



CITY OF NORTH POLE *Alaska*

REGULAR CITY COUNCIL MEETING Monday, April 16, 2012

**Committee of the Whole – 6:30 p.m.
Regular City Council Meeting – 7:00 p.m.**

COUNCIL MEMBERS

Richard Holm	488-1776
Sharron Hunter- <i>Alt Dep Mayor Pro Tem</i>	488-4282
Ronald Jones- <i>Mayor Pro Tem</i>	488-3579
Thomas McGhee	455-0010
Derrick Nelson	490-2446
Bryce Ward- <i>Deputy Mayor Pro Tem</i>	488-7314

MAYOR

Douglas Isaacson 488-8584

CITY CLERK

Kathy Weber, MMC 488-8583

1. Call to Order/Roll Call
2. Pledge of Allegiance to the US Flag –
3. Invocation
4. Approval of the Agenda
5. Approval of the Minutes
6. Communications from the Mayor
 - Proclamations
Hannah Sears – NPHS – March 2012
Taylor Holt – NPHS – April 2012
7. Council Member Questions of the Mayor
8. Communications from Department Heads, Borough Representative and the City Clerk
9. Ongoing Projects Report

10. Citizens Comments (Limited to Five (5) minutes per Citizen)

11. Old Business

- a. Ordinance 12-06, An Ordinance of the City of North Pole Amending Title 15, Building & Construction, Chapter 15.04, Administrative Code
- b. Ordinance 12-07, An Ordinance of the City of North Pole Amending Title 15, Building & Construction, Chapter 15.12, Building Code
- c. Ordinance 12-08, An Ordinance of the City of North Pole Amending Title 15, Building & Construction, Chapter 15.20, Residential Code
- d. Ordinance 12-09, An Ordinance of the City of North Pole Amending Title 15, Building & Construction, Chapter 15.28, Mechanical Code
- e. Ordinance 12-10, An Ordinance of the City of North Pole Amending Title 15, Building & Construction, Chapter 15.36, Electrical Code
- f. Ordinance 12-11, An Ordinance of the City of North Pole Amending Title 15, Building & Construction, Chapter 15.42, Plumbing Code
- g. Ordinance 12-12, An Ordinance of the City of North Pole Amending Title 15, Building & Construction, Chapter 15.50, Fire Code
- h. Ordinance 12-13, An Ordinance of the City of North Pole Amending Title 15, Building & Construction, Chapter 15.82, Fuel Gas Code
- i. Ordinance 12-14, An Ordinance of the City of North Pole Amending Title 15, Building & Construction, Chapter 15.90, Energy Code
- j. Ordinance 12-15, An Ordinance Of The City Of North Pole To Amend Title 13 Public Services; Chapter 13.20 Sewer Services, And Chapter 13.24 Utility Rates To Satisfy The Requirements Of The City Of North Pole's Alaska Pollutant Discharge Elimination System Permit #AK-002139-3 Mandating Implementation Of An Industrial Pretreatment Program

12. New Business

- a) Request for 2012 1st Quarter Bed Tax from Christmas in Ice
- b) Approval of 2012 Chena Lakes Contract for NPPD
- c) Resolution 12-08 to Accept and amended municipal matching grant #63319 in the additional amount of \$187,340
- d) Resolution 12-09 Reassigning Assessments for Lot B4 Eagle Estates to replatted subdivision

13. Council Comments

14. Adjournment

The City of North Pole will provide an interpreter at City Council meetings for hearing impaired individuals. The City does require at least 48 hours notice to arrange for this service. All such requests are subject to the availability of an interpreter. All City Council meetings are recorded on CD. These CD's are available for listening or duplication at the City Clerk's Office during regular business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m. or can be purchased for \$5.00 per CD. The City Clerk's Office is located in City Hall, 125 Snowman Lane, North Pole, Alaska.

**Committee of the Whole – 6:30 P.M.
Regular City Council Meeting – 7:00 P.M.**

A regular meeting of the North Pole City Council was held on Monday, April 2, 2012 in the Council Chambers of City Hall, 125 Snowman Lane, North Pole, Alaska.

CALL TO ORDER/ROLL CALL

Mayor Isaacson called the regular City Council meeting of Monday, April 2, 2012 to order at 7:00 p.m.

There were present:

Mr. Holm

Ms. Hunter

Mr. Jones

Mr. McGhee

Mr. Nelson

Mr. Ward

Mayor Isaacson

Absent/Excused

Excused

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

Led by Mayor Isaacson

INVOCATION

Invocation was given by Sharron Hunter

APPROVAL OF AGENDA

Mr. McGhee moved to Approve the Agenda of April 2, 2012

Seconded by Mr. Holm

Discussion

None

Mr. McGhee moved to amend the agenda by consenting under New Business, item c. Resolution 12-07, A Resolution In Support Of Development Of An Unmanned Aerial Systems Range And Support Infrastructure As A New Mission For Eielson Air Force Base And To Consider The Use Of Facilities In The City Of North Pole Or Surrounding Area Consistent With That Or Associated Systems

Seconded by Mr. Ward

PASSED

YES –6– Holm, Nelson, Ward, Hunter, McGhee, Isaacson

NO – 0 -

Abstained- 0

APPROVAL OF MINUTES

Mr. McGhee *moved to Approve the minutes of March 19, 2012*

Seconded by Mr. Ward

Discussion

None

PASSED

YES –6– Holm, Nelson, Ward, Hunter, McGhee, Isaacson

NO – 0 -

Abstained- 0

COMMUNICATIONS FROM THE MAYOR

Communication Highlights from the Mayor for the period ending April 2, 2012

GENERAL:

• **LOOKING FOR PICTURES!** AAA VIA magazine would like to publish an article on North Pole's Summer Festival and would like some high quality photos. If you have any you would like to have considered for publication (non-reimbursed), please let the mayor know by Wednesday morning, April 4. Thank you.

• **The Status of Eielson:** The status of possible/pending reductions at Eielson AFB is constantly in re-definition as to how many military and civilian personnel may be affected, the timetable being considered and what the State and community's interaction will be. I've been involved in multiple meetings on this subject and will keep you posted. However, there will be no official decision made until after the Site Adjustment Task Force (SATAF) meets at Eielson April 10-13.

Eielson is hosting an OPEN HOUSE on April 14-15, an event that will have static displays of the F16's, F22's and the KC135 Stratotankers. The event is open to the public and is free—and ironically, was scheduled to take place prior to the announcement of possible reductions.

• **The Status of Energy Relief and Projects:** Previously, I have provided a list of current legislative initiatives for Energy Relief for the Interior. What has not been discussed is the "third" alternative to either a build-out or direct cash relief: the use of royalty oil for in-state production of heating fuel and electricity. I will try to escalate the topic and will keep you posted. If you would like to discuss this option further, please give me a call.

If you would like to be a part of the discussion, an Energy Task Force meets EVERY Tuesday morning at 8 a.m. at FEDC's office, corner of Cushman & 3rd St, 3rd floor.

• FMATS: The Policy Committee for the Fairbanks Metropolitan Area Transportation System (FMATS) met on March 21. FMATS was created by the federal government's requirement that communities with 50,000 or more residents within defined boundaries had better ability to govern the transportation projects within the boundaries. Fairbanks/North Pole and Anchorage are the only such organizations (MPO's) in the State of Alaska. Because the decennial census was completed in 2010, new MPO boundaries for the urbanized area of the borough are pending.

Among the various projects FMATS manages, I again urged funding for the St. Nicholas Pedestrian Facilities Project (Sidewalks!) for 2013. There is much foot dragging, it seems, by DOT on this project.

- Also, important to North Pole, the ARRC & DOT will hold an Open House on the Draft Environmental Analysis that has been released for the North Pole Phase 1 Road-Rail Realignment. This will be held at Hotel North Pole this Thursday from 4:30-6:30 pm.
- There will be firewood available to the public, on a limited basis, from the Tanana Bridge project. Details are to be released this month.

• Various Meetings in addition to those mentioned above, included:

- weekly at NPMS giving "Words of Wisdom" and interaction with students and staff
- have continued efforts on several events, including North Pole Choose Respect Rally-March 29 @ Hotel North Pole, Nancy Uptgraft is Event Coordinator; North Pole Seniors Appreciation Luncheon-Mar 30, City Clerk Kathy Weber is Event Coordinator; North Pole Mayor's Art Show-April 10 @ City Hall, NPMS Art Teacher Scott Hanson is Event Coordinator—for 10th year in a row! North Pole Open House (in coordination with Cruis'n with Sana)-May 19, Engineer Kyle Green and Nichole Blizinski are Event Coordinators.
- ARRC Open House on Tanana Bridge Construction impacts, which for the City of North Pole means that we will see a large volume of heavy haulers taking rock from Badger Road to Salcha; NPFD's ambulances on mutual aid may be called out more frequently than in the past to Salcha as back-up to the Salcha Rescue; and there will be firewood available (see discussion in FMATS). Also, there was discussion regarding FEMA's placement of the area including Eielson AFB in flood zone designations, an issue the Borough is working to mitigate/correct.
- The Borough Mayor, Chief of Staff and I had an update by DEC on area Sulfolane ground water contamination. The boundaries have not changed in 2011. There will be an OPEN HOUSE on May 1 (tentative times: 4:30-7:30 pm) at the North Pole Plaza Mall to allow the public to interact with State and local officials.
- North Pole Choose Respect Rally, held on Thursday, April 29, was a great event thanks to the tireless efforts of North Pole volunteer of the year Nancy Uptgraft who coordinated community agencies' involvement, the participation of Star of the North Secondary School, donations by Safeway, Hotel North Pole, and others, and speaker

from the Governor's office McHugh Pierre, Deputy Commissioner from the Department of Military and Veterans Affairs, community member Lisa Allison who courageously spoke of her history with long-term abuse and the process of healing, and Pastor Amanda Kempthorne who gave the opening prayer of healing and restoration, and for the many other community members who participated.

- Senior Appreciation Luncheon was held on March 30 and we hosted approximately 80 seniors from North Pole. Thank you to Hotel North Pole for providing the space, Wells Fargo Branch Manager Raven Riddle, for underwriting the expense, and especially to Kathy Weber for organizing it, assisted by Tricia Fogarty and Marilyn Zrucky who also cooked and served the meals; assisting in the set-up, clean-up was the Fire Department, especially Capt Chad Heineken, Lt Shawn McGilvery, Firefighters John Chihuly and AJ Hamlin, and from North Pole Worship Center Pastor Darryl Carnley, Pastor Roy Lovegrove and Jenny Blevins

MEDIA:

Mar 24 & 31: Mayor Isaacson was on KJNP (1170 AM, 100.3 FM) 8 – 9 a.m. “Over the Coffee Cup.”

Mar 27: Mayor Isaacson and Nancy Uptgraft were on KJNP TV4 “Closing Comments” discussing the North Pole Choose Respect Rally on March 29 and other City related issues.

Mar 29: Choose Respect coverage on TV ch 11 and 13.

UPCOMING (*see above for other events, dates, and times*)

- **April 5, 1 pm:** City Employee Preparedness Committee meeting @ NPFD Annex
- **April 5, 4:30-6:30 pm:** Open House for EA North Pole Phase One: Road-Rail Realignment @ Hotel North Pole
- **April 6, 6:30 pm:** Community Good Friday Service and Social @ Lord of Life Lutheran
- **April 9, 5:30-7:30 pm:** Building Codes Community Meeting @ City Hall
- **April 10, 6 pm:** Mayor's Art Show & Reception featuring Student Art from area schools @ City Hall

SEE ATTACHED FLIERS FOR

- **STOMP**, “Salute to Our Military Parade”, May 12

From Brushes to Books, a fundraising event for the North Pole Branch Library, April 20-21 @ the North Pole Grange

COUNCIL MEMBER QUESTIONS OF THE MAYOR

None

**COMMUNICATIONS FROM DEPARTMENT HEADS, BOROUGH
REPRESENTATIVE AND THE CITY CLERK**

Fire Dept

- Chief Lane stated that they had a meeting for Community Preparedness on April 5, 2012 at 1:00 p.m. This is basically for personnel training and businesses in the community to be prepared so they can help keep the community up and running in a disaster.
- April 20th the NPFd will hold a thank you dinner for American Red Cross who help families in the community. They will be putting on a chili feed.
- April 27th is NPFd appreciation dinner at Hotel North Pole.

Police Department, Lt. Dutra

- Sgt. Nelson stated that APOA will hold its annual banquet on April 27th at the Westmark Hotel. Officer Stevenson will be honored.
- Lt. Dutra and Sgt. Bellant will be in Anchorage with Dept of Homeland Security next week.
- Sgt. Nelson will be with guard this next week.
- ARIDE class was held last week and had over 20 participants.
- Torch run will be held on May 19th and officers will be running in that. It is a 5K and they run with special Olympians.
- NPPD finished testing today for reserves and will graduate May 9th.

Accountant, Lisa Vaughn

- None

FNSB Representative

FNSB ASSEMBLY MEETING:

The FNSB Assembly met on Thursday, March 22 at 6 pm. There was major discussion regarding the school districts use of lapsed funds and whether or not it is the school districts or the borough's responsibility for maintaining school facilities which are all owned by the borough. The resolution supporting "An Instate Gas Pipeline Project That Is Economically Regulated To Ensure That Fairbanks Receives Gas At A Fair, Just And Reasonable Rate" was removed from the agenda, in large part due to the announcement that the producers were going ahead with plans for a large diameter pipeline down the Richardson Hwy.

The next FNSB Assembly meeting is this Thursday, April 5 at 6 pm, which is a special meeting to determine whether the FNSB should continue to participate as amicus curiae in the 2011 redistricting cases.

The FNSB Assembly holds its next regularly scheduled meeting on April 12; the agenda has not yet be finalized.

- For a list of meeting times and agendas, go to <http://co.fairbanks.ak.us/meetings/Assembly>

Director of City Services, Bill Butler

Building Department

- Public meeting related to the adoption of updated building codes will be held Monday, April 9 from 6:00 to 8:00 pm at City Hall
 - Councilman Ward will be leading the meeting
 - Two of North Pole's contract engineers will participate to provide technical expertise related to the proposed updated building codes
 - Formal announcements should appear in the News Miner on April 4,7 and 8

Public Works

- Majority of city-wide hardpack removal is completed
- Meet with DOT this afternoon to discuss moving the City's beautification permit forward.
 - Because work on Santa Claus Lane was partially funded with federal money, any work in the right-of-way must meet federal guidelines
 - I will be providing DOT with clarifications within the next couple of weeks
- Will submit to council at April 16 meeting a formal resolution accepting the Community Development Block Grant award for the kitchen renovations at the Santa's Seniors Center
 - Estimated total cost of project: \$104,223
 - Grant award: \$73,260.62
 - Senior Center cash match from existing legislative grant and other revenue: \$25,170.38
 - City in-kind match: \$5,792.00

Utility Department

- Will bring a resolution to Council at the April 16 meeting to accept an amendment to grant award for the Utility Garage Project
 - Received a grant amendment of \$187,334 for the Garage Project
 - Total State award for the project with the amendment: \$712,311
- Replat of Lot B2 in the Stillmeyer subdivision has been approved by Borough.
 - Will bring a resolution to Council at April 16 meeting to divide the assessment for Lot B2 to the individual lots
- Received in today's mail notice that the City has made the Priority Funding List for State Fiscal Year 2013 for our application for Emergency Generators for the waste water treatment plant
 - Request was for \$302,500; 1.5%, 20 year loan
 - This project could be coordinated with the current Waste Water Treatment Plant Engineering and Design Project—replacing the generator is one of the draft recommendations for this project
 - There is an existing state Municipal Matching Grant for “water and sewer” projects with an approximate \$2 million balance that could be matched with this loan
 - Council will need to carefully determine if accepting additional debt is fiscally appropriate and a vote of the people would be necessary to accept additional debt
 - The loan is only being proposed by State—North Pole is number 12 out of the 17 under consideration for funding—any funding will be dependent upon the pending state budget

City Clerk

- No Comments

ONGOING PROJECTS

- North Pole Library, John Poirrier
There will be a fundraiser for the North Pole Library called “From Brushes to Books” on Friday, April 20, 2012 at the North Pole Grange Gallery from 5:00 – 9:00 p.m.
- There will be a silent auction held at the Grange and the coordinator is Brenda Sadler. They were contacted by someone who has a collection of valuable art and will be presenting it to the public as teaser pieces to show what the pieces are like. Proceeds go to the North Pole Library. Ms. Sadler is also collecting gift baskets and any other items for fundraisers.

CITIZENS COMMENTS – 5 Minutes

- None

OLD BUSINESS

None

NEW BUSINESS

ORDINANCE 12-15, AN ORDINANCE OF THE CITY OF NORTH POLE TO AMENDING TITLE 13, CHAPTER 13.20, SEWER SERVICE AND CHAPTER 13.24 UTILITY RATES TO SATISFY THE REQUIREMENTS OF THE CITY OF NORTH POLE’S ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT #AK-002139-3 MANDATING IMPLEMENTATION OF AN INDUSTRIAL PRETREATMENT PROGRAM

Bill Butler, Director of City Services introduced this ordinance and updated council on the status and explained how this permit relates to North Pole and the process of implementation of a pretreatment program.

Public Comment

John Poirrier, 101 Blackbear Turnaround

Mr. Poirrier was pleased that they adopted the title to the ordinance. He said it was a substantial change to what was previously in the title. He had clerical suggestions and other comments about the permit.

Mr. McGhee moved to Approve Ordinance 12-15, An Ordinance Of The City Of North Pole To Amend Title 13 Public Services; Chapter 13.20 Sewer Services, And Chapter 13.24 Utility Rates To Satisfy The Requirements Of The City Of North Pole’s Alaska Pollutant Discharge Elimination System Permit #AK-002139-3 Mandating Implementation Of An Industrial Pretreatment Program

Seconded by Mr. Nelson

Discussion

Mr. Holm had questions on procedures of ordinances and approval.

Mayor Isaacson asked Mr. Butler to come forward and explain what would happen if the City didn't approve the ordinance.

Mr. Butler stated that without this ordinance it could potentially shut the wastewater treatment plant down.

Mr. McGhee asked about the restaurants and how this affects them.

Mr. Butler stated that the grease traps have high cost to the system to treat and the traps prevent grease from coming into the system.

Mr. McGhee asked how do you verify that septic systems are in compliance.

Mr. Butler stated that certified installer are required.

Mr. McGhee asked about what is old and what is new in the language.

Ms. Hunter asked for clarification on.

Mr. Holm would like a highlight copy of the regulations and has a concern when he hears about inability to enforce our code. He said this could come back and bite us as this is similar in policy and procedures and usually a regulatory agency comes in and tests for that. He stated that if you have policy & procedure in place and not enforcing it you can get in trouble. He asked if there is a way to additionally highlight anything we don't have the ability to enforce.

Mr. Butler responded that they are going through code and that these are not things that are not behavioral practices. He said that there was a time when they didn't have language for penalties to people who tied in to our water main and they have now put it into code that they can't do it without notifying the City and our Utility Department.

Mr. Holm said that to force more regulation on restaurants is to force them out of business and putting more regs on this industry is self defeating.

Mr. Butler stated that the increased cost is paid by the others, rate payers, utility customers, etc. He said it is a policy choice the council has made.

Mayor Isaacson said they are able to go beyond but can not cut down.

Mr. Ward wanted clarification and asked if this was something that the city had to do and if this was only for our discharge system.

Mr. Butler stated that it was and that there are minimum standards.

PASSED

YES – 5– Holm, Ward, Hunter, Nelson, McGhee, Isaacson

NO – 1 - Holm

Abstained – 0

RESOLUTION 12-06, A RESOLUTION OF THE CITY OF NORTH POLE SUPPORTING NORTH POLE ECONOMIC DEVELOPMENT CORPORATION'S BID TO HOST THE 2013 INTERNATIONAL FEDERATION OF SLEDDOG SPORTS WINTER WORLD CHAMPIONSHIPS IN NORTH POLE, ALASKA

Buzz Otis and Raven Riddle from NPEDC

Mr. Otis stated that the NPEDC board was unanimous in wanting to put together a bid for the International Federation of Sleddog Sports Winter World Championships in North Pole. The economic impact was 3 million dollars. He wants the support of the City Council and feels it will be a good thing for North Pole in the 1st quarter. There is a lot of work to be done on this task. He has also asked the FNSB Assembly and City of Fairbanks for support and monetary support.

Public Comment

John Poirrier,

Mr. Poirrier spoke in favor of the Resolutuion

Mr. McGhee *moved to Approve Resolution 12-06, A Resolution of the City of North Pole Supporting North Pole Economic Development Corporation's Bid To Host The 2013 International Federation Of Sleddog Sports Winter World Championships In North Pole, Alaska*

Seconded by Mr. Ward

Discussion

Mr. McGhee said he supports this and has been researching the history of North Pole. He said that there are so many things that we do here and this is on a much bigger scale. He is recognizing the events that the NPEDC have been doing for tourism and the ability to bring an international crowd so we are better known for our exciting winter events.

Mr. Nelson said he strongly feels that this is a thriving business opportunity and wishes the best of luck on the bid.

Ms. Hunter is in support of the event taking place. However, she is not encouraged that this is going to take a lot of commitment for an event that she feels is a distraction of the main core of North Pole Economic Development Corporation to lay ground to tourism of our community and events that take place here. She believes that other organizations in this is in community such as Christmas in Ice & North Pole Community Chamber of Commerce should help NPEDC but sees it as a distraction to the mission of NPEDC and this time.

Mayor Isaacson stated that when they created NPEDC and put us on demographers checklists that there was economic uncertainty and the cost of energy and other things is not getting all the people we like. Mr. Otis has the expertise and evidence of new board members and is garnering a lot more support.

Mr. Holm will support this event because he feels it is good for North Pole. He doesn't see this as being the main thing for NPEDC. He sees this more as a Chamber event as it will happen one time. The energy's of NPEDC shouldn't be tied up with this. He will not support things that are happening as a one time event and that NPEDC should be developing long term things.

Mr. Ward was concerned about where NPEDC has gone with events and we are looking for things that are more sustainable and this event is a step to get there. He felt that another organization would take it on right now we have someone who is and doing a good job. He stated that we want to make sure to keep long term sustainability and take the bull by the horns and benefit the community.

Mr. McGhee said that he is sorry that every time Mr. Otis brings something forward to the council that they spend half the time knocking it. He asked if there is a potential for this to be a returning thing.

Mr. Otis said that every other year the races are in Europe and last time it was in Fairbanks was 2001. He felt exposing the community to people throughout the world is important.

Mr. McGhee asked if the return would be far greater than what the concerns of other council members were.

Mr. Otis said that NPEDC was recognized because of the good job they did on the last event. He said it has to start somewhere and is a good thing and a good start. People aren't building and there is no pipeline construction or building permits for this year. He stated that this is just an effort, if we don't do it, Alaska will miss out and that it was hard to say what the economic benefits are.

Ms. Hunter ask Mr. Otis to consider sustainability and how this event could work into an event for our community that in the future other races would come to the community. She would like to see a development for a long range plan.

Mayor Isaacson said there would be major media coverage on this event.

PASSED

YES – 5– Holm, Ward, Nelson, McGhee, Isaacson

NO – 1 - Hunter

Abstained – 0

COUNCIL COMMENTS

Mr. Nelson – no comment

Mr. McGhee – said he has been sitting on council for many years and has been reviewing the history of North Pole and what makes it what it is and how it is viewed by the public. He was disappointed and amazed at what he found. He dinner will Neil Davis and found it very informational as Mr. Davis retold the history of North Pole. He stated that our Our #1 attraction is Santa Claus House as far a tourism is concerned and that has been slandered by a documentary on North Pole Middle School and the history of our political past. He commented on our current mayor surviving a recall election and a former mayor sending a lump of coal to Senator McCain for comments he made about Alaska. He felt that the Summer events that happen with Mayor's Picnic and Cruis'n with Santa are exciting things for our community. The city has invested in it and it brings in business. He would like to see NPEDC look at more sustainable income and get more involved in events that are sustainable and marketable like the international ice show and sculptures. He appreciates the chamber and hopes that in time they will get out and have more h business memberships. He is pleased with all the departments. He feels that our department heads are working hard and Mr. Butler has done a good job. He wants to find more ways to support the department heads and he stands behind them. He thanked Mr. Otis for his part.

Mr. Ward – was asked to serve as ex officio on NPEDC. April 9th is the date for the Public meeting from 6-9 p.m. Consultants will be here to ask questions and is a great way gain knowledge on the building codes. The Finance committee was cancelled tonight. He liked the idea to add page numbers as it is easier to read and see the changes. He has put in a letter of intent in to run for mayor and looks forward to being a part of that and serving the community.

Mr. Holm – his vision of NPEDC is to be the bull work to bring some of these things forward and wants to see another organization steered toward it so it doesn't take all NPEDC's time. If they are doing it for North Pole then there are some other organization such as the Grange, NPCCC, Moose Lodge, Rotary, etc. that individually or combined could have this instead of them being at each other's throat. He has nothing against Mr. Butler but will not blindly follow someone down the path. He stated that council is not here to support the City's employees but are here to take care of them. He said that council is here for the public, they are elected officials and it is there job. He said he a problem with anyone who feels like that.

Ms. Hunter – there are a lot of events in April and will be nice to see everyone at he Brushes event and was surprised to see the art there. She said the police department will be coming to the high school on April 20th to do a presentation on Distracted Driving during alcohol awareness month in April. She thanked the mayor for reminding the council that when there is a perception that council is making a presenter uncomfortable, and that council should review what protocol is when someone in commenting. She has been made aware of a lot of people who want to express their concerns and felt attacked by council. She felt it was very important that we get comments from citizens.

Mayor Isaacson – stated that it was a good thoughtful council tonight.

ADJOURNMENT

Mr. *moved to* adjourn the meeting of April 2, 2012

Seconded *by* Ward

No Objection

The regular meeting of April 2, 2012 adjourned at 9:18 p.m.

These minutes passed and approved by a duly constituted quorum of the North Pole City Council on Monday, April 16, 2012.

Douglas W. Isaacson, Mayor

ATTEST:

Kathryn M. Weber, MMC
North Pole City Clerk

CITY OF NORTH POLE

ORDINANCE 12-06

**AN ORDINANCE AMENDING TITLE 15, BUILDING AND CONSTRUCTION,
CHAPTER 15.304, ADMINISTRATIVE CODE**

WHEREAS, changes to the North Pole Municipal Code is a continually changing requirement; and

WHEREAS, the City of North Pole Municipal Code should be amended to conform to the requirements of the City and to clarify questionable areas.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of North Pole:

Section 1. This ordinance is of a general and permanent nature and shall be codified.

Section 2. Amend Title 15 Building and Construction, Chapter 15.04 Administrative Code as follows:

15.04.050 Local amendments to the Uniform Administrative Code, 1997 Edition.
The amendments to the 1997 edition of the Uniform Administrative Code are listed hereafter by section.

Revise Section 304.2 Permit Fees, paragraph two to read:

The determination of value or valuation under any of the provisions of these codes shall be made by the building official **based upon the latest Building Valuation values released by the International Code Council and adjusted by a factor of 1.3.** The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire-extinguishing system and other permanent equipment.

Section 3. This ordinance shall be effective at 5:00 p.m. on the first City business day following its adoption.

PASSED AND APPROVED by a duly constituted quorum of the North Pole City Council this 16th day of April, 2012.

DOUGLAS W. ISAACSON, Mayor

ATTEST:

KATHRYN M. WEBER, MMC
North Pole City Clerk

PASSED
YES-
NO-
Abstained-
Absent-

CITY OF NORTH POLE

ORDINANCE 12-07

**AN ORDINANCE OF THE CITY OF NORTH POLE AMENDING TITLE 15,
BUILDING AND CONSTRUCTION, CHAPTER 15.12, BUILDING CODE;
INTERNATIONAL BUILDING CODE, 2009 EDITION**

WHEREAS, changes to the North Pole Municipal Code is a continually changing requirement;
and

WHEREAS, the City of North Pole Municipal Code should be amended to conform to the
requirements of the City and to clarify questionable areas.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of North Pole:

Section 1. This ordinance is of a general and permanent nature and shall be codified.

Section 2. Amend Title 15 Building and Construction, Chapter 15.12 Building Code;
International Building Code, 2009 Edition as follows:

- *See Attached*

Section 3. Effective Date. This ordinance shall be effective at 5:00 pm on the first City
business day following its adoption.

PASSED AND APPROVED by a duly constituted quorum of the North Pole City Council this
5th day of March, 2012.

Douglas W. Isaacson, Mayor

ATTEST:

Kathryn M Weber, MMC
North Pole City Clerk

PASSED
YES:
NO:
Abstained

Chapter 15.12 Building Code

15.12.010 Adoption.

~~The bound volumes containing the code known as The~~ *International Building Code* 2006 2009 edition as published by the International Conference of Building Officials, together with the local amendments as set forth in Chapter 15.12, shall constitute the laws of the city relating to building regulations. Where the *International Building Code* conflicts with this code, this code shall prevail. ~~Copies of~~ An electronic copy of the *International Building Code* and referenced Standards ~~may be examined~~ is retained at the city offices.

15.12.020 Modifications.

The building official shall have the power to modify any of the provisions of the *International Building Code* adopted by this chapter upon application in writing by the owner or lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided, that the spirit of the code is observed, public safety secured, and substantial justice done. The particulars of the modification, when granted or allowed, and the decision of the building official thereon shall be entered upon the records of the department, and a signed copy shall be furnished the applicant.

15.12.030 Appeals.

Whenever the building official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decisions of the building official to an appeals board of five members to be appointed by the mayor/city manager within thirty days from the date of the decision. The appointment of the appeals board will be on a case by case basis with the members of said board comprised of local design professionals, contractors, inspectors or other members of the public deemed knowledgeable of the subject matter by the mayor / city manager.

15.12.040 Building permits—Compliance with ordinances.

It is established that no permit will be issued for the construction of new buildings or building, within the corporate limits of the city, which is inconsistent with the current comprehensive plan of the city or any city ordinances and regulations.

15.12.050 Moving buildings.

A. No building of any kind or nature shall be moved to a location in the city from outside the limits of the city without approval of the building official, and, in the event any persons move into the city a building from a location outside the city, he or they shall not be permitted to use the building either for residential or business purposes until the building official has approved the building for the purpose intended.

B. No building which is more than eight feet six inches wide, more than thirteen feet six inches above the ground, more than seventy feet zero inches total length including trailer, more than four feet zero inches in rear overhang, more than three feet zero inches in front overhang or more than the allowable road weight limitations shall be moved upon the city streets without first

PASSED
YES:
NO:
Abstained

Sponsored by: Mayor Douglas Isaacson

Introduced and Advanced: March 5, 2012

Passed: March 19, 2012

obtaining a moving permit. Before a moving permit may be issued, the following items must be provided: a copy of the state transport permit, proof of insurance, the proposed route and time and a bond of one thousand dollars in the form of a certified check payable to the city. The moving permit must have the written approval of both the building official and chief of police or their designee. The bond will be returned less any expenses incurred by the city repairing public facilities, utilities or roadways damaged during the move.

15.12.060 Local amendments to the *International Building Code*, ~~2006~~ 2009 edition.

The *International Building Code* ~~2006~~ 2009 edition as published by the International Conference of Building Officials is hereby adopted by the City of North Pole as follows:

Delete section 15.12.060 in its entirety and replace with the following:

Section 101.2.1 Appendices. Amend this section to read as follows: Appendices E and H are hereby adopted.

Chapter I Administration. Delete this chapter in its entirety and replace with the 1997 Uniform Administrative Code.

Section 202 Definitions. Create a new definition for Family Child Care Homes to read as follows:

A family child care home is a licensed facility that is located within a single-family home in which personal care services are provided by the owner or tenant that normally occupies the residence on a twenty-four hour basis.

Section 202 Definitions. Townhouse.

Delete the definition and replace as follows: Townhouse. A single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides. Each townhouse shall be considered a separate building as recognized by a recorded lot line between such units. Each townhouse unit shall be provided with separate water, sewer, heating and electrical services.

Section 305.2 Day Care.

Revise this section as follows:

The use of a building or structure, or portion thereof, for educational, supervision or personal care services for more than five children older than 2 % years of age, including children related to the staff, shall be classified as a Group E occupancy. Section 305.2 Day Care.

Add the following exception to this section: Exception.

