

SB0033S02 compared with SB0033S01

~~text~~ shows text that was in SB0033S01 but was deleted in SB0033S02.

text shows text that was not in SB0033S01 but was inserted into SB0033S02.

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Representative Mike Schultz proposes the following substitute bill:

UNIFORM BUILDING CODE COMMISSION AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: Mike Schultz

LONG TITLE

General Description:

This bill amends provisions in Title 15A, State Construction and Fire Codes Act.

Highlighted Provisions:

This bill:

- ▶ amends the composition of the Uniform Building Code Commission;
- ▶ amends reporting requirements for the Uniform Building Code Commission;
- ▶ adopts the 2020 edition of the National Electrical Code;
- ▶ adopts Appendix C of the International Building Code;
- ▶ amends statewide amendments to the International Building Code and the International Residential Code to reference the 2020 edition of the National Electrical Code;
- ▶ amends provisions of the International Residential Code regarding:

SB0033S02 compared with SB0033S01

- energy storage systems; and
- receptacles mounted below the countertop;
- ▶ amends provisions of the National Electrical Code regarding:
 - ground-fault circuit-interrupter protection for personnel;
 - surge protection;
 - bathtub and shower space; and
 - boxes at ceiling-suspended fan outlets;
- ▶ amends provisions related to an ordinance of a political subdivision being more restrictive than the State Fire Code;
- ▶ amends statewide amendments to the National Electrical Code to update the reference of a deleted section; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

15A-1-203, as last amended by Laws of Utah 2020, Chapter 339

15A-1-204, as last amended by Laws of Utah 2020, Chapters 111 and 441

15A-1-403, as last amended by Laws of Utah 2017, Chapters 18 and 341

15A-2-103, as last amended by Laws of Utah 2020, Chapter 441

15A-3-113, as last amended by Laws of Utah 2019, Chapter 20

15A-3-202, as last amended by Laws of Utah 2020, Chapter 441

15A-3-206, as last amended by Laws of Utah 2018, Chapter 186

15A-3-601, as last amended by Laws of Utah 2018, Chapter 186

Be it enacted by the Legislature of the state of Utah:

Section 1. Section 15A-1-203 is amended to read:

15A-1-203. Uniform Building Code Commission -- Unified Code Analysis Council.

SB0033S02 compared with SB0033S01

(1) There is created a Uniform Building Code Commission to advise the division with respect to the division's responsibilities in administering the codes.

(2) The commission shall consist of ~~[++]~~ 13 members as follows:

(a) one member shall be ~~[from among candidates nominated by the Utah League of Cities and Towns and the Utah Association of Counties]~~ a heating, ventilation, and air conditioning contractor licensed by the state;

(b) one member shall be a licensed building inspector ~~[employed by a political subdivision of the state]~~ nominated by the Utah League of Cities and Towns;

(c) one member shall be a licensed professional engineer;

(d) one member shall be a licensed architect;

(e) one member shall be:

(i) a licensed architect who specializes in residential architecture; or

(ii) a residential home designer;

(f) one member shall be a member of an association of building owners;

~~[(e)]~~ (g) one member shall be a fire official;

~~[(f)]~~ (h) ~~[three]~~ four members shall be contractors licensed by the state, of which ~~[one]~~:

(i) two shall be ~~[a]~~ general ~~{contractor, one}~~ [contractor;] contractors, one of which shall specialize in residential construction;

(ii) one shall be an electrical contractor~~[-];~~ and

(iii) one shall be a plumbing contractor;

~~[(g)]~~ (i) ~~[two members]~~ one member shall be from the general public and have no affiliation with the construction industry or real estate development industry; and

~~[(h)]~~ (j) one member shall be from the Division of Facilities Construction and Management of the Department of Administrative Services.

(3) (a) The executive director shall appoint each commission member after submitting a nomination to the governor for confirmation or rejection.

(b) (i) If the governor rejects a nominee, the executive director shall submit an alternative nominee until the governor confirms the nomination.

(ii) An appointment is effective after the governor confirms the nomination.

(4) (a) Except as required by Subsection (4)(b), as terms of commission members expire, the executive director shall appoint each new commission member or reappointed

SB0033S02 compared with SB0033S01

commission member to a four-year term.

(b) Notwithstanding the requirements of Subsection (4)(a), the executive director shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of commission members are staggered so that approximately half of the commission is appointed every two years.

(5) When a vacancy occurs in the commission membership for any reason, the executive director shall appoint a replacement for the unexpired term.

(6) (a) A commission member may not serve more than two full terms.

(b) A commission member who ceases to serve may not again serve on the commission until after the expiration of two years after the day on which service ceased.

(7) A majority of the commission members constitute a quorum and may act on behalf of the commission.

(8) A commission member may not receive compensation or benefits for the commission member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(9) (a) The commission shall annually designate one of the commission's members to serve as chair of the commission.

(b) The division shall provide a secretary to facilitate the function of the commission and to record the commission's actions and recommendations.

(10) The commission shall:

(a) in accordance with Section 15A-1-204, report to the Business and Labor Interim Committee;

(b) act as an appeals board as provided in Section 15A-1-207;

(c) establish advisory peer committees on either a standing or ad hoc basis to advise the commission with respect to matters related to a code, including a committee to advise the commission regarding health matters related to a plumbing code; and

(d) assist the division in overseeing code-related training in accordance with Section

SB0033S02 compared with SB0033S01

15A-1-209.

(11) (a) In a manner consistent with Subsection (10)(c), the commission shall jointly create with the Utah Fire Prevention Board an advisory peer committee known as the "Unified Code Analysis Council" to review fire prevention and construction code issues that require definitive and specific analysis.

(b) The commission and Utah Fire Prevention Board shall jointly, by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, provide for:

- (i) the appointment of members to the Unified Code Analysis Council; and
- (ii) procedures followed by the Unified Code Analysis Council.

