

**CITY OF GAUTIER  
MEMORANDUM**

**To:** Samantha Abell, City Manager

**From:** Babs Logan, Planning Technician

**Through:** Eric Meyer, Planning and Economic Development Director

**Date:** December 11, 2012

**Subject:** Consider Adoption of 2012 International Building and related Codes and the 2011 National Electrical Code (GPC #12-24-UDO)

---

**REQUEST:**

The Building and Zoning Administrator recently requested the Planning Commission forward a recommendation to Council to adopt the 2012 International Building Code along with the International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, the International Residential Code including Appendix E: Manufactured Housing Used as Dwellings, ICC 600-2008 Standard for Residential Construction in High-Wind Regions and the 2011 National Electrical Code.

The GPC held a duly noticed public hearing on December 6, 2012 regarding adoption of the new codes.

**BACKGROUND:**

After due public notice and a recommendation by the Planning Commission, the City Council shall hold a public hearing to consider the adoption of the above referenced Codes. The City Council may consider approval after a public hearing based on the relevant support materials, testimony at the public hearing, the GPC recommendation, and the Staff Report.

**DISCUSSION:**

The Codes requested to be adopted can be viewed in the Planning and Economic Development office. The attached Staff Memorandum addresses the three major changes in the 2012 International Residential Codes.

**RECOMMENDATION:**

The Planning Commission unanimously recommended approval to adopt the Codes as listed above. The City Council may:

1. Approve the Planning Commission's recommendation to adopt the Codes; or
2. Disapprove adoption of the Codes.

**ATTACHMENTS:**

Staff Report w/ Ordinance

**Gautier Planning Commission**

**Regular Meeting Agenda**

**December 6, 2012**

**VII. NEW BUSINESS**

**A. LEGISLATIVE**

1. CONSIDER ADOPTION OF 2012 INTERNATIONAL BUILDING CODES AND 2011 NATIONAL ELECTRICAL CODE (GPC #12-24-UDO)

**CITY OF GAUTIER  
STAFF REPORT**

**To:** Chairman and Members Gautier Planning Commission

**From:** Babs Logan, Planning Technician

**Thru:** Eric Meyer, Planning and Economic Development Director

**Date:** November 6, 2012

**Subject:** Consider Adoption of 2012 International Building and related Codes and the 2011 National Electrical Code (GPC #12-24-UDO)

---

**REQUEST:**

The Building and Zoning Administrator has requested the Planning Commission recommend adoption of the 2012 International Building and related Codes, Appendix E: Manufactured Housing Used as Dwellings of the 2012 International Residential Code, and the 2011 National Electrical Code. By adopting these codes the City is taking positive action towards lowering our Building Code Effectiveness Grading Schedule (BCEGS) which is a factor in lowering insurance rates for our citizens.

All public notice requirements have been met.

**BACKGROUND:**

After due public notice and a recommendation by the Planning Commission, the City Council shall hold a public hearing to consider the adoption of these Codes. The City Council may consider approval after a public hearing based on the relevant support materials, testimony at the public hearing, the GPC recommendation, and the Staff Report.

**DISCUSSION:**

The Building and Zoning Administrator has requested the Planning Commission recommend adopting the 2012 International Building Code along with the International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, the International Residential Code including Appendix E: Manufactured Housing Used as Dwellings, and the 2011 National Electrical Code.

Gautier is currently using the 2006 International Building and related codes. Staff did not recommend adopting the 2009 Codes previously due to sprinkler systems being required in new residential construction. Most of the cities along the coast did not adopt the 2009 Codes for the same reason. Because the 2012 Code still requires the sprinkler systems for new residential construction the Building and Zoning Administrator has been meeting with other Building

Officials along the coast to see if they can legally opt out of the sprinkler system requirement for residential construction.

The Insurance Services Office (ISO) reports the City’s BCEGS classifications, BCEGS advisory credits and related underwriting information to insurers based on information given to them by the City. A trained field representative meets with the municipality’s Building Official to review and verify the information received and then tabulates points “scored” on the various items and assigns a grade from 1 to 10, or a BCEGS rating. One of the items the City’s classification is based on is the building-code edition in use. The City is only allowed to stay two code cycles behind without it having a major effect on the BCEGS ratings given by the ISO.

**STAFF FINDINGS:**

Staff finds it necessary to adopt the 2012 International Building and related Codes as noted above and the 2011 National Electrical Code to provide minimum safeguards for citizens with regard to building safety and fire prevention. The Codes will also protect health, safety and welfare as they relate to the residential and commercial built environment.

