.3.1 Reserved.
- M. Section 1308.5.3.2 Copper and Brass; amend to read as follows:
1308.5.3.2 Reserved.
- N. Section 1308.5.3.3 Aluminum Alloy; amend to read as follows:
1308.5.3.3 Reserved.
- O. Section 1308.5.3.4 Corrugated Stainless Steel; amend to read as follows:
1308.5.3.4 Corrugated Stainless Steel. Corrugated stainless steel tubing shall be tested and listed in compliance with the construction, installation, and performance requirements of INS LC-1 Standard for Fuel Gas Piping Systems using Corrugated Stainless Steel Tubing. Corrugated stainless steel tubing that requires additional bonding shall be inspected and certified by an Electrical Engineer licensed with the State of Nebraska with a copy of the certification provided to the City. Only corrugated stainless steel tubing that has a metal shield that dissipates electricity and heat and requires no additional manufacturer bonding is allowed. [NFFA 54.5.6.3.4]
- P. Section 1308.5.10.2 Tubing Joints; amend to read as follows:
1308.5.10.2 Reserved.
- Q. Section 1308.5.10.3 Flared Joints; amend to read as follows:
1308.5.10.3 Reserved.
- R. Section 1308.5.11 Plastic Piping, Joints, and Fittings; amend to read as follows:
1308.5.11 Reserved.
- S. Section 1308.5.11.1 Joint Design; amend to read as follows:
1308.5.11.1 Reserved.
- T. Section 1308.5.11.2 Heat-Fusion Joint; amend to read as follows:

- 1308.5.11.2 Reserved.**
- U. Section 1308.5.11.3 Compression-Type Mechanical Joints; amend to read as follows:
1308.5.11.3 Reserved.
- V. Section 1308.5.11.4 Liquefied Petroleum Gas Piping Systems; amend to read as follows:
1308.5.11.4 Reserved.
- W. Section 1311.1.7 Plastic Piping; strike exception number 2.
- X. Section 1311.11 Prohibited Devices; amend to read as follows:
1311.11 Reserved.
- Y. Section 1311.12 Systems Containing Gas-Air Mixtures Outside the Flammable Range; amend to read as follows:
1311.12 Reserved.
- Z. Section 1311.13 Systems Containing Flammable Gas-Air Mixtures; amend to read as follows:
1311.13 Reserved.
- AA. Section 1311.13.1 Required Components; amend to read as follows:
1311.13.1 Reserved.
- BB. Section 1311.13.2 Optional Components; amend to read as follows:
1311.13.2 Reserved.
- CC. Section 1311.13.3 Additional Requirements; amend to read as follows:
1311.13.3 Reserved.
- DD. Section 1311.13.4 Special Requirements for Mixing Blowers; amend to read as follows:
1311.13.4 Reserved.
- EE. Section 1311.13.5 Installation of Gas-Mixing Machines; amend to read as follows:
1311.13.5 Reserved.
- FF. Section 1311.13.6 Use of Automatic Firechecks, Safety Blowouts, or Backfire Preventers; amend to read as follows:
1311.13.6 Reserved.
- GG. Section 1316.9 Test Pressure; amend to read as follows:
1316.9 Test Pressure. This inspection shall include an air, CO₂, or nitrogen pressure test, at which time the gas piping shall stand a pressure of not less than 30 psi (206.84 kPa) gauge pressure. Test pressures shall be held for a length of time satisfactory to the Authority Having Jurisdiction, but in no case less than 30 minutes with no perceptible drop in pressure. For welded piping, and for piping carrying gas at pressures in excess of 14 inches

water column pressure (3.5 kPa), the test pressure shall be not less than 60 psi (414 kPa) and shall be continued for a length of time satisfactory to the Authority Having Jurisdiction, but in no case for less than 30 minutes. These tests shall be made using air, CO₂, or nitrogen pressure and shall be made in the presence of the Authority Having Jurisdiction. Necessary apparatus for conducting tests shall be furnished by the permit holder.

HH. Section 1330.1 Metal; amend to read as follows:

1330.1 Metal. Metal gas pipe shall be standard-weight wrought iron or steel (galvanized or black), yellow brass containing not more than 75 percent copper, or internally tinned or treated copper of iron pipe size. Galvanizing shall not be considered protection against corrosion.