Section 2. Section 15A-1-204 is amended to read:

15A-1-204. Adoption of State Construction Code -- Amendments by commission -- Approved codes -- Exemptions.

(1) (a) The State Construction Code is the construction codes adopted with any modifications in accordance with this section that the state and each political subdivision of the state shall follow.

(b) A person shall comply with the applicable provisions of the State Construction Code when:

- (i) new construction is involved; and
- (ii) the owner of an existing building, or the owner's agent, is voluntarily engaged in:
 - (A) the repair, renovation, remodeling, alteration, enlargement, rehabilitation, conservation, or reconstruction of the building; or
 - (B) changing the character or use of the building in a manner that increases the occupancy loads, other demands, or safety risks of the building.

(c) On and after July 1, 2010, the State Construction Code is the State Construction Code in effect on July 1, 2010, until in accordance with this section:

- (i) a new State Construction Code is adopted; or
- (ii) one or more provisions of the State Construction Code are amended or repealed in accordance with this section.

(d) A provision of the State Construction Code may be applicable:

- (i) to the entire state; or
- (ii) within a county, city, or town.

SB0033S02 compared with SB0033S01

(2) (a) The Legislature shall adopt a State Construction Code by enacting legislation that adopts a nationally recognized construction code with any modifications.

(b) Legislation described in Subsection (2)(a) shall state that the legislation takes effect on the July 1 after the day on which the legislation is enacted, unless otherwise stated in the legislation.

(c) Subject to Subsection (6), a State Construction Code adopted by the Legislature is the State Construction Code until, in accordance with this section, the Legislature adopts a new State Construction Code by:

- (i) adopting a new State Construction Code in its entirety; or
- (ii) amending or repealing one or more provisions of the State Construction Code.

(3) (a) Except as provided in Subsection (3)(b), for each update of a nationally recognized construction code, the commission shall prepare a report described in Subsection (4).

(b) For the provisions of a nationally recognized construction code that apply only to detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with separate means of egress and their accessory structures, the commission shall ~~prepare a report described in Subsection (4) in 2021 and, thereafter, for every second update of the nationally recognized construction code~~

~~and, thereafter, for every second update of the nationally recognized construction code~~ prepare a report described in Subsection (4) in 2022 and, thereafter, for every second update of the nationally recognized construction code

~~(ii) not prepare a report described in Subsection (4) in 2018.~~

(4) (a) In accordance with Subsection (3), on or before September 1 of the same year as after the year designated in the title of a nationally recognized construction code, the commission shall prepare and submit, in accordance with Section 68-3-14, a written report to the Business and Labor Interim Committee that:

(i) states whether the commission recommends the Legislature adopt the update with any modifications; and

(ii) describes the costs and benefits of each recommended change in the update or in any modification.

(b) After the Business and Labor Interim Committee receives the report described in Subsection (4)(a), the Business and Labor Interim Committee shall:

- (i) study the recommendations; and

SB0033S02 compared with SB0033S01

(ii) if the Business and Labor Interim Committee decides to recommend legislative action to the Legislature, prepare legislation for consideration by the Legislature in the next general session.

(5) (a) (i) The commission shall, by no later than September 1 of each year in which the commission is not required to submit a report described in Subsection (4), submit, in accordance with Section 68-3-14, a written report to the Business and Labor Interim Committee recommending whether the Legislature should amend or repeal one or more provisions of the State Construction Code.

(ii) As part of a recommendation described in Subsection (5)(a)(i), the commission shall describe the costs and benefits of each proposed amendment or repeal.

(b) The commission may recommend legislative action related to the State Construction Code:

(i) on [its] the commission's own initiative;

(ii) upon the recommendation of the division; or

(iii) upon the receipt of a request by one of the following that the commission recommend legislative action related to the State Construction Code:

(A) a local regulator;

(B) a state regulator;

(C) a state agency involved with the construction and design of a building;

(D) the Construction Services Commission;

(E) the Electrician Licensing Board;

(F) the Plumbers Licensing Board; or

(G) a recognized construction-related association.

(c) If the Business and Labor Interim Committee decides to recommend legislative action to the Legislature, the Business and Labor Interim Committee shall prepare legislation for consideration by the Legislature in the next general session.

(6) (a) Notwithstanding the provisions of this section, the commission may, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, amend the State Construction Code if the commission determines that waiting for legislative action in the next general legislative session would:

(i) cause an imminent peril to the public health, safety, or welfare; or

SB0033S02 compared with SB0033S01

(ii) place a person in violation of federal or other state law.

(b) If the commission amends the State Construction Code in accordance with this Subsection (6), the commission shall file with the division:

(i) the text of the amendment to the State Construction Code; and

(ii) an analysis that includes the specific reasons and justifications for the commission's findings.

(c) If the State Construction Code is amended under this Subsection (6), the division shall:

(i) publish the amendment to the State Construction Code in accordance with Section 15A-1-205; and

(ii) prepare and submit, in accordance with Section 68-3-14, a written notice to the Business and Labor Interim Committee containing the amendment to the State Construction Code, including a copy of the commission's analysis described in Subsection (6)(b)(ii).

(d) If not formally adopted by the Legislature at the next annual general session, an amendment to the State Construction Code under this Subsection (6) is repealed on the July 1 immediately following the next annual general session that follows the adoption of the amendment.

(7) (a) The division, in consultation with the commission, may approve, without adopting, one or more approved codes, including a specific edition of a construction code, for use by a compliance agency.

(b) If the code adopted by a compliance agency is an approved code described in Subsection (7)(a), the compliance agency may:

(i) adopt an ordinance requiring removal, demolition, or repair of a building;

(ii) adopt, by ordinance or rule, a dangerous building code; or

(iii) adopt, by ordinance or rule, a building rehabilitation code.