Family child care homes operating between the hours of 6:00 am and 10:00 p.m. may accommodate a total of twelve children, provided that no more than 5 children are under the age

PASSED

YES:

NO:

Abstained

of 2 % years. Family child care homes as defined are classified as an (R3) occupancy and shall comply with section

907.2.10 (smoke detectors), section 908.7 (carbon monoxide detectors) and section 1003 (emergency escape and rescue openings as required by section 1029 for napping and sleeping rooms. Fire extinguishers shall be provided in accordance with the International Fire Code.

Section 305.3 Day Care Hours of Operation.

Create a new section title to read as follows:

Day care hours of operation. A Day Care that operates between the hours of 10:00 p.m. and 6:00 a.m. shall be equipped with an approved automatic sprinkler system throughout, designed and installed in accordance with NFPA Standard 13-0-1996 or an approved equivalent system as approved by the Fire Chief. An approved emergency escape or rescue window meeting the requirements of IBC Section 1026 shall be provided in each sleeping or napping room. Smoke detectors and carbon monoxide detectors shall be installed in accordance with sections 907.2.10 and 908.7. Fire extinguishers shall be provided in accordance with the International Fire Code.

Section 308.2 Group 1-1.

Revise this section by deleting the last paragraph and replace with the following:

A facility housing more than 2 persons and no more than 16 persons shall be classified as a Group R-4.

Section 308.3.1 Definition. Child Care Facility.

Amend the definition to read as follows: A child care facility that provides care on a 24-hour basis to more than five children 2 years of age or less, including children related to the staff, shall be classified as Group 1-2.

Section 308.3.1 Definition. Nursing Homes.

Delete the definition and revise as follows:

Nursing homes are long-term care facilities on a 24 hour basis, including both intermediate care facilities and skilled nursing facilities, serving more than two persons and any of the persons are incapable of self-preservation.

Section 310.1 Residential Group R-4. Delete this paragraph in its entirety and replace as follow:

Residential occupancies shall include buildings arranged for occupancy as Residential Care/Assisted Living Facilities including more than 2 and no more than 16 persons, excluding staff, shall be classified as Group R-4. Occupants of a residential care/assisted living facility are capable of responding to an emergency situation without physical assistance from the staff.

PASSED

YES:

NO:

Abstained

Occupancies which include Individuals who are not capable of responding to an emergency situation or incapable of self-preservation shall be classified as an I occupancy. R-4 occupancies shall be sprinklered throughout as required by section 903.3.1.3.

Section 406.1.4 Separation.

Delete this section in its entirety and replace as follows.

1. The private garage shall be separated from all dwelling units by a one hour fire resistive wall assembly. The fire resistive wall may terminate at the ceiling provided: a) the ceiling framing construction is protected by a layer of 5/8 inch thick type X gypsum board and the area above the ceiling is a non-habitable attic:: space. Garages located beneath habitable rooms or dwelling units shall be separated by an approved one hour fire resistive horizontal floor ceiling assembly and one hour fire resistive vertical wall assemblies. Penetrations of the fire resistive assemblies shall be fire stopped with materials approved for the hourly rating. Door openings between a private garage and a dwelling shall be provided with a minimum rating of 45 minutes and be equipped with self-closing and self-latching doors. In addition these doors shall be provided with gasket seals on the top and sides including installation of a tight fitting threshold. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted.

2. Ducts in a private garage and ducts penetrating the walls or ceilings separating the dwelling unit from the garage shall be constructed of a minimum 0.019-inch (0.48 mm) sheet steel and shall have no openings into the garage. The duct shall be firestopped with materials approved for a one hour fire resistive assembly.

3. A separation is not required between a group R-3 and U carport, provided the carport is entirely open on two or more sides and there are not enclosed areas above. Section 413.3 Usable space under floors. Add a new subsection to read as follows:

Usable space under the first story shall be enclosed except in groups R-3 and U occupancies, and such enclosure when constructed of metal or wood shall be protected on the side of the usable space as required for one hour fire resistive construction. Doors shall be self-closing, of noncombustible construction or solid core, not less than 1 1/2" inches in thickness or a twenty minute door assembly may be used.

Exception:

Areas protected by approved automatic sprinkler systems.

Section 501.3 Location on property.

Create a new section to read as follows:

For the purposes of allowable area limitations, required yards shall be permanently maintained. Buildings shall adjoin or have access to a permanent public way or yard on not less than one side.

PASSED

YES:

NO:

Abstained

Table 508.2.5 Incidental Accessory Occupancies. Amend table by adding footnote

(a) to read as follows: footnote (a). Regardless of the Btu rating, psi rating or horsepower rating a one hour separation or automatic fire -extinguishing system is required for furnace or boiler rooms providing heat for group E, R-1, R-2, I and R-4 Occupancies

Table 601 Fire-resistance rating requirements for building elements. Amend footnote (d) by adding the following sentence. In group E Occupancies, an automatic sprinkler system may be substituted for 1 hour fire-resistance-rated-construction provided the system is designed in accordance with section 903.3.1.1.

Section 603.1 Allowable Materials. Add the following item to allowable materials.

26.4 Fire-retardant treated wood may be used as furring for exterior bearing and non-bearing wall construction provided the building is sprinklered throughout and the required fire rating of the wall is 2 hours or less.

Section 717.4.2 Groups R-1 and R-2.

Delete the last sentence in its entirety and replace with the following: Draft stops in attic spaces shall be installed so that the maximum area between draft stops does not exceed 3,000 square feet, and the greatest horizontal dimension does not exceed 60 feet. Such draft stops are not required to be located directly above or in line with walls separating tenant spaces.

Delete exception 1 in its entirety.

Revise exception 3 to read as follows:

In R-2 occupancies that do not exceed four stories in height, the attic space shall be subdivided into areas not exceeding 3,000 square feet.

Section 808.1.1.1 Suspended acoustical ceilings. Delete this section in its entirety and replace as follows:

Suspended acoustical ceiling systems shall be installed in accordance with the provisions of ASTM C635 and ASTM C636 and the following installation standards.

1. A heavy duty-rated grid system shall be used in all occupancies. The perimeter wall angle shall be deemed to provide structural support for the perimeter cross-tee and main runner intersections and the edge support for the ceiling tiles provided it is secured.

Exception: Intermediate duty rated systems may be used in R-3 Occupancies.

- 1 Changes in the ceiling plane elevation shall be provided with structural support or additional wires capable of maintaining a positive bracing system.

PASSED
YES:
NO:
Abstained

- 2 Cable trays and electrical conduits shall be independently supported and braced independently of the ceiling.
- 3 Compression posts are not required if the distance from the plane of the suspended ceiling and the lowest structural framing elements are 24 inches or less.
- 4 Cross-tees, which are 8 inches or less in length and located at the perimeter of any room, do not require additional vertical 12 gauge support wires.
- 5 A 90 degree cross tee return system may be used to support the cross-tee to the perimeter wall angle. Rivets, zip-it wall anchors and/or screws may be used to positively attach the cross tee to the perimeter wall angle or wall substrate in lieu of additional perimeter wires. The installation shall be in accordance with this suspended ceiling policy.
- 6 Lighting fixtures seismically supported in accordance with CISCA 3-4 are not required to be positively attached to the suspended grid members.
- 7 Recessed can or bullet type lighting fixtures weighing less than 20 pounds shall be supported to the grid system and shall be positively attached to the structure above with a minimum of one 12 gauge wire or safety chain. Fixtures weighing more than twenty pounds shall be supported with a minimum of two 12 gauge wires or two safety chains attached to the fixture and secured to the structure above. These wires may be slack.
8. Suspended acoustical ceiling systems may not be used to provide lateral support for non-bearing partitions unless: a) designed by an engineer or b) installed in accordance with an approved evaluation report recognized by the International Building Code.
9. Ceiling mounted air terminals weighing less than 20 pounds shall be positively attached to the ceiling suspension main runners or cross tees having the same carrying capacity as the main runners. Air terminals weighing more than twenty pounds shall be provided with a minimum of two 12-gauge wires, connected from the terminal to the structure above and shall be positively attached to the grid system.
10. Corridors which are 6 feet in width or less may have the seismic splay wires installed in the direction of the long axis of the corridor. These splay wires shall be spaced 12 feet on center and splayed at a 45 degree angle. Splay wires are not required in the short axis of the corridor.
11. When all ceiling tiles are replaced in an existing non-complying suspended ceiling, the lights and mechanical air terminals shall be upgraded and seismically braced prior to the new tile installation.
12. When lighting fixtures are replaced or relocated in an existing suspended ceiling, the new lights or relocated lights shall be seismically-braced in accordance with CISCA 3-4 and this section.

PASSED
YES:
NO:
Abstained

13. When mechanical ductwork or air terminals are altered or relocated in an existing suspended ceiling, those mechanical devices shall comply with the seismic requirements with CISCA and this section.
14. When 50% or more of the grid system is replaced or altered, the entire grid system shall be upgraded to meet the current seismic standards in accordance with CISCA 3-4.
15. Two inch wide perimeter angles are not required.

Section 903.2.3 Group E.

Delete this section in its entirety and replace as follows:

An automatic sprinkler system shall be provided throughout all Group E occupancies. An automatic sprinkler system shall also be provided for every portion of educational buildings below the level of exit discharge. Day care uses that are licensed to care for more than 5 persons between the hours of 10 p.m. and 6 a.m. shall be equipped with an automatic sprinkler system designed and installed in accordance with Section 903.3.1.3, or an approved equivalent system. The use of a firewall or fire barrier does not establish a separate building or fire area for the purpose of this section.

Exceptions 1. Buildings with E occupancies having an occupant load of 49 or less.

2. Day care uses not otherwise required to have automatic sprinkler system by other provisions of the code.

Section 903.2.11.7. Pit Sprinklers. Add a new subsection and title to read as follows:

Pit Sprinklers. Sprinklers shall be installed in the bottom of all new and existing elevator pits below the lowest projection of the elevator car but no higher than 24 inches from the bottom of the pit.

Section 903.3.1.1 NFPA 13 Sprinkler systems is revised by adding a new Subsection

903.3.1.1.2 to read as follows:

Elevator Hoist ways and Machine Rooms. Where the provisions of this code require the installation of automatic sprinkler systems, such installation in Elevator hoist ways and machine rooms shall be in accordance with NFPA [13, Section 5-13.6.1] 1'3-2002 and ASME A17.1 Safety Code for Elevators and Escalators, 2000 edition

Exception: Sprinklers may be deleted in an elevator machine room when such room is:

- (1) Separated from the remainder of the building in accordance with Section 3006.4
- (2) Smoke detection is provided in accordance with NFPA 72
- (3) Notification of alarm activation is received at a constantly monitored location.

PASSED

YES:

NO:

Abstained

Section 903.4.2 Alarms.

Amend this section by adding the following sentence to the paragraph:

Buildings equipped with a sprinkler system without an alarm system shall have at least one notification device (horn/strobe) located inside the building in a commonly occupied area to alert occupants of a sprinkler activation.

Section 907.2.3 Group E. Revise this section by adding a second paragraph to read as follows:

Rooms used for sleeping or napping purposes within a day care use for a Group E occupancy shall be provided with smoke detectors that comply with section 907.2.11.2 and carbon monoxide detectors as specified in section 90B.7.

Section 908 Emergency alarm systems.

Revise this section by adding new sub-sections 90B.7. 90B.71 and 90B.72

Section 908.7 Carbon Monoxide Detectors. Create a new subsection and title to read as follows:

Carbon Monoxide Detectors.

The provisions of this section apply to Group 1-1, R-2, R-3 and R-4 occupancies. At least one (1) carbon monoxide detector shall be installed on each floor level. If a floor level contains bedrooms or sleeping rooms, at least (1) detector shall be located in the immediate vicinity of the sleeping area, outside of the bedrooms/sleeping rooms. Carbon monoxide detectors shall be listed and installed in accordance with their listing. The alarm shall be clearly audible in all sleeping rooms with intervening doors closed.

Exceptions:

1. Carbon monoxide detectors are not required in dwelling units and structures with no combustion (carbon base fuels) type appliances and with no attached garages or parking of vehicles in close proximity of openings such as windows, doors and fresh air inlets.
2. Carbon monoxide detectors are not required in Group R-2 occupancies where all combustion (carbon base fuel) equipment is located within a mechanical room separated from the rest of the building by construction capable of resisting the passage of smoke or the structure has an attached garage and is ventilated by an approved automatic carbon monoxide exhaust system designed in accordance with the mechanical code.

Section 908.7.1 Interconnection. Create a new subsection and title to read as follows:

In new construction, all carbon monoxide detectors located within a single dwelling unit shall be interconnected in such a manner that actuation of one alarm shall activate all of the alarms within the individual dwelling unit.

PASSED
YES:
NO:
Abstained

Section 908.7.2 Power Source. Create a new subsection and title to read as follows:

In new construction, carbon monoxide detectors shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with battery backup. Wiring shall be permanent and without a disconnecting switch other than those required for over current protection. Carbon monoxide detectors shall be permitted to be cord-and-plug type with battery backup in existing construction.

Section 1008.1.9.3 Locks or Latches. Add Exception 6 as follows:

6. In Groups 8, F, M and S occupancies, a single thumb turn may be used in exit doors, where the occupant load is 100 or less, in conjunction with an approved lock set when the thumb turn requires no more than one-half turn to unlock. Hardware height shall comply with Section 1008.1.8.2. This exception does not apply when panic hardware is required or installed.

Section 1008.1.9.3.1 Manual security bar for limited use. Create a new subsection and title to read as follows:

Manual security bar for limited use. Assembly occupancies such as restaurants, taverns and lounges and B,F,M,S occupancies with an occupant load of less than 100 may utilize a manual security bar for the second required exit when the building is not occupied by the public. The security bar shall be pre-approved by the fire marshal before installation. The bar must be easily removed and shall not be provided with padlocks, chains or other locking devices requiring special tools or knowledge. The bar shall be identified by a contrasting color. The exit door shall be provided with a sign stating, "This door to remain unlocked during business hours." The use of this provision may be revoked by the fire marshal for noncompliance.

Assembly occupancies with an occupant load of 300 or less which are provided with an approved sprinkler system throughout may install a security bar on the second required exit as specified above. The conditions and approval of the security bar installation shall be kept on file with the fire marshal. The use of this provision may be revoked by the fire marshal for noncompliance.

Section 1008.1.8.7 Delayed egress locks. Revise exception #3 to read as follows:

3. The door locks shall have the capability of being unlocked by a signal from an approved location.

Section 1009.4.2 Stair riser and tread depth. Amend section by adding an exception #8 to read as follows:

Stairs or ladders used only to attend equipment are exempt from the requirements of Section 1009.

Section 1021.5 Exits from basements. Create a new subsection and title to read as follows:

PASSED
YES:
NO:
Abstained

Exits from basements.

Basements in all occupancies except Group R-3, shall be provided with a minimum of at least two independent exits.

Exceptions:

- 1 Basements used exclusively for the service of the building.
- 2 Basements used exclusively for storage purposes and limited to 750 square feet.
- 3 Basements used for private offices, maintenance rooms or laundry rooms and similar uses limited to an aggregate floor area of 500 square feet, provided a hard wired smoke detector is installed in the basement and interconnected to a smoke detector located on the level of discharge as approved by the City Fire Marshal.
- 4 Basements used for private offices, maintenance rooms or laundry rooms and similar uses which are provided with a direct exterior exit to grade shall be limited to an aggregate floor area of 750 square feet, provided a hard wired smoke detector is installed in the basement and interconnected to a smoke detector on the level of exit discharge as approved by the City Fire Marshal.
- 5 Buildings which are sprinklered throughout and contain a basement may have one exit provided:
 - 5.1 Basements are used exclusively for storage purposes and limited to 1500 square feet.
 - 5.2 Basements are used for private offices, maintenance rooms, or laundry rooms and similar uses limited to an aggregate floor area of 1000 square feet.
 - 5.3 Basements are used for private offices, maintenance rooms or laundry rooms and similar uses and are provided with a direct exterior exit to grade shall be limited to an aggregate floor area of 1500 square feet.

Section 1029.1 General. Revise the first sentence of the paragraph to read as follows:

The design and construction of buildings or portions of buildings to meet the requirements of the Americans with Disabilities Act and Fair Housing Act is the exclusive responsibility of the owner of the structure.

1102.1 Definitions. Add the following definitions:

CONVENTIONAL INDUSTRY TOLERANCES: Plus or minus 1/2 inch up to 36 inches and plus or minus 1 percent over 36 inches. Slopes may be plus or minus 1 percent.

ADAPTABLE: The ability of certain building spaces and elements, such as kitchen counters, sinks, and grab bars, to be added or altered so as to accommodate the needs of either disabled or non-disabled persons, or to accommodate the needs of persons with different types or degrees of disability.

1103.1 Where required. Add the following sentence to this section:

PASSED
YES:
NO:
Abstained

Subject to the approval of the Building Official, areas where work cannot reasonably be performed by persons having a severe impairment (mobility, sight or hearing) need not have specific features which provide accessibility to such persons.

1103.2.4 Detached dwellings. Delete this paragraph as replace as follows:

Detached one and two family dwellings and three unit dwellings, including accessory structures and their associated sites and facilities, are not required to be accessible.

1108.2.7 Assistive listening systems. Add the following sentence to this section:

Assistive listening systems shall be required in groups B, E, and M occupancies which contain rooms of assembly.

1110.1 Signs. Delete Item 1 and replace with the following:

1. Accessible parking spaces as required by Section 1106.1

1110.3 Other signs. Add the following item to this section:

7. Building directories are required for the following occupancies as defined by the building code: Groups A, B, E, I, & M greater than 6000 sq. ft. or more than one story. Regardless of building size, directories shall be provided for governmental office buildings, medical care facilities, shopping malls, public transportation facilities, senior citizen housing and hotels. Directories shall be provided within or immediately adjacent to the main entrances as approved by the Building Official. Directory signage shall comply with ICC/ANSI A117.

1111.1 Public telephones. Add a new section as follows:

Public telephones are required in medical care facilities, governmental office buildings, shopping malls, public and private schools, hotels, convention centers, and shall be located on an accessible route. (For the purpose of this section schools which meet the Group E, Division 1 occupancy classification as defined in Chapter 3 of the Building Code shall comply).

1111.2 Public text telephones. Add a new section.

A public text telephone is required in governmental office buildings including police and fire stations, medical care facilities, senior housing Ordinance No. 5834 Page 11 of 21 facilities, hotels, conventions centers, libraries, public & private schools and shopping malls. A public text telephone is required in or adjacent to a hospital emergency room or hospital waiting room, and shall be located on an accessible route. (For the purpose of this section schools classified as group E, occupancy as defined in Chapter 3 of the building code shall comply).

Section 1203.2 Attic spaces. Delete this section in its entirety and replace with the following:

PASSED
YES:
NO:
Abstained

Enclosed attics and enclosed rafter spaces formed where ceilings are applied direct to the underside of the roof rafters or trusses shall have cross ventilation for each separate space by ventilating openings protected against the entrance of snow and rain. The net free ventilation area for each space shall be not less than 1/150 of that area of the space ventilated. One-half of this required ventilating area shall be provided in the upper one-third portion of the space to be ventilated and the remaining required ventilating area shall be evenly distributed at eave vents. A minimum continuous opening of 1.5 inches in width shall be provided at the eave vents. The openings shall be covered with corrosion-resistant metal mesh covering.

Section 1203.3.1 Openings for under-floor ventilation. Delete section 1203.3.1, 1203.3.2 in their entirety and replace with the following:

Each under-floor space shall be ventilated by an approved mechanical means or by openings in exterior foundation walls. Such openings shall have a net area of not less than 0.1 square foot for each 150 square feet of under-floor area. There shall be two openings located as close to corners as practical on opposite sides to provide cross ventilation. The openings shall be covered with corrosion resistant wire mesh approximately 1/4" in size. All structures with a crawl space shall have a minimum 6 mil ground vapor retarder to prevent the flow of water vapor from soils into the heated building interior.

Section 1205.2 Natural light. Delete the paragraph in its entirety and replace as follows:

Guest rooms and habitable rooms within a dwelling unit or congregate residence shall be provided with natural light by means of exterior glazed openings with any area not less than one twentieth of the floor area of such rooms with a minimum of 5 square feet, except that minimum egress requirements shall govern.

1209.2 Attic Spaces. Add a sentence as follows:

Attic access shall not be located in a room containing bathing facilities.

1210.1 Floor and wall base finish materials. Delete this paragraph and replace with the following:

In other than dwelling units, toilet and bathing room floors shall have a smooth, nonporous, non-absorbent surface such as non-cushioned sheet vinyl, sealed concrete or ceramic tile with sealed joints or other approved materials. Base shall be of similar materials, shall extend up the wall 5 inches (127 mm) minimum, and shall be sealed to the flooring and wall surface and allowing differential movement without water penetration.

1210.2 Walls and partitions wainscot. Revise this section by renaming the section and delete the first paragraph to read as follows:

Walls and partitions wainscot.

PASSED

YES:

NO:

Abstained

Walls and partitions within 2 feet (610 mm) of the front and sides of urinals, water closets and sinks shall have a smooth, non-porous, hard, non-absorbent surface such as non-cushioned sheet vinyl, sealed concrete, ceramic tile with sealed joints, approved plastic panels, or other approved materials, installed to a minimum height of 4 feet above the finished floor and except for structural elements, the materials in such walls shall be of a type that is not adversely affected by moisture.

1210.2 Walls and partitions. Delete exception 1 and 2 and replace as follows: Exception.

1. Dwelling Units

1210.2.1 Walls and partitions moisture resistive gypsum board application. Create a new subsection and title to read as follows:

In addition to the wainscot provisions as required by section 1202.2, moisture resistive gypsum board, cement board or other approved material shall be applied to walls within two feet from the front and sides of urinals, water closets, tub, shower, lavatories and service sinks. Moisture resistive gypsum board shall be applied on walls in the spaces as stated above in all occupancies up to a height of 4 feet. Walls immediately adjacent to tub and shower areas shall be provided with moisture resistive gypsum board to a height of 7 feet above the drain inlet.

Chapter 13 ENERGY EFFICIENCY. Delete this chapter in its entirety and refer to chapters 1-4 of the International Energy Conservation Code as amended.

Section 1507.2.2 Slope. Delete this paragraph and replace as follows:

Asphalt shingles shall be used only on roof slopes of two units vertical in 12 units horizontal or greater. Required underlayment shall be provided as follows: A roof slope of 2:12 shall be provided with an approved self-adhering polymer modified bitumen on the entire roof surface. A roof slope of 3:12 shall be provided with double underlayment in accordance with section 1507. Roof slopes of 4:12 or greater shall be provided with a single layer of underlayment in accordance with section 1507.

Section 1507.2.6 Fasteners. Add an exception to read:

Staples may be substituted for nails on new work only. They must be galvanized or stainless steel with a (1) inch crown and of sufficient length to completely penetrate the shingle and roof sheathing. Staples must be straight and flush with the shingle surface.

Section 1507.2.8 Underlayment application. In the first sentence, change "two units vertical" to "three units vertical".

Section 1507.2.8.2 Ice barrier. Delete this section in its entirety and replace as follows: Where a non-energy heel truss design is utilized, an approved self-adhering polymer modified bitumen sheet shall be installed on the roof deck extending from the eave up the roof to 36 inches inside the exterior wall line of the building.

PASSED

YES:

NO:

Abstained

Exception: Detached accessory structures that contain no conditioned floor area.

Section 1607.11.2 Reduction in roof live loads. Delete this section in its entirety and replace as follows:

Roof snow loads shall not be reduced.

Section 1608.3 Roof snow loads. Add a new section to read as follows:

In no case shall the roof design snow load be less than 50 psf. There is no snow load duration increase allowed for wood framed or wood trussed roofs. A minimum ground snow load (Pg) of 60 pounds per square foot shall be used in the determination of drift loads.

Section 1608.4 Sliding snow. Create a new subsection and title to read as follows:

Metal roofs with a slope greater than 2:12 shall have barriers installed to resist the sliding action and subsequent dumping of ice and snow on persons and property. These barriers shall be constructed to specifically protect required public parking areas, public walkways, entrances and required exit discharge.

Section 1612 Flood loads. Delete this entire section.

Section 1704.4 Concrete construction. Delete exception 2.3 and replace with the following:

The structural design is based on an f c no greater than 3,000 pounds per square inch (psi).

Section 1803.1 General. Add the following sentence to the paragraph.

The effects of soil densification and differential settlement shall also be considered in the investigation, reporting and determination of potential soil strength loss when conditions warrant, also reference Section 1802.2.7.

Section 1803.5.2 Questionable soil. Add the following sentence to the paragraph.

In the event permafrost conditions are suspected, a soils investigation may be required.

Section 1804.3 Site grading. Add the following sentence to the last paragraph.

It shall be the responsibility of the building owner to assure that discharge of roof and surface runoff is disposed of without affecting adjacent property.

Section 1804.5 Compacted till material. Delete the first sentence and replace with the following:

Where footings will bear on compacted fill material, the compacted fill shall, when required by the Building Official, comply with the provisions of an approved report, which shall contain the following:

PASSED
YES:
NO:
Abstained

Fill material used to support building foundations and/or floor slabs shall consist of not more than five percent by weight of particles passing the No. 200 sieve and shall be compacted to a minimum of 95 percent of maximum density. The Building Official may require that verification of compaction be submitted in the event a site inspection reveals questionable soil conditions.

Section 1805.4.2 Foundation drain. Delete this section in its entirety.

Section 1806.2 Presumptive load-bearing values. Add a third paragraph to the section to read as follows:

Footings shall bear upon in-situ, coarse-grained soils as defined in ASTM 2487 with the exception of groups SM and SC. Soils grouped in the SM and SC classifications shall be acceptable provided the footings are at a depth as required above and placed upon a minimum of 1'-6" of compacted, clean gravel fill.

Table 1807.1.6.2 Concrete foundation walls. Add a footnote to read as follows:

f. Plain concrete foundation walls are prohibited in Seismic Design Category D.

Section 1807.1.3 Rubble Stone. Delete this section and referenced tables in its entirety.

Table 1807.1.6.3(1) Plain masonry foundation walls. Add a footnote (g) to read as follows:

(f.) Plain masonry foundation walls are prohibited in seismic design category D.

Section 1807.1.6.3.1. Alternative foundation wall reinforcement. Delete this section in its entirety and replace as follows:

In lieu of the reinforcement provisions for masonry foundation walls in table 1807.1.6.3(2), 1807.1.6.3(3) or 1807.1.6.3(4), alternative reinforcing bar sizes and spacing having an equivalent cross-sectional area of reinforcement per linear foot of wall shall be permitted to be used, provided the spacing of reinforcement does not exceed 48 inches and reinforcing bar sizes do not exceed No.11.

Section 1809.1 General. Delete this section and replace as follows:

Shallow foundations shall be designed by a registered engineer licensed by the State of Alaska. Such design shall comply with sections 1809.2 through 1809.13.

Section 1809.2. Supporting soils. Add the following sentence to the paragraph.

Footings and foundations shall be built on unfrozen, undisturbed, non-frost susceptible soil or compacted unfrozen NSF fill or CLSM.

PASSED
YES:
NO:
Abstained

Section 1809.4 Depth and width of footings. Delete this section in its entirety and replace as follows:

The minimum depth of footings below the undisturbed ground surface shall be 3'-6" unless substantiated by a design prepared by a registered engineer licensed in the State of Alaska. The minimum width of footings shall be in accordance with a design prepared by a registered engineer licensed in the State of Alaska.

Section 1809.5 Frost protection. Delete item 1 and replace with the following:

1. The minimum depth of footings shall be 3'-6" below the undisturbed ground surface.
2. Area of 400 feet (56 m2) or less for light-framed construction.

Delete item 2 under the exceptions and replace with the following:

Delete the last sentence of the paragraph and replace with the following:

Footings shall not bear on frozen soil.

Section 1809.7 Prescriptive footings for light frame construction. Delete this section in its entirety including table 1809.7 and replace as follows:

Where a specific design is not provided, concrete footings supporting walls of light-frame single family-duplex residential construction are permitted to be constructed in accordance with the Standard Foundation Details SFD1-SFD8. Commercial foundation designs shall be prepared by a registered engineer licensed by the State of Alaska.

Section 1809.8. Plain concrete footings. Delete this section in its entirety.

Section 1809.9 Masonry-unit footings. Delete this section and the exception in its entirety and replace as follows:

Masonry-unit footings shall be reinforced and shall be designed by a registered engineer licensed by the State of Alaska.

Section 1809.12 Timber footings. Add the following sentence to the end of the paragraph.

Timber footings shall be designed by a registered engineer licensed by the State of Alaska.

Section 1905.12 Cold weather requirements. Add the following sentence to the paragraph.

For the purposes of near freezing weather considerations, 40 degrees F shall be used. The protection shall be capable of maintaining the temperature of the curing concrete at or above 50 degree F for the required time periods stated in section 1905.11.

PASSED

YES:

NO:

Abstained

Section 1908.1.8 ACI 318, Section 22.10. Amend this section by revising paragraph 22.10.1 to read as follows

22.10.1-Structures assigned to seismic design category C, 0, E or F shall not have elements of structural plain concrete.

Section 1908.1.8 ACI 318, Section 22.10. Amend this section by further deleting sub paragraphs (a), (b) and (c).

Section 2304.7.2. Structural Roof Sheathing Add a new paragraph to read as follows:

Roof sheathing installed on structural supports spaced (2) feet on center shall have a minimum (32/16) span rating with panel edge clips placed midway between such supports. Roof sheathing with a minimum (40/20) span rating may be applied to framing supports spaced at (2) feet on center without panel edge clips.

Section 2304.7.2.1 Spaced lumber sheathing Add a new subsection and exception to read as follows:

Spaced lumber sheathing installed on roofs located in seismic design category D shall be designed by a licensed engineer registered in the State of Alaska. Drawings and supporting calculations shall be submitted for review and approval. Truss design shall consider effects of spaced sheathing.

Exception:

Detached residential garages, storage sheds green houses and other non-habitable accessory structures. A shop building or warehouse does not qualify for the exception unless designed by an Engineer licensed by the State of Alaska. Truss design shall consider effects of spaced sheathing.

Section 2305.4. Seismic framing connectors. Create a new section and title to read as follows:

Seismic framing connectors. Seismic framing connectors (hurricane ties) shall be installed at each exterior bearing end of each truss or rafter and shall have a minimum lateral load capacity of not less than 400 pounds unless otherwise substantiated by design calculations provided by a civil engineer licensed in the State of Alaska.

Table 2306.2.1(1) Allowable Shear.

Add the following sentence to footnote (d). Where necessitated by sheathing nail spacing, two 2-inch nominal members fastened together in accordance with section 2301.1 to transfer design shear value between the framing members is permitted.

Table 2306.2.1(2) Allowable Shear.

PASSED

YES:

NO:

Abstained

Add the following sentence to footnote (e). Where necessitated by sheathing nail spacing, two 2-inch nominal members fastened together in accordance with section 2301.1 to transfer design shear value between the framing members is permitted.

Table 2306.3 Allowable Shear.

Add the following sentence to footnote (f.) Where necessitated by sheathing nail spacing, two 2-inch nominal members fastened together in accordance with section 2301.1 to transfer design shear value between the framing members is permitted.

Table 2306.3 Allowable Shear.

Delete the last sentence to footnote (i) and replace as follows:

Foundation anchor bolts shall have a steel plate washer under each nut not less than 2-1/2 x 2-1/2 x 1/4 inch. The plate washer shall extend to within 1/2 inch of the edge of the bottom plate on the sheathed side.

Section 2306.7 Shear walls sheathed with other materials. Amend this section by revising the last sentence of the paragraph to read as follows:

Shear walls sheathed with portland cement plaster, gypsum lath, gypsum sheathing or gypsum board shall not be used to resist seismic forces in structures assigned to seismic design category D, E or F.

Table 2306.7 Allowable shear for wind or seismic forces for shear walls of lath and plaster or gypsum board wood framed wall assemblies. Add a footnote (I) to read as follows:

Lath and plaster or gypsum board values not permitted in Seismic Design Category D.