Standard wrought iron or steel black pipe (Schedule 40) shall be permitted to be used with gases not corrosive to such material. Steel tubing shall comply with ASTM A 254. Copper tubing shall comply with ASTM B 88 or ASTM B 280. Copper tubing (unless tin-lined) shall not be used where the gas contains more than an average of 0.3 grains of hydrogen sulfide per 100 standard cubic feet (0.7 mg/100 L) of gas. [NFPA 501A:4.3.6.1]

Article 8. Plumbing Code.

§9-801. Uniform Plumbing Code adopted.

The Uniform Plumbing Code, 2012 edition, as recommended by the International Association of Plumbing and Mechanical Officials (IAPMO), and herein adopted by the City of Fremont is hereby amended to include the following local amendments.

§9-802. City of Fremont local amendments.

A. Section 103.4 Fees; amend to read as follows:

103.4 Fees. Fees shall be assessed in accordance with the provisions of this code and shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

B. TABLE 103.4 PLUMBING PERMIT FEES; strike table in its entirety.

C. Section 504.1 Location; amend to read as follows:

504.1 Location. Water heater installations in bedrooms and bathrooms shall only be permitted where water heater is of the direct vent type. [NFPA 54:10.28.1(2)]

D. Add Section 504.7 Temperature and Relief Valve Downtubes to read as follows:

504.7 Temperature and Relief Valve Downtubes. Temperature and relief valve downtubes shall be copper or metal piping with an inside diameter of the piping no less than the temperature, pressure, and vacuum relief device. The terminal end of the downtube shall not be threaded.

E. Section 507.5 Relief Valve Discharge; amend to read as follows:

507.5 Reserved.

- F. Section 603.1 General; add exception to read as follows:
Exception: Backflow devices for residential lawn sprinkler systems need only be tested when installed and at least once every 5 years.
- G. TABLE 604.1 MATERIALS FOR BUILDING SUPPLY AND WATER DISTRIBUTION PIPING AND FITTING; strike materials CPVC, PE, and PVC.
- H. Section 604.2 Copper Tube; amend exception to read as follows:
Exception: Type M copper tubing shall be permitted to be used for water piping where piping is aboveground in, or on, a building.
- I. Section 604.9 Plastic Materials; amend to read as follows:
604.9 Reserved.
- J. Section 605.10 PEX Plastic Tubing and Joints; amend to read as follows:
605.10 PEX Plastic Tubing and Joints. PEX plastic tubing and fitting joining methods shall be installed in accordance with the manufacturer's installation instructions and shall comply with Section 605.10.1 and Section 605.10.2. Fixture stubouts exiting through a wall or floor shall be done with a copper stubout with nailing flange, metal bond supports with faceplate or other method approved by the Authority Having Jurisdiction.
- K. Section 608.4 Pressure Relief Valves; amend to read as follows:
Section 608.4 Pressure Relief Valves. Each pressure relief valve shall be an approved automatic type with drain, and each such relief valve shall be set at a pressure of not more than 150 psi (1034 kPa). No shutoff valve shall be installed between the relief valve and the system or in the drain line in accordance with ANSI Z21.22.
- L. Section 608.5 Drains; amend to read as follows:
608.5 Drains. Relief valves located inside a building shall be provided with a drain, not smaller than the relief valve outlet, of galvanized steel, hard-drawn copper piping and fittings, CPVC, PP, or listed relief valve drain tube with fittings that will not reduce the internal bore of the pipe or tubing (straight lengths as opposed to coils) and shall extend from the valve to 6 inches (152 mm) above the floor near an approved drain. Relief valve drains shall not terminate in a buildings crawl space. No part of such drain pipe shall be trapped or subject to freezing. The terminal end of the drain pipe shall not be threaded.
- M. Section 609.2 Trenches; amend to read as follows:
609.2 Trenches. Water pipes shall not be run or laid in the same trench as building sewer or drainage piping

constructed of clay or materials that are not approved for use with a building.

- N. Section 611.4 Sizing of Residential Softeners; amend to read as follows:

611.4 Reserved.

- O. Section 701.1 Drainage Piping; amend material standard number 2 to read as follows:

ABS and PVC DWV piping installations shall be installed in accordance with applicable standards referenced in Table 1401.1 and Chapter 15 "Firestop Protection." Except for individual single-family dwelling units, materials exposed within ducts or plenums shall have a flame-spread index of a maximum of 25 and a smoke-developed index of a maximum 50, where tested in accordance with ASTM E 84 and UL 723. ABS and PVC DWV piping installation shall be limited to those structures where combustible construction is allowed and the structure is no more than three stories in height above grade.