(8) Except as provided in Subsections (6), (7), (9), and (10), or as expressly provided in state law, a state executive branch entity or political subdivision of the state may not, after December 1, 2016, adopt or enforce a rule, ordinance, or requirement that applies to a subject specifically addressed by, and that is more restrictive than, the State Construction Code.

(9) A state executive branch entity or political subdivision of the state may:

(a) enforce a federal law or regulation;

SB0033S02 compared with SB0033S01

(b) adopt or enforce a rule, ordinance, or requirement if the rule, ordinance, or requirement applies only to a facility or construction owned or used by a state entity or a political subdivision of the state; or

(c) enforce a rule, ordinance, or requirement:

(i) that the state executive branch entity or political subdivision adopted or made effective before July 1, 2015; and

(ii) for which the state executive branch entity or political subdivision can demonstrate, with substantial evidence, that the rule, ordinance, or requirement is necessary to protect an individual from a condition likely to cause imminent injury or death.

(10) The Department of Health or the Department of Environmental Quality may enforce a rule or requirement adopted before January 1, 2015.

(11) (a) Except as provided in Subsection (11)(b), a structure used solely in conjunction with agriculture use, and not for human occupancy, or a structure that is no more than 1,500 square feet and used solely for the type of sales described in Subsection 59-12-104(20), is exempt from the requirements of the State Construction Code.

(b) (i) Unless exempted by a provision other than Subsection (11)(a), a plumbing, electrical, and mechanical permit may be required when that work is included in a structure described in Subsection (11)(a).

(ii) Unless located in whole or in part in an agricultural protection area created under Title 17, Chapter 41, Agriculture, Industrial, or Critical Infrastructure Materials Protection Areas, a structure described in Subsection (11)(a) is not exempt from a permit requirement if the structure is located on land that is:

(A) within the boundaries of a city or town, and less than five contiguous acres; or

(B) within a subdivision for which the county has approved a subdivision plat under Title 17, Chapter 27a, Part 6, Subdivisions, and less than two contiguous acres.

(12) (a) As used in this Subsection (12):

(i) "Membrane-covered frame structure" means a nonpressurized building wherein the structure is composed of a rigid framework to support a tensioned membrane that provides the weather barrier.

(ii) "Remote yurt" means a membrane-covered frame structure that:

(A) is no larger than 710 square feet;

SB0033S02 compared with SB0033S01

(B) is not used as a permanent residence;

(C) is located in an unincorporated county area that is not zoned for residential, commercial, industrial, or agricultural use;

(D) does not have plumbing or electricity;

(E) is set back at least 300 feet from any river, stream, lake, or other body of water; and

(F) registers with the local health department.

(b) A remote yurt is exempt from the State Construction Code including the permit requirements of the State Construction Code.

(c) Notwithstanding Subsection (12)(b), a county may by ordinance require remote yurts to comply with the State Construction Code, if the ordinance requires the remote yurts to comply with all of the following:

(i) the State Construction Code;

(ii) notwithstanding Section 15A-5-104, the State Fire Code; and

(iii) notwithstanding Section 19-5-125, Title 19, Chapter 5, Water Quality Act, rules made under that chapter, and local health department's jurisdiction over onsite wastewater disposal.

Section ~~11~~3. Section **15A-1-403** is amended to read:

15A-1-403. Adoption of State Fire Code.

(1) (a) The State Fire Code is:

(i) a code promulgated by a nationally recognized code authority that is adopted by the Legislature under this section with any modifications; and

(ii) a code to which cities, counties, fire protection districts, and the state shall adhere in safeguarding life and property from the hazards of fire and explosion.

(b) On and after July 1, 2010, the State Fire Code is the State Fire Code in effect on July 1, 2010, until in accordance with this section:

(i) a new State Fire Code is adopted; or

(ii) one or more provisions of the State Fire Code are amended or repealed in accordance with this section.

(c) A provision of the State Fire Code may be applicable:

(i) to the entire state; or

(ii) within a city, county, or fire protection district.

SB0033S02 compared with SB0033S01

(2) (a) The Legislature shall adopt a State Fire Code by enacting legislation that adopts a nationally recognized fire code with any modifications.

(b) Legislation described in Subsection (2)(a) shall state that the legislation takes effect on the July 1 after the day on which the legislation is enacted, unless otherwise stated in the legislation.

(c) Subject to Subsection (6), a State Fire Code adopted by the Legislature is the State Fire Code until in accordance with this section the Legislature adopts a new State Fire Code by:

- (i) adopting a new State Fire Code in its entirety; or
- (ii) amending or repealing one or more provisions of the State Fire Code.

(3) (a) Except as provided in Subsection (3)(b), for each update of a nationally recognized fire code, the board shall prepare a report described in Subsection (4).

(b) For the provisions of a nationally recognized fire code that apply only to detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with separate means of egress and their accessory structures, the board shall:

- (i) prepare a report described in Subsection (4) in 2021 and, thereafter, for every second update of the nationally recognized fire code; and
- (ii) not prepare a report described in Subsection (4) in 2018.

(4) (a) In accordance with Subsection (3), on or before September 1 of the same year as the year designated in the title of an update of a nationally recognized fire code, the board shall prepare and submit, in accordance with Section 68-3-14, a written report to the Business and Labor Interim Committee that:

- (i) states whether the board recommends the Legislature adopt the update with any modifications; and
- (ii) describes the costs and benefits of each recommended change in the update or in any modification.

(b) After the Business and Labor Interim Committee receives the report described in Subsection (4)(a), the Business and Labor Interim Committee shall:

- (i) study the recommendations; and
- (ii) if the Business and Labor Interim Committee decides to recommend legislative action to the Legislature, prepare legislation for consideration by the Legislature in the next general session.