Section 2308.2 Limitations. Amend this section by revising item 3.1 to read as follows:

3.1. Average dead loads shall not exceed 29 psf for combined roof and ceiling, exterior, walls and partitions.

Section 2308.2 Limitations. Amend this section by revising item 3.2 to read as follows:

Live loads shall not exceed 50psf. Section 2308.2 Limitations. Amend this section by revising item 3.3 to read as follows:

Ground snow loads shall not exceed 60 psf. Section 2308.6. Foundation plates or sills. Amend this section by adding the following sentence to the end of the paragraph to read as follows: A minimum washer of 2 inch X 2 inch by 3/16 inch is required for each sill plate bolted connection unless an alternate design is provided by a registered engineer licensed by the State of Alaska.

Section 2308.12.1 Numbers of Stories. Delete this section in its entirety and replace with the following: Structures of conventional light-frame construction shall not exceed two stories in height unless designed by a registered engineer licensed by the State of Alaska.

PASSED

YES:

NO:

Abstained

Section 2509.3 Limitations. Delete exception 1 in its entirety.

Chapter 27 Electrical. Delete this chapter in its entirety and replace with the *National Electric Code* as adopted and amended by the City of North Pole.

Section 2901.1 Scope. Revise this section by deleting the reference to the *International Plumbing Code and International Private Sewage Disposal Code*.

Add the following note to the beginning of this paragraph:

Where reference to any Plumbing Code is made in this Code it shall be taken to mean the *Uniform Plumbing Code* as adopted and amended by the City of North Pole.

Table 2902.1 Minimum Number of Required Plumbing Fixtures. Delete the footnotes to the table and replace as follows:

Add footnotes (g) and (i) in the "water closet" column heading; add footnote (i) in the "other" column heading. Add footnote (h) at row 4 under the Factory and Industrial heading and under the Bathtubs and Showers column.

- a. The fixtures shown are based on one fixture being the minimum required for the number of persons indicated or any fraction of the number of persons indicated. The number of occupants shall be determined by the International Building Code.
- b. Toilet facilities for employees shall be separate from facilities for inmates or patients.
- c. A single-occupant toilet room with one water closet and one lavatory serving not more than two adjacent patient rooms shall be permitted where such room is provided with direct access from each patient room and with provisions for privacy.
- d. The occupant load for seasonal outdoor seating and entertainment areas shall be included when determining the minimum number of facilities required.
- e. Where water is served in restaurants, drinking fountains shall not be required. Excluding A and E occupancies, bottled water dispensers shall be permitted to be substituted for not more than 50 percent of the required drinking fountains. In B occupancies with fewer than 75 occupants, bottled water dispensers or sinks shall be permitted to be substituted for the required drinking fountains.
- f. The minimum number of drinking fountains shall comply with Table 3902.1 as amended and chapter 11 of the IBC.
- g. In each bathroom or toilet room, urinals shall not be substituted for more than 67 percent of the required water closets in assembly and educational occupancies. Urinals shall not be substituted for more than 50 percent of the required water closets in all other occupancies.
- h. Emergency showers and eyewash stations shall conform to ISEA Z358.1.
- i. Floor drains shall be installed in Toilet rooms containing two (2) or more water closets or a combination of at least one (1) water closet and one (1) urinal, except in a dwelling unit. Floor drains shall also be installed in commercial kitchens, laundry rooms in commercial buildings, and common laundry facilities in multi-family dwelling buildings.

Section 3002.1 Hoistway Enclosure Protection. Add the following:

PASSED
YES:
NO:
Abstained

Elevator hoistway shaft enclosure walls not required to have a fire resistive rating may be constructed with glass. Such glass shall be laminated glass that passes the requirements of ANSI A17.1.

Section 3004.1 Vents Required. Delete this section in its entirety and replace as follows:

Hoistways of elevators and dumbwaiters penetrating more than two stories shall be provided with a means for venting smoke and hot gases to the outer air in case of fire. When energy conservation requires that the vents be normally closed, automatic venting by actuation of an elevator lobby detector or power failure may be accepted. When hoist way pressurization is used, venting upon power failure may be accepted. In either case a manual override must be provided.

Section 3004.3 Area of vents. Amend this section by adding a second paragraph to the exception to read as follows:

Vents shall be mechanically operated and shall be automatically activated upon operations of any elevator lobby smoke detector. An approved fire alarm system or sprinkler system, for activation purposes, may be used in lieu of the elevator lobby detectors. A manual override shall be provided in an approved location, for fire department use and to address potential power failures. Vents shall be equipped with a failsafe device to open when power failure occurs. The venting of each individual hoistway shall be independent from any other hoistway venting, and the interconnection of separate hoistways for the purpose of venting is prohibited.

Section 3411.1 Scope (Accessibility to Existing Buildings). Add the following paragraph:

The design and construction of buildings or portions of buildings to meet the requirements of the Americans with Disabilities Act and Fair Housing Act is the exclusive responsibility of the owner of the structure.

PASSED
YES:
NO:
Abstained

CITY OF NORTH POLE

ORDINANCE 12-08

**AN ORDINANCE OF THE CITY OF NORTH POLE AMENDING TITLE 15,
BUILDING AND CONSTRUCTION, CHAPTER 15.20, RESIDENTIAL CODE;
INTERNATIONAL RESIDENTIAL CODE, 2009 EDITION**

WHEREAS, changes to the North Pole Municipal Code is a continually changing requirement;
and

WHEREAS, the City of North Pole Municipal Code should be amended to conform to the
requirements of the City and to clarify questionable areas.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of North Pole:

Section 1. This ordinance is of a general and permanent nature and shall be codified.

Section 2. Amend Title 15 Building and Construction, Chapter 15.20, Residential Code;
International Residential Code, 2009 Edition as follows:

- *See Attached*

Section 3. Effective Date. This ordinance shall be effective at 5:00 pm on the first City
business day following its adoption.

PASSED AND APPROVED by a duly constituted quorum of the North Pole City Council this
5th day of March, 2012.

Douglas W. Isaacson, Mayor

ATTEST:

Kathryn M Weber, MMC
North Pole City Clerk

PASSED
YES:
NO:
Abstained

Chapter 15.20 Residential Code

15.20.010 Adoption.

~~The bound volumes containing the code known as the~~ *International Residential Code*, 2006 2009 edition, as published by the International Conference of Building Officials, and every part thereof, together with the local amendments as set forth in Chapter 15.20.040, shall constitute the laws of the City relating to the construction of one and two family housing. ~~Copies~~ An electronic copy of the *International Residential Code* ~~may be examined~~ is retained at the city offices.

15.20.020 Modifications.

The building official shall have the power to modify any of the provisions of the International Residential Code adopted by this chapter upon application in writing by the owner or lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided, that the spirit of the code is observed, public safety secured, and substantial justice done. The particulars of the modification, when granted or allowed, and the decision of the building official thereon shall be entered upon the records of the department, and a signed copy shall be furnished the applicant.

15.20.030 Appeals.

Whenever the building official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decisions of the building official to the mayor/city manager within thirty days from the date of the decision. The appointment of the appeals board will be on a case by case basis with the members of said board comprised of local design professionals, contractors, inspectors or other members of the public deemed knowledgeable of the subject matter by the mayor / city manager.

15.20.040 Local amendments to the *International Residential Code*, 2006 2009 edition.

The *International Residential Code* 2006 2009 edition as published by the International Conference of Building Officials is hereby adopted by the City of North Pole as follows:

Delete section 15.20.040 in its entirety and replace with the following:

Chapter 1 Administration

Delete the following sections:

R103 and R1 04.1 0.1, and refer to the *1997 Uniform Administrative Code*.

Section R105.2 Work exempt from permit. Amend this section by deleting items 1, 2 and 10 and replace as follows:

Further amend this section by adding the following item #11.

1. One story detached structures used as garages, tool and storage sheds, playhouses and similar

PASSED
YES:
NO:
Abstained

uses, provided the floor area does not exceed 200 square feet. Separate permits are required for any electrical, plumbing or mechanical work.

2. Fences.
3. Uncovered Decks which are constructed not more than 30 inches above grade at any point.
4. Replacement of exterior siding, doors and windows; excluding required egress windows.

Section R105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas. Delete this section in its entirety and refer to Title 15 Fairbanks North Star Borough Flood Plain Management Regulations.

Section R1 06.1.3 Information for construction in flood hazard areas. Delete this section in its entirety and refer to Title 15 Fairbanks North Star Borough Flood Plain Management Regulations.

Section R107.1 General. Revise this section by amending the second sentence to read as follows: Such permits shall be limited as to time of service, but shall not be permitted for more than 360 days.

Section R108 Fees. Delete this section in its entirety and replace with the *1997 Uniform Administrative Code* as amended by the City of North Pole.

Section R109 Inspections. Delete this section in its entirety and replace with the *1997 Uniform Administrative Code*.

Section R112.2.1 Determination of substantial improvement in areas prone to flooding. Delete this section in its entirety and refer to the Title 15 Fairbanks North Star Borough Flood Plain Management Regulations.

Section R 112.2.2 Criteria for issuance of a variance for areas prone to flooding. Delete this section and refer to Title 15 Fairbanks North Star Borough Flood Plain management Regulations.

Chapter 2 Definitions

Amend section R202 Definitions by adding the following definition:

Duplex Dwelling Unit. Buildings which contain not more than two dwelling units which are not otherwise distinguished or separated by a recorded lot line.

Amend Section R202 Definitions Townhouse by the deleting the definition and replace as follows:

Townhouse. A single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides. Each townhouse shall be considered a separate building as recognized by a recorded lot line between such units. Each townhouse unit shall be provided with separate water, sewer, heating, fuel gas and electrical services.

PASSED

YES:

NO:

Abstained

Table R301.2(1) Climatic and Geographic Design Criteria. Amend this table to read as follows:

Roof Snow load: 50 psf
Wind speed: 90 mph
Seismic Design Category: D1
Weathering: Severe
Frost line depth: 42" below finished grade
Termite: None to slight
Decay: None to slight
Winter Design Temp. -47
Flood Hazards: Refer to Fairbanks North Star Borough Title 15

Section R301.2.2.1.1 Alternate determination of seismic design category. Add the following sentence to the end of the paragraph to read as follows:

The seismic design category for the City of North Pole shall be D1.

Section R301.2.4 Floodplain Construction. Delete this section in its entirety.

Table R301.5 Minimum Uniformly Distributed Live Loads. Amend this table by deleting the live load value of 30 psf live load for sleeping rooms and replace with 40 psf.

Section R302.2 Townhouses. Delete this section in its entirety and replace with the following:

Each townhouse shall be considered a separate building and shall be separated by fire-resistive wall assemblies meeting the requirements of section R302.1 for exterior walls. Each townhouse shall be protected from the adjacent dwelling unit by construction of independent one hour fire resistive exterior walls. The wall shall be rated for fire exposure on both sides. Plumbing, mechanical equipment, ducts or vents may be installed within independent one hour fire resistive walls provided the openings are fire stopped as required by section

302.4. Electrical installations shall be installed in accordance with the National Electrical Code and shall be in accordance with section R302.4.

Exception 1. A common 2-hour fire resistive rated wall is permitted provided such walls do not contain plumbing, mechanical equipment, ducts, or vents in the cavity of the common wall.

Exception 2. A common 1-hour fire resistive rated wall is permitted provided such walls do not contain plumbing, mechanical equipment, ducts or vents in the cavity wall of the common wall and the townhouses are protected with an approved sprinkler system throughout.

302.5. Townhouses separated by a common 2-hour fire-resistive wall as provided in section R302.2 as amended.

Section R302.3 Two -family dwellings. Revise the last sentence of exception #2 to read as follows:

PASSED
YES:
NO:
Abstained

The structural framing supporting the ceiling shall be protected by not less than 5/8 inch thick type X gypsum board or equivalent.

Section R302.S.1 Opening protection. Add the following sentence to this section:

Doors between the garage and residence shall be self-closing and latching. Doors shall be equipped with tight fitting smoke gasket seals installed along the top and sides of doors. A tight fitting threshold seal shall also be installed.

Table R302.6 Dwelling/Garage Separation. Amend this table as follows:

Revise all references in the table to 1/2 inch gypsum board and replace with two layers of 5/8 inch thick type X gypsum board.

Revise line two of the Material column to read as follows:

Not less than two layers 5/8 inch Type X gypsum board for nominal dimensional lumber or two layers of gypsum board as required by ICC report ESR 1336 or as required by other proprietary research reports for specific engineered I Joists which achieve a one hour rated assembly.

Section R303.1 Habitable Rooms (Light and Ventilation). Replace this section and the exceptions with the following:

All habitable rooms shall be provided with natural light by means of exterior glazed openings with an area of not less than 5 percent of the floor area of such rooms with a minimum area of 5 square feet, except that minimum egress requirements shall govern. Natural ventilation shall be provided by openings to the exterior of not less than 4 percent of the floor area of habitable rooms. Such openings shall be openable and readily controllable by the building occupants. In lieu of required exterior openings for natural ventilation, a mechanical ventilating system may be provided. Such system shall be capable of providing air changes in accordance with the 2009 IECC as adopted and amended.

Section R303.3 Bathrooms. Delete this section in its entirety, rename and replace with the following:

Section R303.3 Bathrooms and Kitchens. Bathrooms, water closet compartments and similar rooms shall have a mechanical ventilating system connected directly to the outside capable of providing five air changes per hour located in an unconditioned space shall be insulated with a minimum R-11 and installed so as not to create low points where condensation may collect. All exhaust ducts shall be equipped with a back-draft damper. Kitchens shall have mechanical exhaust ventilation provided directly above or immediately adjacent to the primary cooking appliance. All vents shall be connected directly to the exterior. A total exhaust ventilation rate for the structure shall be a minimum of 80 cfm per 1000 square feet of habitable floor space. All exhaust ducts shall be equipped with a back draft damper. Structures of unusually tight construction containing fuel-burning appliances, including fireplaces and mechanically exhausted range-top cooking appliances shall be provided with supplemental supply air in accordance with the Mechanical Code. A draft activated damper allowing air to flow into the

PASSED

YES:

NO:

Abstained

structure when depressurization exceeds 10 pascals may be installed within a supply air duct.

Section R309.3 Flood hazard areas. Delete this section and refer to Title 15 Fairbanks North Star Borough Flood Management Regulations

Section R310.1.1 Minimum opening area. Delete the exception.

Section R 313 Automatic Fire Sprinkler Systems. Delete this section in its entirety.

Section 315.1 Carbon Monoxide Alarms. Delete this section in its entirety and replace as follows:

For new construction, an approved carbon monoxide alarm shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in dwelling units within which fuel-fired appliances are installed and in dwelling units that have attached garages. Carbon monoxide detectors shall be listed and installed in accordance with their listing. Combination carbon monoxide/smoke detectors are acceptable provided they are installed in accordance with this section and section R314.3 for sleeping room locations.

Exceptions:

1. Carbon monoxide detectors are not required in dwelling units that have no combustion appliances and that do not have an attached garage.
2. Carbon monoxide detectors are not required in dwelling units that have only direct vent combustion appliances and that do not have an attached garage.

Section R315.1.1 Interconnection. Add new subsection to read as follows:

In new construction, carbon monoxide detectors shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual dwelling unit. In new construction, carbon monoxide detectors shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery back-up. Wiring shall be permanent and without disconnecting switch other than those required for over-current protection. In existing construction, carbon monoxide detectors shall be permitted to be battery powered or cord-and-plug type with battery back-up.

Section R315.2 Where required in existing dwellings. Amend this section by adding the following exceptions:

Exceptions:

1. Work involving the exterior surfaces of dwellings, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck are exempt from the requirements of this section.
2. Installation, alteration or repairs of plumbing or mechanical systems are exempt from the requirements of this section.

Section R318 Protection against subterranean termites. Delete this section in its entirety.

PASSED

YES:

NO:

Abstained

Section R322. Flood -Resistant Construction. Delete this section in its entirety and refer to Title 15 Fairbanks North Star Borough Flood Plain Management Regulations

Section R323 Storm Shelters. Delete this section in its entirety.

Section R324 Moisture Vapor Retarders. Create a new section and title to read as follows:

Section R324.1 Moisture control

The building design shall not create conditions of accelerated deterioration from moisture condensation. All exterior wall, ceiling, roof and floor assemblies which enclose heated spaces and which are exposed to outdoor ambient temperatures shall be protected against water vapor transmission. Assemblies not otherwise of impermeable construction shall have installed, on the heated side of the insulation or air spaces, vapor retarders having a perm rating of 0.06 minimum (equivalent to 6 mils polyethylene sheeting) or other material approved by the Building Official. All seams shall be lapped a minimum of one stud or joist bay or sealed with an approved tape or sealant. All voids between joists and studs all be insulated and sealed in an approved manner.

Exceptions:

1. In construction where moisture or its freezing will not damage materials.
2. One-third of the total installed insulation may be installed on the warm side of approved vapor retarders.

Section R324.2 Crawl space moisture protection. Create a new sub section and title to read as follows:

Crawl space moisture protection.

Exposed earth in crawl space foundations shall be covered with a continuous vapor retarder. All joints of the vapor retarder shall be overlapped by 6 inches or shall be sealed or taped in approved manner. The edges of the vapor retarder shall either extend over the concrete footing and secured in approved manner.

Section R401.3 Drainage. Delete the section and the exception and replace with the following:

Surface drainage shall be diverted to a storm sewer conveyance or other approved point of collection so as to not create a hazard. Lots shall be graded to drain surface water away from foundation walls. The grade shall be sloped a minimum of 2% within the first 10 feet. It shall be the responsibility of the owner or contractor to assure that discharge of roof and surface runoff is disposed of without affecting the adjacent property. Surface drainage across lot lines is prohibited.

Section R403.1 General. Delete the reference to "wood foundations" in the first sentence and add the following sentence to the end of the section to read as follows:

Wood footings shall be designed and stamped by a registered engineer licensed in the State of Alaska.

PASSED
YES:
NO:
Abstained

Section R 403.1.1 Minimum size. Delete this section in its entirety and replace as follows:

The footing width shall be based on the load-bearing value of the soil in accordance with Table R401.4.1. All footing and foundation systems shall comply with standard foundations details (SFD1-SFD8). In no case shall the minimum size for concrete and masonry footings be less than 1'-4". The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with table R401.4.1.

Table R403.1 Minimum width of concrete or masonry footings. Delete the table in its entirety and reference standard foundation details (SFD1-SFD8).

Section R403.1.3 Seismic reinforcing. Delete this section in its entirety and replace as follows:

Seismic reinforcing shall be provided in accordance with standard foundation details SFD1 through SFD8 unless reinforcing is specifically designed by a registered engineer licensed by the State of Alaska. Bottom reinforcement shall be located a minimum of 3 inches clear from the bottom of the footing.

Section R403.1.3.1 Foundations with stemwalls. Delete this section in its entirety and replace as follows:

Foundations with stemwalls shall have installed a minimum of two #4 bars within 6 inches of the top of the wall and one #4 bar located 3 inches to 4 inches above the top of the footing. All reinforcing steel shall comply with standard foundation details SFD1-SFD8 unless specifically designed and stamped by a registered engineer licensed by the State of Alaska.

Section R403.1.3.2 Slabs-on-ground with turned-down footings. Delete this section and the exception in its entirety and replace as follows:

Slabs-on-ground with turned-down footings shall be designed and stamped by an engineer licensed by the State of Alaska. Insulation for such slabs and footings shall be in accordance with section 403.3, figure 403.3(1) and table R403.3(1).

Section R403.1.4 Minimum depth. Delete this section in its entirety and replace as follows:

All exterior footings shall be placed at least 42 inches below finished grade unless the foundation system is designed by a registered engineer licensed by the State of Alaska. Where applicable the depth of footings shall also conform to sections R403.1.4.1 through R403.1.4.2. .

Exception:

1. Non habitable detached single story accessory structures less than 480 square feet.

Section R403.1.4.1 Frost protection. Amend this section by deleting the exceptions and replace as follows:

PASSED
YES:
NO:
Abstained

Exceptions:

1. Protection of non-habitable freestanding accessory single story structures with an area of 480 square feet or less shall not be required.
2. Decks not covered with a roof and decks which are not more than 30 inches above grade at any point need not be provided with footings that extend below the frost line.

Section R403.2 Footings for wood foundations. Delete this section in its entirety including references to figures R403.1 (2) and R403.1 (3) and replace as follows:

Wood foundations shall comply with standard foundation details SFD3 and SFD6 or the wood foundation system shall be specifically designed and stamped by a registered engineer licensed by the State of Alaska.

Section R403.3 Frost protected shallow foundations. Delete the first sentence and replace with the following:

Frost protected shallow foundations shall be designed and stamped by an engineer licensed in the State of Alaska. The design must be constructed in accordance with Sections R403.3.1 thru R403.3.3, including Figures R403.3(1), R403.3(3) or R403.3(4) and Table R403.3 (1).

Section R403.3.3 Drainage. Delete this section in its entirety and replace with the following:

Final site drainage shall be in accordance with Section R401.3

Section R403.3.4 Termite damage. Delete this section in its entirety.

Section R403.4.1 Crushed stone footings. Delete this section in its entirety.

Table R403.4 Minimum Depth of Crushed Stone footings. Delete this table in its entirety.

Section R404.1.1 Masonry foundation walls. Delete this section in its entirety and all references to tables R404.1.1 (1), R404.1.1 (2), R404.1.1 (3), R404.1.1 (4) and replace as follows:

The minimum design for masonry foundation walls shall comply with the Standard Foundation Details (SFD) #1, #4 or #7 unless an alternate foundation design has been prepared and stamped by a registered engineer licensed by the State of Alaska.

Section R404.1.2 Concrete foundation walls. Add the following sentence to the end of the paragraph.

The minimum design for concrete foundation walls shall comply with the Standard Foundation Details (SFD) #2, #5 or #8 unless an alternate foundation design has been prepared and stamped by an engineer licensed by the State of Alaska.

Table R404.1.2(1). Delete the table in its entirety and replace as follows:

PASSED
YES:
NO:
Abstained

Two #4 bars are required to be installed within the top 6 inches of the wall and one #4 bar shall be provided near mid-height of the wall story where the maximum unsupported height of the basement wall is greater than 4 feet and less than or equal to 8 feet. When the maximum unsupported height of basement wall is greater than 8 feet required reinforcing shall be installed in accordance with a design provided by a registered engineer licensed by the State of Alaska. Concrete foundation walls shall be laterally supported at the top and bottom. Horizontal reinforcement shall be provided in accordance with table R404.1.2(1) as amended. Vertical reinforcement shall be provided in accordance with Standard foundation Details SFD1-SFDB. In buildings assigned to Seismic Design Category 01 or concrete foundation walls shall also comply with Section R404.1.4.2.

Table R404.1.2(2). Delete this table in its entirety and replace as follows:

Minimum vertical reinforcement shall be installed in accordance with Standard Foundation Details SFD1-SFDB or shall be installed in accordance with a design provided by a registered engineer licensed by the State of Alaska.

Table R404.1.2(3). Delete this table in its entirety and replace as follows:

Minimum vertical reinforcement shall be installed in accordance with Standard foundation Details SFD1-SFDB or shall be installed in accordance with a design provided by a registered engineer licensed by the State of Alaska.

Table R404.1.2(4). Delete this table in its entirety and replace as follows:

Minimum vertical reinforcement shall be installed in accordance with Standard foundation Details SFD1-SFDB or shall be installed in accordance with a design provided by a registered engineer licensed by the State of Alaska.

Table R404.1.2(5). Delete this table in its entirety and replace as follows:

Vertical wall reinforcement shall be installed in accordance with the manufactures installation instructions or a design provided by a registered engineer license by the State of Alaska.

Table R404.1.2(6). Delete this table in its entirety and replace as follows:

Minimum vertical reinforcement shall be installed in accordance with the manufactures installation instructions or shall be installed in accordance with a design provided by a registered engineer licensed by the State of Alaska.

Table R404.1.2(7). Delete this table in its entirety

Table R404.1.2(8). Delete this table in its entirety and replace as follows:

Minimum vertical reinforcement shall be installed in accordance with Standard foundation Details SFD1-SFDB or shall be installed in accordance with a design provided by a registered

PASSED
YES:
NO:
Abstained

engineer licensed by the State of Alaska. Foundation walls in buildings assigned to seismic Design Category D1 as established in Table R301.2(1), supporting more than 4 feet of unbalanced backfill or exceeding 8 feet in height shall be constructed in accordance with Table R404.1.1 (2), R404.1.1 (3) or R404.1.1 (4) as amended or a design shall be provided by a registered engineer licensed by the State of Alaska. Masonry foundation walls shall have two #4 bars horizontal in bars located in the upper 6 inches of the wall.

Section R404.1.4.2 Concrete foundation walls. Delete this section in its entirety and replace as follows:

In buildings assigned to Seismic Design Category D1 as established in table R301.2(1), concrete foundation walls that support light -frame walls shall comply with this section and concrete foundation walls that support above-grade concrete walls shall comply with ACI 318, ACI 332 or PCA 100 (see section R404.1.2). In addition to the horizontal reinforcement by table R404.1.2(1) as amended concrete foundation walls shall comply with Standard Foundation Details SFD1-SFDB.

Section R404.2 Wood foundations. Delete this section in its entirety and replace as follows:

Wood foundation walls shall be constructed in accordance with the provisions of sections R404.2.1 through R404.2.6 and standard foundation details SFD3 and SFD6. An alternate design may be submitted for review and approval if the design is prepared and stamped by a registered engineer licensed by the State of Alaska.

Section R404.2.S Drainage and Dampproofing. Delete this section in its entirety and replace as follows:

Wood foundation basements shall be drained and dampproofed in accordance with Standard Foundation Details SFD3 and SFD6.

Section R40S.1 Concrete or masonry foundations. Delete this section in its entirety and replace as follows:

Concrete and masonry foundations shall be installed in compliance with Standard foundation details SFD1-SFDB. A drainage system is not required when the foundation is installed on well-drained ground or sand gravel mixture soils according to the Unified Soil Classification System, Group I soil, as detailed in Table R405.1.

Section R405.2 Wood foundations. Delete this section in its entirety and replace as follows:

Wood foundations shall comply with Standard foundation details SFD1-SFDB.

Section R405.2.1 Base. Delete this section in its entirety.

Section R405.2.3 Drainage system. Delete this section in its entirety.

Section R406.1 Concrete and Masonry Foundation Dampproofing. Amend this section by

PASSED

YES:

NO:

Abstained

revising the first sentence to read as follows:

Except where required by section R406.2 to be water proofed, foundation walls that retain earth and enclose interior spaces and floors below grade shall be dampproofed from the top of the footing to 6 inches above finished grade.

Section R406.1. Amend this section by adding exception #2 to read as follows:

2. Crawl space foundation walls or walls backfilled on both sides, such as those used in conjunction with a "slab on grade", do not require damp-proofing.

Section R406.3 Dampproofing for wood foundations. Amend this section by adding the following sentence to the end of the paragraph.

Foundation foundations shall comply with Standard foundation details SFD1-SFD8.

Section R406.3.2 Below-grade moisture barrier. Delete the first sentence and replace with the following:

A double layer of 6-mil polyethylene film shall be applied over the below-grade portion of the exterior foundation walls prior to backfilling. A single layer of self-adhering polymer modified bitumen sheet material may be used in lieu of the polyethylene film.

Section R406.3.2 Below-grade moisture barrier. Delete the last sentence of the paragraph and replace with the following:

The moisture barrier shall overlap onto the footing.

Section R40S.1 Ventilation. Delete this section in its entirety and replace with the following:

Each under-floor space shall be ventilated by an approved mechanical means or by openings in exterior foundation walls. Such openings shall have a net area of not less than 0.1 square foot for each 150 square feet of under-floor area. There shall be two openings located as close to corners as practical on opposite sides to provide cross ventilation. The openings shall be covered with corrosion resistant wire mesh approximately 1/4" in size. All structures with a crawl space shall have a minimum 6 mil ground vapor retarder to prevent the flow of water vapor from soils into the heated building interior.

Exception: Rough sawn, ungraded, dimensional lumber may be used for framing materials in floors, walls and roofs of detached garages, utility buildings and other unheated accessory building and other applications where approved by the Building Official.

Section 502.1.4.1 Usable space under floors. Add a new subsection to read as follows:

Usable space under floors. Usable space under the first story limited to daylight and full basements which are framed with light weight I joists shall be protected with a minimum of ½

PASSED
YES:
NO:
Abstained

inch thick gypsum board applied directly to the ceiling.

Exceptions.

1. Conventional crawl spaces
2. Buildings equipped with an approved residential sprinkler system throughout.

Section 505.1.3.1 Protection of cold-formed steel floor joists. Add a new subsection to read as follows:

Protection of cold-formed steel joists. Usable space under the first story limited to daylight and full basements which are framed with steel joists shall be protected with a minimum of ½ inch thick gypsum board applied directly to the ceiling.

Exceptions.

1. Conventional crawl spaces
2. Buildings equipped with an approved residential sprinkler system throughout.

Section R601.3 Vapor retarders. Delete this section in its entirety including the exceptions and replace as follows:

Class I vapor retarders are required to be installed on the interior side of framed walls in Zone 8. The vapor retarder may be installed within the wall such that not less than 2/3 of the total wall R-value is placed on the cold side of the vapor retarder.

Exception: Construction where moisture or its freezing will not damage the materials.

Section 601.3.1 Class III vapor retarders. Delete this section in its entirety and refer to section R601.3 as amended.

Table R601.3.1 Class III Vapor Retarders. Delete this section in its entirety and refer to section R601.3 as amended.

Section R602.11.1 Wall anchorage. In the second sentence, replace "3 inch by 3 inch" with the following:

2 inch by 2 inch

Section R703.2 Water-resistive barrier. Delete this section in its entirety.

Section R802.10.2 Design. Add the following sentence to end of paragraph:

A 15% load duration increase shall not be utilized for wood trusses where the live load considered is snow.

Section 806.2 Minimum area. Amend this section by deleting the last sentence of the paragraph and replace as follows:

PASSED
YES:
NO:
Abstained

As an alternative, the net free cross-ventilation area may be reduced to 1/300 when a Class I Vapor barrier is installed on the warm-in-winter side of the ceiling.

Section S06.4 Unvented attic assemblies. Delete this section in its entirety.

Section RS07.1 Attic access. Add the following sentence to the end of the paragraph:

Attic access shall not be located in a room containing bathing facilities. Access may be located in closets with minimum depth of 23 inches and minimum width of 48 inches.

Exception:

Attic access may be provided from the exterior gable vent in accordance with size and opening requirements of this section. The gable vent must be readily accessible.

Section R903.1 General. Add the following sentence to the end of section:

1. All valleys shall have a modified bitumen ice barrier lapped eighteen inches minimum each side of valley centerline. No penetrations shall be located in required valley ice barrier.

Section R903.4 Roof drainage. Add the following sentence to the end of the paragraph:

Roof drainage shall be diverted to a storm sewer conveyance or other approved point of collection so as to not create a hazard. Lots shall be graded to drain surface water away from foundation walls. The grade shall be sloped a minimum of 2% within the first 10 feet. It shall be the responsibility of the owner or contractor to assure that discharge of roof and surface runoff is disposed of without affecting the adjacent property. Water drainage which migrates across property lines is strictly prohibited. Asphalt shingles shall be used only on roof slopes of two units vertical in 12 units horizontal or greater. Required underlayment shall be provided as follows: A roof slope of 2:12 shall be provided with an approved self-adhering polymer modified bitumen on the entire roof surface. A roof slope of 3:12 shall be provided with double underlayment in accordance with section R905.2.7. Roof slopes of 4:12 or greater shall be provided with a single layer of underlayment in accordance with section R905.2.7.

Section R90S.2.S Fasteners. Add an exception to read as follows:

Staples may be substituted for nails on new work only. They must be galvanized or stainless steel with a 1 inch crown and of sufficient length to completely penetrate the shingle and the roof sheathing. Staples must be straight and flush with the shingle surface.

Section R905.2.7 Underlayment application. Amend this section by deleting the first sentence and replace as follows:

A roof slope of 2: 12 shall be provided with an approved self-adhering polymer modified bitumen on the entire roof surface. A roof slope of 3:12 shall be provided with double underlayment in the following manner.

PASSED

YES:

NO:

Abstained

Section R905.2.7.1 Ice Barrier. Delete this section in its entirety and replace with the following:
Where a non-energy heel truss design is utilized, an approved self-adhering polymer modified bitumen sheet shall be installed on the roof deck extending from the eave up the roof to 36 inches inside the exterior wall line of the building.

Exception: Detached accessory structures that contain no conditioned floor area.