- P. TABLE 701.1 MATERIALS FOR DRAIN, WASTE, VENT PIPE AND FITTINGS; amend table to prohibit Asbestos-Cement, Co-Extruded ABS (Schedule 40), Co-Extruded PVC (Schedule 40), Copper (Type DWV), Polyethylene, and Stainless Steel 316L material listings from Building Sewer Pipe and Fittings applications. Also, add footnote 1, and associate footnote 1 with material listing PVC (Schedule 40), to include "SDR 26" as permitted in Building Sewer Pipe and Fittings applications.

- Q. Section 906.1 Roof Termination; amend to read as follows:

906.1 Roof Termination. Each vent pipe or stack shall extend through its flashing and shall terminate vertically not less than 10 inches (254 mm) above the roof nor less than 1 foot (305 mm) from a vertical surface.

- R. Section 1208.2 Provision for Location of Point of Delivery; amend to read as follows:

1208.2 Provision for Location of Point of Delivery. The location of the point of delivery shall be acceptable to the serving gas supplier and extend 6 inches (152.4 mm) beyond the exterior surface of the structure. Gas piping shall be sleeved with plastic pipe or an approved inert material when passing through any exterior wall or any interior concrete or masonry wall. The interior space between the gas piping and sleeve shall be sealed at the wall to prevent entry of water, insects, or rodents. (NFPA 54:5.2)

- S. Section 1208.5.2.3 Copper and Brass; amend to read as follows:

1208.5.2.3 Reserved.

- T. Section 1208.5.2.4 Aluminum Alloy; amend to read as follows:

1208.5.2.4 Reserved.

- U. Section 1208.5.3 Metallic Tubing; amend to read as follows:

- 1208.5.3 Reserved.**
- V. Section 1208.5.3.1 Steel; amend to read as follows:
1208.5.3.1 Reserved.
- W. Section 1208.5.3.2 Copper and Brass; amend to read as follows:
1208.5.3.2 Reserved.
- X. Section 1208.5.3.3 Aluminum Alloy; amend to read as follows:
1208.5.3.3 Reserved.
- Y. Section 1208.5.3.4 Corrugated Stainless Steel; amend to read as follows:
1208.5.3.4 Reserved.
- Z. Section 1208.5.8.2 Tubing Joints; amend to read as follows:
1208.5.8.2 Reserved.
- AA. Section 1208.5.8.3 Flared Joints; amend to read as follows:
1208.5.8.3 Reserved.
- BB. Section 1210.1.7 Plastic Piping; strike exception number 2.
- CC. Section 1210.13 Systems Containing Gas-Air Mixtures Outside the Flammable Range; amend to read as follows:
1012.13 Reserved.
- DD. Section 1210.14 Systems Containing Flammable Gas-Air Mixtures; amend to read as follows:
1012.14 Reserved.
- EE. Section 1213.3 Test Pressure; amend to read as follows:
1213.3 Test Pressure. This inspection shall include an air, CO₂, or nitrogen pressure test, at which time the gas piping shall stand a pressure of not less than 30 psi (206.84 kPa) gauge pressure. Test pressures shall be held for a length of time satisfactory to the Authority Having Jurisdiction, but in no case less than 30 minutes with no perceptible drop in pressure. For welded piping, and for piping carrying gas at pressures in excess of 14 inches water column pressure (3.5 kPa), the test pressure shall be not less than 60 psi (414 kPa) and shall be continued for a length of time satisfactory to the Authority Having Jurisdiction, but in no case for less than 30 minutes. These tests shall be made using air, CO₂, or nitrogen pressure and shall be made in the presence of the Authority Having Jurisdiction. Necessary apparatus for conducting tests shall be furnished by the permit holder. Test gauges used in conduction tests shall be in accordance with Section 318.0

Article 9. Fuel Gas Code.

§9-901. International Fuel Gas Code adopted.

The International Fuel Gas Code, 2012 edition, as recommended by the International Code Council (ICC), and herein adopted by the City of Fremont is hereby amended to include the following local amendments.

§9-902. City of Fremont local amendments.

Reserved.

Article 10. Property Maintenance Code.

§9-1001. International Property Maintenance Code adopted.