SB0033S02 compared with SB0033S01

(5) (a) (i) The board shall, by no later than September 1 of each year in which the board is not required to submit a report described in Subsection (4), submit, in accordance with Section 68-3-14, a written report to the Business and Labor Interim Committee recommending whether the Legislature should amend or repeal one or more provisions of the State Fire Code.

(ii) As part of a recommendation described in Subsection (5)(a)(i), the board shall describe the costs and benefits of each proposed amendment or repeal.

(b) The board may recommend legislative action related to the State Fire Code:

(i) on its own initiative; or

(ii) upon the receipt of a request by a city, county, or fire protection district that the board recommend legislative action related to the State Fire Code.

(c) Within 45 days after the day on which the board receives a request under Subsection (5)(b), the board shall direct the division to convene an informal hearing concerning the request.

(d) The board shall conduct a hearing under this section in accordance with the rules of the board.

(e) The board shall decide whether to include the request in the report described in Subsection (5)(a).

(f) (i) Within 15 days after the day on which the board conducts a hearing, the board shall direct the division to notify the entity that made the request of the board's decision regarding the request.

(ii) The division shall provide the notice:

(A) in writing; and

(B) in a form prescribed by the board.

(g) If the Business and Labor Interim Committee decides to recommend legislative action to the Legislature, the Business and Labor Interim Committee shall prepare legislation for consideration by the Legislature in the next general session that, if passed by the Legislature, would amend or repeal one or more provisions of the State Fire Code.

(6) (a) Notwithstanding the provisions of this section, the board may, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, amend a State Fire Code if the board determines that waiting for legislative action in the next general legislative session would:

SB0033S02 compared with SB0033S01

- (i) cause an imminent peril to the public health, safety, or welfare; or
- (ii) place a person in violation of federal or other state law.

(b) If the board amends a State Fire Code in accordance with this Subsection (6), the board shall:

- (i) publish the State Fire Code with the amendment; and
- (ii) prepare and submit, in accordance with Section 68-3-14, written notice to the

Business and Labor Interim Committee of the adoption, including a copy of an analysis by the board identifying specific reasons and justifications for its findings.

(c) If not formally adopted by the Legislature at the next annual general session, an amendment to a State Fire Code adopted under this Subsection (6) is repealed on the July 1 immediately following the next annual general session that follows the adoption of the amendment.

(7) (a) Except as provided in Subsection (7)(b), a legislative body of a political subdivision may enact an ordinance in the political subdivision's fire code that is more restrictive than the State Fire Code:

- (i) in order to meet a public safety need of the political subdivision; and
- (ii) subject to the requirements of Subsection (7)(c).

(b) Except as provided in Subsections (7)(c), (10), and (11), or as expressly provided in state law, a political subdivision may not, after December 1, 2016, enact or enforce a rule or ordinance that applies to a structure built in accordance with the International Residential Code, as adopted in the State Construction Code, that is more restrictive than the State Fire Code.

- (c) (i) Except as provided in Subsection (7)(c)(ii), a political subdivision may adopt:
- (A) the appendices of the International Fire Code; and
 - (B) a fire sprinkler ordinance in accordance with Section 15A-5-203.

(ii) If a political subdivision adopts International Fire Code Appendix B, the political subdivision may not require:

(A) a subdivision of structures built in accordance with the International Residential Code to have a fire flow rate that is greater than 2000 gallons per minute;

(B) an individual structure built in accordance with the International Residential Code to have a fire flow rate [~~greater than that required under Subsection 15A-5-203(1)(a)~~] that is

SB0033S02 compared with SB0033S01

greater than 2000 gallons per minute; or

(C) a one- or two-family dwelling or a town home to have a fire sprinkler system, except in accordance with Section 15A-5-203.

~~[(d) A legislative body of a political subdivision that enacts an ordinance under Subsection (7)(a) shall:]~~

~~[(i) notify the board in writing at least 30 days before the day on which the legislative body enacts the ordinance and include in the notice a statement as to the proposed subject matter of the ordinance; and]~~

~~[(ii) after the legislative body enacts the ordinance, report to the board before the board makes the report required under Subsection (7)(e), including providing the board:]~~

~~[(A) a copy of the ordinance enacted under this Subsection (7); and]~~

~~[(B) a description of the public safety need that is the basis of enacting the ordinance.]~~

~~[(e)]~~ (d) The board shall submit, in accordance with Section 68-3-14, to the Business and Labor Interim Committee each year with the recommendations submitted in accordance with Subsection (4)~~[(i) a list of the ordinances enacted under this Subsection (7) during the fiscal year immediately preceding the report; and (ii)]~~, recommendations, if any, for legislative action related to an ordinance enacted under this Subsection (7).

~~[(f) (i) The state fire marshal shall keep an indexed copy of an ordinance enacted under this Subsection (7).]~~

~~[(ii) The state fire marshal shall make a copy of an ordinance enacted under this Subsection (7) available on request.]~~

~~[(g) The board may make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish procedures for a legislative body of a political subdivision to follow to provide the notice and report required under this Subsection (7).]~~

(8) Except as provided in Subsections (9), (10), and (11), or as expressly provided in state law, a state executive branch entity may not, after December 1, 2016, adopt or enforce a rule or requirement that:

(a) is more restrictive than the State Fire Code; and

(b) applies to detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures.

SB0033S02 compared with SB0033S01

(9) A state government entity may adopt a rule or requirement regarding a residential occupancy that is regulated by:

- (a) the State Fire Prevention Board;
- (b) the Department of Health; or
- (c) the Department of Human Services.

(10) A state executive branch entity or political subdivision of the state may:

- (a) enforce a federal law or regulation;
- (b) adopt or enforce a rule, ordinance, or requirement if the rule, ordinance, or requirement applies only to a facility or construction owned or used by a state entity or a political subdivision of the state; or

(c) enforce a rule, ordinance, or requirement:

(i) that the state executive branch entity or political subdivision adopted or made effective before July 1, 2015; and

(ii) for which the state executive branch entity or political subdivision can demonstrate, with substantial evidence, that the rule, ordinance, or requirement is necessary to protect an individual from a condition likely to cause imminent injury or death.