Section R90S.14 Sprayed polyurethane foam roofing. Delete this section in its entirety.

Chapter 11 Energy Efficiency. Delete this chapter in its entirety and reference the International Energy Conservation Code as currently adopted and amended.

MECHANICAL

Chapters 12-23. Delete these chapters and reference the Mechanical Code as currently adopted and amended by the City of North Pole.

FUEL GAS

Chapter 24. Delete this chapter and reference the Fuel Gas code as currently adopted and amended by the City of North Pole.

Chapters 25-31. Delete these chapters and reference the Plumbing Code as currently adopted and amended by the City of North Pole.

APPENDICES

Appendix K Sound Transmission. Adopt Appendix K Sound Transmission and revise section AK 102 AIR-BORNE Sound and section AK 103 Structural-Borne Sound to read as follows:

Section AK 102 AIRBORNE SOUND

Air-borne sound insulation for a wall and floor-ceiling assemblies shall meet a Sound Transmission Class (STC) rating of 50 when tested in accordance with ASTM E90. Penetrations or openings in construction assemblies for piping; electrical devices, recessed cabinets, bathtubs soffits or heating ventilating or exhaust ducts shall be sealed, lined, insulated or otherwise treated to maintain the required ratings. Dwelling unit entrance doors, which share a common space shall be tight fitting to the frame and sill and shall be provided with gasket seals at the top and sides of such doors.

Section AK 103 Structural-Borne Sound

Floor/ceiling assemblies between a dwelling unit and public space or service area within the structure shall have an impact insulation class (IIC) rating of not less than 50 when tested in accordance with ASTM E 492.

CITY OF NORTH POLE

ORDINANCE 12-09

**AN ORDINANCE OF THE CITY OF NORTH POLE AMENDING TITLE 15,
BUILDING AND CONSTRUCTION, CHAPTER 15.28, MECHANICAL CODE;
INTERNATIONAL MECHANICAL CODE, 2009 EDITION**

WHEREAS, changes to the North Pole Municipal Code is a continually changing requirement;
and

WHEREAS, the City of North Pole Municipal Code should be amended to conform to the
requirements of the City and to clarify questionable areas.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of North Pole:

Section 1. This ordinance is of a general and permanent nature and shall be codified.

Section 2. Amend Title 15 Building and Construction, Chapter 15.28, Mechanical Code;
International Mechanical Code, 2009 Edition as follows:

- *See Attached*

Section 3. Effective Date. This ordinance shall be effective at 5:00 pm on the first City
business day following its adoption.

PASSED AND APPROVED by a duly constituted quorum of the North Pole City Council this
5th day of March, 2012.

Douglas W. Isaacson, Mayor

ATTEST:

Kathryn M Weber, MMC
North Pole City Clerk

PASSED
YES:
NO:
Abstained

Chapter 15.28 Mechanical Code

15.28.010 Adoption.

~~The bound volumes containing the code known as the *International Mechanical Code*, 2006~~
2009 edition, as published by the International Conference of Building Officials, together with the local amendments as set forth in Chapter 15.28.040, shall constitute the laws of the city relating to building regulations. Where the *International Mechanical Code* conflicts with this code, this code shall prevail. ~~Copies~~ An electronic copy of the *International Mechanical Code* and referenced standards may be examined is retained at the city offices.

15.28.020 Modifications.

The building official shall have the power to modify any of the provisions of the *International Mechanical Code* adopted by this chapter upon application in writing by the owner or lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided, that the spirit of the code is observed, public safety secured, and substantial justice done. The particulars of the modification, when granted or allowed, and the decision of the building official thereon shall be entered upon the records of the department, and a signed copy shall be furnished the applicant.

15.28.030 Appeals.

Whenever the building official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decisions of the building official to the mayor/city manager within thirty days from the date of the decision. The appointment of the appeals board will be on a case by case basis with the members of said board comprised of local design professionals, contractors, inspectors or other members of the public deemed knowledgeable of the subject matter by the mayor / city manager.

15.28.040 Local amendments to the *International Mechanical Code*, 2006 2009 edition.

The amendments to the 2011 edition of the *International Mechanical Code* are listed hereafter by section.

Delete section 15.28.040 in its entirety and replace with the following:

Sec. 10-101. Adoption.

The *International Mechanical Code 2009 Edition*, as published by the International Code Council, is hereby adopted by the City of North Pole

.

Sec. 10-102. Amendments.

Section 101.2.1 Appendices. Add the following to this section.

Appendix A as amended by the combustion air provisions of chapter 7 is hereby adopted. Except

PASSED
YES:
NO:
Abstained

Sponsored by: Mayor Douglas Isaacson

Introduced and Advanced: March 5, 2012

Passed: March 19, 2012

for sections 101, 102, and the following amendments, delete Chapter 1 in its entirety and refer to the Administrative Code for the City of Fairbanks Building Department.

Section 102.8 Referenced codes and standards. Revise and add two subsections at the end of this section as follows:

102.8.1 Plumbing. Where reference to any Plumbing Code is made in this Code it shall be taken to mean the *Uniform Plumbing Code* as adopted and amended by the City of North Pole.

102.8.2 Electrical. Where reference to any Electrical Code is made in this Code it shall be taken to mean the *National Electrical Code* as adopted and amended by the City of North Pole.

102.8.3 Administrative.

The provisions of the *1997 Uniform Administrative Code* shall apply to the administration and enforcement of this code. Where provisions of the *1997 Uniform Administrative Code* and this code conflict, the more restrictive text shall apply.

102.8.4 Energy. Where reference is made in this Code to the *International Energy Conservation Code* it shall be taken to mean the *IECC* as currently adopted by the City of North Pole.

Section 201.3 Terms defined in other codes. Revise this section as follows.

Where terms are not defined in this code and are defined in the *International Building Code*, *National Electrical Code*, *International Fire Code*, *International Fuel Gas Code*, or *Uniform Plumbing Code*, such terms shall have meanings ascribed to them in those codes.

Section 201.4 Terms not defined. Amend this section by adding the following sentence. *Webster's Third New International Dictionary of the English Language, Unabridged* shall be considered as providing ordinarily accepted meanings.

Section 301.2 Energy utilization. Delete this section in its entirety.

Section 301.7 Electrical. Add the following sentence to the end of this subsection.

When an existing fuel-fired appliance is not equipped with the required manual disconnect and the appliance is replaced, an approved manual disconnect within clear view of the appliance shall be installed.

Section 302.6 Penetration Weatherproofing. Add this section and the following after section 302.5.3.

Joints at roofs and exterior walls around pipes, ducts, appurtenances or equipment shall be made watertight by the use of approved materials.

Section 301.16 Carbon Monoxide Alarm. Add this section numbering, title, and the following

PASSED

YES:

NO:

Abstained

after section 301.15.

Where a fuel-fired appliance is installed or replaced in an existing dwelling an approved carbon monoxide alarm shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms. A single station, battery-operated carbon monoxide alarm shall be listed as complying with UL 2034 and shall be installed according to the manufacturer's installation instructions.

Section 302.1.1 Pipe and Tubing embedded in concrete. Add this subsection with the following text.

Pipe and tubing embedded in concrete slabs or footings, including sleeves, shall not be placed at a depth below the top surface of the concrete of less than 1-inch for concrete exposed to earth or weather or $\frac{1}{2}$ -inch for concrete not exposed to earth or weather. They shall not be spaced closer than 3 diameters or widths from structural steel elements.

Section 303.4 Protection from damage. Add the following at the end of Section 303.4.

Fuel-fired equipment and appliances located within the direct perpendicular path of a garage door opening of eight foot or less in height shall comply with Section 303.4.1

303.4.1 Fuel-fired appliance protection. Fuel fired appliances and equipment located in the direct path of vehicles as described in 303.4 shall be protected from impact with one of the following methods.

1. A minimum schedule 40 nominal 3" diameter steel pipe 30" high, with a vertical face of the pipe at least 6" in the direction of vehicle approach and:

1.1 Buried a minimum 2'0" deep in compacted soil and imbedded in at least 4" nominal concrete slab, or

1.2 Set in a minimum 1'0" x 1'0" x 1'0" block of concrete (slab included).

2. A platform on which the equipment sits, at least 24" high, extended at least 6" greater than the equipment footprint (including attachments such as burners and controls) in the direction of vehicle approach and in contact with the structure opposite the direction of vehicle approach.

3. An approved system of equivalent resistance to vehicle impact extending at least 6" ahead of the equipment's footprint in the direction of vehicle approach, including attachments such as burners and controls.

Section 303.8 Elevator Shafts. Delete this section in its entirety and replace as follows.

Mechanical systems shall not be located in an elevator shaft except mechanical equipment and devices exclusively serving the elevator. Discharge piping from any sump pump shall exit the

PASSED
YES:
NO:
Abstained

hoistway as low as practicable. Sump pumps shall be sized per the Uniform Plumbing Code as amended.

Section 304.1.1 Fuel-fired equipment startup report. Add this subsection as follows.

A startup report is required for all fan-assisted or power-burner fuel-fired equipment indicating the following conditions and others which the manufacturer recommends in their installation instructions. A non-returnable copy must be provided to the inspector for insertion in the Building Department project files. Company, Name, address, & Phone Number of Startup Technician Manufacturer and Model No. of Equipment Date and Time of Startup and Noted Readings Net Stack Temperature Overfire Draft Breech Draft Stack Draft CO or Smoke C02 or O2 Actual Rate of fuel input

Section 312.1 Load calculations. Delete the last sentence of this section and substitute the following.

Alternatively, design loads shall be determined by an approved equivalent computation procedure.

Section 401.4 Intake Openings. Add the following exception.

Exception:

Passive Outdoor Air intake openings, including opening doors and windows, shall not be located closer than 3 feet horizontally to any gas pressure regulator vent opening, unless such vent opening is located at least 3 feet above the air intake opening.

Section 401.5 Outdoor opening protection. Add an exception at the end of this section as follows:

Exception: HRV weatherhoods as provided by the respective unit's manufacturer may be used for its Intake and Exhaust Air openings.

TABLE 401.5
OPENING SIZES IN LOUVERS, GRILLES AND SCREENS PROTECTING OUTDOOR EXHAUST AND AIR INTAKE OPENINGS

Delete Table 401.6 and replace with the following.

Section 403.3 Ventilation rate. Amend this section by revising the first sentence to read as follows.

Ventilation systems shall be designed to have the capacity to supply the minimum outdoor airflow rate determined in accordance with Table 403.3 based on the occupancy of the spaces and the occupant load or in accordance with the latest edition of ASHRAE Standard 62.

Section 501.2 Exhaust discharge. Delete the exceptions to this section.

Section 502.20 Nail Salons. Add this section.

The inlet to an exhaust system shall be located in the immediate area of heaviest concentration of contaminants. The permit holder shall verify capture and containment performance of the exhaust system. This field test shall be conducted with all sources of outdoor air providing makeup air operating and with all sources of recirculated air operating which provide conditioning for the space in which the capture & containment is required. Capture and containment shall be verified visually by observing smoke simulating contaminant emission.

OUTDOOR OPENING TYPE	MINIMUM AND MAXIMUM OPENING SIZES IN LOUVERS, GRILLES AND SCREENS MEASURED IN ANY DIRECTION
Exhaust & Intake openings in residential occupancies	3/8 <u>1/2</u> inch
Intake openings in other than residential occupancies	Not < 3/8 <u>1/2</u> inch and not > 1 inch

Section 505.1 Domestic systems. Delete the first paragraph of this section and substitute the following.

Built-in Cook-top or Range-top domestic cooking appliances located within dwelling units and within areas where domestic cooking appliance operations occur shall be listed and labeled as household-type appliances for domestic use. A ventilating hood above, or an approved downdraft exhaust, shall be provided for a cook-top or range-top domestic cooking appliance, and shall discharge to the outdoors through a single-wall duct. The duct shall be sheet metal, of galvanized steel, stainless steel, aluminum or copper, airtight, and equipped with a backdraft damper. A microwave or cooking appliance that exhausts to the outdoors according to this section, is listed and labeled for installation over a cooking appliance, and conforms to the terms of the upper appliance's listing and label, shall be approved.

Delete exception #1.

Section 506.3.10 Grease duct enclosure. Add the following sentence at the end of this section's paragraph.

Duct enclosures penetrating wall assemblies shall have a fire-resistance rating of not less than

PASSED

YES:

NO:

Abstained

that required for the wall assembly, but not less than 1-hour nor more than 2-hour.

506.3.10.1 Shaft enclosure. Delete and replace the second sentence of this subsection with the following.

Such grease duct systems and exhaust equipment shall have a clearance to combustible construction of not less than 18 inches, and shall have a clearance to noncombustible construction and gypsum wallboard attached to noncombustible structures of not less than 3 inches.

Section 507.1 General. Amend this section by adding the following sentence.

Design documents for commercial hoods, commercial ventilation and makeup air systems shall be designed by and bear the stamp of a professional mechanical engineer currently registered in the State of Alaska.

Section 508.1 Makeup air. Amend this section by adding the following sentence.

Design documents for commercial hoods, commercial ventilation and makeup air systems shall be designed by and bear the stamp of a professional mechanical engineer currently registered in the State of Alaska.

Section 601.4 Contamination prevention. Amend this section numbering the published Exception as noted and adding Exception 2 as follows.

Exception 1. Exhaust systems

Exception 2.

Environmental air exhaust ducts under positive pressure may extend into or through ducts or plenums if one of the following design approaches is used.

1 Route environmental air exhaust ducts inside a shaft when passing through a duct or plenum. Install a second duct around the environmental air exhaust duct where passing through ducts and plenums to minimize leakage to the duct plenums. Seal both ends of the outer duct to the outside.

2 Install a second duct around the environmental air exhaust duct where passing through ducts and plenums to minimize leakage to the duct or plenum., Seal both ends of the outer duct to outside.

3 Seal the environmental air exhaust ducts along all seams and joints using a listed low to medium pressure duct sealant which is typically applied by brush, trowel or caulking gun.

4 Provide flexible duct with no seams in the duct or plenum. The maximum length of the flexible duct is limited to 8 feet due to high static loss. A metal duct may be sleeved by the flexible seamless duct.

PASSED

YES:

NO:

Abstained

Section 602.1 General. Revise this section as follows.

Supply, return, exhaust, relief and ventilation air plenums shall be limited to areas above a ceiling or below the floor, attic spaces and mechanical equipment rooms. Plenums shall be limited to one fire area. Fuel-fired appliances shall not be installed within a plenum.

Exception: Underfloor crawlspaces shall not be used as plenums.

Section 604.1 General. Revise this section as follows.

Duct insulation shall conform to the requirements of sections 604.2 through 604.13. and the *International Energy Conservation Code*. All supply, return, and exhaust ducts and plenums shall be insulated with a minimum of R-11 insulation when located outside the building envelope. When located within a building envelope assembly, the duct or plenum shall be separated from the building exterior or unconditioned space or exempt spaces by a minimum of R-11 insulation.

Exceptions:

- 1 When located within equipment.
- 2 When the design temperature difference between the interior and exterior of the duct or plenum does not exceed 15 degrees F (8 degrees C).
- 3 When located within the under floor crawlspace of a one or two family dwelling unit.

607.4 Access and identification. Add the following between the 1st and 2nd sentences of this Section.

Access doors for fire dampers & smoke dampers shall be located as close as practicable to the dampers and also sized so fire damper spring catch and fusible links are accessible with two hands when the damper is closed. Duct access doors shall be a minimum size of 18 inches x 16 inches where the size of the duct permits, and a minimum size of 24 inches & 16 inches where entry of an individual is needed for the required minimum access.

CHAPTER 7 COMBUSTION AIR

Section 701.1 Scope. Delete this section in its entirety and substitute the following.

The provisions of this chapter shall govern the requirements for combustion and dilution air for fuel-burning appliances other than gas-fired appliances. Solid fuel-burning appliances shall be provided with combustion air in accordance with the appliance manufacturers' instructions. Oil-fired appliances shall be provided with combustion air in accordance with this chapter and, where not modified by this chapter, with Chapter 5 of NFPA 31. The methods of providing combustion air in this chapter do not apply to fireplaces and fireplace stoves.

Add the following after Section 701.1

PASSED
YES:
NO:
Abstained

701.2 Combustion and dilution air required. Every room or space containing fuel-burning

appliances shall be provided with combustion air, including both air for complete fuel combustion and draft dilution, as required by this code. An approved engineered system may be used to provide combustion air as an alternative to the requirements of this chapter. An approved method shall be utilized to control the temperature of the room or space containing fuel-burning appliances. The room or space shall be maintained between 40 degrees F and 120 degrees F. The requirements for Combustion Air in this chapter do not include what might be needed for maintaining the ambient temperature of the room or space containing the fuel-burning equipment. Exhaust fans that create a negative draft in the room or space, or other fans that might create conditions of unsatisfactory combustion or venting, are not permitted unless electrically interlocked with the fuel-burning appliances to prevent simultaneous operation.

701 .3 Prohibited Sources.

Combustion air shall not be obtained from a hazardous location, except where the fuel-fired appliances are located within the hazardous location and are installed in accordance with this code. Combustion air shall not be taken from a refrigeration machinery room, except where a refrigerant vapor detector system is installed to automatically shut off the combustion process in the event of refrigerant leakage. Combustion air shall not be obtained from any location below the design flood elevation, a crawlspace, or an attic.

701.4 Outdoor openings.

Combustion air outdoor openings shall be located and protected according to Sections 401.4 and 401.5, as amended, and located at least 24 inches above grade.

702.0 Outdoor Air

702.1 Outdoor Air is required provided for combustion air.

Combustion air as required by this chapter shall not be supplied by infiltration.

702.2 Indirect-Connection, Passive-flow Combustion Air.

A minimum of one combustion air opening is required. The opening shall be sized with an effective opening to the outdoors of 1 square inch per 6000 Btu/h of the combined input rating of the fuel-burning appliances or according to Table 7 -1. The opening into the enclosure containing the appliances shall be located no lower in elevation than 2/3 the distance from the top of the finished floor to the bottom of the finished ceiling in the enclosure.

TABLE 7-1 OIL-FIRED APPLIANCE COMBUSTION AIR DUCT SIZING 702.3

Indirect-Connection, Forced-flow Combustion Air. Where combustion air is provided by a mechanical forced-air system, it shall be supplied at the minimum rate of 1 cfm per 3500 Btu/h of the combined input rating of all the fuel-burning appliances served. Each of the appliances served shall be electrically interlocked to the mechanical forced-air system so as to prevent operation of the appliances when the mechanical system is not in operation. Where combustion

PASSED

YES:

NO:

Abstained

air is provided by the building's mechanical ventilation system, the system shall provide the specified combustion air rate in addition to the required ventilation air.

702.4 Direct-Connection.

Fuel-burning appliances that are listed and labeled for direct combustion air connection to the outdoors shall be installed in accordance with the manufacturer's installation instructions.

703.0 Combustion Air Ducts.

703.1 General. Indirect-Connection Combustion air ducts shall:

1. Be of galvanized steel complying with Chapter 6 or of equivalent rigid, corrosion-resistant material approved for this application.
2. Have a minimum cross-sectional dimension of 3 inches.
3. Terminate in an unobstructed space allowing free movement of combustion air to the appliances.
4. Have the same cross-sectional areas as the free area of the openings to which they connect. Each combustion air inlet shall only open into the appliance space with one, separate ducted opening of the required free area opening.
5. Serve a single appliance enclosure.
6. Any dampers installed within any part of a combustion air duct or opening shall be electrically interlocked with the firing cycle of the appliance served, so as to prevent operation of any appliance when the dampers are closed.

Section 801.21 Location and support of venting systems other than masonry chimneys. Add this new section with the following text.

Vent terminations that penetrate a metal roof with a slope greater than 2:12 shall be protected by an ice dam or deflector of a type and design approved by the Code Official.

Section 923.2 Small ceramic kilns-ventilation. Add this new section with the following text.

A canopy-hood shall be installed directly above each kiln. The face opening area of the hood shall be equal to or greater than the top horizontal surface area of the kiln. The hood shall be constructed of not less than No. 24 US gauge galvanized steel or equivalent and be supported at a height of between 12 inches and 30 inches above the kiln by noncombustible supports.

Exception: Each hood shall be connected to a gravity ventilation duct extending in a vertical direction to outside the building. This duct shall be of the same construction as the hood and shall have a minimum cross-sectional area of not less than one fifteenth of the face opening area of the hood. The duct shall terminate a minimum of 12 inches above any portion of a building within four feet and terminate no less than 4 feet from the adjacent property line or any openable window or other openings into the building. The duct opening to the outside shall be shielded, without reduction of duct area, to prevent entrance of rain into the duct. The duct shall be supported at each section by noncombustible supports. Provisions shall be made for air to enter

PASSED

YES:

NO:

Abstained

Sponsored by: Mayor Douglas Isaacson

Introduced and Advanced: March 5, 2012

Passed: March 19, 2012

the room in which a kiln is installed at a rate at least equal to the air being removed through the kiln hood.

Section 1001.1 Scope. Amend exception #7 as follows.

7. Any boiler or pressure vessel subject to inspection by federal inspectors.

Section 1005.2 Potable water supply. Delete this section and its title in their entirety and substitute the following.

Section 1005.2 Water Supply.

An automatic means of water or heat transfer liquid makeup supply is required connected to all boilers. Connections to the potable water piping system shall be in accordance with the *Uniform Plumbing Code* as amended.

Section 1006.7 Boiler safety devices. Amend this section by adding the following and Table 10-3 of the 2009 *Uniform Mechanical Code*.

Automatic boilers shall be equipped with controls and limit devices as set forth in Table 10-3.

PASSED

YES:

NO:

Abstained

TABLE 10-3 Controls and Limit Devices for Automatic Boilers													
Boiler Group	Fuel	Fuel Input Range (inclusive), Btu/h	Type of Pilot	Safety Control Timing (Nominal Maximum Time in Seconds)				Assured Fuel Supply Control	Assured Air Supply Control	Low Fire Start Up Control	Pre-purging Control	Hot Water Temperature and Low Water Limit Controls	Steam Pressure and Low Water Limit Controls
				Trial for Pilot	Trial for Main Burner Flame		Main Burner Flame Failure						
					Direct Electric Ignition	Flame Pilot							
A	Gas	0-400,000	Any type	90	Not Required	90	90	Not required	Required	Not required	Not required	Required	Required
B	Gas	400,001-2,500,000	Interrupted or intermittent	15	15	15	2-4	Not required	Required	Not required	Not required	Required	Required
C	Gas	2,500,001-5,000,000	Interrupted or intermittent	15	15	15	2-4	Required	Required	Required	Required	Required	Required
D	Gas	Over 5,000,000	Interrupted	15	15	15	2-4	Required	Required	Required	Required	Required	Required
E	Oil	0-400,000	Any type	Not Required	90	90	90	Not required	Required	Not required	Not required	Required	Required
F	Oil	400,001-1,000,000	Interrupted	Not Required	30	30	2-4	Required	Required	Not required	Not required	Required	Required
G	Oil	1,000,001-3,000,000	Interrupted	Not Required	15	15	2-4	Required	Required	Not required	Not required	Required	Required
H	Oil	Over 3,000,000	Interrupted	15	15	60	2-4	Required	Required	Required	Required	Required	Required
K	Electric	All	Not required	Not required	Not required	Not required	Not required	Not required	Not required	Not required	Not required	Required	Required
L	Gas, Oil and/or Coal	12,500,000 or more	Any	10 sec per NFPA 85	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per ASME Power Boiler Code, Section I and NFPA 85	Per ASME Power Boiler Code Section I and NFPA 85
M	Heat Recovery Steam Generator	Any	None	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per ASME Boiler & Pressure Code & NFPA 85	Per ASME Boiler & Pressure Code & NFPA 85

PASSED
YES:
NO:
Abstained

FOOTNOTES FOR TABLE 10-3

1. Fuel input shall be determined by one of the following:
 - (a) The maximum burner input as shown on the burner nameplate or as otherwise identified by the manufacturer.
 - (b) The nominal boiler rating, as determined by the building official, plus twenty-five percent (25%).
2. Automatic boilers shall have one flame failure device on each burner, which shall prove the presence of a suitable ignition source at the point where it will reliably ignite the main burner, except that boiler groups A, B, E, F, and G, which are equipped with direct electric ignition, shall monitor the main burner, and all boiler groups using interrupted pilots shall monitor only the main burner after the prescribed limited trial and ignition periods. Boiler group A, equipped with continuous pilot, shall accomplish 100 percent shutoff within ninety (90) seconds upon pilot flame failure. The use of intermittent pilots in boiler group C is limited to approved burner units.
3. In boiler groups B, C, and O a 90-second main burner flame failure limit may apply if continuous pilots are provided on manufacturer assembled boiler-burner units that have been approved by an approved testing agency as complying with nationally recognized standards approved by the building official. Boiler groups F and G equipped to re-energize their ignition systems within 0.8 second after main burner flame failure will be permitted thirty (30) seconds for group F or fifteen (15) seconds for group G to reestablish their main burner flames.
4. Boiler groups C and D shall have controls interlocked to accomplish a non-recycling fuel shutoff upon high or low gas pressure, and boiler groups F, G, and H using steam or air for fuel atomization shall have controls interlocked to accomplish a non-recycling fuel shutoff upon low atomizing steam or air pressure. Boiler groups F, G, and H equipped with a preheated oil system shall have controls interlocked to provide fuel shutoff upon low oil temperature.
5. Automatic boilers shall have controls interlocked to shut off the fuel supply in the event of draft failure if forced or induced draft fans are used or, in the event of low combustion airflow, if a gas power burner is used. Where a single motor directly driving both the fan and the oil pump is used, a separate control is not required.
6. Boiler groups C, O, and H, when firing in excess of 400,000 Btu per combustion chamber, shall be provided with low fire start of its main burner system to permit smooth light-off. This will normally be a rate of approximately one-third of its maximum firing rate.
7. Boiler groups C, D, and H shall not permit pilot or main burner trial for ignition operation before a purging operation of sufficient duration to permit a minimum of four complete air changes through the furnace, including combustion chamber and the boiler passes. Where this is not readily determinable, five complete air changes of the furnace, including combustion chamber up to the first pass, will be considered equivalent. An atmospheric gas burner with no mechanical means of creating air movement or an oil burner that obtains two-thirds or more of the air required for combustion without mechanical means of creating air movement shall not require purge by means of four air changes, so long as its secondary air openings are not

PASSED
YES:
NO:
Abstained

provided with means of closing, If such burners have means of closing secondary air openings, a time delay must be provided that puts these closures in a normally open position for four minutes before an attempt for ignition. An installation with a trapped combustion chamber shall, in every case, be provided with a mechanical means of creating air movement for purging.

8. Every automatic hot-water-heating boiler, low-pressure hot-water-heating boiler, and power hot water boiler shall be equipped with two high-temperature limit controls with a manual reset on the control, with the higher setting interlocked to shut off the main fuel supply, except that manual reset on the high-temperature limit control shall not be required on any automatic package boiler not exceeding 400,000 Btu/h input and that has been approved by an approved testing agency. Every automatic hot-water heating, power boiler, and package hot-water supply boiler shall be equipped with one low-water level limit control with a manual reset interlocked to shut off the fuel supply, so installed as to prevent damage to the boiler and to permit testing of the control without draining the heating system, except on boilers used in Group R Occupancies of less than six units and in Group U Occupancies and further, except that the low-water level limit control is not required on package hot-water supply boilers approved by a nationally recognized testing agency. However, a low-water flow limit control installed in the circulating water line may be used instead of the low-water level limit control for the same purpose on coil-type boilers.

9. Every automatic low-pressure steam-heating boiler, small power boiler, and power steam boiler shall be equipped with two high-steam pressure limit controls interlocked to shut off the fuel supply to the main burner with manual reset on the control, with the higher setting and two low water-level limit controls, one of which shall be provided with a manual reset device and independent of the feed water controller. Coil-type flash steam boilers may use two high-temperature limit controls, one of which shall be manually reset in the hot water coil section of the boiler instead of the low-water level limit control.

10. Boiler groups C, D, and H shall use an approved automatic reset safety shutoff valve for the main burner fuel shutoff, which shall be interlocked to the programming control devices required. On oil burners where the safety shutoff valve will be subjected to pressures in excess of ten (10) psi when the burner is not firing, a second safety shutoff valve shall be provided in series with the first. Boiler groups C and D using gas in excess of one (1) pound-per-square inch pressure or having a trapped combustion chamber or employing horizontal fire tubes shall be equipped with two approved safety shutoff valves, one of which shall be an automatic reset type, one of which may be used as an operating control, and both of which shall be interlocked to the limit-control devices required. Boiler groups C and D using gas in excess of one (1) pound per square inch pressure shall be provided with a permanent and ready means for making periodic tightness checks of the main fuel safety shutoff valves.

11. Control and limit device systems shall be grounded with operating voltage not to exceed 150 volts, except that, upon approval by the building official, existing control equipment to be reused in an altered boiler control system may use 220 volt single phase with one side grounded, provided such voltage is used for all controls. Control and limit devices shall interrupt the ungrounded side of the circuit. A readily accessible means of manually disconnecting the control circuit shall be provided with controls so arranged that when they are de-energized, the burner

PASSED

YES:

NO:

Abstained

shall be inoperative.

1006.8 Electrical requirements. Add the following sentence and exception to this subsection.

The required means of disconnect shall be within clear view of the boiler burner.

Exception: Where it is not possible for personnel to position themselves out of clear view of the means of disconnect while maintaining the boiler, the capability of being locked in the off position shall not be required of the means of disconnect.

Section 1007 BOILER LOW-WATER CUTOFF Delete this section in its entirety and refer to Section 1006.7 as amended.

Section 1101. 11 Installation Identification. Add this subsection with the following text.

Each refrigerating system erected on the premises shall be provided with legible permanent signage, securely attached and easily accessible, as required in sections 1101.11.1 -1101.11.3. In the event that the type or amount of refrigerant or other indication is changed, the signs must be changed or replaced to indicate the new conditions.

1101.11.1 Each system shall be provided a sign indicating:

- (a) the name and address of the installer,
- (b) the refrigerant number and amount of refrigerant,
- (c) the lubricant identity and amount, and
- (d) the field test pressure applied

1101.11.2 Systems containing more than 110 lb. of refrigerant and consisting of controls and piping shall be provided signs having letters at least .5 inches in height indicating:

- (a) Each valve or switch that controls the refrigerant flow, the machinery room ventilation, and the compressors
- (b) The specific fluid, whether a refrigerant or secondary coolant, that is contained in exposed piping outside of the refrigerating machinery room. Valves or the piping adjacent to the valves shall be labeled in accordance with ANSI A 13.1.

1101.11.3 Each Refrigeration Machinery Room entrance must have in clear view a sign reading: "Machinery Room -Authorized Personnel Only. -Only those trained in emergency procedures if the Refrigerant alarm is activated."

Section 1105.3 Refrigerant detector. Amend this section by adding a second sentence to read as follows.

Refrigerant detectors shall alarm both inside and outside the machinery room and refrigerated space.

Section 1105.6.2 Makeup air. Amend this section as follows.

PASSED
YES:
NO:
Abstained

Provisions shall be made for makeup air to replace that being exhausted. Openings for makeup air shall be located to avoid intake of exhaust air. Supply and exhaust ducts to the machinery room shall serve no other area, shall be constructed in accordance with Chapter 5 and shall be covered with corrosion-resistant screen of not less than 1/8-inch mesh.

Section 1205.1.3 Pressure vessels. Add the following exception to this subsection.

Exception: Shutoff valves for diaphragm-type expansion tanks in systems installed with a single expansion tank of 12-gallon water volume or smaller, shall not be required.

Section 1205.1.6 Expansion Tanks. Delete this subsection in its entirety.

Section 1301.1 Scope. Amend this section as follows.

The design, installation, construction and repair of fuel oil and waste oil storage and piping shall be in accordance with this chapter and NFPA 31. The storage of fuel oil and flammable and combustible liquids shall be in accordance with the *International Fire Code*.

Section 1301.4 Fuel tanks, piping and valves. Amend and add to this section as follows.

The tank, piping and valves for appliances burning oil shall be installed in accordance with the requirements of this chapter. The oil supply line is required to be taken from the top of the tank only, and where the level of fuel within the tank may be above the inlet port of the appliance served an approved method to prevent siphoning from the tank must be provided. If the tank is located inside a building, emergency pressure relief venting is required to the exterior.