The International Property Maintenance Code, 2012 edition, as recommended by the International Code Council (ICC), and herein adopted by the City of Fremont is hereby amended to include the following local amendments.

§9-1002. City of Fremont local amendments.

- A. Section [A]102.3 Application of other codes; amend to read as follows:

[A] 102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of *occupancy*, shall be done in accordance with the procedures and provisions of the *International Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, Uniform Mechanical Code, International Residential Code, Uniform Plumbing Code* and NFPA 70.
- B. Section [A]107.2 Form; amend item number 4 to read as follows:

4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the property, *dwelling unit*, or structure into compliance with the provisions of this code.
- C. Section [A]111.1 Application for appeal; amend to read as follows:

[A] 111.1 Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 10 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted.
- D. Section [A]111.2 Membership of board; amend to read as follows:

[A] 111.2 Membership of board. The board of appeals shall consist of a minimum of five members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The code official shall be an ex-officio member but shall have no vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.
- E. Section [A]111.2.4 Secretary; amend to read as follows:

[A] 111.2.4 Secretary. The *code official* shall serve as secretary to the board. The secretary shall maintain a detailed record of all proceedings in the office of the *code official*.

F. Section [A]111.6 Board decision; amend to read as follows:

[A] 111.6 Board decision. The board shall modify or reverse the decision of the *building official* only by a concurring vote of two-thirds of its members.

G. Section [A]111.6.1 Records and copies; amend to read as follows:

[A] 111.6.1 Records and copies. The decision of the board shall be recorded. Copies shall be furnished to the appellant.

H. Section [A]111.7 Court review; amend to read as follows:

[A] 111.7 Council review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the governing body of the city for reversal or affirmation, wholly or partly, the decision of the board. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

Article 11. Energy Conservation Code.

§9-1101. International Energy Conservation Code adopted.

The International Energy Conservation Code, 2009 edition, as recommended by the International Code Council (ICC), and herein adopted by the City of Fremont is hereby amended to include the following local amendments.

§9-1102. City of Fremont amendments.

Reserved.

Article 12. To Whom Permits May Be Issued

§9-1201. Permit Issuance.

A. Reserved.

B. Electrical, Mechanical, and Plumbing Codes. No permit shall be issued to any person to do or cause to be done any work regulated by electrical, mechanical, plumbing or fuel gas codes, except to a person holding a valid, unexpired and unrevoked Master license, issued by the City, as more fully described herein.

Exception: Any homeowner may install electrical wiring (not including electrical service equipment or electrical wiring associated with spas, hot tubs, underground swimming pools, or pools used for therapeutic use), heating or air conditioning equipment, and plumbing fixtures or water conditioning appurtenances in a single family residence which is owned and occupied by the individual performing the work. The homeowner shall own both the single family residence and the land or property that the residence is located on. All work shall be for the personal enjoyment of the homeowner without compensation or pay from or to any other person for such labor or installation. The homeowner shall be required to file plans, apply for and secure a permit, pay applicable fees,

and call for inspection - such installation being compliant with the requirements of this code. Nothing herein shall be construed to authorize the homeowner to perform similar work on property not owned and occupied by the homeowner for which a license is otherwise required.

- C. Onsite Wastewater Treatment Systems. No permit shall be issued to any person to do or cause to be done any work regulated by the state of Nebraska or any of these codes pertaining to onsite wastewater treatment systems, in whole or in part, except to a person holding a valid, unexpired and unrevoked Onsite Wastewater Treatment Professional License, issued by the City, as more fully described herein.

§9-1202. Licensing

- A. Reserved.
- B. Master License. A Master License may be issued to an electrician, mechanic (including heating, ventilation and air conditioning (HVAC) technicians), steamfitter, pipefitter, or plumber engaged in the business of and skilled in the planning, superintending and practical installation of electrical, mechanical, plumbing, fuel gas or onsite wastewater treatment systems and who is familiar with the ordinances and regulations governing the same as regulated by this code.

No person shall engage in the electrical, mechanical, steam-fitting, pipefitting, plumbing business, erection, installation, construction, alteration, relocation, replacement, repair, maintenance, removal or demolition of any electrical, mechanical, or plumbing system, in whole or in part, as may be regulated by this code and for which a permit is required, within the City and its 2 mile extraterritorial jurisdiction without having first obtained a Master license. In order to obtain a Master License from the City an individual shall complete an application form – said form made available by the office of the code official – and provide evidence of passed examination (for which a license is sought) as further described herein, and provide a copy of a certificate of liability insurance in accordance with Section 9-1204.