(11) The Department of Health or the Department of Environmental Quality may enforce a rule or requirement adopted before January 1, 2015.

Section ~~2~~4. Section **15A-2-103** is amended to read:

15A-2-103. Specific editions adopted of construction code of a nationally recognized code authority.

(1) Subject to the other provisions of this part, the following construction codes are incorporated by reference, and together with the amendments specified in Chapter 3, Statewide Amendments Incorporated as Part of State Construction Code, and Chapter 4, Local Amendments Incorporated as Part of State Construction Code, are the construction standards to be applied to building construction, alteration, remodeling, and repair, and in the regulation of building construction, alteration, remodeling, and repair in the state:

(a) the 2018 edition of the International Building Code, including [~~Appendix~~ Appendices C and J], issued by the International Code Council;

(b) the 2015 edition of the International Residential Code, issued by the International Code Council;

SB0033S02 compared with SB0033S01

(c) Appendix Q of the 2018 edition of the International Residential Code, issued by the International Code Council;

(d) the 2018 edition of the International Plumbing Code, issued by the International Code Council;

(e) the 2018 edition of the International Mechanical Code, issued by the International Code Council;

(f) the 2018 edition of the International Fuel Gas Code, issued by the International Code Council;

(g) the [~~2017~~] 2020 edition of the National Electrical Code, issued by the National Fire Protection Association;

(h) the residential provisions of the 2015 edition of the International Energy Conservation Code, issued by the International Code Council;

(i) the commercial provisions of the 2018 edition of the International Energy Conservation Code, issued by the International Code Council;

(j) the 2018 edition of the International Existing Building Code, issued by the International Code Council;

(k) subject to Subsection 15A-2-104(2), the HUD Code;

(l) subject to Subsection 15A-2-104(1), Appendix E of the 2015 edition of the International Residential Code, issued by the International Code Council;

(m) subject to Subsection 15A-2-104(1), the 2005 edition of the NFPA 225 Model Manufactured Home Installation Standard, issued by the National Fire Protection Association;

(n) subject to Subsection (3), for standards and guidelines pertaining to plaster on a historic property, as defined in Section 9-8-302, the U.S. Department of the Interior Secretary's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings; and

(o) the residential provisions of the 2018 edition of the International Swimming Pool and Spa Code, issued by the International Code Council.

(2) Consistent with Title 65A, Chapter 8, Management of Forest Lands and Fire Control, the Legislature adopts the 2006 edition of the Utah Wildland Urban Interface Code, issued by the International Code Council, with the alternatives or amendments approved by the Utah Division of Forestry, as a construction code that may be adopted by a local compliance agency by local ordinance or other similar action as a local amendment to the codes listed in

SB0033S02 compared with SB0033S01

this section.

(3) The standards and guidelines described in Subsection (1)(n) apply only if:

(a) the owner of the historic property receives a government tax subsidy based on the property's status as a historic property;

(b) the historic property is wholly or partially funded by public money; or

(c) the historic property is owned by a government entity.

Section ~~3~~5. Section **15A-3-113** is amended to read:

15A-3-113. Amendments to Chapters 32 through 35 of IBC.

(1) In IBC, Chapter 35, the referenced standard for NFPA 70-17 is deleted and replaced with NFPA 70-20.

(2) In IBC, Chapter 35, the referenced standard ICCA117.1-09, Section 606.2, Exception 1 is modified to include the following sentence at the end of the exception:

"The minimum clear floor space shall be centered on the sink assembly."

Section ~~4~~6. Section **15A-3-202** is amended to read:

15A-3-202. Amendments to Chapters 1 through 5 of IRC.

(1) In IRC, Section R102, a new Section R102.7.2 is added as follows: "R102.7.2 Physical change for bedroom window egress. A structure whose egress window in an existing bedroom is smaller than required by this code, and that complied with the construction code in effect at the time that the bedroom was finished, is not required to undergo a physical change to conform to this code if the change would compromise the structural integrity of the structure or could not be completed in accordance with other applicable requirements of this code, including setback and window well requirements."

(2) In IRC, Section R108.3, the following sentence is added at the end of the section: "The building official shall not request proprietary information."

(3) In IRC, Section 109:

(a) A new IRC, Section 109.1.5, is added as follows: "R109.1.5 Weather-resistant exterior wall envelope inspections. An inspection shall be made of the weather-resistant exterior wall envelope as required by Section R703.1 and flashings as required by Section R703.8 to prevent water from entering the weather-resistive barrier."

(b) The remaining sections are renumbered as follows: R109.1.6 Other inspections; R109.1.6.1 Fire- and smoke-resistance-rated construction inspection; R109.1.6.2 Reinforced

SB0033S02 compared with SB0033S01

masonry, insulating concrete form (ICF) and conventionally formed concrete wall inspection; and R109.1.7 Final inspection.

(4) IRC, Section R114.1, is deleted and replaced with the following: "R114.1 Notice to owner. Upon notice from the building official that work on any building or structure is being prosecuted contrary to the provisions of this code or other pertinent laws or ordinances or in an unsafe and dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent or to the person doing the work; and shall state the conditions under which work will be permitted to resume."

(5) In IRC, Section R202, the following definition is added: "CERTIFIED BACKFLOW PREVENTER ASSEMBLY TESTER: A person who has shown competence to test Backflow prevention assemblies to the satisfaction of the authority having jurisdiction under Utah Code, Subsection 19-4-104(4)."