1301.4.1 Day tanks or supply tanks. Day tanks shall be installed in accordance with this code and NFPA 31.

1301.4.1.1 A day tank or supply tank of (60) gallons or less may be installed for generators, boilers and water heaters within a boiler or mechanical room provided a (1)-hour fire-resistive occupancy separation is constructed around the room containing the equipment being served and the day tank or supply tank.

1301.4.1.2 Day tanks or supply tanks which exceed (60) gallons shall be installed in accordance with the following requirements:

- A. A sprinkler system as approved by the Fire Department is required for the mechanical room.
- B. The room containing the day tank or supply tank shall be located on an exterior wall.
- C. Two exits shall be provided from the boiler room or mechanical room. One exit shall open directly to the exterior and be accessible to fire-fighting personnel.
- D. A (2)-hour fire resistive occupancy separation shall be provided around the boiler room or mechanical room.

1301.4.2 Waste oil tanks.

PASSED
YES:
NO:
Abstained

Tanks installed inside buildings for the collection of class IIIB motor vehicle waste oil and connected to listed oil-burning appliances shall be restricted to Group 8-1 and motor vehicle related occupancies as referenced by the *International Building Code*. Waste oil tanks located outside of central heating enclosures shall be limited to 500 gallon cumulative capacity, be provided with approved emergency pressure relief venting and shall be equipped with a hinged cap. All oil lines shall be equipped with a spring-loaded fusible valve located immediately adjacent to the tank shell.

Waste oil tanks exceeding 500-gallon capacity and connected to waste oil-burning appliances shall be enclosed in a separate one-hour fire-resistive occupancy separation, be provided with approved emergency pressure relief venting and shall be surrounded by a four(4) -inch high non-combustible curb.

Waste oil tanks located inside of central heating plant enclosures or generator mechanical rooms shall conform to section 1301.4.1 as amended.

Upon approval of the Fire Chief, listed waste oil heaters may be located in other occupancy groups provided the tanks are installed outside of the building in accordance with chapter 15 of the International Mechanical Code and NFPA 31 Chapter 12, or installed in compliance with IMC section 1301.4.1.

PASSED
YES:
NO:
Abstained

CITY OF NORTH POLE

ORDINANCE 12-10

**AN ORDINANCE OF THE CITY OF NORTH POLE AMENDING TITLE 15,
BUILDING AND CONSTRUCTION, CHAPTER 15.36, ELECTRICAL CODE;
INTERNATIONAL ELECTRICAL CODE, 2009 EDITION**

WHEREAS, changes to the North Pole Municipal Code is a continually changing requirement;
and

WHEREAS, the City of North Pole Municipal Code should be amended to conform to the
requirements of the City and to clarify questionable areas.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of North Pole:

Section 1. This ordinance is of a general and permanent nature and shall be codified.

Section 2. Amend Title 15 Building and Construction, Chapter 15.36, Electrical Code;
International Electrical Code, 2009 Edition as follows:

- *See Attached*

Section 3. Effective Date. This ordinance shall be effective at 5:00 pm on the first City
business day following its adoption.

PASSED AND APPROVED by a duly constituted quorum of the North Pole City Council this
5th day of March, 2012.

Douglas W. Isaacson, Mayor

ATTEST:

Kathryn M Weber, MMC
North Pole City Clerk

PASSED
YES:
NO:
Abstained

Chapter 15.36 Electrical Code

15.36.010 Adoption.

The ~~bound volumes containing~~ the code known as the *National Electrical Code*, 2008 **2011** edition, of the National Fire Protection Association, and every part thereof, together with the local amendments as set forth in Chapter 15.36.040, shall constitute the laws of the city relating to electrical installations. ~~Copies~~ **An electronic copy** of the *National Electrical Code* ~~may be examined~~ **is retained** at the city offices.

15.36.020 Modifications.

The building official shall have the power to modify any of the provisions of the *National Electrical Code* adopted by this chapter upon application in writing by the owner or lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided, that the spirit of the code is observed, public safety secured, and substantial justice done. The particulars of the modification, when granted or allowed, and the decision of the building official thereon shall be entered upon the records of the department, and a signed copy shall be furnished the applicant.

15.36.030 Appeals.

Whenever the building official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decisions of the building official to the mayor/city manager within thirty days from the date of the decision. **The appointment of the appeals board will be on a case by case basis with the members of said board comprised of local design professionals, contractors, inspectors or other members of the public deemed knowledgeable of the subject matter by the mayor / city manager.**

15.36.040 Local amendments to the National Electrical Code, 2008 **2011** edition.

The amendments to the 2008 **2011** edition of the *National Electrical Code* are listed hereafter by section.

Delete section 15.36.040 in its entirety and replace with the following:

Sec. 10-277. Amendments. The *National Electrical Code*, 2011 edition, is hereby amended as follows:

Article 210.8 Ground-Fault Circuit-Interrupter Protection for Personnel. Add subsection (D) to read as follows:

(D) Day Care Facilities. In all day care facilities as defined by the current building codes adopted by the City of North Pole all 125-volt, single phase, 15-and 20-ampere receptacles installed where accessible to children shall have ground-fault circuit interrupter (GFCI) protection.

Article 210.52 Dwelling Unit Receptacle Outlets. Add subsection (I) to read as follows:

PASSED
YES:
NO:
Abstained

(J) Parking spaces. For each dwelling unit and mobile home, there shall be at least one exterior weather proof duplex receptacle on a separate 20-ampere GFCI circuit adjacent to on-site parking locations.

Article 220.52 Small Appliance, Laundry and Car Head bolt Heater Loads-Dwelling Unit. Add subsections (C) and (D) to read as follows:

(C) Car Head bolt Heater Loads. A feeder load of not less than 1500 volt-amperes shall be included for each individual 20 ampere branch circuit required by Article 210.52(e). This requirement also applies to Article 220.30,220.31,220.32,220.33.

(D) Commercial Parking Areas.

The minimum calculated load for car head bolt heater receptacles is 1200 volt amperes. If the service, feeder and branch circuit overcurrent protective devices are located outside then 1200 volt amperes for the first 30 spaces, 1000 volt amperes for the next 30 spaces and 800 volt amperes for each space over 60 will be allowed.

Article 230.9(A) Clearances. Amend as follows:

Service conductors installed as open conductors or multi-conductor cable without an overall outer jacket shall have a clearance of not less than 900 mm (3 ft) from windows that are designed to be opened, doors, porches, balconies, ladders, stairs, fire escapes, building attic gable vents, or similar locations.

Article 230.11 Service Detail Requirements. Add a new section as follows:

Service installations shall comply with the details of **Exhibit #1 Residential Service**.

Article 230.12 Temporary Power Service. Add a new section as follows:

Temporary Services shall comply with the details of **Exhibit #2 Temporary Service**.

Article 230.24(B) Vertical Clearance for Service-Drop Conductors. Amend as follows:

(1) 3.81 m (12.5 ft) -at the electric service entrance to buildings, also at the lowest point of the drip loop of the building electric entrance, and above areas or sidewalks accessible only to pedestrians, measured from final grade or other accessible surface only for service-drop cables supported on and cabled together with a grounded bare messenger where the voltage does not exceed 150 volts to ground.

(2) 3.81 m (12.5 ft) -over residential property and driveways, and those commercial areas not subject to truck traffic where the voltage does not exceed 300 volts to ground.

Article 230.26 Point of Attachment. Amend as follows:

PASSED
YES:
NO:
Abstained

In no case shall this point of attachment be less than 3.81 m (12.5 ft) above finished grade.

Article 230.28 Service Masts as Supports. Add subsections (A), (B), (C), (D) to read as follows:

(A) General. When the overhead service is installed on the eave side of a structure with a pitched roof, the service mast conduit shall extend through the roof.

(B) Conduit Size. The conduit size shall be a minimum of two inches rigid metal or intermediate metal conduit and must extend at least three feet above the roof surface. If couplings are used in the installation, they must be located below the roof overhang.

(C) Guyed Support. The service mast conduit when installed through the roof shall be guyed to the roof with a minimum 5/8 inches galvanized closed eyebolt using a minimum of 1/8 inches stranded stainless steel wire aircraft cable with four approved clamps. If the service mast conduit extends above the roof over four feet in length, then a double V-guy installation is required.

(D) Protection of Meter. When the eave overhang is less than eighteen inches, additional protection shall be required to protect the meter from snow and ice damage by a minimum of an 18 gauge galvanized metal hood or equivalent extending over the meter.

Article 230.41 Insulation of Service Entrance Conductors. Add the following:

Individual ungrounded service entrance conductors shall be XHHW, RHW, or R-Type insulation approved for exterior use. No other insulation is acceptable.

Article 230.54(F) Drip Loops. Add the following:

For 100 ampere service, leave 18 inches of conductors, for 200 ampere and larger, leave 24 inches of conductors extending out of the weather head.

Article 230. 70(A)(l) Location. Add the following:

If installed inside, a means to disconnect all conductors in the building from the service entrance conductors shall be provided on the building exterior

Article 230. 70(A)(3) Remote Control. Add the following subsections:

- (a) The remote control device shall be a key switch approved by the Fire Department.
- (b) The key switch shall shut down the electrical power for the entire building.
- (c) If a facility is equipped with a generator, a key switch shall be installed to shut down the generator in the event of an emergency. This switch shall be located adjacent to the electrical service remote control key switch or the electrical service disconnect.
- (d) Key switch locations shall be marked with a visible sign indicating "Fire Department Use Only" and "Generator Disconnect".

PASSED
YES:
NO:
Abstained

Article 230.70(A)(4) Add subsection (4):

(4) Natural and Liquid Petroleum Gas. Electrical equipment (i.e.: service disconnect, electrical meters, receptacles, etc.) shall be installed not less than 5 feet from any LPG tank installation and related regulators, etc. or NG meter and regulators. If the gas equipment is installed less than 5 feet to the electrical equipment, then the electrical equipment shall meet the requirements of Article 500 and 501 of the National Electrical Code.

Article 230. 70(B) Marking. Add the following:

When there is more than one meter on any single service, they shall be permanently identified with numbers painted on the meter base at least one inch in height or identified by other approved means that corresponds to the number on the unit served.

Article 250.66(B) Connections to Concrete Encased Electrodes. Amend the following:

Where the grounding electrode conductor is connected to a concrete encased electrode as permitted in 250.52(A)(3) a #4 AWG bare copper conductor consisting of at least 6.0 m (20 ft) in length shall be installed in the footing for a 100-200 ampere service. A #2 AWG bare copper conductor shall be installed in the footing for 225-300 ampere service. A 1/0 AWG bare copper conductor is required for a 350-400 ampere service. A 2/0 AWG bare conductor is required for a 450-500 ampere service and 3/0 AWG bare conductor is required for services greater than 500 amperes.

Article 410.36(B) Suspended Ceilings. Add the following exception:

Exception: When the light fixtures are supported seismically in accordance with the current building codes adopted by the City of North Pole the above supports are not required.

Article 700.12(B) Generator Set. Add subsection (7):

(7) The generator shall have an exterior disconnect located adjacent to service disconnect to prevent the generator from starting when the normal power is turned off in case of an emergency or fire. A weatherproof sign shall be installed adjacent to the service disconnect that reads: Emergency Generator Disconnect Switch.

PASSED
YES:
NO:
Abstained

CITY OF NORTH POLE

ORDINANCE 12-11

**AN ORDINANCE OF THE CITY OF NORTH POLE AMENDING TITLE 15,
BUILDING AND CONSTRUCTION, CHAPTER 15.42, PLUMBING CODE;
INTERNATIONAL PLUMBING CODE, 2009 EDITION**

WHEREAS, changes to the North Pole Municipal Code is a continually changing requirement;
and

WHEREAS, the City of North Pole Municipal Code should be amended to conform to the
requirements of the City and to clarify questionable areas.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of North Pole:

Section 1. This ordinance is of a general and permanent nature and shall be codified.

Section 2. Amend Title 15 Building and Construction, Chapter 15.42, Plumbing Code;
International Plumbing Code, 2009 Edition as follows:

- *See Attached*

Section 3. Effective Date. This ordinance shall be effective at 5:00 pm on the first City
business day following its adoption.

PASSED AND APPROVED by a duly constituted quorum of the North Pole City Council this
5th day of March, 2012.

Douglas W. Isaacson, Mayor

ATTEST:

Kathryn M Weber, MMC
North Pole City Clerk

PASSED
YES:
NO:
Abstained

Chapter 15.42 Plumbing Code

15.42.010 Adoption.

~~The *Uniform Plumbing Code*, 2006 edition, to include Appendix A, B, D, E, F, I, K, and L as published by the International Association of Plumbing and Mechanical Officials, together with the local amendments as set forth in Chapter 15.42.040, is hereby adopted.~~

The code known as the *Uniform Plumbing Code*, 2009 edition, of the International Association of Plumbing and Mechanical Officials, and every part thereof, together with the local amendments as set forth in Chapter 15.42.040, shall constitute the laws of the city relating to plumbing. An electronic copy of the *Uniform Plumbing Code* is retained at the city offices.

15.42.020 Modifications.

The building official shall have the power to modify any of the provisions of the *Uniform Plumbing Code* adopted by this chapter upon application in writing by the owner or lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided, that the spirit of the code is observed, public safety secured, and substantial justice done. The particulars of the modification, when granted or allowed, and the decision of the building official thereon shall be entered upon the records of the department, and a signed copy shall be furnished the applicant.

15.42.030 Appeals.

Whenever the building official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decisions of the building official to the mayor/city manager within thirty days from the date of the decision. **The appointment of the appeals board will be on a case by case basis with the members of said board comprised of local design professionals, contractors, inspectors or other members of the public deemed knowledgeable of the subject matter by the mayor / city manager.**

15.42.040 Local amendments to the Uniform Plumbing Code, ~~2006~~ 2009 edition.

The *Uniform Plumbing Code*, ~~2006~~ 2009 edition is hereby amended as follows:

Delete section 15.42.040 in its entirety and replace with the following:

The *Uniform Plumbing Code 2009 Edition*, to include Appendix A, B, D, E, F, I, K, and L, as published by the International Association of Plumbing and Mechanical Officials, is hereby adopted by the City of North Pole.

Sec. 10-137. Amendments.

CHAPTER 1 ADMINISTRATION

Section 101.2 Purpose. Add subsections to read as follows:

101.2.1 Referenced Codes.

PASSED
YES:
NO:
Abstained

The technical codes as referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each reference. References to *NFPA 54* and the *Uniform Mechanical Code* shall be replaced with adopted codes specified in sections 101.2.1.1 and 101.2.1.2.

101.2.1.1 Gas.

The provisions of the *International Fuel Gas Code* shall apply to the installation of fuel gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and installation and operation of residential and commercial gas appliances and related accessories.

101.2.1.2 Mechanical.

The provisions of the *International Mechanical Code* shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

101.2.1.3 Administrative.

The provisions of the *Administrative Code* for the City of North Pole Building Department shall apply to the administration and enforcement of this code. Where provisions of the *Administrative Code* and this code conflict, the more restrictive test shall apply.

101.2.1.4 Building.

The provisions of the *International Building Code* shall apply where reference is made to the Building Code in this document.

Section 101.4.1.4 Conflicts Between Codes. Delete this section in its entirety and replace with the following:

When conflicts occur between this code and other technical codes, those provisions providing the greater safety to life shall govern. In other conflicts, between this code and other codes or laws, where sanitation, life safety or fire safety are not involved, the most restrictive provisions shall govern. Where in a specific case different sections of these codes specify different materials, methods of construction or other requirements, the most restrictive shall govern. When there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

Section 102.3.2 Penalties. Delete this section in its entirety and replace with the following:

Any person who violates a provision of this code or fails to comply with any of the requirements

PASSED
YES:
NO:
Abstained

thereof or who erects, constructs, alters, or repairs any plumbing in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provision of this code or other codes adopted by this jurisdiction shall be subject to penalties prescribed by law.

Section 103.1.1 Permits required. Add the following subsection.

Section 103.1.1.1 Emergency Repairs. Where equipment or piping system replacement must be performed in an emergency situation, the permit application shall be submitted to the building official within 72 hours of such emergency. All required inspections shall be conducted.

Section 103.2 Application for Permit. Add the following subsection.

Section 103.2.4 Deferred Submittals. For the purposes of this section, deferred submittals are defined as those portions of the design which are not submitted at the time of the application and which are to be submitted to the building official within a specified period. Deferral of any submittal items shall have prior approval of the building official. The architect or engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the building official. Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

Section 103.3.1 (Permit) Issuance. Delete the second paragraph of this section and replace with the following.

When the building official issues a permit, the construction documents shall be approved by separate letter or plan review stating, or the plans shall be stamped as, "Reviewed and Approved for Code Compliance". Work shall be installed in accordance with the approved construction documents. Changes to the approved set of construction documents that affect code compliance are prohibited unless amended documents are resubmitted by the appropriate design professional for review and approval before such modification is constructed in the field.

Section 103.4.1 Permit Fees. Delete Section 103.4.1 in its entirety and refer to Table 3-D of the City of North Pole *Administrative Code*.

103.4.2 Plan Review Fees. Delete Section 103.4.2 in its entirety and replace with the following:

When submittal documents are required by Section 103.2.2, a plan review fee shall be paid. The plan review fee shall be paid when the review has been completed. The plan review fee shall be paid in conjunction with the plumbing permit fee. The plan review fee is not required to be paid at the time of plan or application submittal. The plan review fee shall be 75 percent of the plumbing permit fee as shown in Table 3-0. The plan review fee for projects where plan are not received prior to commencement of construction will be charged a fast track rate equal to one

PASSED

YES:

NO:

Abstained

hundred percent (100%) of the plumbing permit fee. When submittal documents are incomplete or changes so as to require additional plan review or when the project involves deferred submittal items as defined in Section

103.2.4. an additional plan review fee shall be charged at the rate shown in Table 3-0.

103.4.2.1 Plan Check Fee Identical Building Construction. Create a new subsection and title as follows:

Section 103.4.2.1 Plan Check Fee Identical Building Construction. The plan check fee for identical buildings with the same building construction shall be reduced by 75% of the initial plan check fee when the following conditions are met;

- a. The structural framing and floor plan are identical
- b. Construction is simultaneous or in immediate sequence.

Section 103.4.4.2 (Investigation Fees: Work Without a Permit.) Delete this subsection and substitute the following:

A penalty fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of either this or other adopted codes of the Authority Having Jurisdiction, nor from the penalty prescribed by law. The penalty fee for performing work without the required permit is \$750.

Section 103.4.5 Fee Refunds. Delete Subsection 103.4.5.2 and substitute the following:

Section 103.4.5.2 The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

Section 103.5.2 Operation of Plumbing Equipment. Delete this section in its entirety and substitute the following:

The requirements of this section shall not be considered to prohibit the operation of any plumbing installed to replace existing equipment or fixtures serving an occupied portion of the building in the event a request for inspection of such equipment or fixture has been filed with the Authority Having Jurisdiction not more than 48 hours after such replacement work is complete, and before any portion of such plumbing systems is concealed by any permanent portion of the building.

Section 103.5.6.1 Corrections. Delete the second paragraph of this section and substitute the following:

Refusal, failure, or neglect to comply with any such notice or order within (180) days of receipt thereof, or other time limit as set forth in the notice or order, shall be considered a violation of this code and shall be subject to the penalties set forth elsewhere in this code for violations.

PASSED

YES:

NO:

Abstained

Section 103.5.6.3 Approval. Delete this section in its entirety and substitute the following:

Upon the satisfactory completion and final test of the plumbing system, an approval for use shall be issued by the Authority Having Jurisdiction to the permittee.

204.0 Building Thermal Envelope -Add the following definition to this section:

Building Thermal Envelope -For purposes of the plumbing code: the basement walls, exterior walls, floors, roofs, and any other building elements that enclose conditioned spaces, and frost-protected foundations. For frost-protected foundations with required horizontal insulation, the thermal envelope shall be considered to extend from the warm-in-winter side, to the projection of the vertical insulation, cold-in-winter exterior surface. For thermal envelope assemblies enclosing conditioned spaces, the thermal envelope assembly includes any vapor retarders.

205.0 Conditioned Space -Add the following Definition to this section:

Conditioned Space --For purposes of the plumbing code, space within a building that is provided with heating equipment or systems capable of maintaining, through design or heat loss, 50 degrees F during the heating season, or communicates directly with a conditioned space.

210.0 Hot Water -Delete this definition and substitute the following:

Hot Water -Water at a temperature exceeding or equal to 110 degrees F.

303.0 Disposal of Liquid Waste. Add the following sentence to this section:

Pit privies (outhouses), as defined by Alaska D.E.C. 18 AAC 72.030 & 7 AAC 10.9990(46)(B), are prohibited.

Section 313.6 (Pipe Freezing Protection) Delete 3.13.6 in its entirety and substitute the following:

All water, soil, waste, vent, or roof drainage piping shall be installed on the warm-in-winter side of the Building Thermal Envelope assembly, including any vapor retarders.

- Exception 1. Vent piping above the roof.
- Exception 2. Vent piping, other than wet vents, may be installed within exterior walls or above the roof/ceiling assembly where enclosed within at least R-B.B insulation. This insulation must be continuous from the piping penetration of the warm-in-winter surface of the thermal envelope to the underside of the piping's roof sheathing penetration. The insulation of the Building Thermal Envelope assembly may be used to meet this requirement.
- Exception 3. Underground Building Drain or Water Distribution piping outside the Building Thermal Envelope installed according to the circulation and insulation provisions of the latest revised standards of the local Public Water & Sewer Utility for water & sewer services.

PASSED
YES:
NO:
Abstained

- Exception 4. A system of frost protection that, is designed & sealed by a currently registered engineer or architect, including but not limited to heat trace installed according to Sections 301.1.1 & 310.4; and provided it is accessible for repair or replacement without excavation or removal of elements of construction.

Section 313.9 (Protection of Piping) Delete 313.9 and its Exception in their entirety and substitute the following:

In concealed locations where piping, other than cast-iron or steel, is installed through holes or notches in studs, joists, rafters or similar members less than 1½ inches from the nearest edge of the member, the pipe shall be protected by shield plates having a minimum thickness of 0.0575 inch (No. 16 gage) shall cover the area of the pipe where the member is notched or bored, and shall extend a minimum of 2 inches above sole plates and below top plates.

Section 313.12.4 (Rat proofing) Delete 313.12.4 in its entirety.

Section 407.5 Setting. Delete the Exception and substitute the following:

Exception: The installation of paper dispensers, sanitary napkin receptacles, or accessibility grab bars shall not be considered obstructions if located such that a minimum of 7 inches clearance is maintained in any direction from the outside surface of the usable portion of the fixture.

Section 408.2.2 (Water Closet Seats) Delete Subsection 408.2.2 and substitute the following:

Water closet seats for public use shall be of the elongated and open-front type.

Section 412.0 Minimum Number of Required Fixtures. Delete this section in its entirety and refer to Chapter 29 and Table 2902.1 as amended of the 2009 *IBC*.

Section 413.0 Fixtures and Fixture Fittings for Persons with Disabilities. Delete this section in its entirety and refer to Chapter 11 of the 2009 *IBC* and *ICC/ANSI A117.1-2003*.

Table 4-1 Minimum Plumbing Facilities. Delete this Table in its entirety and refer to table 2902.1 as amended of the 2009 *IBC*.

Section 501.0 General. Delete this section and substitute the following:

The regulations of this chapter shall govern the construction, location, and installation of fuel-burning and other water heaters heating potable water. All fuel and combustion air systems, chimneys, vents, and their connectors shall be regulated by the respective sections of the locally amended 2009 *International Mechanical Code* and the 2009 *International Fuel Gas Code*. The minimum capacity for water heaters shall be in accordance with the first hour rating listed in Table 5-1. All design, construction, and workmanship shall be in conformity with accepted engineering practices, manufacturer's installation instructions, and applicable standards and shall be of such character as to secure the results sought to be obtained by the respective Codes.

PASSED

YES:

NO:

Abstained

Section 503.0 Permits. Add the following exception:

Exception: Replacement of an existing, approved, non-fuel-fired electric water heater with one of like size, type and rating in a manner that maintains its approval shall not require a permit.

Section 504.0 Inspection. Delete this section and substitute the following:

A final water heater inspection shall be made after all work requiring a permit has been installed in addition to inspections required for other work regulated by the mechanical code and fuel gas code.

Section 506.4.2 (Indirect-Fired Water Heaters) Delete part (3) (b) of this subsection and substitute the following:

(b) The pressure of the heat-transfer medium must be limited to a maximum of (labeled by installer and equal to the system safety or relief valve rating L psig by an approved safety or relief valve and the potable water system must be maintained at a normal minimum operating pressure of at least (labeled by installer & 5 psig greater than the heat-transfer medium safety or relief valve rating).

Section 603.4.10 (Potable Water Makeup Connections) Add the following exception:

Exception: Potable water makeup connections to boilers containing only heat-transfer mediums of water or other nontoxic fluid having a toxic rating or Class of 1 as listed in Clinical Toxicology of Commercial Products, 5th edition shall be permitted to be provided with a listed Backflow Preventer with Intermediate Atmospheric Vent.

603.4.18 (Chemical Dispenser Backflow Protection) Add the following to this subsection.

Chemical Dispensers otherwise approved for connection to the potable water piping system shall not be connected to an Atmospheric Vacuum breaker hose thread in such a way that the Atmospheric Vacuum breaker is able to be pressurized, e.g. with a valve in the discharge piping.

Section 609.4 Testing. Delete the third sentence and substitute the following:

A one hundred (100) pound per square inch air pressure test may be substituted for the water test.

Section 712.1 Media. Delete the first sentence and replace with the following:

The piping of the plumbing, drainage, and venting systems shall be tested with water or air.

Section 719.1 Cleanouts. Delete the first paragraph in its entirety and replace with the following:

Cleanouts shall be placed at the connection of the building sewer and building drain outside the building and extend to grade.

Section 719.2 Delete this section in its entirety.

PASSED
YES:
NO:
Abstained

Section 807.4 (Domestic Dishwasher Airgap) Add the following subsection:

Section 807.4.1 When a compartment or space for a domestic dishwasher is provided, an approved dishwasher airgap fitting shall be installed.

812.1 Elevator Pits. Add this new Subsection:

812.1 Elevator Pits. Where drains are not provided to prevent the accumulation of water in elevator pits, sumps are required. Drains connected directly to the sanitary system shall not be installed in elevator pits. Sumps in elevator pits, where provided, shall be covered and the cover shall be level with the pit floor. The pump shall be of sufficient capacity to prevent the accumulation of water in the pit. If the building is fire-sprinklered, the pump shall be sized of at least the capacity of one energized sprinkler head.

Section 906.7 Frost or Snow Closure. Replace the first' sentence with the following.

Vent terminals shall be a minimum of 3 inches in diameter, but in no event smaller than the required vent pipe.

1001.2 (Central Trap Location for multiple fixtures) Revise this section as follows:

One (1) trap shall be permitted to serve a set of not more than three (3) single compartment sinks or laundry tubs of the same depth or three (3) lavatories immediately adjacent to each other and in the same room if the waste outlets are not more than thirty inches apart.

1002.2 (Trap sizes and Trap Arm lengths) Add the following exception to this section:

Exception: The developed length of a trap arm from a two-inch outlet private floor drain in a garage bay serving a single dwelling unit shall be permitted to exceed the distances given in Table 10-1 if the floor drain trap and trap arm are increased to three-inch nominal size. When installed according to this exception the trap arm is required without any offsets or changes in direction and the vent shall be connected below, and extend vertically into or adjacent to the first garage wall under which the trap arm passes.

Section 1101.5.1 Subsoil Drains. Delete 1101.5.1

Section 1101 .11.1 Primary Roof Drainage. Delete the last sentence of this section and replace with the following:

Unless otherwise required by the Authority Having Jurisdiction, roof drains, gutters, vertical conductors or leaders, and horizontal storm drains for primary drainage shall be sized based on a maximum rainfall of one (1) inch per hour per square foot of roof area.

Section 1101.11 .2.2.2 Combined System. Delete the second sentence in this subsection and replace with the following:

PASSED
YES:
NO:
Abstained

When the combined secondary and primary roof drain system connects to a building storm drain that connects to an underground storm sewer, a relief drain shall be installed to ensure positive common roof drain flow. The connection of this relief drain to the common drain shall not divert or obstruct the primary drain.

Section 1109.2 Methods of Testing Storm Drainage Systems. Delete the first sentence of this section and substitute the following:

The piping of storm drain systems shall be tested upon completion of the rough piping installation by water or air and proved tight.

Chapter 12 Fuel Piping. Delete this chapter in its entirety and refer to the 2006 *International Fuel Gas Code* as amended.

Chapter 15 Firestop Protection. Delete this Chapter in its entirety and refer to the *International Building Code* as amended.

Appendix K Private Sewage Disposal System. Delete this section in its entirety and replace with the following:

Private Sewage Disposal Systems shall be designed and installed in accordance with the current standards as published by the State of Alaska Department of Environmental Conservation (DEC) Written verification from DEC or a State of Alaska-certified Septic System Installer of the DEC's approved installation shall be submitted to the Building Department. A Certificate of Occupancy shall not be issued until this written verification is submitted to the Building Department.

Appendix L.

Section L 1.3 (required descriptive details) Add the following to this section:

For the plumbing systems in Appendix L, other than those of L2.0, L3.0, & L7.0, the design by a registered professional engineer is required where the work is not exempted by AS 08.48.331. A riser diagram or isometric indicating the provisions of Appendix L intended to be installed shall be submitted for review and approval by the Building Department prior to the work being commenced. The riser diagram or isometric is in addition to the other details or data that may be required by the Building Official.

Section L3.2 Single-wall heat exchangers. Delete part (3) of this subsection and substitute the following:

(3) The equipment is permanently labeled according to Section 506.4.2 (3) (b) as amended.

Section L 8.1 Circuit Venting. Delete the 1st sentence of this subsection.

PASSED
YES:
NO:
Abstained

Sponsored by: Mayor Douglas Isaacson
Introduced and Advanced: March 5, 2012
Passed: March 19, 2012

Section L9.1 Single-Stack Vent System. Delete the 1st sentence of this subsection.

Section 2. That the effective date of this Ordinance shall be the 19th day of March, 2012.

PASSED
YES:
NO:
Abstained

CITY OF NORTH POLE

ORDINANCE 12-12

**AN ORDINANCE OF THE CITY OF NORTH POLE AMENDING TITLE 15,
BUILDING AND CONSTRUCTION, CHAPTER 15.50, FIRE CODE;
INTERNATIONAL FIRE CODE, 2009 EDITION**

WHEREAS, changes to the North Pole Municipal Code is a continually changing requirement;
and

WHEREAS, the City of North Pole Municipal Code should be amended to conform to the
requirements of the City and to clarify questionable areas.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of North Pole:

Section 1. This ordinance is of a general and permanent nature and shall be codified.

Section 2. Amend Title 15 Building and Construction, Chapter 15.50, Fire Code; International
Fire Code, 2009 Edition as follows:

- *See Attached*

Section 3. Effective Date. This ordinance shall be effective at 5:00 pm on the first City
business day following its adoption.

PASSED AND APPROVED by a duly constituted quorum of the North Pole City Council this
5th day of March, 2012.

Douglas W. Isaacson, Mayor

ATTEST:

Kathryn M Weber, MMC
North Pole City Clerk

PASSED
YES:
NO:
Abstained

Chapter 15.50 Fire Code

15.50.010 Adoption.

The ~~bound volumes containing~~ the code known as the *International Fire Code*, 2000 ~~2009~~ edition, as published by the International Conference of Building Officials, together with the local amendments as set forth in Chapter 15.50.040, shall constitute the laws of the city relating to conditions hazardous to life and property from fire or explosion. ~~Copies~~ An electronic copy of the *International Fire Code* ~~may be examined~~ is retained at the city offices.

15.50.020 Modifications.

The chief of the fire department shall have the power to modify any of the provisions of the *International Fire Code* adopted by this chapter upon application in writing by the owner or lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided, that the spirit of the code is observed, public safety secured, and substantial justice done. The particulars of the modification, when granted or allowed, and the decision of the chief of the fire department thereon shall be entered upon the records of the department, and a signed copy shall be furnished the applicant.