- C. Journeyman License. A Journeyman License may be issued to an electrician, mechanic (including heating, ventilation and air conditioning (HVAC) technicians), steamfitter, pipefitter, or plumber having the necessary qualifications, training, experience, and technical knowledge to erect, install, construct, alter, relocate, replace, repair, maintain, remove or demolish any electrical, mechanical, or plumbing equipment regulated by this code.

No person shall engage in the electrical, mechanical, steam-fitting, pipefitting, plumbing business, erection, installation, construction, alteration, relocation, replacement, repair, maintenance, removal or demolition of any electrical, mechanical, or plumbing system, in whole or in part, as may be regulated by this code and for which a permit is required, within the City and its 2 mile extraterritorial jurisdiction without having first obtained a Journeyman license. In order to obtain a Journeyman License from the City an individual shall complete an application form – said form made available by the office of the code official – and provide evidence of passed examination (for which a license is sought) as further described herein, and provide a copy of a certificate of liability insurance in accordance with Section 9-1204.

- D. **Apprentice License.** An Apprentice License may be issued to an electrician, mechanic (including heating, ventilation and air conditioning (HVAC) technicians), steamfitter, pipefitter, or plumber engaged in learning and assisting in the erection, installation, construction, alteration, relocation, replacement, repair, maintenance, removal or demolition of any electrical, mechanical, or plumbing equipment regulated by this code.

No person shall engage in the electrical, mechanical, steam-fitting, pipefitting, or plumbing business, erection, installation, construction, alteration, relocation, replacement, repair, maintenance, removal or demolition of any electrical, mechanical, or plumbing system, in whole or in part, as may be regulated by this code and for which a permit is required, within the City and its 2 mile extraterritorial jurisdiction except under the personal supervision and direction and in the presence of a duly licensed tradesman carrying a valid, unexpired and unrevoked Master License or Journeyman License, for the respective trade.

- E. **Onsite Wastewater Treatment Professionals License.** An Onsite Wastewater Treatment Professionals License may be issued to an onsite wastewater treatment professional engaged in the business of and skilled in the planning, superintending and practical installation of onsite wastewater treatment systems and who is familiar with the ordinances and regulations governing the same as regulated by the state of Nebraska and this code.

No person shall engage in the onsite wastewater treatment business, installation, construction, alteration, relocation, replacement, repair, maintenance, removal or demolition of any onsite wastewater treatment system, in whole or in part, as may be regulated by the state of Nebraska or any of these codes pertaining to onsite wastewater treatment systems for which a permit is required, within the City and its 2 mile extraterritorial jurisdiction without having first obtained an Onsite Wastewater Treatment Professionals License. In order to obtain an Onsite Wastewater Treatment Professionals License from the City an individual shall complete an application form – said form made available by the office of the code official – and provide evidence of passed examination (for which a license is sought) as further described herein, and provide a copy of a certificate of liability insurance in accordance with Section 9-1204.

- F. **Expiration.** Licenses shall expire annually on the anniversary date of the date of issuance. A renewal application must be received by the offices of the code official, along with a renewal fee, no less than 10 days prior to the expiration date in order to avoid work stoppages. Any work performed on an expired license is considered to be work performed without a license and is subject to the same penalties as described herein.

§9-1203. Examination.

- A. **Electricians.** Electricians will have taken - and successfully passed - a written examination given by the Nebraska State Electrical Board or one of its reciprocating agencies.
- B. **Mechanics, Steamfitters, and Pipefitters.** Mechanics (including heating, ventilation and air conditioning (HVAC) technicians), Steamfitters, and Pipefitters will have taken - and successfully passed - a written examination administered by the National Inspection Testing and Certification Corporation (NITC) or the Education Testing Service (ETS).

Exception: Mechanics (including heating, ventilation and air conditioning (HVAC) technicians), Steamfitters, and Pipefitters having taken - and successfully passed - a written examination in obtaining a license from another Nebraska municipality having similar examination procedures, may provide a copy of such valid, unexpired and unrevoked license in lieu of passed examination evidence.

- C. Plumbers. Plumbers will have taken - and successfully passed - a written examination administered by the National Inspection Testing and Certification Corporation (NITC) or Education Testing Service (ETS).