(6) In IRC, Section R202, the definition of "Cross Connection" is deleted and replaced with the following: "CROSS CONNECTION. Any physical connection or potential connection or arrangement between two otherwise separate piping systems, one of which contains potable water and the other either water of unknown or questionable safety or steam, gas, or chemical, whereby there exists the possibility for flow from one system to the other, with the direction of flow depending on the pressure differential between the two systems (see "Backflow, Water Distribution")."

(7) In IRC, Section 202, the following definition is added: "ENERGY STORAGE SYSTEM (ESS). One or more devices, assembled together, that are capable of storing energy for supplying electrical energy at a future time."

~~[(7)]~~ (8) In IRC, Section 202, in the definition for gray water a comma is inserted after the word "washers"; the word "and" is deleted; and the following is added to the end: "and clear water wastes which have a pH of 6.0 to 9.0; are non-flammable; non-combustible; without objectionable odors; non-highly pigmented; and will not interfere with the operation of the sewer treatment facility."

~~[(8)]~~ (9) In IRC, Section R202, the definition of "Potable Water" is deleted and replaced with the following: "POTABLE WATER. Water free from impurities present in amounts sufficient to cause disease or harmful physiological effects and conforming to the

SB0033S02 compared with SB0033S01

Utah Code, Title 19, Chapter 4, Safe Drinking Water Act, and Title 19, Chapter 5, Water Quality Act, and the regulations of the public health authority having jurisdiction."

[(9)] (10) IRC, Figure R301.2(5), is deleted and replaced with R301.2(5) as follows:

"TABLE R301.2(5)			
GROUND SNOW LOADS FOR SELECTED LOCATIONS IN UTAH			
City/Town	County	Ground Snow Load (lb/ft ²)	Elevation (ft)
Beaver	Beaver	35	5886
Brigham City	Box Elder	42	4423
Castle Dale	Emery	32	5669
Coalville	Summit	57	5581
Duchesne	Duchesne	39	5508
Farmington	Davis	35	4318
Fillmore	Millard	30	5138
Heber City	Wasatch	60	5604
Junction	Piute	27	6030
Kanab	Kane	25	4964
Loa	Wayne	37	7060
Logan	Cache	43	4531
Manila	Daggett	26	6368
Manti	Sanpete	37	5620
Moab	Grand	21	4029
Monticello	San Juan	67	7064
Morgan	Morgan	52	5062
Nephi	Juab	39	5131
Ogden	Weber	37	4334
Panguitch	Garfield	41	6630
Parowan	Iron	32	6007
Price	Carbon	31	5558
Provo	Utah	31	4541

SB0033S02 compared with SB0033S01

Randolph	Rich	50	6286
Richfield	Sevier	27	5338
St. George	Washington	21	2585
Salt Lake City	Salt Lake	28	4239
Tooele	Tooele	35	5029
Vernal	Uintah	39	5384

Note: To convert lb/ft² to kN/m², multiply by 0.0479. To convert feet to meters, multiply by 0.3048.

1. Statutory requirements of the Authority Having Jurisdiction are not included in this state ground snow load table.
2. For locations where there is substantial change in altitude over the city/town, the load applies at and below the cited elevation, with a tolerance of 100 ft (30 m).
3. For other locations in Utah, see Bean, B., Maguire, M., Sun, Y. (2018), "The Utah Snow Load Study," Utah State University Civil and Environmental Engineering Faculty Publications, Paper 3589, <http://utahsnowload.usu.edu/>, for ground snow load values.

~~[(10)]~~ (11) IRC, Section R301.6, is deleted and replaced with the following: "R301.6 Utah Snow Loads. The snow loads specified in Table R301.2(5b) shall be used for the jurisdictions identified in that table. Otherwise, for other locations in Utah, see Bean, B., Maguire, M., Sun, Y. (2018), "The Utah Snow Load Study," Utah State University Civil and Environmental Engineering Faculty Publications, Paper 3589, <http://utahsnowload.usu.edu/>, for ground snow load values."

~~[(11)]~~ (12) In IRC, Section R302.2, the following sentence is added after the second sentence: "When an access/maintenance agreement or easement is in place, plumbing, mechanical ducting, schedule 40 steel gas pipe, and electric service conductors including feeders, are permitted to penetrate the common wall at grade, above grade, or below grade."

~~[(12)]~~ (13) In IRC, Section R302.5.1, the words "self-closing device" are deleted and replaced with "self-latching hardware."

~~[(13)]~~ (14) IRC, Section R302.13, is deleted.

~~[(14)]~~ (15) In IRC, Section R303.4, the number "5" is changed to "3" in the first sentence.

SB0033S02 compared with SB0033S01

~~[(15)]~~ (16) IRC, Sections R311.7.4 through R311.7.5.3, are deleted and replaced with the following: "R311.7.4 Stair treads and risers. R311.7.5.1 Riser height. The maximum riser height shall be 8 inches (203 mm). The riser shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

R311.7.5.2 Tread depth. The minimum tread depth shall be 9 inches (228 mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). Winder treads shall have a minimum tread depth of 10 inches (254 mm) measured as above at a point 12 inches (305 mm) from the side where the treads are narrower. Winder treads shall have a minimum tread depth of 6 inches (152 mm) at any point. Within any flight of stairs, the greatest winder tread depth at the 12-inch (305 mm) walk line shall not exceed the smallest by more than 3/8 inch (9.5 mm).

R311.7.5.3 Profile. The radius of curvature at the leading edge of the tread shall be no greater than 9/16 inch (14.3 mm). A nosing not less than 3/4 inch (19 mm) but not more than 1 1/4 inches (32 mm) shall be provided on stairways with solid risers. The greatest nosing projection shall not exceed the smallest nosing projection by more than 3/8 inch (9.5 mm) between two stories, including the nosing at the level of floors and landings. Beveling of nosing shall not exceed 1/2 inch (12.7 mm). Risers shall be vertical or sloped from the underside of the leading edge of the tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open risers are permitted, provided that the opening between treads does not permit the passage of a 4-inch diameter (102 mm) sphere.