15.50.030 Appeals.

Whenever the building official after consultation with the chief of the fire department disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decisions of the ~~chief of the fire department~~ building official to the mayor/city manager within thirty days from the date of the decision. The appointment of the appeals board will be on a case by case basis with the members of said board comprised of local design professionals, contractors, inspectors or other members of the public deemed knowledgeable of the subject matter by the mayor / city manager.

15.50.040 Local amendments to the International Fire Code, 2000 ~~2009~~ edition.

The amendments to the ~~2000~~ 2009 edition of the *International Fire Code* are listed hereafter by section.

Delete section 15.50.040 in its entirety and replace with the following:

Section 105 Permits.

Section 105.6 Operational Permits is amended by deleting all required operational permits except:
105.6.15 Explosives and Fire Works

105.6.44 Temporary membrane Structures, Tents, and Canopies

A permit is required to operate an air-supported temporary membrane structure or tent having an area in excess of 200 square feet { 19 m² }, or a canopy in excess of 400 square feet { 37 m² }.

Exceptions:

PASSED
YES:
NO:
Abstained

1. Tents used exclusively for recreational camping purposes.
2. Fabric canopies and awnings open on all sides which comply with all the following:
 - 2.1 Individual canopies shall have a maximum size of 700 square feet {65 m²}.
 - 2.2 The aggregate area of multiple canopies placed side by side without a fire break clearance of 12 feet {3658 mm} shall not exceed 700 square feet {65 m²} total.
 - 2.3 A minimum clearance of 12 feet {3658 mm} to structures and other tents shall be provided.

Section 105 Permits is amended by adding the following new sections:

Section 105.7 Construction Permits is amended by deleting all the required construction permits except:

- 105.7.1 Automatic fire extinguishing systems
- 105.7.4 Fire alarm and detection systems & related equipment
- 105.7.5 Fire pumps & related equipment
- 105.7.12 Standpipe systems
- 105.7.13 Temporary membrane structures, tents, and canopies

105.7.1.1 A person and/or company designing, installing, testing, or maintaining automatic fire extinguishing systems are required to be NICET certified and provide a current permit issued by the State Fire Marshal's Office.

105.7.3.1 A person and/or company designing, installing, testing, or maintaining fire alarm and detection systems and related equipment are required to be NICET certified and provide a current permit issued by the State Fire Marshal's Office.

Section 106 Inspection. Add subsection 106.5 as follows:

106.5 All buildings and structures subject to the authority of this code are subject to inspection pursuant to a duly adopted inspection program. All inspections provided will subject the owner and/or operator to payment of fees as set forth in City of North Pole *Administrative Code* Section 15.04.

Section 201.3 Terms Defined in Other Codes.

Where terms are not defined in this code and are defined in the *International Building Code*, *International Fuel Gas Code*, *International Mechanical Code* or *Uniform Plumbing Code*, as adopted by the and amended by the City of North Pole, such terms shall have the meanings ascribed to them as in those codes.

Where reference to any electrical code is made in this code, it shall be taken to mean the *National Electrical Code* as adopted and amended by the City of North Pole.

Section 202-C Definitions and Abbreviations. Amend the definitions as follow:

PASSED
YES:
NO:
Abstained

Educational Group E, Day Care revise to read: "The use of a building or structure, or portion of the building or structure, for education, supervision, or personal care services for more than five children who are older than two and one-half years of age, including children related to the staff, shall be classified as a Group E occupancy.";

Educational Group E Day Care

Create a new definition for Family Child Care Homes to read as follows:

A family child care home is a licensed facility that is located within a single-family home in which personal care services are provided by the owner or tenant that normally occupies the residence on a twenty four basis.

Add the following exception to this section: "Exception: Family Child Care Homes operated in a primary residence (R-3) and operating between the hours of 6:00 a.m. and 10:00 p.m. may accommodate a total of twelve children, provided that no more than 5 children are under the age of 2 years, without conforming to the requirements of a Group E occupancy except for:

- (1) smoke alarms as described in Subsection 907.2.10;
- (2) general means of egress requirements of Section 1003, including emergency escape and rescue openings, as required by Section 1029, in napping or sleeping rooms;
- (3) accessibility requirements as outlined in Chapter 11;
- (4) portable fire extinguisher requirements as described in Section 906 and
- (5) CO detection as required in IFC Section 908.7.

A Day Care occupancy which operates between the hours of 10:00 p.m. and 6:00 am shall be equipped with an approved automatic sprinkler system throughout, designed and installed in accordance with IFC Section 903.3 and NFPA Standard 13D or an approved equivalent system as approved by the Fire Chief; emergency escape and rescue openings, as required by Section 1026, in napping or sleeping rooms; portable fire extinguisher requirements as described in Section 906, smoke detection as required in Subsection 907.2.10 and CO detection as required in IFC Section 908.7;

Institutional Group 1-1. Revised this section by deleting the last sentence of the paragraph and replacing with the following:

A facility such as above, housing more then 2 and not more than 16 persons, shall be classified as Group R-4.

Institutional Group 1-2 is revised to read: "A facility such as one described above with five or fewer persons including persons related to the staff shall be classified as Group R-3."

Institutional Group 1-2 is revised to read: "A child care facility that provides care on a 24-hour basis to more than five children who are 2 years of age or less, including children related to the staff, shall be classified as Group 1-2."

PASSED
YES:
NO:
Abstained

Sponsored by: Mayor Douglas Isaacson

Introduced and Advanced: March 5, 2012

Passed: March 19, 2012

Institutional Group 1-4, day care facilities is revised to read: "A facility within this occupancy classification with five or fewer persons, including persons related to the staff, shall be classified as a Group R-3.";

Nursing Homes. Delete the definition and revise as follows:

Nursing homes are long-term care facilities on a 24 hour basis, including both Intermediate care facilities and skilled nursing facilities, serving more than two persons and any of the persons are incapable of self-preservation.

Residential Group R, R-4. Delete this paragraph in its entirety and replace as follows:

Residential occupancies shall include buildings arranged for occupancy as Residential Care/Assisted Living Facilities including more than 2 and no more than 16 persons, excluding staff shall be classified as Group R-4. Occupants of a residential care/assisted living facility are capable of responding to an emergency situation without physical assistance from the staff. Occupancies which include individuals who are not capable of responding to an emergency situation or incapable of self preservation shall be classified as an I occupancy. R-4 occupancies shall be sprinklered throughout as required by section 903.3.1.3.

Townhouse. Delete the definition and replace as follows:

Townhouse. A single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides. Each townhouse shall be considered a separate building as recognized by a recorded lot line between such units. Each townhouse unit shall be provided with separate water, sewer, heating and electrical services.

Section 308.3 Delete this section and add the following:

Open flame. A person shall not utilize or allow to be utilized an open flame in connection with a public meeting or gathering for the purposes of deliberation, worship, entertainment, amusement, instruction, education, recreation, awaiting transportation, or similar purposes in assembly or educational occupancies without consultation and coordination with the fire chief. Written authorization is required if approved.

Section 308.3.1 is revised by deleting this section and adding the following:

Charcoal burners and other open-flame cooking & heating devices shall not be operated on combustible balconies or decks, or within 10 feet (3048 mm) of combustible construction.

Section 405 is revised by the addition of a subsection:

405.10 False alarms: False alarms may not be counted as a fire drill for the purposes of Section

PASSED

YES:

NO:

Abstained

405. EMERGENCY EVACUATION DRILLS.

Section 408.3 is revised by the addition of a subsection as follow:

408.3.5 False alarms. False alarms may not be counted as a fire drill for the purposes of this section.

Section 507.5.4 (Obstructions) is revised by deleting this paragraph and adding the following: Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections (FDC) or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants. No vehicle shall be parked within 15 feet of the front and ten feet of the side of a fire hydrant, fire department connection or fire protection control valve on private or public property.

Section 901.3 Permits is revised by deleting this section and adding the following:

Permits shall be required as set forth in Section 105.7. "Certification" Any company installing and or performing maintenance on sprinkler systems shall have at least one individual on site who holds a permit issued by the State Fire Marshal's Office.

Section 901 General is revised by adding a new subsection to read as follows:

901.10 Damage protection. When exposed to probable vehicular damage due to proximity to alleys, driveways or parking areas; standpipes, post indicator valves and sprinkler system or standpipe system connections, shall be protected in an approved manner as outlined by IFC (International Fire Code) or GHU (Golden Heart Utilities) standards.

Section 901.6.2 is revised by deleting this section and adding the following:

Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years and shall be copied to the fire code official within 30 days.

901.6.2.1 "Records" is revised by deleting this section and adding the following:

Initial records shall include the name of the installation contractor, type of components installed, and manufacturer of the components, location and number of components installed per floor. Records shall also include the manufacturers' operation and maintenance instruction manuals. Such records shall be maintained on the premises. A copy of all inspection and service reports shall be sent to the City of North Pole Fire Department.

Section 903.2.3 Group E. Delete this section in its entirety and replace as follows:

An automatic sprinkler system shall be provided throughout all Group E occupancies. An

PASSED
YES:
NO:
Abstained

automatic sprinkler system shall also be provided for every portion of educational buildings below the level of exit discharge. Day care uses that are licensed to care for more than 5 persons between the hours of 10 p.m. and 6 a.m. shall be equipped with an automatic sprinkler system designed and installed in accordance with Section 903.3.1.3, or an approved equivalent system.

Exceptions 1. Buildings with E occupancies having an occupant load of 49 or less. 2. Day care uses not otherwise required to have automatic sprinkler systems by other provision of the code.

903.2.12 Other hazards is revised by adding the following subsection:

903.2.11.7 Pit sprinklers. Sprinklers shall be installed in the bottom of all new and existing elevator pits below the lowest projection of the elevator car but no higher than 24" from the bottom of the pit.

Section 903.3.1.1 is revised by adding a new subsection:

903.3.1.1.2 Elevator Hoist ways and Machine Rooms. When the provisions of this code require the installation of automatic sprinkler systems, the installation in elevator hoist ways and machine rooms must occur as described in N.F.P.A 13, (Elevator Hoist ways and Machine Rooms) and adopted by reference, and the American Society for Mechanical Engineers (A.S.M.E.) A17.1 *Safety Code for Elevators and Escalators* (as adopted by the State of Alaska Department of Labor Standards and Safety) and adopted by reference. Exception: Sprinklers are not required in an elevator machine room where the machine room is:

- (1) separated from the remainder of the building as described in *I.B.C.* Section 3006.4;
- (2) smoke detection is provided in accordance with N.F.P.A 72 and adopted by reference; and,
- (3) notification of alarm activation is received at an approved central station alarm.

Section 903.4.2 Alarms. Amend this section by adding the following sentence to the paragraph:

Buildings equipped with a sprinkler system without an alarm system shall have at least one notification device (horn/strobe) located inside the building in a commonly occupied area(s) to alert occupants of a sprinkler activation.

Section 907.2.3 Group E is revised by adding a second paragraph to read:

Rooms used for sleeping or napping purposes within a day care use of Group E occupancy must be provided with smoke alarms that comply with Section 907.2.11.2 and CO (carbon monoxide) detection as required Section 908.7.

Section 907.17 Acceptance Test is revised by adding a new sentence to read:

907.8 Acceptance tests. Upon completion of the installation of the fire alarm system, alarm notification appliances and circuits, alarm-initiating devices and circuits, supervisory-signal initiating devices and circuits, signaling line circuits, and primary and secondary power supplies

PASSED

YES:

NO:

Abstained

shall be tested in accordance with NFPA 72. A copy of the acceptance test certificate must be forwarded to the fire department by the firm conducting the test within 30 days of the completion of the installation.

Section 907.9.5 Maintenance, Inspection and Testing is revised by changing the last sentence to read:

The building owner shall be responsible for ensuring that the fire and life safety systems are maintained in an operable condition at all times. Service personnel shall meet the qualification requirements of NFPA 72 for maintaining, inspecting and testing such systems. A written record shall be maintained and shall be delivered within 30 days to the fire code official.

Section 908 Emergency Alarm Systems is revised by the addition of a new section

908.7 and sub sections 908.7.1, 908.7.2

908.7 Carbon monoxide detectors. The provisions of this section shall apply to Group 1-1, R-2, R-3 and R-4 occupancies. At least one (1) carbon monoxide detector shall be installed on each floor level. If a floor level contains bedrooms or sleeping rooms, at least one (1) detector shall be located in the immediate vicinity of the sleeping area, outside of the bedrooms/sleeping rooms. Carbon monoxide detectors shall be listed and installed in accordance with their listing. The alarm shall be clearly audible in all sleeping rooms with intervening doors closed.

Exceptions:

1. Carbon monoxide detectors are not required in dwelling units and structures with no combustion (carbon base fuel) type appliances and with no attached garage or parking of vehicles in close proximity.
2. Carbon monoxide detectors are not required in Group 1-1 and R-2 occupancies where all combustion (carbon base fuel) equipment is located within a mechanical room separated from the rest of the building by construction capable of resisting the passage of smoke; and/or the structure has an attached garage and is ventilated by an approved automatic carbon monoxide exhaust system designed in accordance with the mechanical code.

908.7.1 Interconnection. In new construction, all carbon monoxide detectors located within a single dwelling unit shall be interconnected in such a manner that actuation of one alarm shall activate all of the alarms within the individual dwelling units.

908.7.2 Power source. In new construction, carbon monoxide detectors shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Wiring shall be permanent and without disconnecting switch other than those required for over current protection. Carbon monoxide detectors shall be permitted to be cord-and-plug type with battery backup, or battery powered in existing construction.

Section 1003.1 General Means of Egress Applicability is revised by adding an exception to read as follows:

Exception: Stairs or ladders used only to attend equipment are not considered elements

PASSED

YES:

NO:

Abstained

of the means of egress system.

Section 1003.6 (Means of Egress) is revised by the addition of the sentence:

No kiosks, merchandise or similar obstruction shall be placed in such a way to restrict the minimum clear width required by the *International Building Code*.

Section 1008.1.9.3 Locks or Latches. Add Exception 6 as follows:

6. In Groups 8, F, M and S occupancies, a single thumb turn may be used in exit doors, where the occupant load is 100 or less, in conjunction with an approved lock set when the thumb turn requires no more than one-half turn to unlock. Hardware height shall comply with Section 1008.1 .8.2. This exception does not apply when panic hardware is required or installed.

Section 1008.1.9.3.1 Manual security bar for limited use. Create a new subsection and title to read as follows:

Manual security bar for limited use. Assembly occupancies such as restaurants, taverns and lounges and B,F ,M,S occupancies with an occupant load of less than 100 may utilize a manual security bar for the second required exit when the building is not occupied by the public. The security bar shall be pre-approved by the fire marshal before installation. The bar must be easily removed and shall not be provided with padlocks, chains or other locking devices requiring special tools or knowledge. The bar shall be identified by a contrasting color. The exit door shall be provided with a sign stating, "This door to remain unlocked during business hours." The use of this provision may be revoked by the fire marshal for non compliance.

Assembly occupancies with an occupant load of 300 or less which are provided with an approved sprinkler system thorough out may install a security bar on the second required exit as specified above. The conditions and approval of the security bar installation shall be kept on file with the fire marshal. The use of this provision may be revoked by the fire marshal for noncompliance.

Section 1008.1.9.7 Delayed egress locks is revised by changing item number 3 to read as follows:

3. The door locks shall have the capability of being unlocked by a signal from a location approved by the code official.

Section 1009.4.2 Stair treads and risers. Amend section by adding an exception #8 to read as follows:

Stairs or ladders used only to attend equipment are exempt from the requirements of Section 1009.

PASSED
YES:
NO:
Abstained

Section 1021.5 Exits from Basements. Create a new subsection and title to read as follows:
Basements in all occupancies except Group R-3 shall be provided with a minimum of at least two independent exits.

Exceptions:

1. Basements used exclusively for the service of the building.
2. Basements used exclusively for storage purposes and limited to 750 square feet.
3. Basements used for private offices, maintenance rooms or laundry rooms and similar uses limited to an aggregate floor area of 500 square feet, provided a hard wired smoke detector is installed in the basement and interconnected to a smoke detector located on the level of discharge as approved by the State Fire Marshal.
4. Basements used for private offices, maintenance rooms or laundry rooms and similar uses which are provided with a direct exterior exit to grade shall be limited to an aggregate floor area of 750 square feet, provided a hard wired smoke detector is installed in the basement and interconnected to a smoke detector on the level of exit discharge as approved by the State Fire Marshal.
5. Buildings which are sprinklered throughout and contain a basement may have one exit provided:

5.1 Basements are used exclusively for storage purposes and limited to 1500 square feet.

5.2 Basements are used for private offices, maintenance rooms, or laundry rooms and similar uses limited to an aggregate floor area of 1000 square feet.

5.3 Basements are used for private offices, maintenance rooms or laundry rooms and similar uses and are provided with a direct exterior exit to grade shall be limited to an aggregate floor area of 1500 square feet.

Section 1029.1 General. Revise this section by deleting exceptions 1 thru 4.

Section 1029.2 Minimum size. Delete the exception.

Section 1030 Maintenance of the means of egress is revised by adding the following section:

Section 1030.9 Protection from falling snow and ice. Where the accumulation of snow and/or ice on a structure creates a hazardous condition, the areas below the accumulation shall be protected from falling snow and/or ice. These areas shall include (but not be limited to) building entrances and exits, pedestrian, driveways, public right-of-way and utility locations for gas meters, fire department connections, "and electrical meters, services and disconnects.

Chapter 45 (NFPA References) is revised by changing the referenced standards from the publication date listed to the following edition, and the standards are adopted by reference:

10-2010 Portable Fire Extinguishers;

13-2010 Installation of Sprinkler Systems;

130-2010 Installation of Sprinkler Systems in One-and Two-Family Dwellings and Manufactured Homes;

PASSED

YES:

NO:

Abstained

13R-2010 Installation of Sprinkler Systems in Residential Occupancies Up to and Including Four Stories in Height;

14-2010 Standpipe and Hose System;

20-2010 Installation of Stationary Pumps for Fire Protection;

N.F.P.A 24-2010 Private Fire Service Mains NFPA 25-2011 Inspection, Testing, and Maintenance of Water Base Fire Protection Systems

N.F.P.A.72-2010 *National Fire Alarm Code*;

1.1 Appendix B Fire Flow Requirements for Buildings

Section B103-Modifications. Add new subsections 8103.4 and 8103.5 as follows:

B103.4 For buildings requiring a fire flow of 1,500 gallons per minute or less, located in areas not served by water mains, the Fire Chief may waive or reduce the fire flow requirements and/or may require a fire alarm system, if the cost of installing water mains or reservoirs exceeds 5% of the total cost of the structure(s) and improvement(s) as determined by the architect's or engineer's estimate.

B103.5 Table 8105.1 is modified as follows for buildings located in areas not served by water mains.

- a. Floor areas for buildings may be increased by 100% of the basic floor area without an increase in fire flow, provided that an automatic, central station, or remote station supervised smoke or heat detection system is installed throughout the structure in accordance with NFPA 72. For the purposes of this subsection, such an installation may allow type V-B construction to be increased to 10,000 square feet in area.
- b. Separate fire areas within a building may be created by the construction of concrete or concrete block walls having minimum fire duration of two (2) hours, with no openings permitted, and extending to the outer edges of horizontal projecting elements. Full height parapets are required above the roof line.
- c. Sprinkler systems installed to reduce fire flow requirements (by 75% in accordance with the exception to section B105.2) and not otherwise required by the International Building or Fire Codes, 2009 editions, may be supplied from either pressure tanks or tanks with a listed fire pump, sized in accordance with the following criteria:

Classification	Design area (X 1500 sq. ft.)	Tank with fire pump Pressure tank	
Light Hazard	0.10 gal/sq. ft.	2,000 gals.	3,000 gals.
Ord. Hazard 1	0.15 gal/sq ft.	2,500 gals.	3,750 gals.
Ord. Hazard 2	0.20 gal/sq ft.	3,000 gals.	4,500 gals.
Extra Hazard 1 & 2	NOT PERMITTED		

- d. Sprinkler systems specifically required by the 2009 editions of the *International Building Code* or *Fire Code* shall be installed in accordance with Chapter 9 of the *International Fire Code* 2009 edition. An approved water supply capable of providing ten minutes of the sprinkler system design discharge, not including hose stream allowances, shall be

PASSED

YES:

NO:

Abstained

Sponsored by: Mayor Douglas Isaacson

Introduced and Advanced: March 5, 2012

Passed: March 19, 2012

provided. The system must be monitored by an approved central or remote station alarm system. At such time that a water utility main is laid in front of, alongside of, or adjacent to the improved property, the owner of the property must connect the sprinkler system to the water utility main in an approved manner within one year and thirty days from the date such water service is declared available.

- e. A tract of land or subdivision which has been surveyed and divided into residential lots for purpose of sale shall meet fire flow requirements as determined by Section 8105.1 of this Appendix.
- f. A tract of land, which, by means of incremental development, becomes similar to a tract of land or subdivision, which has been surveyed and divided into residential lots for purpose of sale, shall meet fire flow requirements as determined by Section B 105.1 of this Appendix .
- g. Once an approved water main system is installed, subsequent additions to existing buildings, and all new construction, shall meet the required fire flow.
- h. Multiple structures on a single lot shall be individually evaluated for fire flow requirements.

PASSED

YES:

NO:

Abstained

CITY OF NORTH POLE

ORDINANCE 12-13

**AN ORDINANCE OF THE CITY OF NORTH POLE AMENDING TITLE 15,
BUILDING AND CONSTRUCTION, AND ADDING CHAPTER 15.82,
FUEL GAS CODE; INTERNATIONAL FUEL GAS CODE, 2009 EDITION**

WHEREAS, changes to the North Pole Municipal Code is a continually changing requirement;
and

WHEREAS, the City of North Pole Municipal Code should be amended to conform to the
requirements of the City and to clarify questionable areas.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of North Pole:

Section 1. This ordinance is of a general and permanent nature and shall be codified.

Section 2. Amend Title 15 Building and Construction, and adding Chapter 15.82, Fuel Gas
Code; International Fuel Gas Code, 2009 Edition as follows:

- *See Attached*

Section 3. Effective Date. This ordinance shall be effective at 5:00 pm on the first City
business day following its adoption.

PASSED AND APPROVED by a duly constituted quorum of the North Pole City Council this
5th day of March, 2012.

Douglas W. Isaacson, Mayor

ATTEST:

Kathryn M Weber, MMC
North Pole City Clerk

PASSED
YES:
NO:
Abstained

Chapter 15.82 Fuel Gas Code

Sections:

15.82.010 Adoption.

15.82.020 Modifications.

15.82.030 Appeals.

15.82.040 Local amendments to the *International Fuel Gas Code*, 2009 edition.

15.82.010 Adoption.

The code known as the *International Fuel Gas Code*, 2009 edition, as published by the International Conference of Building Officials, together with the local amendments as set forth in Chapter 15.82.040, shall constitute the laws of the city relating to building regulations. Where the *International Fuel Gas Code* conflicts with this code, this code shall prevail. An electronic copy of the *International Fuel Gas Code* is retained at the city offices.

15.82.020 Modifications.

The building official shall have the power to modify any of the provisions of the *International Fuel Gas Code* adopted by this chapter upon application in writing by the owner or lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided, that the spirit of the code is observed, public safety secured, and substantial justice done. The particulars of the modification, when granted or allowed, and the decision of the building official thereon shall be entered upon the records of the department, and a signed copy shall be furnished the applicant.

15.82.030 Appeals.

Whenever the building official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decisions of the building official to the mayor/city manager within thirty days from the date of the decision. The appointment of the appeals board will be on a case by case basis with the members of said board comprised of local design professionals, contractors, inspectors or other members of the public deemed knowledgeable of the subject matter by the mayor / city manager.

15.82.040 Local amendments to the International Fuel Gas Code, 2009 edition.

The amendments to the 2011 edition of the *International Fuel Gas Code* are listed hereafter by section.

Section 101.3 Appendices. Add the following to this section.

Appendices A, B, C & D are hereby adopted.

Except for Sections 101, 102, and the following amendments, delete Chapter 1 in its entirety and refer to the City of North Pole *Administrative Code*.

PASSED
YES:
NO:
Abstained

Section 101.2 Scope. Add the following sentence after the first sentence.

The storage system for liquefied petroleum gas including tanks, containers, container valves, regulating equipment, meters, and/or appurtenances for the storage and supply of liquefied petroleum gas for any building, structure, or premises shall be designed and installed in accordance with the International Fire Code and NFPA 58.

Section 101.2 Scope. Exception Delete this exception in its entirety.

Section 101.2.4 Systems, appliances and equipment outside the scope. Delete Number 13, Temporary LP-gas piping.

Section 101.5 Severability. Add a sentence as follows:

The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

Section 102.8 Referenced codes and standards. Add two subsections at the end of this section as follows:

102.8.1 Plumbing. Where reference to any Plumbing Code is made in this Code it shall be taken to mean the *Uniform Plumbing Code* as adopted and amended by the City of North Pole.

102.8.2 Electrical. Where reference to any Electrical Code is made in this Code it shall be taken to mean the *National Electrical Code* as adopted and amended by the City of North Pole.

102.8.3 Administrative. The provisions of the City of North Pole *Administrative Code* shall apply to the administration and enforcement of this code. Where provisions of the *Administrative Code* and this code conflict, the most restrictive shall apply.

102.8.4 Energy. Where reference is made in this Code to the *International Energy Conservation Code* it shall be taken to mean the IECC as currently adopted by the City of North Pole.

Section 201.3 Terms defined in other codes. Delete this section and replace as follows:

Where terms are not defined in this code and are defined in the *International Building Code*, *National Electrical Code*, *International Fire Code*, *International Fuel Gas Code* and the *Uniform Plumbing Code*, such terms shall have meanings ascribed to them as in those codes.

Section 201.4 Terms not defined. Amend this section by adding the following sentence.

Webster's Third New International Dictionary of the English Language, Unabridged shall be considered as providing ordinarily accepted meanings.

Section 301.2 Energy utilization. Delete this section in its entirety.

PASSED
YES:
NO:
Abstained

Section 301.16 Penetration Weatherproofing. Add this section and the following after section 301.15.

Joints at roofs and exterior walls around pipes, ducts, appurtenances or equipment shall be made watertight by the use of approved materials.

Section 301.17 Meter Protection. Add this section and the following.

It shall be the responsibility of the Gas piping system permit-holder to provide physical damage protection and adverse weather protection as approved by the Building Department for the meter-set and piping connection to it.

Section 301.18 Carbon Monoxide Alarm. Add this section numbering, title, and the following after section 301.17.

Where a fuel-fired appliance is installed or replaced in an existing dwelling an approved carbon monoxide alarm shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms. A single station, battery-operated carbon monoxide alarm shall be listed as complying with UL 2034 and shall be installed according to the manufacturer's installation instructions.

Section 303.4 Protection from damage. Add the following at the end of Section 303.4.

Fuel-fired equipment and appliances located within the direct perpendicular path of a garage door opening of eight feet or less in height shall comply with Section 303.4.1

Section 303.4.1. Fuel-fired appliance protection. Fuel-fired appliances and equipment located in the direct path for vehicles as described in 303.4 shall be protected from impact with one of the following methods.

1. A minimum schedule 40 nominal 3" diameter steel pipe 30" high, with a vertical face at least 6" in the direction of vehicle approach and:
 - 1.1. Buried a minimum 2'0" deep in compacted soil and imbedded in at least 4" nominal concrete slab.
 - 1.2. Set in a minimum 1'0" × 1'0" × 1'0" block of concrete (slab included).
2. A platform on which the equipment sits, at least 24" high, extended at least 6" greater than the equipment footprint (including attachments such as burners and controls) in the direction of vehicle approach and in contact with the structure opposite the direction of vehicle approach.
3. An approved system of equivalent resistance to vehicle impact extending at least 6" ahead of the equipment's footprint in the direction of vehicle approach, including attachments such as burners and controls.

PASSED
YES:
NO:
Abstained

303.7 Pit locations. Add the following sentence at the end of this Section.

Liquefied petroleum gas piping shall not serve appliances located in a pit or basement where heavier-than-air gas might collect to form a flammable mixture.

Section 304.6 Outdoor combustion air. Delete this section in its entirety and replace as follows:

Combustion air for gas-fired appliances shall be provided on a basis of 1 square inch per 4000 Btu per hour of the total input rating of all equipment. In lieu of this requirement, combustion air may be provided in accordance with Table 304.6, but shall not be less than the sum of the areas of all vent connectors in the space. Combustion air may be provided from one opening directly communicating with the outdoors or through a vertical or horizontal duct from the outdoors or spaces that freely communicate with the outdoors. The opening into the enclosure containing the appliances shall be located no lower in elevation than 2/3 the distance from the top of the finished floor to the bottom of the finished ceiling in the enclosure.

Table 304.6
Combustion Air-Category I Gas Appliances Only*

Appliance Size Btuh Input Rating	C/A Duct Minimum Free Area (square inches)	Minimum Round Duct Size (inches)
Up to 120,000	28	6
120,000 to 155,000	38	7
155,000 to 175,000	50	8

*Note: Category II, III and IV gas appliances may use Table 7-1 as amended for oil-fired appliances per Chapter 7 of the 2009 *International Mechanical Code*.

Section 304.10 Louvers and grilles. Amend the fourth sentence as follows:

Screens shall have a mesh size not smaller than ½".

Section 304.11 Combustion Air Ducts. Delete #4, #5, and #6 and refer to section 304.6 as amended.

Section 304.11 Combustion air ducts. Delete #8 and replace with the following:

8. Combustion air intake openings located on the exterior of a building shall have the lowest side of such openings located not less than 18 inches vertically from the adjoining finished ground level or an approved alternative means provided to prevent snow blockage.

Section 305.1.1 Fuel-fired equipment startup report. Add this subsection and the following:

A startup report is required for all fan-assisted or power-burner fuel-fired equipment indicating the following conditions and others which the manufacturer recommends in their installation

PASSED
YES:
NO:
Abstained

instructions. A non-returnable copy must be provided to the inspector for insertion in the Building Department project files.

- Company, Name, address, & Phone Number of Startup Technician
- Manufacturer and Model No. of Equipment
- Date and Time of Startup and Noted Readings
- Net Stack Temperature
- Overfire Draft
- Breech Draft
- Stack Draft
- CO
- CO2 or O2
- Actual Rate of fuel input

Section 305.13 Area served. Add this section and the following:

Appliances serving different areas of a building other than where they are installed shall be permanently marked in an approved manner that uniquely identifies the appliance and the area it serves.

Section 310 Electrical Bonding. Add subsection 310.2 and the following at the end of this section.

310.2 Prohibited connection. The required gas piping system bonding connection to the electrical service grounding system shall not be made to any part of the gas service meter set equipment owned and operated by the Gas Utility Company. Bonding shall be on the customer side of the meter and regulator set. A direct bonding connection to Corrugated Stainless Steel Tubing is prohibited and bonding connections to Corrugated Stainless Steel Tubing systems shall be completed according to the specific tubing manufacturer's instructions.

Section 401.9 Prohibited future piping. Add this section and the following:

Installation of piping for future use beyond a capped or plugged tee outlet is prohibited without the extension of the installation through the gas piping outlet(s) for specified equipment and appliances.

Section 403.10.4 Metallic fittings. Revise this section by deleting the words "cast iron" in #2 and deleting #5.

Section 406.4.1 Test pressure. Amend the first sentence of this section as follows:

Test pressure to be used shall be no less than 1½ times the proposed maximum working pressure, but not less than 10 psig.

Section 406.8. Add a new section as follows:

PASSED

YES:

NO:

Abstained

Section 406.8 Temporary Gas Installations. The installation of temporary gas shall comply with this section.

406.8.1 Temporary gas approval may be given to provide heating prior to the completion of the building's primary heating system.

406.8.2 The heating appliance must be listed and labeled for its use to provide space heating and installed according to the manufacturer's installation instructions, including all the manufacturer's required clearances to combustibles.

406.8.3 The return air for furnaces used for temporary heat shall [be] ducted from a minimum of 10 feet from the appliance.

406.8.4 Portable space heaters shall be provided with one hundred percent (100%) outside air to the back end of the heater and the regulator vented to outside the space being heated.

406.8.5 Gas hose used for temporary heaters shall be an approved type and all manufacturers' listed clearances shall be maintained. The hose shall have an internal wire mesh or braid to render it "kink proof". This wire mesh or braid shall run the full length of the hose. Each time a section of hose is used it shall be tested at a minimum of sixty (60) psi air pressure and labeled with temporary approval by the Building Department. The absence of the temporary approval label any time after gas service is supplied shall be cause to discontinue temporary gas service.