Exception: Plumbers having taken - and successfully passed - a written examination in obtaining a license from another Nebraska municipality having similar examination procedures, may provide a copy of such valid, unexpired and unrevoked license in lieu of passed examination evidence.

- D. Onsite Wastewater Treatment Professionals. Onsite Wastewater Treatment Professionals will have taken - and successfully passed - a written examination administered by the State of Nebraska Department of Environmental Quality (NDEQ).

§9-1204. Liability Insurance. Before any license may be issued, an unexpired certificate of liability insurance in an amount of no less than \$1,000,000, with the City being named as additionally insured, shall be filed with the City. The certificate shall remain unexpired as long as the applicant maintains a license and the certificate shall state that the applicant shall indemnify and hold harmless the City, and shall indemnify and person from all damages caused by any neglect arising from a failure to protect any work and that such applicant shall be governed by the rules and requirements provided by this code and which may be hereafter adopted by the City. Such policy of insurance shall provide that it cannot be canceled until ten (10) days written notice of such cancellation has been filed with the City. Cancellation or termination of any insurance policy issued for or in compliance with the provision hereof shall automatically terminate any license, unless another policy complying with the provisions herein shall be provided and in full force and effect at the time such a cancellation or termination becomes effective.

Appendix A

Fee Schedule

On buildings and structures, or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the following schedule:

TOTAL VALUATION	FEE
\$1 to \$500	\$30
\$501 to \$2,000	\$30 for the first \$1600; plus \$1.50 for each additional \$100 or fraction thereof, up to and including \$2,000
\$2,001 to \$25,000	\$66 for the first \$2,000; plus \$6 for each additional \$1,000 or fraction thereof, up to and including \$40,000
\$25,001 to \$100,000	\$204 for the first \$25,000; plus \$4.50 for each additional \$1,000 or fraction thereof, up to and including \$50,000
\$50,001 to \$100,000	\$316.50 for the first \$50,000; plus \$3 for each additional \$1,000 or fraction thereof, up to and including \$100,000
\$100,001 to \$500,000	\$466.50 for the first \$100,000; plus \$2.55 for each additional \$1,000 or fraction thereof, up to and including \$500,000
\$500,001 and over	\$1456.50 for the first \$500,000; plus \$2.10 for each additional \$1,000 or fraction thereof

On electrical systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the following schedule:

Permit issuance

- 1. For issuing each permit \$6.00

Valuation Schedule (in addition to item 1 above)

\$1 to \$2,000	\$24.00
\$2,001 to \$5,000	\$12.00 per each \$1,000 valuation or fraction thereof
\$5,001 to \$10,000	\$60.00 plus \$7.00 per each \$1,000 valuation or fraction thereof above \$5,000
\$10,001 to \$50,000	\$95.00 plus \$6.00 per each \$1,000 valuation or fraction thereof above \$10,000
\$50,001 and over	\$335.00 plus \$5.00 per each \$1,000 valuation or fraction thereof above \$50,000

- 2. Reconnection of furnaces, water heaters, and air conditioners with like \$18.00

equipment of the same energy source (includes item 1 above)

On gas and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the following schedule:

Permit issuance

- | | |
|----------------------------|---------|
| 1. For issuing each permit | \$12.00 |
|----------------------------|---------|

Unit Fee Schedule (in addition to item 1 above)

- | | |
|---|---------|
| 2. For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage piping and backflow protection therefore) | \$9.00 |
| 3. For each private sewage disposal system (septic tank/holding tank) | \$46.00 |
| 4. For each gas piping system of 1 to 4 outlets | \$9.00 |
| 5. For each gas piping system of 5 or more, per outlet | \$3.00 |
| 6. For each industrial waste pre-treatment interceptor, including its trap and vent, excepting kitchen type grease interceptors functioning as fixture traps | \$9.00 |
| 7. For installation, alteration or repair of water piping, and/or water treating equipment | \$9.00 |
| 8. For repair or alteration of drainage or vent piping | \$9.00 |
| 9. For each lawn sprinkler system on any one meter, including backflow protection devices therefore | \$9.00 |
| 10. For each water heater and/or vent | \$9.00 |
| 11. For vacuum breakers or backflow protective devices on tanks, vats, etc. or for installation on unprotected plumbing fixtures, including necessary water piping 1 to 4 | \$9.00 |
| 12. For 5 or more, each | \$3.00 |
| 13. For each ventilation fan connected to a single duct | \$8.00 |