Exceptions.

1. A nosing is not required where the tread depth is a minimum of 10 inches (254 mm).
2. The opening between adjacent treads is not limited on stairs with a total rise of 30 inches (762 mm) or less."

~~[(16)]~~ (17) IRC, Section R312.2, is deleted.

~~[(17)]~~ (18) IRC, Sections R313.1 through R313.2.1, are deleted and replaced with the following: "R313.1 Design and installation. When installed, automatic residential fire sprinkler systems for townhouses or one- and two-family dwellings shall be designed and

SB0033S02 compared with SB0033S01

installed in accordance with Section P2904 or NFPA 13D."

~~[(18)]~~ (19) In IRC, Section 315.3, the following words are added to the first sentence after the word "installed": "on each level of the dwelling unit and."

~~[(19)]~~ (20) In IRC, Section R315.5, a new exception, 3, is added as follows:
"3. Hard wiring of carbon monoxide alarms in existing areas shall not be required where the alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for hard wiring, without the removal of interior finishes."

~~[(20)]~~ (21) A new IRC, Section R315.7, is added as follows: " R315.7 Interconnection. Where more than one carbon monoxide alarm is required to be installed within an individual dwelling unit in accordance with Section R315.1, the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm.

Exception: Interconnection of carbon monoxide alarms in existing areas shall not be required where alterations or repairs do not result in removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for interconnection without the removal of interior finishes."

~~[(21)]~~ (22) In IRC, Section R317.1.5, the period is deleted and the following language is added to the end of the paragraph: "or treated with a moisture resistant coating."

~~[(22)]~~ (23) In IRC, Section 326.1, the words "residential provisions of the" are added after the words "pools and spas shall comply with".

(24) In IRC, Section R327.1 is deleted and replaced with the following: "327.1 General. Energy storage systems (ESS) shall comply with the provisions of this section.

Exceptions:

1. ESS listed and labeled in accordance with UL 9540 and marked "For use in residential dwelling units", where installed in accordance with the manufacturer's instruction and NFPA 70.

2. ESS less than 1kWh (3.6 megajoules)."

(25) In IRC, Section R327.2 is deleted and replaced with the following: "327.2 Equipment listings. ESS shall be listed and labeled in accordance with UL 9540.

SB0033S02 compared with SB0033S01

Exception: Where approved, repurposed unlisted battery systems from electric vehicle are allowed to be installed outdoors or in detached sheds located not less than 5 feet (1524 mm) from exterior walls, property lines and public ways."

(26) In IRC, Section R327.3 is deleted and replaced with the following: "327.3 Installation. ESS shall be installed in accordance with the manufacturer's instructions and their listing."

(27) In IRC, Section R327, a new section 327.3.1 is added as follows: "327.3.1 Spacing. Individual units shall be separate from each other by not less than three feet (914 mm) except where smaller separation distances are documented to be adequate based on large-scale fire testing complying with Section 1206.2.3 of the adopted International Fire Code."

(28) In IRC, Section 327.4 is deleted and replaced with the following: "327.4 Locations. ESS shall be installed only in the following locations:

1. Detached garages and detached accessory structures.
2. Attached garages separated from the dwelling unit living space in accordance with Section R302.6.
3. Outdoors or on the exterior side of exterior walls located not less than 3 feet (914 mm) from doors and windows directly entering the dwelling unit.
4. Enclosed utility closets, basements, storage or utility spaces within dwelling units with finished or noncombustible walls and ceilings. Walls and ceilings of unfinished wood-framed construction shall be provided with not less than 5/8-inch (15.9 mm) Type X gypsum wallboard.

ESS shall not be installed in sleeping rooms, or closets or spaces opening directly into sleeping rooms."

(29) In IRC, Section 327.5 is deleted and replaced with the following: "327.5 Energy ratings. Individual ESS units shall have a maximum rating of 20 kWh. The aggregate rating of the ESS shall not exceed:

1. 40 kWh within utility closets, basements, and storage or utility spaces.
2. 80 kWh in attached or detached garages and detached accessory structures.
3. 80 kWh on exterior walls.
4. 80 kWh outdoors on the ground.

ESS installations exceeding the permitted individual or aggregate ratings shall be

SB0033S02 compared with SB0033S01

installed in accordance with Sections 1206.2.1 through 1206.2.12 of the adopted International Fire Code."

(30) In IRC, Section 327.6 is deleted and replaced with the following: "327.6 Electrical installation. ESS shall be installed in accordance with NFPA 70. Inverters shall be listed and labeled in accordance with UL 1741 or provided as part of the UL 9540 listing. Systems connected to the utility grid shall use inverters listed for utility interaction."

(31) In IRC, Section 327, a new section 327.7 is added as follows: "327.7 Fire detection. Rooms and areas within dwelling units, basements, and attached garages in which ESS are installed shall be protected by smoke alarms in accordance with Section R314. A heat detector, listed and interconnected to the smoke alarms, shall be installed in locations within dwelling units and attached garages where smoke alarms cannot be installed based on their listing."

(32) In IRC, Section 327, a new section 327.8 is added as follows: "327.8 Protection from impact. ESS installed in a location subject to vehicle damage shall be protected by approved barriers."

(33) In IRC, Section 327, a new section 327.9 is added as follows: "327.9 Ventilation. Indoor installations of ESS that include batteries that produce hydrogen or other flammable gasses during charging shall be provided with mechanical ventilation in accordance with Section M1307.4."

(34) In IRC, Section 327, a new section 327.10 is added as follows: "327.10 Electric vehicle use. The temporary use of an owner or occupant's electric-powered vehicle to power a dwelling unit while parked in an attached or detached garage or outdoors shall comply with the vehicle manufacturer's instructions and NFPA 70."