406.8.6 Corrugated Stainless Steel Tubing used for temporary gas service must be installed and approved as a permanent installation. Unsupported, unprotected CSST is specifically prohibited.

406.8.7 Temporary gas valve outlets not connected to an appliance or equipment shall be plugged or capped leaktight.

Section 410.3.2 Regulator Vent Openings. Add the following subsection.

Regulator vent openings shall not be located closer than 10 feet horizontally to any mechanical outdoor air intake opening or 3 feet horizontally from any gravity outdoor air intake opening, including opening doors and windows, unless such vent opening is at least 2 feet above the air intake opening. Regulator vent openings must be at least 12 inches above the anticipated snow level of 18 inches. Regulator vent openings shall not be located closer than 5 feet to any electrical equipment including service disconnects, electrical meters, receptacles, etc., unless such electrical equipment meets the requirements of Article 500 and 501 of the National Electrical Code.

Section 501.3 Masonry chimneys. Add the following sentence at the end of this section.

Exterior masonry chimneys shall not be used to vent gas appliances.

Section 501.6 Positive pressure. Amend this section by adding the following paragraph and subsection at its end.

PASSED

YES:

NO:

Abstained

Vents taller than 15' in height serving positive pressure equipment must be provided with provisions for an atmospheric balanced draft per 501.6.1.

501.6.1.1.1 Positive pressure greater than 15 feet in height. For positive pressure equipment with venting system greater than 15 feet in height, provide an atmospheric balanced draft vent, i.e. provide a barometric draft regulator. The height of the vent shall be measured from the base of the appliance to the outlet of the chimney. Vent must be sized to prevent positive pressure. Multiple heating appliances connected to a vent greater than 15 feet in height shall be provided with separate draft or atmospheric controls for each appliance.

Section 502.5 Installation. Add the following sentence at the end of this section.

Vertical Vent terminations above a roof must extend at least 18 inches above the roof. Vent terminations through a wall must be at least above an anticipated snow depth of 18 inches.

Section 502.8 Location and support of venting systems other than masonry chimneys. Add this section with the following.

Vent terminations that penetrate a metal roof with a slope greater than 2:12 shall be protected by an ice dam or deflector of a type and design approved by the Code Official.

Section 502.9 Vent height limitations. Add this section with the following:

Vents which do not exceed 15 feet in height need not be provided with an atmospheric draft or control device unless required by Section 501.6. The height of the vent shall be measured from the base of the appliance to the outlet of the chimney. The entire length of the vent shall be factory sealable. The vent must be sized to avoid negative pressure.

Section 502.10 Vent Enclosure. Add this section with the following:

Venting systems installed with greater than 5 feet of developed length outside the building's thermal envelope shall be enclosed with at least an R-11 enclosure from the penetration of the thermal envelope to a point no greater than 5 feet from the vent's outlet.

Section 503.3.6 Above-ceiling air-handling spaces. Add the following sentence to Item No. 1:

The vent material shall have a flame spread index of not more than 25 and a smoke-developed index of not more than 50 when tested in accordance with ASTM E84.

Section 614.2 Duct penetrations. Delete this section in its entirety and replace with the following.

Ducts that exhaust clothes dryers shall not penetrate required fire-resistive assemblies unless enclosed in a fire-resistive shaft complying with the building code.

PASSED
YES:
NO:
Abstained

CITY OF NORTH POLE

ORDINANCE 12-14

**AN ORDINANCE OF THE CITY OF NORTH POLE AMENDING TITLE 15,
BUILDING AND CONSTRUCTION, AND ADDING CHAPTER 15.90,
ENERGY CODE; INTERNATIONAL ENERGY CODE, 2009 EDITION**

WHEREAS, changes to the North Pole Municipal Code is a continually changing requirement;
and

WHEREAS, the City of North Pole Municipal Code should be amended to conform to the
requirements of the City and to clarify questionable areas.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of North Pole:

Section 1. This ordinance is of a general and permanent nature and shall be codified.

Section 2. Amend Title 15 Building and Construction, and adding Chapter 15.82, Energy Code;
International Energy Code, 2009 Edition as follows:

- *See Attached*

Section 3. Effective Date. This ordinance shall be effective at 5:00 pm on the first City
business day following its adoption.

PASSED AND APPROVED by a duly constituted quorum of the North Pole City Council this
5th day of March, 2012.

Douglas W. Isaacson, Mayor

ATTEST:

Kathryn M Weber, MMC
North Pole City Clerk

PASSED
YES:
NO:
Abstained

Chapter 15.90

Fire Code

Sections:

15.90.010 Adoption.

15.90.020 Modifications.

15.90.030 Appeals.

15.90.040 Local amendments to the *International Energy Conservation Code*, 2009 edition.

15.90.010 Adoption.

The code known as the *International Energy Conservation Code*, 2009 edition, as published by the International Conference of Building Officials, together with the local amendments as set forth in Chapter 15.90.040, shall constitute the laws of the city relating to building regulations. Where the *International Energy Conservation Code* conflicts with this code, this code shall prevail. An electronic copy of the *International Energy Conservation Code* is retained at the city offices.

15.90.020 Modifications.

The building official shall have the power to modify any of the provisions of the *International Energy Conservation Code* adopted by this chapter upon application in writing by the owner or lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided, that the spirit of the code is observed, public safety secured, and substantial justice done. The particulars of the modification, when granted or allowed, and the decision of the building official thereon shall be entered upon the records of the department, and a signed copy shall be furnished the applicant.

15.90.030 Appeals.

Whenever the building official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decisions of the building official to the mayor/city manager within thirty days from the date of the decision. The appointment of the appeals board will be on a case by case basis with the members of said board comprised of local design professionals, contractors, inspectors or other members of the public deemed knowledgeable of the subject matter by the mayor / city manager.

15.90.040 Local amendments to the International Energy Conservation Code, 2009 edition.

The amendments to the 2011 edition of the *International Energy Conservation Code* are listed hereafter by section.

Section 202 General definitions. Vapor Retarder. Create a new definition to read as follows:

Vapor retarder. A vapor resistant material, membrane or covering having a permeance rating of .06 perm and recognized as a class 1 vapor retarder in accordance with the International Residential Code.

Section 401.3 Certificate. Delete this section in its entirety.

PASSED

YES:

NO:

Abstained

Table 402.1.1 Insulation and Fenestration Minimum R-Values by Component. Delete the table in its entirety and replace with the following:

Table 402.1.1 Insulation and Fenestration Minimum R-Values by Component								
Climate Zone	Windows	Doors	Ceiling ¹	Exterior frame wall ⁴	Floor ⁵	Below grade wall ²	Slab & Depth ³	Craw-space wall ²
8	3.22	7	60 or 49	21	38	15/19	15, 4ft.	15/19

1. The smaller value may be used with a properly sized, energy-heel truss.
2. The first R-value applies to continuous insulation, the second to framing cavity insulation; either meets the requirement.
3. R-56 shall be added 10 the required slab edge R-values for heated slabs. Insulation shall not be plated below the footing portion unless bearing on entirely non-frost susceptible soils.
4. Includes rim joists
5. For exposed floor, floors above crawl spaces do not require insulation.

Section 402.1.2 R-value Computation

Delete the last sentence in its entirety

Section 402.1.3 Insulation and Glazing Maximum U-Factor by component. Delete the table in its entirety and replace with the following:

Table 402.1.3 Insulation and Glazing U-Factor by Component								
Climate Zone	Windows	Doors	Ceiling ¹	Exterior frame wall ⁴	Floor ⁵	Below grade wall ²	Slab & Depth ³	Craw-space wall ²
8	0.31	0.14	0.017 or 0.020	0.047	0.0026	0.067/0.053	0.067	0.066/0.052

1. The smaller value may be used with a properly sized, energy-heel truss.
2. The first R-value applies to continuous insulation, the second to framing cavity insulation; either meets the requirement.
3. R-56 shall be added 10 the required slab edge R-values for heated slabs. Insulation shall not be plated below the footing portion unless bearing on entirely non-frost susceptible soils.
4. Includes rim joists
5. For exposed floor, floors above crawl spaces do not require insulation.

Section 402.2.1 Ceilings with attic spaces. Amend this section by adding the following exception:

Exception: R-49 fiberglass blanket insulation may be compressed at the eave to provide a 1.5 inch air space when installed between wood trusses having a minimum heel height of 11.25 inches.

PASSED
YES:
NO:
Abstained

Section 402.2.4 Mass walls. Delete this section in its entirety.

Section 402.2.9 Crawl space walls. Delete this section in its entirety and rename and replace as follows:

Section 402.2.9 Crawl space walls and adjacent floor. Floors located above crawl spaces and not directly exposed to exterior ambient temperatures are not required to be insulated if such spaces contain, plumbing piping, hydronic piping or water and sewer services. Crawl spaces may be vented by natural or mechanical means as prescribed by the International Residential Code or International Building Code. Crawl spaces which are vented to the exterior and contain piping as described above shall be protected during freezing temperatures by an approved method or material. Crawl space wall insulation shall be permanently fastened to the wall and extend downward from the floor level to the top of the footing. Exposed earth in crawl space foundations shall be covered with a continuous vapor retarder. All joints of the vapor retarder shall overlap by 6 inches and be sealed or taped. The edges of the vapor retarder shall extend at least 6 inches up the stem wall and shall be attached or secured to the stem wall in an approved manner.

Section 402.3.7 Glazing limitation. Add a new section to read as follows:

Glazing shall be limited to 15% of the conditioned floor area unless substantiated by a design prepared by a licensed engineer or architect registered in the State of Alaska

Section 402.4.6 Moisture control (Mandatory) Create a new section and title to read as follows:

Moisture control (Mandatory). The building design shall not create conditions of accelerated deterioration from moisture condensation. Walls, floors, ceilings, crawl space walls, crawl space floors and concrete slabs shall incorporate an approved, continuous, vapor retarder. The vapor retarder shall be installed on the warm side of the insulation. All seams shall be lapped a minimum of one stud or joist bay or sealed with an approved tape or sealant. All voids between joists and studs shall be insulated and sealed in an approved manner.

Exceptions:

1. In construction where moisture or its freezing will not damage materials.
2. One-third of total installed insulation may be installed on the warm side of vapor retarders.

Section 403.2.2 Sealing (Mandatory). Delete this section in its entirety and replace with the following:

All ducts, air handlers, filter boxes and building cavities used as ducts shall be sealed. Joints and seams shall comply with the 2009 *International Mechanical Code* as adopted by the City of North Pole.

Section 403.2.4 Duct material. Create a new subsection to read as follows:

A duct transporting ventilation air shall be constructed of a smooth-walled material, such as galvanized steel or lined fiberglass (rigid or semi-rigid). The use of flexible ducting is approved as a transition from rigid ducting to mechanical and air handling equipment. In all circumstances

PASSED

YES:

NO:

Abstained

flexible ducting shall be installed per the manufacturer's instructions. Flexible ducting shall be supported to prevent sags. The radius at the centerline shall not be less than one duct diameter.

Section 403.3 Mechanical system piping insulation (Mandatory). Insert an exception to read as follows:

Exception: piping installed within the building thermal envelope.

Section 403.5 Mechanical ventilation (Mandatory) Add a second sentence to read as follows:

Exterior exhaust vents shall be located to prevent exhaust air from entering attic or soffit vents.

Section 403.6 Equipment sizing (Mandatory). Add the following to the end of the paragraph:

Heating and cooling equipment shall be sized in accordance with the 2009 *International Mechanical Code* as adopted by the City of North Pole or based on design loads determined in accordance with the procedures described in ASHRAE Fundamentals Handbook, or other approved equivalent computational procedures.

Section 403.10 Ventilation standard. Add a new section to read as follows:

Ventilation shall comply with the 2009 *International Mechanical Code* or the latest edition of the ASHRAE Standard 62.2 as referenced.

Section 405.3 Performance based compliance Add an exception to read as follows:

Exception: Compliance may be demonstrated through a home energy rating under a program approved by the Alaska Housing Finance Corporation (AHFC) that meets the following:

1. A minimum four star plus rating is required.
2. The maximum air infiltration rate shall not exceed seven air changes per hour at 50 Pascal's pressure difference.
3. The compliance rating shall be performed by a person authorized by AHFC.
4. Compliance with sections 404.4 through 404.6 is not required.

Chapter 5 Commercial Energy Efficiency. Delete this section in its entirety.

Chapter 6 Referenced Standards. Add the following to the ASHRAE section:
62.2-2004 Ventilation and acceptable indoor air quality in low rise buildings.

CITY OF NORTH POLE

ORDINANCE 12-15

**AN ORDINANCE AMENDING TITLE 13 PUBLIC SERVICES, CHAPTER 13.24
SECTION 13.24.080 SIGNIFICANT INDUSTRIAL USER CHARGES IN SUPPORT OF
THE CITY OF NORTH POLE'S ALASKA POLLUTANT DISCHARGE ELIMINATION
SYSTEM PERMIT #AK002139-3**

WHEREAS, changes to the North Pole Municipal Code is a continually changing requirement;
and

WHEREAS, the City of North Pole has an Alaska Pollutant Discharge Elimination System (APDES) permit number AK002139-3 issued by the Alaska Department of Environmental Conservation (ADEC), and

WHEREAS, the City's APDES permit requires that the City establish an Industrial Pretreatment Program (IPP) to enforce the regulations of the federal Clean Water Act as administered by the Environmental Protection Agency (EPA) pertaining to the discharge of industrial pollutants to publicly operated treatment works (POTW) by Significant Industrial Dischargers (SIU), and

WHEREAS, the City's APDES permit requires that the City adopt a sewer use ordinance that details the requirements for regulating the discharges of SIUs to the POTW to ensure compliance with the Clean Water Act, protect the health and safety of the utility staff, and protect the POTW facilities and treatment process, and

WHEREAS, creation and management of a IPP program places a financial burden upon the City's utility system beyond those associated with the provision of routine utility service, and

WHEREAS, the intention of the EPA and ADEC is for municipalities mandated to implement an IPP program to recuperate costs associated with implementing and managing an IPP program through fees levied upon SIUs.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of North Pole:

Section 1. This ordinance is of a general and permanent nature and shall be codified.

Section 2. Delete Chapter 13.20 in its entirety and replace with the attached revised Chapter 13.20.

Section 3. Amend Chapter 13.24 Utility Rates, Section 13.24.080 Significant industrial discharger charges, by deleting section B. Additional Treatment Cost and section C. Monitoring:

~~B. Additional Treatment Cost. In order to maintain a high quality of treatment and effluent discharge to the public waterways, it is the intention of the city to require any SID to pretreat their sewage to meet the regulating parameters set forth in this section. If the SID's discharge~~

into the city's system exceeds these parameters due to an accidental discharge, the SID shall in addition to the requirements in other sections and any fines and penalties, be subject to the following additional treatment charge (ATC):

$$ATC = \frac{BOD_{sid}(\text{excess})}{200 \text{ mg/l}} \times R + \frac{SS_{sid}(\text{excess})}{166 \text{ mg/l}} \times R + \frac{T_{sid}(\text{deficit})}{36^{\circ}\text{F}} \times R$$

where:

$BOD_{sid}(\text{excess})$ = BODs of significant industrial discharger's flow based on city's sampling, minus 200 mg/l.

$SS_{sid}(\text{excess})$ = Total suspended solids of significant industrial discharger based on city's sampling, minus 166 mg/l.

$T_{sid}(\text{deficit})$ = 50°F minus temperature of significant industrial dischargers' sewage at point of connection.

R = The commercial rate cited in Section 13.24.30.

Duration of ATC shall be from last normal sample to the succeeding normal one as taken by the city. All sampling shall be by daily composite (daily average).

This charge applies only when the SID discharge into the city's system exceeds 200 mg/l BODs, and/or 166 mg/l total suspended solids and/or temperature goes below 50°F. (Ord. 01-16 §2(part), 2001), (ord. 08-05 §2(part), 2008)

C. Monitoring. In addition to all other charges under this chapter, each SID shall pay a monthly monitoring and administration charge per each calendar month based on the city's additional costs to ensure compliance with this section. The charge shall be set out in the SID agreement. (Ord. 97-18 §3(part), 1997; Ord. 96-19 §2(part), 1996; Ord. 95-21 §2(part), 1995; Ord. 93-6 §2(part), 1993; Ord. 88-1 §2(part), 1988; Ord. 87-12 §3(part), 1987)

and replace with the following:

B. High Strength Surcharge. In order to maintain a high quality of treatment and effluent discharge to the public waterways, it is the intention of the city to require any SIU to pretreat their sewage to meet the regulating parameters set forth in this section. If the SIU's discharge into the city's system exceeds these parameters due to an accidental discharge, the SIU shall in addition to the requirements in other sections and any fines and penalties, be subject to the following high strength surcharge (HSS):

$$HSS = \frac{BOD_{siu}(\text{excess})}{200 \text{ mg/l}} \times R + \frac{TSS_{siu}(\text{excess})}{200 \text{ mg/l}} \times R + \frac{COD_{siu}(\text{excess})}{500 \text{ mg/l}} \times R + \frac{T_{sid}(\text{deficit})}{36^{\circ}\text{F}} \times R$$

where:

$BOD_{siu}(\text{excess})$ = BODs of significant industrial user's discharge, minus 200 mg/l.

$TSS_{siu}(\text{excess})$ = Total suspended solids of significant industrial user's discharge,

minus 200 mg/l.

COD_{siu} (excess) = COD of significant industrial user's discharge, minus 500 mg/l.

T_{siu} (deficit) = 45°F minus temperature of significant industrial user's discharge at the point of connection.

R = The commercial rate cited in Section 13.24.30.

The duration of HSS shall be from last permit compliant sample to the succeeding permit compliant sample measured by either the city or the SIU.

This charge applies only when the SIU discharge into the city's system exceeds 200 mg/l BOD₅, and/or 200 mg/l total suspended solids, and/or 500 mg/L chemical oxygen demand, and/or the temperature is less than 40°F. (Ord. 01-16 §2(part), 2001), (ord. 08-05 §2 (part), 2008)

C. SIU-Specific IPP Fees. In addition to all other charges under this chapter, each SIU shall pay for any services specifically associated with that SIU for the administration, monitoring, or enforcement of the IPP. SIU-specific IPP services shall include, but are not limited to, IPP development costs, permit application and renewal, plan review, IPP compliance monitoring laboratory and inspection work, and spill or permit violation response work. The charges for such services will include the city's direct costs including charges from subcontractors, plus an administrative overhead fee from the city, and will be charged directly to the SIU. (Ord. 97-18 §3(part), 1997; Ord. 96-19 §2(part), 1996; Ord. 95-21 §2(part), 1995; Ord. 93-6 §2(part), 1993; Ord. 88-1 §2(part), 1988; Ord. 87-12 §3(part), 1987)

PASSED AND APPROVED by a duly constituted quorum of the North Pole City Council this 16th day of April, 2012.

Douglas W. Isaacson, Mayor

ATTEST:

Kathryn M. Weber, MMC
North Pole City Clerk

Chapter 13.20

SEWER SERVICE

Sections:

13.20.010 General provisions.

- 31.20.010 A. Purpose and Policy
- 31.20.010 B. Adoption and Amendment of Rules and Regulations – Resolution of Conflicts
- 31.20.010 C. Abbreviations
- 31.20.010 D. Definitions

13.20.020 Policies and conditions of service.

- 31.20.020 A. Use of Public Sewer Required
- 31.20.020 B. General Discharge Prohibitions
- 31.20.020 C. Specific Prohibitions
- 31.20.020 D. National Categorical Pretreatment Standards
- 31.20.020 E. State Pretreatment Standards
- 31.20.020 F. Local Limits
- 31.20.020 G. Pretreatment of Wastewaters
- 31.20.020 H. Individual Wastewater Permits
- 31.20.020 I. Individual Wastewater Permit Issuance
- 31.20.020 J. Reporting Requirements
- 31.20.020 K. Compliance Monitoring
- 31.20.020 L. Confidential Information
- 31.20.020 M. Publication of Users in Significant Noncompliance
- 31.20.020 N. Administrative Enforcement Remedies
- 31.20.020 O. Judicial Enforcement Remedies
- 31.20.020 P. Supplemental Enforcement Remedies
- 31.20.020 Q. Affirmative Defenses to Discharge Violations
- 31.20.020 R. Private Wastewater Disposal
- 31.20.020 S. Building Sewers
- 31.20.020 T. Service Connection
- 31.20.020 U. Maintenance and Repair
- 31.20.020 V. Claim for Sewage Blockages
- 31.20.020 W. Liability for Damages Due to Failure of Service
- 31.20.020 X. Service Interruptions
- 31.20.020 Y. Disclaimer of Warranty

13.20.010 General provisions.

A. Purpose and Policy

This ordinance sets forth uniform requirements for Users of the Publicly Owned Treatment Works for the City of North Pole and enables the city to comply with all applicable State and

Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.), the General Pretreatment Regulations (Title 40 of the *Code of Federal Regulations* [CFR] Part 403), and the Alaska Pollutant Discharge Elimination System Program (State of Alaska 18 AAC 83.050 - 83.990). The objectives of this ordinance are:

1. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation;
2. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
3. To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
4. To promote reuse and recycling of industrial wastewater and sludge from the Publicly Owned Treatment Works;
5. To enable city to comply with its Alaska Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subject.

This ordinance shall apply to all Users of the Publicly Owned Treatment Works. The ordinance authorizes the issuance of individual wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; and requires user reporting.

B. Adoption and Amendment of Rules and Regulations -- Resolution of conflicts.

1. These rules and regulations have been adopted by the council, a municipal corporation of the state of Alaska, and are in compliance with the laws of the state of Alaska. No individual employee of the city has the authority to waiver, alter or amend these rules and regulations, notwithstanding the authority of the city mayor to resolve any conflict between this chapter and other provisions of this code. (Ord. 00-16 §2(part), 2000)
2. The current ADEC-approved Industrial Pretreatment Program for the city shall constitute the laws of the city relating to industrial pretreatment programs.
3. Rates for the installation of a sewer connection and monthly user charges are set forth in Chapter 13.24, which has been adopted and approved by the city council.
4. Except as otherwise provided herein, the city shall administer, implement, and enforce the provisions of this ordinance. Any powers granted to or duties imposed upon the city may be delegated by the city to a duly authorized city employee or designee.

C. Abbreviations

The following abbreviations, when used in this ordinance, shall have the designated meanings:

AAC – Alaska Administrative Code
ADEC – Alaska Department of Environmental Conservation
APDES – Alaska Pollutant Discharge Elimination System
ASPP – Accidental Spill Prevention Plan
BOD – Biochemical Oxygen Demand
BMP – Best Management Practice
BMR – Baseline Monitoring Report
CFR – *Code of Federal Regulations*
CIU – Categorical Industrial User
COD – Chemical Oxygen Demand
EPA – U.S. Environmental Protection Agency
gpd – gallons per day
HSS – High Strength Surcharge
IU – Industrial User
l – Liter
mg – milligrams
mg/l – milligrams per liter
NPDES – National Pollutant Discharge Elimination System
NSCIU – Non-Significant Categorical Industrial User
O&M – Operations and Maintenance
POTW – Publicly Owned Treatment Works
RCRA – Resource Conservation and Recovery Act
SIU – Significant Industrial User
SNC – Significant Noncompliance
SWDA – Solid Waste Disposal Act
TSS – Total Suspended Solids
U.P.C. – Uniform Plumbing Code
U.S.C. – United States Code

D. Definitions

For the purposes of this chapter the following terms shall be defined to mean:

1. Act or “the Act.” The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. section 1251 et seq.
2. Approval Authority. Until October 31, 2009: USEPA Region 10 Regional Administrator. After October 31, 2009: The Commissioner of the ADEC.
3. Authorized or Duly Authorized Representative of the User.

a. If the User is a corporation:

(i) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

b. If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

c. If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

d. The individuals described in paragraphs a through b, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the city.

4. Biochemical Oxygen Demand or BOD. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l).

5. Best Management Practices or BMPs. Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 2.1 A and B [40 CFR 403.5(a)(1) and (b)]. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

6. Building sewer. The pipe and appurtenances from the building to the public lateral sanitary sewer or other place of disposal, also called house connection, service

connection or service line.

7. Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. section 1317) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

8. Categorical Industrial User. An Industrial User subject to a categorical Pretreatment Standard or categorical Standard. If an Industrial User qualifies as a CIU, it also a Significant Industrial User.

9. Chemical Oxygen Demand or COD. A measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.

10. City. The City of North Pole.

11. Clean Water Act (33 U.S.C. 1251 et seq.), also noted herein as CWA. The Federal Water Pollution Control Act as amended.

12. Commercial user or contributor. A premises, or customer, who discharges industrial wastes that are similar to domestic wastes in nature and do not exceed those parameters which define normal sewage as described in context.

13. Control Authority. The City of North Pole.

14. Customer. An individual, firm, corporation, LLC, partnership, institution or association receiving sanitary sewer service or wastewater treatment service from the city.

15. Daily Maximum. The arithmetic average of all effluent samples for a pollutant collected during a calendar day.

16. Daily Maximum Limit. The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

17. DEC or ADEC. The state of Alaska Department of Environmental Conservation.

18. Domestic sewage. Water-carried wastes generated in normal household type activities, with minor quantities of ground, storm and surface waters that are not admitted intentionally without permit.

19. Environmental Protection Agency or EPA. The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.
20. Existing Source. Any source of discharge that is not a “New Source.”
21. Flow-equalizing units. Those devices or structures constructed to evenly regulate either or both the strength and volume of wastes.
22. Garbage. The animal and vegetable waste resulting from the handling, preparing, cooking or serving of foods; and putrescible wastes.
23. Grab Sample. A sample that is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.
24. High Strength Surcharge (HSS) Industries. Industrial Users that discharge high-strength wastewater to the wastewater treatment plant and may be charged “high-strength” fees or rates to recover the cost of treatment.
25. Indirect Discharge or Discharge. The introduction of pollutants into the POTW from any nondomestic source.
26. Industrial user or contributor. An industry or commercial establishment that discharges wastewater having the characteristics of industrial wastes.
27. Industrial wastes. Solid, liquid or gaseous waste resulting from any industrial, manufacturing, trade, or business process or from the development, recovery or processing of natural resources.
28. Instantaneous Limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.
29. Interference. A discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the city’s APDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

30. Local Limit. Specific discharge limits developed and enforced by the city upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).
31. Medical Waste. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.
32. Monthly Average. The sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.
33. Monthly Average Limit. The highest allowable average of “daily discharges” over a calendar month, calculated as the sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.
34. Natural outlet. Any outlet, including storm sewers and combined sewer overflows, into a water-course, pond, ditch, lake or other body of surface or ground water.
35. New Source.
- a. Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act that will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:
 - (i) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - (ii) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or
 - (iii) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.
 - b. Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (a)(ii) or (iii) above but otherwise alters, replaces, or adds to existing process or production equipment.

c. Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:

(i) Begun, or caused to begin, as part of a continuous onsite construction program

(1) any placement, assembly, or installation of facilities or equipment; or

(2) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

(ii) Entered into a binding contractual obligation for the purchase of facilities or equipment that is intended to be used in its operation within a reasonable time. Options to purchase or contracts that can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

36. Noncontact Cooling Water. Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

37. Nondomestic Sewage or Source. Any liquid, solid or gaseous substances, or combination thereof, resulting from any process of industry, manufacturing, trade or research, including but not limited to the development, recovering or processing of natural resources and leachate from landfills or other disposal sites.

38. Pass Through. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the city's APDES permit, including an increase in the magnitude or duration of a violation.

39. Person. Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, LLC, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.

40. pH. A measure of the acidity or alkalinity of a solution, expressed in standard units.

41. Pollutant. Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, Medical Wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

42. Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable Pretreatment Standard.

43. Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard.

44. Pretreatment Standards or Standards. Pretreatment Standards shall mean prohibited discharge standards, categorical Pretreatment Standards, and Local Limits.

45. Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 13.20.020 of this ordinance.

46. Properly shredded garbage. The wastes from the preparation, cooking and dispensing of food that have been shredded into such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

47. Public sewer. A common sewer controlled by a governmental agency or public utility.

48. Publicly Owned Treatment Works or POTW. A treatment works, as defined by section 212 of the Act (33 U.S.C. section 1292), which is owned by the city. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a treatment plant.

49. Receiving waters. Those waters into which wastes are discharged.

50. Residential or domestic user. A dwelling unit or person which discharges wastewater to the sewers that closely matches domestic sewage as to its volume and strength.

51. Sanitary interceptor sewer. A sewer which receives the flow from a number of collector sewers (lateral and trunk sewers) and transports it to a treatment plant and other points of disposal.

52. Sanitary lateral sewer. A sanitary sewer of eight-inch diameter which may be from time to time required to extend a sanitary trunk sewer system into a general area for service.

53. Sanitary trunk sewer. A sanitary sewer maintained by or proposed for installation by the city of an internal diameter larger than eight inches.
54. Septic Tank Waste or Septage. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.
55. Service connection. The pipe and appurtenances required to connect an individual property or facility to the sanitary lateral sewer.
56. Service line. The pipe and appurtenances from the lateral sanitary sewer connection and into the private property.
57. Sewage. Human excrement and gray water (household showers, dishwashing operations, etc.).
58. Sewer. A pipe or conduit that carries wastewater.
59. Sewer collection system. The sewer and appurtenances required to collect and carry away wastewater from the service connection.
60. Significant Industrial User (SIU).

Except as provided in paragraphs (c) and (d) of this Section, a Significant Industrial User is:

- a. An Industrial User subject to categorical Pretreatment Standards; or
- b. An Industrial User that:
 - (i) Discharges a monthly average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
 - (ii) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - (iii) Is designated as such by the city on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.
- c. The city may determine that an Industrial User subject to categorical Pretreatment Standards is a Non-Significant Categorical Industrial User rather than a Significant Industrial User on a finding that the Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater

(excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:

- (i) The Industrial User, prior to city's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;
- (ii) The Industrial User annually submits the certification statement required in Section J.14 B [see 40 CFR 403.12(q)], together with any additional information necessary to support the certification statement; and
- (iii) The Industrial User never discharges any untreated concentrated wastewater.

d. Upon a finding that a User meeting the criteria in Subsection (b) of this part has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the city may at any time, on its own initiative or in response to a petition received from an Industrial User, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such User should not be considered a Significant Industrial User.

61. Slug Load or Slug Discharge. Any discharge at a flow rate or concentration that could cause a violation of the prohibited discharge standards in Section 13.20.020.B and C of this ordinance. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.

62. State. The state of Alaska.

63. Storm Water. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

64. Total Suspended Solids or Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

65. Toxic pollutants. Those pollutants or combination of pollutants listed as toxic in regulations promulgated by the administrator of the Environmental Protection Agency under Section 307 of the Clean Water Act.

66. Upset. An exceptional incident in which an industrial user unintentionally and temporarily is in a state of noncompliance with the discharge limitations set forth hereto due to factors beyond the reasonable control of the industrial user, and excluding noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or

improper operation thereof.

67. User or Industrial User. A source of indirect discharge.

68. Wastewater. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

69. Wastewater Treatment Plant or Treatment Plant. That portion of the POTW that is designed to provide treatment of municipal sewage and industrial waste.(Ord. 88-1 §2(part), 1988; Ord. 87-12 §3(part), 1987)

13.20.020 Policies and conditions of service

A. Use of Public Sewer Required

1. It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the city, or in any area under the jurisdiction of the city, any pollutant, sewage, septage, or industrial waste that is normally introduced into a sanitary sewer.

2. It shall be unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of the city, any pollutant, sewage, septage, or industrial waste, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, septic tank, cesspool or other facility intended or used for the disposal of sewage.

4. The owner of all houses, buildings or structures used for human occupancy, employment, recreation or other purposes, situated within the city, and abutting on any street, easement or right-of-way in which there is now located a public sanitary sewer of the city, is required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper sewer in accordance with the provisions of this chapter, within two years after date of official notice to do so, provided that the sewer is within two hundred feet of the above-described structures. (Ord. 01-03, §2 (part), 2003.

B. General Discharge Prohibitions

No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes Pass Through or Interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.