On mechanical systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the following schedule:

Permit issuance

- | | |
|---|---------|
| 1. For issuing each permit (and any supplemental permits) | \$12.00 |
|---|---------|

Unit Fee Schedule (in addition to item 1 above)

- | | |
|---|----------|
| 2. For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 btu/h | \$16.00 |
| 3. For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 btu/h | \$21.00 |
| 4. For the installation or relocation of each floor furnace, including vent | \$16.00 |
| 5. For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater | \$16.00 |
| 6. For the installation, relocation, replacement of each appliance vent installed and not included in an appliance permit | \$8.00 |
| 7. For the repair of, alteration of or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit or each heating, cooling, absorption, or evaporative cooling system, including installation or controls regulated by this code | \$16.00 |
| 8. For the installation or relocation of each boiler or compressor to and including three (3) horsepower, or each absorption system to and including 100,000 btu/h | \$16.00 |
| 9. For the installation or relocation of each boiler or compressor over three (3) horsepower to and including 15 horsepower, or each absorption system over 100,000 btu/h and including 500,000 btu/h | \$30.00 |
| 10. For the installation or relocation of each boiler or compressor over 15 horsepower to and including 30 horsepower, or each absorption system over 500,000 btu/h to and including 1,000,000 btu/h | \$41.00 |
| 11. For the installation or relocation of each boiler or compressor over 30 horsepower to and including 50 horsepower, or for each absorption system over 1,000,000 btu/h to and including 1,750,000 btu/h | \$62.00 |
| 12. For the installation or relocation of each boiler or refrigeration compressor over 50 horsepower, or each absorption system over 1,750,000 btu/h | \$104.00 |
| 13. For each air-handling unit to and including 10,000 cubic feet per minute, including ducts attached thereto | \$13.00 |

The above fee shall not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the code.

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|--|---------|
| 14. For each air-handling unit over 10,000 cfm | \$21.00 |
| 15. For each evaporative cooler other than portable type | \$13.00 |
| 16. For each ventilation fan connected to a single duct | \$8.00 |

17. For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit	\$13.00
18. For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood	\$13.00
19. For the installation or relocation of each domestic-type incinerator	\$22.00
20. For the installation or relocation of each commercial or industrial-type incinerator	\$44.00
21. For each appliance or piece of equipment regulated by this code but not classed in other appliance categories, or for which no other fee is listed in this code	\$13.00
22. For each fireplace (including venting system)	\$16.00
23. For each water heater	\$9.00
24. For each gas piping system (4 or less outlets)	\$9.00
25. For each gas piping system (5 or more outlets)	\$3.00/ea.
26. For each air-handling unit over 10,000 cfm	\$21.00
27. For each evaporative cooler other than portable type	\$13.00
28. For each ventilation fan connected to a single duct	\$8.00

Other Plan Review and Inspection related fees:

(1) Inspections performed outside of normal business hours. Where previously approved by the Code Official, inspections performed outside of normal business hours shall be billed at a rate of \$50.00 per hour with a minimum of a one and one-half hour charge.

(2) Re-inspections. A re-inspection fee in the amount of \$50.00 may be assessed by the Code Official when:

- (i) Inspections called for are not ready, or are not readily available for inspection,
- (ii) The building address or permit is not clearly posted,
- (iii) City approved plans are not on-site, or
- (iv) Correction items have not been corrected.

(3) Plan Review and inspections for which no fee is specifically identified. Plan review fee and inspection fees, including re-review of shall be assessed at a rate of \$50.00 per hour.

Investigation Fee: If work for which a permit is required by the building ordinance is commenced prior to obtaining a required permit, the fees specified in this appendix shall be doubled, with a minimum fee of \$100.00.

License Fees: All tradesmen engaged in the electrical, mechanical, or plumbing contracting business, erection, installation, construction, alteration, relocation, replacement, repair,

maintenance, removal or demolition of any electrical, mechanical, or plumbing system, in whole or in part, are required to obtain an occupational license and pay a fee as follows:

LICENSE	FEE
Master License	\$75.00
Master Examination*	\$275.00
Journeyman License	\$30.00
Journeyman Examination*	\$275.00
Apprentice License	\$30.00
Onsite Wastewater Treatment Contractor/Installer	\$75.00
Renewal Fee	\$30.00

* For examinations administered by the City. All other examination fees shall be paid directly to the proctor.