(35) In IRC, Section 327, a new section 327.11 is added as follows: "327.11 Signage. A sign located on the exterior of the dwelling shall be installed at a location approved by the authority having jurisdiction which identifies the battery chemistry included in the ESS. This sign shall be of sufficient durability to withstand the environment involved and shall not be handwritten."

~~[(23)]~~ (36) In IRC, Section R403.1.6, a new Exception 3 is added as follows: " 3. When anchor bolt spacing does not exceed 32 inches (813 mm) apart, anchor bolts may be placed with a minimum of two bolts per plate section located not less than 4 inches (102 mm)

SB0033S02 compared with SB0033S01

from each end of each plate section at interior bearing walls, interior braced wall lines, and at all exterior walls."

~~[(24)]~~ (37) In IRC, Section R403.1.6.1, a new exception is added at the end of Item 2 and Item 3 as follows: "Exception: When anchor bolt spacing does not exceed 32 inches (816 mm) apart, anchor bolts may be placed with a minimum of two bolts per plate section located not less than 4 inches (102 mm) from each end of each plate section at interior bearing walls, interior braced wall lines, and at all exterior walls."

~~[(25)]~~ (38) In IRC, Section R404.1, a new exception is added as follows: "Exception: As an alternative to complying with Sections R404.1 through R404.1.5.3, concrete and masonry foundation walls may be designed in accordance with IBC Sections 1807.1.5 and 1807.1.6 as amended in Section 1807.1.6.4 and Table 1807.1.6.4 under these rules."

~~[(26)]~~ (39) In IRC, Section R405.1, a new exception is added as follows: "Exception: When a geotechnical report has been provided for the property, a drainage system is not required unless the drainage system is required as a condition of the geotechnical report. The geological report shall make a recommendation regarding a drainage system."

Section ~~{5}~~7. Section **15A-3-206** is amended to read:

15A-3-206. Amendments to Chapters 37, 39, and 44 and Appendix F of IRC.

(1) In IRC, Section E3705.4.5, the following words are added after the word "assemblies": "with ungrounded conductors 10 AWG and smaller".

(2) In IRC, Section E3901.4.5, the last sentence in the exception is deleted and replaced with the following: "Receptacles mounted below the countertop in accordance with this exception shall not be located more than 14 inches from the bottom leading edge of the countertop."

~~[(2)]~~ (3) In IRC, Section E3901.9, the following exception is added: "Exception: Receptacles or other outlets adjacent to the exterior walls of the garage, outlets adjacent to an exterior wall of the garage, or outlets in a storage room with entry from the garage may be connected to the garage branch circuit."

~~[(3)]~~ (4) IRC, Section E3902.16 is deleted.

~~[(4)]~~ (5) In Section E3902.17:

- (a) following the word "Exception" the number "1." is added; and
- (b) at the end of the section, the following sentences are added:

SB0033S02 compared with SB0033S01

"2. This section does not apply for a simple move or an extension of a branch circuit or an outlet which does not significantly increase the existing electrical load. This exception does not include changes involving remodeling or additions to a residence."

[(5)] (6) IRC, Chapter 44, is amended by adding the following reference standard:

"Standard reference number	Title	Referenced in code section number
USC-FCCCHR 10th Edition Manual of Cross Connection Control	Foundation for Cross-Connection Control and Hydraulic Research University of Southern California Kaprielian Hall 300 Los Angeles CA 90089-2531	Table P2902.3"

(7) In IRC, Chapter 44, is amended by adding the following reference standard: "UL 9540-20: Energy storage Systems and Equipment; R327.1, R327.2 and R327.6."

[(6)] (8) (a) When passive radon controls or portions thereof are voluntarily installed, the voluntary installation shall comply with Appendix F of the IRC.

(b) An additional inspection of a voluntary installation described in Subsection [(6)] (8)(a) is not required.

Section ~~[(6)]~~8. Section **15A-3-601** is amended to read:

15A-3-601. General provisions.

The following are adopted as amendments to the NEC to be applicable statewide:

(1) The IRC provisions are adopted as the residential electrical standards applicable to residential installations under the IRC. All other installations shall comply with the adopted NEC.

[(2) In NEC, Section 210.8(B), the words "and three phase receptacles rated 150 volts to ground or less, 100 amperes or less" are deleted.]

(2) In NEC, Section 210.8(A), the words "through 250-volt" are deleted.

(3) In NEC, Section 210.8(A)(5), the word "Basements" is deleted and replaced with "Unfinished portions or areas of the basement not intended as habitable rooms."

(4) In NEC, Section 210.8(F), is deleted.

[(3)] (5) NEC, Section [210.71] 210.65, is deleted.

[(4) In NEC, Section 240.67, the words "January 1, 2020" are deleted and replaced with "upon adoption of the 2020 NEC".]

SB0033S02 compared with SB0033S01

(6) In NEC, Section 230.67, is deleted.

(7) In NEC, Section 314.27(C), is deleted and replaced with the following: "314.27(C) Boxes at Ceiling-Suspended (Paddle) Fan Outlets. Outlet boxes or outlet box systems used as the sole support of a ceiling-suspended (paddle) fan shall be listed, shall be marked by their manufacturer as suitable for this purpose, and shall not support ceiling-suspended (paddle) fans that weigh more than 32 kg (70 lb). For outlet boxes or outlet box systems designed to support ceiling-suspended (paddle) fans that weigh more than 16 kg (35 lb), the required marking shall include the maximum weight to be supported."

(~~7~~8) In NEC, Section 406.9(C), is deleted and replaced with the following: "406.9(C) Bathtub and Shower Space. Receptacles shall not be installed within or directly over a bathtub or shower stall."

Section ~~7~~9. **Effective date.**

This bill takes effect on July 1, 2021.