

AMENDMENTS TO LB218

Introduced by Urban Affairs.

1 1. Insert the following new sections:

2 Sec. 4. Section 71-6403, Revised Statutes Cumulative Supplement,
3 2020, is amended to read:

4 71-6403 (1) There is hereby created the state building code. The
5 Legislature hereby adopts by reference:

6 (a) ~~The International Building Code (IBC), chapter 13 of the 2018~~
7 ~~edition, and all but such chapter of the 2018 edition except section~~
8 101.4.3 and chapter 29, published by the International Code Council,
9 except that (i) section 305.2.3 applies to a facility having twelve or
10 fewer children and (ii) section 310.4.1 applies to a care facility for
11 twelve or fewer persons;

12 (b) ~~The International Residential Code (IRC), chapter 11 of the 2018~~
13 ~~edition, and all but such chapter of the 2018 edition except section R313~~
14 and chapters 25 through 33, published by the International Code Council;
15 and

16 (c) ~~The International Existing Building Code, 2018 edition except~~
17 section 809, published by the International Code Council; and -

18 (d) The Uniform Plumbing Code, 2018 edition, designated by the
19 American National Standards Institute as an American National Standard.

20 (2) The codes adopted by reference in subsection (1) of this section
21 and the minimum standards for radon resistant new construction adopted
22 under section 76-3504 shall constitute the state building code except as
23 amended pursuant to the Building Construction Act or as otherwise
24 authorized by state law.

25 Sec. 5. Section 71-6406, Revised Statutes Cumulative Supplement,
26 2020, is amended to read:

27 71-6406 (1)(a) Any county, city, or village may enact, administer,

1 or enforce a local building or construction code if or as long as such
2 county, city, or village:

3 (i) Adopts the state building code; or

4 (ii) Adopts a building or construction code that conforms generally
5 with the state building code.

6 (b) If a county, city, or village does not adopt a code as
7 authorized under subdivision (a) of this subsection within two years
8 after an update to the state building code, the state building code shall
9 apply in the county, city, or village, except that such code shall not
10 apply to construction on a farm or for farm purposes.

11 (2) A local building or construction code shall be deemed to conform
12 generally with the state building code if it:

13 (a) Adopts a special or differing building standard by amending,
14 modifying, or deleting any portion of the state building code in order to
15 reduce unnecessary costs of construction, increase safety, durability, or
16 efficiency, establish best building or construction practices within the
17 county, city, or village, or address special local conditions within the
18 county, city, or village;

19 (b) Adopts any supplement, new edition, appendix, or component or
20 combination of components of the state building code;

21 (c) Adopts section 305 or 310 of the 2018 edition of the
22 International Building Code without the exceptions described in
23 subdivision (1)(a) of section 71-6403, section 101.4.3 or any portion of
24 chapter 29 of the 2018 edition of the International Building Code, or
25 section R313 or any portion of chapters 25 through 33 of the 2018 edition
26 of the International Residential Code, or section 809 of the 2018 edition
27 of the International Existing Building Code;

28 (d) Adopts a plumbing code, an electrical code, a fire prevention
29 code, or any other standard code as authorized under section 14-419,
30 15-905, 18-132, or 23-172;

31 (e) Adopts a local energy code as authorized under section 81-1618;

1 or

2 (f) Adopts minimum standards for radon resistant new construction
3 which meet the minimum standards adopted under section 76-3504.

4 (3) A local building or construction code shall not be deemed to
5 conform generally with the state building code if it:

6 (a) Includes a prior edition of any component or combination of
7 components of the state building code; or

8 (b) Does not include minimum standards for radon resistant new
9 construction that meet the minimum standards adopted under section
10 76-3504.

11 (4) A county, city, or village shall notify the State Energy Office
12 if it amends or modifies its local building or construction code in such
13 a way as to delete any portion of (a) chapter 13 of the 2018 edition of
14 the International Building Code or (b) chapter 11 of the 2018 edition of
15 the International Residential Code. The notification shall be made within
16 thirty days after the adoption of such amendment or modification.

17 (5) A county, city, or village shall not adopt or enforce a local
18 building or construction code other than as provided by this section.

19 (6) A county, city, or village which adopts or enforces a local
20 building or construction code under this section shall regularly update
21 its code. For purposes of this section, a code shall be deemed to be
22 regularly updated if the most recently enacted state building code or a
23 code that conforms generally with the state building code is adopted by
24 the county, city, or village within two years after an update to the
25 state building code.

26 (7) A county, city, or village may adopt amendments for the proper
27 administration and enforcement of its local building or construction code
28 including organization of enforcement, qualifications of staff members,
29 examination of plans, inspections, appeals, permits, and fees. Any
30 amendment adopted pursuant to this section shall be published separately
31 from the local building or construction code.

1 (8) A county, city, or village which adopts one or more standard
2 codes as part of its local building or construction code under this
3 section shall keep at least one copy of each adopted code, or portion
4 thereof, for use and examination by the public in the office of the clerk
5 of the county, city, or village prior to the adoption of the code and as
6 long as such code is in effect.

7 (9) Notwithstanding the provisions of the Building Construction Act,
8 a public building of any political subdivision shall be built in
9 accordance with the applicable local building or construction code. Fees,
10 if any, for services which monitor a builder's application of codes shall
11 be negotiable between the political subdivisions involved, but such fees
12 shall not exceed the actual expenses incurred by the county, city, or
13 village doing the monitoring.

14 2. Renumber the remaining section and correct the repealer
15 accordingly.