**RECOMMENDATIONS:**

The Planning Commission may:

1. Recommend that City Council approve the adoption of the 2012 International Building and related Codes, Appendix E of the International Residential Code, and the 2011 National Electrical Code; or
2. Recommend that City Council not approve adoption of the new codes.

**CITY OF GAUTIER  
STAFF MEMORANDUM**

**To:** Chairman and Members Gautier Planning Commission

**From:** Babs Logan, Planning Technician and Zack Duke, Building and Zoning Administrator

**Thru:** Eric Meyer, Planning and Economic Development Director

**Date:** November 14, 2012

**Subject:** Additional Information Regarding the Request to Consider Adoption of 2012 International Building and Related Codes and the 2011 National Electrical Code (GPC #12-24-UDO)

---

**DISCUSSION:**

The Building and Zoning Administrator has requested the Planning Commission recommend adopting the 2012 International Building Code along with the International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, the International Residential Code including Appendix E: Manufactured Housing Used as Dwellings, ICC 600-2008 Standard for Residential Construction in High-Wind Regions and the 2011 National Electrical Code.

Pascagoula, Moss Point, Ocean Springs and Jackson County are all currently using the 2006 edition of the International Building and related Codes. All four municipalities are working on adopting the 2012 International Building and related Codes by the end of 2012. Biloxi is also using the 2006 edition and is hoping to adopt the 2012 Codes during the first quarter of 2013.

There are three major changes in the 2012 International Residential Codes. They are as follows:

- 1) A sprinkler system is required for new residential construction. (NOTE: The City of Gautier, as well as the above listed municipalities, is sending in the legislation form provided by the International Code Council requesting to omit this requirement.)
- 2) Arc fault protection is required throughout new residences on all branch circuits that supply 120-volt, single phase, 15- and 20-ampere outlets with exception of bathrooms, laundry rooms and outside receptacles which still must be protected by GFCI.
- 3) Tamper proof receptacles are required throughout the residence. (NOTE: Tamper proof receptacles are about \$0.50 more than regular receptacles which will average about \$40 more per house.)

ATTACHMENTS

Ordinance

## ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF GAUTIER, MISSISSIPPI, PROVIDING AUTHORITY & INTENT; AMENDING CHAPTER 6, BUILDINGS AND BUILDING REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF GAUTIER, ADOPTING THE 2012 INTERNATIONAL BUILDING AND RELATED CODES AND THE 2011 NATIONAL ELECTRICAL CODE; AND SETTING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI, THAT THE CODE OF ORDINANCES OF THE CITY OF GAUTIER IS AMENDED AS FOLLOWS:

### Section 1. Authority & Intent

- A. The Gautier Planning Commission held a public hearing after due public notice and considered this ordinance on Thursday, December 6, 2012. The City Council conducted a public hearing on December 18, 2012.
- B. The City Council finds that the adoption of the 2012 International Building and related Codes and the 2011 National Electrical Code is necessary for the welfare and safety of the City of Gautier citizens and to insure conformity with local, state and federal requirements.

### Section 2. Amendment of Chapter 6

In order to accomplish the intent as herein set out, the City of Gautier Code of Ordinances Chapter 6, Article II, Section 6.21 should be amended as shown below.

## ARTICLE II. TECHNICAL CODES

### SECTION 6.21 CODES ADOPTED BY REFERENCE

The following codes are hereby adopted by reference as though they were copied herein fully;

2012 International Building Code (excluding any portion that would be in direct conflict with the adopted City of Gautier Flood Damage Prevention Ordinance)

2012 International Residential Code (excluding Section R313 Automatic Fire Sprinkler Systems in its entirety) and Appendix E

2012 International Plumbing Code

2012 International Mechanical Code

2012 International Fire Code

2012 International Fuel Gas Code

ICC 600-2008 Standard for Residential Construction in High-Wind Regions

2011 National Electrical Code

**Section 3. Conflicts**

All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

**Section 4. Severability**

If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

**Section 5. Effective Date**

This Ordinance shall take effect immediately upon approval by the City Council and signature of the Mayor.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Tommy Fortenberry, Mayor

Attest:

Approved as to form and legal sufficiency.

\_\_\_\_\_  
Cindy Russell,  
Interim City Clerk

New language is underlined.