C. Specific Prohibitions

No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

1. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;
2. Wastewater having a pH less than 6.0 or more than 10.0, or otherwise causing corrosive structural damage to the POTW or equipment;
3. Solid or viscous substances, including fats, oils, or greases of animal or vegetable origin, in amounts which will cause obstruction of the flow to and/or within the POTW resulting in Interference;
4. Pollutants, including oxygen-demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause Interference with the POTW;
5. Wastewater having a temperature that will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C) or that will not maintain a nonfreezing heat balance in the wastewater collection system; but in no case shall it be less than 36 degrees F (2 degrees C);
6. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;
7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
8. Trucked or hauled pollutants, except at discharge points designated by the city in accordance with Section 13.20.020.G.4 of this ordinance;
9. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
10. Wastewater that imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions that consequently impart color to the treatment plant's effluent, thereby violating the city's APDES permit;
11. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;

12. Storm Water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, Noncontact Cooling Water, and unpolluted wastewater, unless specifically authorized by the city;
13. Sludge, screenings, or other residues from the pretreatment of industrial wastes;
14. Medical Wastes, except as specifically authorized by the city in an individual wastewater discharge permit;
15. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test;
16. Detergents, surface-active agents, or other substances which that might cause excessive foaming in the POTW;
17. Wastewater causing two readings on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than five percent (5 %) or any single reading over ten percent (10 %) of the Lower Explosive Limit of the meter.
18. Any substance that will cause the utility to violate its APDES permit.

Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such a manner that they could be discharged to the POTW.

D. National Categorical Pretreatment Standards

Users must comply with the categorical Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 405–471.

1. Where a categorical Pretreatment Standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the city may impose equivalent concentration or mass limits in accordance with this section.
2. When the limits in a categorical Pretreatment Standard are expressed only in terms of mass of pollutant per unit of production, the city may convert the limits to equivalent limitations expressed either as mass of pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual Industrial Users.
3. When wastewater subject to a categorical Pretreatment Standard is mixed with wastewater not regulated by the same Standard, the city shall impose an alternate limit in accordance with 40 CFR 403.6(e).
4. When a categorical Pretreatment Standard is expressed only in terms of pollutant concentrations, an Industrial User may request that the city convert the limits to equivalent mass limits. The determination to convert concentration limits to mass limits

is within the discretion of the city. The city may establish equivalent mass limits only if the Industrial User meets all the conditions set forth in Sections D.4.a (i) through D.4.a (v) below.

a. To be eligible for equivalent mass limits, the Industrial User must:

- (i) Employ, or demonstrate that it will employ, water conservation methods and technologies that substantially reduce water use during the term of its individual wastewater discharge permit;
- (ii) Currently use control and treatment technologies adequate to achieve compliance with the applicable categorical Pretreatment Standard, and not have used dilution as a substitute for treatment;
- (iii) Provide sufficient information to establish the facility's actual average daily flow rate for all wastestreams, based on data from a continuous effluent flow monitoring device, as well as the facility's long-term average production rate. Both the actual average daily flow rate and the long-term average production rate must be representative of current operating conditions;
- (iv) Not have daily flow rates, production levels, or pollutant levels that vary so significantly that equivalent mass limits are not appropriate to control the Discharge; and
- (v) Have consistently complied with all applicable categorical Pretreatment Standards during the period prior to the Industrial User's request for equivalent mass limits.

b. An Industrial User subject to equivalent mass limits must:

- (i) Maintain and effectively operate control and treatment technologies adequate to achieve compliance with the equivalent mass limits;
- (ii) Continue to record the facility's flow rates through the use of a continuous effluent flow monitoring device;
- (iii) Continue to record the facility's production rates and notify the city whenever production rates are expected to vary by more than 20 percent from its baseline production rates determined in paragraph D.4(a)(iii) of this Section. Upon notification of a revised production rate, the city will reassess the equivalent mass limit and revise the limit as necessary to reflect changed conditions at the facility; and
- (iv) Continue to employ the same or comparable water conservation methods and technologies as those implemented pursuant to paragraph D.4(a)(i) of this Section so long as it discharges under an equivalent mass limit.

- c. When developing equivalent mass limits, the city:
 - (i) Will calculate the equivalent mass limit by multiplying the actual average daily flow rate of the regulated process(es) of the Industrial User by the concentration-based Daily Maximum and Monthly Average Standard for the applicable categorical Pretreatment Standard and the appropriate unit conversion factor;
 - (ii) Upon notification of a revised production rate, will reassess the equivalent mass limit and recalculate the limit as necessary to reflect changed conditions at the facility; and
 - (iii) May retain the same equivalent mass limit in subsequent individual wastewater discharger permit terms if the Industrial User's actual average daily flow rate was reduced solely as a result of the implementation of water conservation methods and technologies, and the actual average daily flow rates used in the original calculation of the equivalent mass limit were not based on the use of dilution as a substitute for treatment pursuant to Section 13.20.020.F.6. The Industrial User must also be in compliance with Section 13.20.020.Q.3 regarding the prohibition of bypass.
5. The city may convert the mass limits of the categorical Pretreatment Standards of 40 CFR Parts 414, 419, and 455 to concentration limits for purposes of calculating limitations applicable to individual Industrial Users. The conversion is at the discretion of the city.
6. Once included in its permit, the Industrial User must comply with the equivalent limitations developed in this Section (D) in lieu of the promulgated categorical Standards from which the equivalent limitations were derived.
7. Many categorical Pretreatment Standards specify one limit for calculating maximum daily discharge limitations and a second limit for calculating maximum Monthly Average, or 4-day average, limitations. Where such Standards are being applied, the same production or flow figure shall be used in calculating both the average and the maximum equivalent limitation.
8. Any Industrial User operating under a permit incorporating equivalent mass or concentration limits calculated from a production-based Standard shall notify the city within two (2) business days after the User has a reasonable basis to know that the production level will significantly change within the next calendar month. Any User not notifying the [Superintendent] of such anticipated change will be required to meet the mass or concentration limits in its permit that were based on the original estimate of the long term average production rate.

E. State Pretreatment Standards

1. State requirements and limitations on discharges to the POTW shall be met by all dischargers which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this chapter or any other applicable ordinance.

F. Local Limits

1. The city is authorized to establish Local Limits pursuant to 40 CFR 403.5(c).
2. The following pollutant limits are established to protect against Pass Through and Interference. No person shall discharge wastewater containing in excess of the following Daily Maximum Concentration Limits.

PARAMETER	mg/L
Arsenic	0.100
BOD	250
Cadmium	0.345
Chromium	0.165
COD	500
Copper	0.159
Cyanide	0.9
Lead	0.034
Mercury	0.004
Molybdenum	0.015
Nickel	3.72
Oil and/or Grease (Total)	100
Oil and/or Grease (Total Petroleum Hydrocarbons)	25
Selenium	0.043
Silver	0.13
Sulfolane	50
Zinc	0.285

The above limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. The city may impose mass limitations in addition to or in lieu of the concentration-based limitations above.

3. The city may develop Best Management Practices (BMPs), by ordinance or in individual wastewater discharge permits, to implement Local Limits and the requirements of Sections 13.20.020.B and C.
4. The city reserves the right to establish, by ordinance or in individual wastewater

discharge permits, more stringent Standards or Requirements on discharges to the POTW consistent with the purpose of this ordinance.

5. No User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The city may impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate.

G. Pretreatment of Wastewater

1. Pretreatment Facilities

Users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all categorical Pretreatment Standards, Local Limits, and the prohibitions set out in Sections 13.20.020.B and C of this ordinance within the time limitations specified by EPA, the State, or the city, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. Such facilities are subject to the city building codes outlined in Title 15 of the city ordinances. Detailed plans describing such facilities and operating procedures shall be submitted to the city for review, and shall be acceptable to the city before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the city under the provisions of this ordinance.

2. Additional Pretreatment Measures

a. Whenever deemed necessary, the city may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this ordinance.

b. The city may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An individual wastewater discharge permit be issued solely for flow equalization.

c. Grease, oil, and sand interceptors shall be provided when, in the opinion of the city, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of a type and capacity approved by the city, and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired by the User at their expense.

- d. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

3. Accidental Discharge/Slug Discharge Control Plans

The city shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control Slug Discharges. The city may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control Slug Discharges. Alternatively, the city may develop such a plan for any User. An accidental discharge/slug discharge control plan shall address, at a minimum, the following:

- a. Description of discharge practices, including nonroutine batch discharges;
- b. Description of stored chemicals;
- c. Procedures for immediately notifying the city of any accidental or Slug Discharge, as required by Section 13.20.020.J.6 of this ordinance; and
- d. Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

4. Hauled Wastewater

- a. Septic tank waste may be introduced into the POTW only at locations designated by the city, and at such times as are established by the city. Such waste shall not violate Section 13.20.020.A through F of this ordinance or any other requirements established by the city. The city may require septic tank waste haulers to obtain individual wastewater discharge permits.
- b. The city may require haulers of industrial waste to obtain individual wastewater discharge permits. The city may require generators of hauled industrial waste to obtain individual wastewater discharge permits. The city also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this ordinance.
- c. Industrial waste haulers may discharge loads only at locations designated by the city. No load may be discharged without prior consent of the city. The city may collect samples of each hauled load to ensure compliance with applicable Standards. The city may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.

d. Industrial waste haulers must document every load on a waste-tracking form provided by the city. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

H. Individual Wastewater Discharge Permits

1. Wastewater Analysis

When requested by the city, a User must submit information on the nature and characteristics of its wastewater within sixty (60) days of the request. The city is authorized to prepare a form for this purpose and may periodically require Users to update this information.

2. Individual Wastewater Discharge Permit Requirement

a. No Significant Industrial User or Categorical Industrial User shall discharge wastewater into the POTW without first obtaining an individual wastewater discharge permit from the city, except that a Significant Industrial User or Categorical Industrial User that has filed a timely application pursuant to Section 13.20.020.H.3 of this ordinance may continue to discharge for the time period specified therein.

b. The city may require other Users to obtain individual wastewater discharge permits as necessary to carry out the purposes of this ordinance.

c. Any violation of the terms and conditions of an individual wastewater discharge permit shall be deemed a violation of this ordinance and subjects the wastewater discharge permittee to the sanctions set out in Sections 13.20.020.N through O of this ordinance. Obtaining an individual wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.

3. Individual Wastewater Discharge Permitting: Existing Connections

Any User required to obtain an individual wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this ordinance and who wishes to continue such discharges in the future, shall, within sixty (60) days after said date, apply to the city for an individual wastewater discharge permit in accordance with Section 13.20.020.H.5 of this ordinance.

4. Individual Wastewater Discharge Permitting: New Connections

Any User required to obtain an individual wastewater discharge permit that proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this individual wastewater discharge permit

in accordance with Section 13.20.020.H.5 of this ordinance, must be filed at least ninety (90) days prior to the date upon which any discharge will begin or recommence.

5. Individual Wastewater Discharge Permit Application Contents

a. All Users required to obtain an individual wastewater discharge permit must submit a permit application. The city may require Users to submit all or some of the following information as part of a permit application on a form that will be provided by the city:

(i) Identifying Information.

(1) The name and address of the facility, including the name of the operator and owner.

(2) Contact information, description of activities, facilities, and plant production processes on the premises;

(ii) Environmental Permits. A list of any environmental control permits held by or for the facility.

(iii) Description of Operations.

(1) A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such User. This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.

(2) Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;

(3) Number and type of employees, hours of operation, and proposed or actual hours of operation;

(4) Type and amount of raw materials processed (average and maximum per day);

(5) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;

(iv) Time and duration of discharges;

(v) The location for monitoring all wastes covered by the permit;

(vi) Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in Section 13.20.020.D.3 (40 CFR 403.6(e)).

(vii) Measurement of Pollutants.

(1) The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.

(2) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the city, of regulated pollutants in the discharge from each regulated process.

(3) Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.

(4) The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 13.20.020.J.10 of this ordinance. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the city or the applicable Standards to determine compliance with the Standard.

(5) Sampling must be performed in accordance with procedures set out in Section 13.20.020.J.11 of this ordinance.

(viii) Any other information as may be deemed necessary by the city to evaluate the permit application.

b. Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.

6. Application Signatories and Certifications

a. All wastewater discharge permit applications, User reports and certification statements must be signed by an Authorized Representative of the User and contain the certification statement in Section 13.20.020.J.14.a.

b. If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written

authorization satisfying the requirements of this Section must be submitted to the city prior to or together with any reports to be signed by an Authorized Representative.

C. A facility determined to be a Non-Significant Categorical Industrial User by the city pursuant to Section 13.20.010.C.60.c must annually submit the signed certification statement in Section 13.20.020.J.14.b.

7. Individual Wastewater Discharge Permit Decisions

The city will evaluate the data furnished by the User and may require additional information. Within sixty (60) days of receipt of a complete permit application, the city will determine whether to issue an individual wastewater discharge permit. The city may deny any application for an individual wastewater discharge permit.

I. Individual Wastewater Discharge Permit Issuance

1. Individual Wastewater Discharge Permit Duration

An individual wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. An individual wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the city. Each individual wastewater discharge permit will indicate a specific date upon which it will expire.

2. Individual Wastewater Discharge Permit Contents

An individual wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the city to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

a. Individual wastewater discharge permits must contain:

- (i) A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;
- (ii) A statement that the wastewater discharge permit is nontransferable without prior notification to the city in accordance with Section 13.20.020.I.5 of this ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
- (iii) Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;
- (iv) Self monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or

best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.

(v) A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.

(vi) Requirements to control Slug Discharge, if determined by the city to be necessary.

b. Individual wastewater discharge permits may contain, but need not be limited to, the following conditions:

(i) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;

(ii) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;

(iii) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;

(iv) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;

(v) Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;

(vi) A statement that compliance with the individual wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the individual wastewater discharge permit; and

(vii) Other conditions as deemed appropriate by the city to ensure compliance with this ordinance, and State and Federal laws, rules, and regulations.

3. Permit Issuance Process

a. Any person, including the User, may petition the city to reconsider the terms of an individual wastewater discharge permit within thirty (30) days of notice of its issuance.

(i) Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.

(ii) In its petition, the appealing party must indicate the individual wastewater discharge permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the individual wastewater discharge permit.

(iii) The effectiveness of the individual wastewater discharge permit shall not be stayed pending the appeal.

(iv) If the city fails to act within thirty (30) days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider an individual wastewater discharge permit, not to issue an individual wastewater discharge permit, or not to modify an individual wastewater discharge permit shall be considered final administrative actions for purposes of judicial review.

(v) Aggrieved parties seeking judicial review of the final administrative individual wastewater discharge permit decision must do so by filing a complaint with the Superior Court for the Fourth Judicial District of the State of Alaska within the time provided in Alaska Rules of Court, Rules of Appellate Procedure, rule 602.

4. Permit Modification

a. The city may modify an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:

(i) To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;

(ii) To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;

(iii) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;

(iv) Information indicating that the permitted discharge poses a threat to the city's POTW, city personnel, the receiving waters, or the beneficial reuse of sludge from the POTW;

(v) Violation of any terms or conditions of the individual wastewater discharge permit;

- (vi) Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
- (vii) Revision of or a grant of variance from categorical Pretreatment Standards pursuant to 40 CFR 403.13;
- (viii) To correct typographical or other errors in the individual wastewater discharge permit; or
- (ix) To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with Section 13.20.020.I.5.

5. Individual Wastewater Discharge Permit Transfer

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the city and the city approves the individual wastewater discharge permit transfer. The notice to the city must include a written certification by the new owner or operator which:

- a. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
- b. Identifies the specific date on which the transfer is to occur; and
- c. Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.

Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

6. Individual Wastewater Discharge Permit Revocation

The city may revoke an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- a. Failure to notify the city of significant changes to the wastewater prior to the changed discharge;
- b. Failure to provide prior notification to the city of changed conditions pursuant to Section 13.20.020.J.5 of this ordinance;
- c. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- d. Falsifying self-monitoring reports and certification statements;

- e. Tampering with monitoring equipment;
- f. Refusing to allow the city timely access to the facility premises and records;
- g. Failure to meet effluent limitations;
- h. Failure to pay fines;
- i. Failure to pay sewer charges;
- j. Failure to meet compliance schedules;
- k. Failure to complete a wastewater survey or the wastewater discharge permit application;
- l. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- m. Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this ordinance.

Individual wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All individual wastewater discharge permits issued to a User are void upon the issuance of a new individual wastewater discharge permit to that User.

7. Individual Wastewater Discharge Permit Reissuance

A User with an expiring individual wastewater discharge permit shall apply for individual wastewater discharge permit reissuance by submitting a complete permit application, in accordance with Section 13.20.020.H.5 of this ordinance, a minimum of ninety (90) days prior to the expiration of the User's existing individual wastewater discharge permit.

8. Regulation of Waste Received from Other Jurisdictions

All users, including those located outside the city limits are required to obtain a wastewater discharge permit, and shall submit a wastewater discharge permit application as outlined in Section 13.20.020.H.

J. Reporting Requirements

1. Baseline Monitoring Reports

- a. Within either one hundred eighty (180) days after the effective date of a categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the city a

report which contains the information listed in paragraph b, below. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall submit to the city a report which contains the information listed in paragraph b, below. A New Source shall report the method of pretreatment it intends to use to meet applicable categorical Standards. A New Source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

b. Users described above shall submit the information set forth below.

(i) All information required in 13.20.020.H.5.a (i) (1), Section 13.20.020.H.5a (ii), Section 13.20.020.H.5.a (iii) (1), and Section 13.20.020.H.5.a (vi).

(ii) Measurement of pollutants.

(1) The User shall provide the information required in Section 13.20.020.H.5.a (vii) (1) through (4).

(2) The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.

(3) Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the Control Authority;

(4) Sampling and analysis shall be performed in accordance with Section 13.20.020.J.10 and 11;

(5) The city may allow the submission of a baseline report which utilizes only historical data so long as the data is representative of current discharge quality and quantity conditions and provides information sufficient to determine the need for industrial pretreatment measures;

(6) The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW.

(iii) Compliance Certification. A statement, reviewed by the User's Authorized Representative as defined in Section 13.20.010.D.3 and certified by a qualified

professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the Pretreatment Standards and Requirements.

(iv) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Section must meet the requirements set out in Section 13.20.020.J.2 of this ordinance.

(v) Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Section 13.20.020.J.14.a of this ordinance and signed by an Authorized Representative as defined in 13.20.010.D.3.

2. Compliance Schedule Progress Reports

The following conditions shall apply to the compliance schedule required by Section 13.20.020.J.1.b (iv) of this ordinance:

- a. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- b. No increment referred to above shall exceed nine (9) months;
- c. The User shall submit a progress report to the city no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and
- d. In no event shall more than nine (9) months elapse between such progress reports to the city.

3. Reports on Compliance with Categorical Pretreatment Standard Deadline

Within ninety (90) days following the date for final compliance with applicable categorical Pretreatment Standards, or in the case of a New Source following commencement of the introduction of wastewater into the POTW, any User subject to such Pretreatment Standards and Requirements shall submit to the city a report containing the information described in Section

13.20.020.H.5.a (vi) and (vii) and 13.20.020.J.1.b (ii) of this ordinance. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in Section 13.20.020.D, this report shall contain a reasonable measure of the User's long-term production rate. For all other Users subject to categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 13.20.020.J.14 A of this ordinance. All sampling will be done in conformance with Section 13.20.020.J.11.

4. Periodic Compliance Reports

- a. Any user that is required to have an industrial waste discharge permit and performs self monitoring must submit a periodic compliance report by the end of June and December, or on dates specified by the city, indicating the nature, concentration of pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the city or the Pretreatment Standard necessary to determine the compliance status of the User.
- b. All periodic compliance reports must be signed and certified in accordance with Section 13.20.020.J.14.a of this ordinance.
- c. All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.
- d. If a User subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the city, using the procedures prescribed in Section 13.20.020.J.11 of this ordinance, the results of this monitoring shall be included in the report.

5. Reports of Changed Conditions

Each User must notify the city of any significant production process or pretreatment process changes to the User's operations or system that might alter the nature, quality, or volume of its wastewater at least sixty (60) days before the change occurs.

- a. The city may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 13.20.020.H.5 of this ordinance.

b. The city may issue an individual wastewater discharge permit under Section 13.20.020.I.7 of this ordinance or modify an existing wastewater discharge permit under Section 13.20.020.I.4 of this ordinance in response to changed conditions or anticipated changed conditions.

6. Reports of Potential Problems

a. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for the POTW, the User shall immediately notify the city of the incident by telephone. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.

b. Within five (5) days following such discharge, the User shall submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability, which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability that may be imposed pursuant to this ordinance.

c. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph A, above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.

d. Significant Industrial Users are required to notify the city immediately of any changes at its facility affecting the potential for a Slug Discharge.

7. Reports from Unpermitted Users

All Users not required to obtain an individual wastewater discharge permit shall provide appropriate reports to the city as the city may require.

8. Notice of Violation/Repeat Sampling and Reporting

If sampling performed by a User indicates a violation, the User must notify the city within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the city within thirty (30) days after becoming aware of the violation. Resampling by the Industrial User is not required if the city performs sampling at the User's facility at least once a month, or if the city performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the city receives the results of this sampling, or if the city has performed the sampling and analysis in lieu of the Industrial User.

9. Hazardous Waste

The discharge of hazardous wastes to the city wastewater collection system is not allowed. Should a discharge occur, the city must be notified immediately following the procedures described in Section 13.20.020.J.6 of this ordinance, in addition to all other reporting, response and remediation requirements stipulated by city, State, or Federal laws or regulations.

10. Analytical Requirements

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures approved by EPA and the State of Alaska.

11. Sample Collection

Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.

a. Except as indicated in Section b and c below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the city. Where time-proportional composite sampling or grab sampling is authorized by the city, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the city, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

b. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

c. For sampling required in support of baseline monitoring and 90-day compliance reports required in Section 13.20.020.J.1 and J.3 [40 CFR 403.12(b) and (d)], a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the city may

authorize a lower minimum. For the reports required by paragraphs Section 13.20.020.J.4 (40 CFR 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements.

12. Date of Receipt of Reports

Written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

13. Recordkeeping

Users subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established under Section 13.20.020.F.3. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years, or the duration of the User's waste discharge permit, whichever is longer. This period shall be automatically extended for the duration of any litigation concerning the User or the city, or where the User has been specifically notified of a longer retention period by the city.

14. Certification Statements

a. Certification of Permit Applications, User Reports and Initial Monitoring Waiver— The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 13.20.020.H.6; Users submitting baseline monitoring reports under Section 13.20.020.J.1.b (v); Users submitting reports on compliance with the categorical Pretreatment Standard deadlines under Section 13.20.020.J.3; and Users submitting periodic compliance reports required by Section 13.20.020.J.4.a through c. The following certification statement must be signed by an Authorized Representative as defined in Section 13.20.010.D.3:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

b. Annual Certification for Non-Significant Categorical Industrial Users—A facility determined to be a Non-Significant Categorical Industrial User by the city pursuant to Section 13.20.010.D.60.c and 13.20.020.H.6 must annually submit the following certification statement signed in accordance with the signatory requirements in Section 13.20.010.D.3. This certification must accompany an alternative report required by the city:

“Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical Pretreatment Standards under 40 CFR ____, I certify that, to the best of my knowledge and belief that during the period from _____, _____ to _____, _____ [months, days, year]:

(a) The facility described as _____ [facility name] met the definition of a Non-Significant Categorical Industrial User as described in Section 13.20.010.D.60.c;

(b) The facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and (c) the facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period.

This compliance certification is based on the following information.

”

K. Compliance Monitoring

1. Right of Entry: Inspection and Sampling

The city shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this ordinance and any individual wastewater discharge

permit or order issued hereunder. Users shall allow the city ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

- a. Where a User has security measures in force that require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the city shall be permitted to enter without delay for the purposes of performing specific responsibilities.
- b. The city shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations.
- c. The city may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated annually to ensure their accuracy.
- d. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the city and shall not be replaced. The costs of clearing such access shall be born by the User.
- e. Unreasonable delays in allowing the city access to the User's premises shall be a violation of this ordinance.

2. Search Warrants

If the city has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the city designed to verify compliance with this ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, the city may seek issuance of a search warrant from the Superior Court of the Fourth Judicial District of the State of Alaska. Such warrant shall be served by the city in the company of a uniformed police officer.

L. Confidential Information

Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, individual wastewater discharge permits, and monitoring programs, and from the city's inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the city, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request

must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the APDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

M. Publication of Users in Significant Noncompliance

The city shall publish annually, in the city's newspaper of record, a list of the Users, which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates paragraphs (c), (d) or (h) of this Section) and shall mean:

- a. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six- (6-) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 13.20.010.D;
- b. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6-) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 13.20.010.D multiplied by the applicable criteria (1.4 for BOD, COD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- c. Any other violation of a Pretreatment Standard or Requirement as defined by Section 13.20.010.D (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the city determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- d. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the city's exercise of its emergency authority to halt or prevent such a discharge;
- e. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- f. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical

Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

g. Failure to accurately report noncompliance; or

h. Any other violation(s), which may include a violation of Best Management Practices, which the city determines will adversely affect the operation or implementation of the local pretreatment program.

N. Administrative Enforcement Remedies

1. Notification of Violation

When the city finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the city may serve upon that User a written Notice of Violation. Within fifteen (15) days of the receipt of such notice, an explanation of the violation, and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the city. Submission of such a plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this Section shall limit the authority of the city to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

2. Consent Orders

The city may enter into Consent Orders, assurances of compliance, or other similar documents establishing an agreement with any User responsible for noncompliance. Such documents shall include specific action to be taken by the User to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections N.4 and N.5 of this ordinance and shall be judicially enforceable.

3. Show Cause Hearing

The city may order a User which has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, to appear before the city and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the User show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least twenty (20) days prior to the hearing. Such notice may be served on any Authorized Representative of the User as defined in Section 13.20.010.D.3 and required by Section 13.20.020.H.6.a. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.

4. Compliance Orders

When the city finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the city may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a Pretreatment Standard or Requirement, nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

5. Cease and Desist Orders

When the city finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, or that the User's past violations are likely to recur, the city may issue an order to the User directing it to cease and desist all such violations and directing the User to:

- a. Immediately comply with all requirements; and
- b. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the User.

6. Administrative Fines

- a. When the city finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the city may fine such User in an amount not to exceed \$1,000.00. Such fines shall be assessed on a per-violation, per-day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.
- b. Unpaid charges, fines, and penalties shall, after thirty (30) calendar days, be assessed an additional penalty of ten (10%) of the unpaid balance, and interest shall accrue thereafter at a rate of ten and one half percent (10.5%) per month. A lien against the User's property shall be sought for unpaid charges, fines, and penalties.

c. Users desiring to dispute such fines must file a written request for the city to reconsider the fine along with full payment of the fine amount within twenty (20) days of being notified of the fine. Where a request has merit, the city may convene a hearing on the matter. In the event the User's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the User. The city may add the costs of preparing administrative enforcement actions such as notices and orders, and any additional legal expenses, to the fine.

d. Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the User.

7. Emergency Suspensions

The city may immediately suspend a User's discharge, after informal notice to the User, whenever such suspension is necessary to stop an actual or threatened discharge, which reasonably appears to present, or cause an imminent or substantial endangerment to the health or welfare of persons. the city may also immediately suspend a User's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

a. Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the city may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. the city may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the city that the period of endangerment has passed, unless the termination proceedings in Section 10.8 of this ordinance are initiated against the User.

b. A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the city prior to the date of any show cause or termination hearing under Sections N.3 or N.8 of this ordinance.

Nothing in this Section shall be interpreted as requiring a hearing prior to any Emergency Suspension under this Section.

8. Termination of Discharge

In addition to the provisions in Section 13.20.020.I.6 of this ordinance, any User who violates the following conditions is subject to discharge termination:

a. Violation of individual wastewater discharge permit conditions;

- b. Failure to accurately report the wastewater constituents and characteristics of its discharge;
- c. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- d. Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling; or
- e. Violation of the Pretreatment Standards in Section 13.20.020 of this ordinance.

Such User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section N.3 of this ordinance why the proposed action should not be taken. Exercise of this option by the city shall not be a bar to, or a prerequisite for, taking any other action against the User.

O. Judicial Enforcement Remedies

1. Injunctive Relief

When the city finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the city may petition the Superior Court of the Fourth Judicial District of the State of Alaska through the city's Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the individual wastewater discharge permit, order, or other requirement imposed by this ordinance on activities of the User. The city may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

2. Civil Penalties

- a. A User who has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall be liable to the city for a maximum civil penalty of \$1,000.00 per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.
- b. The city may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the city.
- c. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

3. Criminal Prosecution

- a. A User who willfully or negligently violates any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 per violation, per day, or imprisonment for not more than six (6) months, or both.
- b. A User who willfully or negligently introduces any substance into the POTW, which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of at least \$1,000.00 per violation, per day, or be subject to imprisonment for not more than six (6) months or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.
- c. A User who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this ordinance, individual wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this ordinance shall, upon conviction, be punished by a fine of not more than \$1,000.00 per violation, per day, or imprisonment for not more than six (6) months, or both.
- d. In the event of a second conviction, a User shall be punished by a fine of not more than \$1,000.00 per violation, per day, or imprisonment for not more than six (6) months, or both.

4. Remedies Nonexclusive

The remedies provided for in this ordinance are not exclusive. the city may take any, all, or any combination of these actions against a noncompliant User. Enforcement of pretreatment violations will generally be in accordance with the city's enforcement response plan. However, the city may take other action against any User when the circumstances warrant. Further, the city is empowered to take more than one enforcement action against any noncompliant User.

P. Supplemental Enforcement Action

1. Penalties for Late Reports

A late fee of \$100.00 shall be assessed to any User for each day that a report required by this ordinance, a permit or order issued hereunder is late, beginning five days after the date the report is due. For reports that are more than ten (10) calendar days late, a late fee of \$500.00 per day shall be assessed beginning on the 11th day that the report is overdue. Actions taken by the city to collect late reporting penalties shall not limit the city's authority to initiate other enforcement actions that may include penalties for late reporting violations.

2. Water Supply Severance

Whenever a User has violated or continues to violate any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, water service to the User may be severed. Service will recommence, at the User's expense, only after the User has satisfactorily demonstrated its ability to comply.

3. Informant Rewards

The city may pay up to five thousand dollars (\$5,000.00) for information leading to the discovery of noncompliance by a User. In the event that the information provided results in a civil penalty or an administrative fine levied against the User, the city may disperse up to twenty percent (20%) of the collected fine or penalty to the informant. However, a single reward payment may not exceed five thousand dollars (\$5,000.00).

Q. Affirmative Defenses to Discharge Violations

1. Upset

a. For the purposes of this Section, upset means an exceptional incident in which there is unintentional and temporary noncompliance with categorical Pretreatment Standards because of factors beyond the reasonable control of the User. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

b. An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical treatment standards if the requirements of paragraph (c), below, are met.

c. A User who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (i) An upset occurred and the User can identify the cause(s) of the upset;
- (ii) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
- (iii) The User has submitted the following information to the city within twenty-four (24) hours of becoming aware of the upset [if this information is provided orally, a written submission must be provided within five (5) days]:

- (1) A description of the indirect discharge and cause of noncompliance;
- (2) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
- (3) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

d. In any enforcement proceeding, the User seeking to establish the occurrence of an upset shall have the burden of proof.

e. Users shall have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical Pretreatment Standards.

f. Users shall control production of all discharges to the extent necessary to maintain compliance with categorical Pretreatment Standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

2. Prohibited Discharge Standards

A User shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in Section 13.20.020.B of this ordinance or the specific prohibitions in Sections 13.20.020.C (3) and (4) of this ordinance if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause Pass Through or Interference and that either:

- a. A Local Limit exists for each pollutant discharged and the User was in compliance with each limit directly prior to, and during, the Pass Through or Interference; or
- b. No Local Limit exists, but the discharge did not change substantially in nature or constituents from the User's prior discharge when the city was regularly in compliance with its NPDES permit, and in the case of Interference, was in compliance with applicable sludge use or disposal requirements.

3. Bypass

a. For the purposes of this Section,

(i) Bypass means the intentional diversion of wastestreams from any portion of a User's treatment facility.

(ii) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or

substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

b. A User may allow any bypass to occur which does not cause Pretreatment Standards or Requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (c) and (d) of this Section.

c. Bypass Notifications

(i) If a User knows in advance of the need for a bypass, it shall submit prior notice to the city, at least ten (10) days before the date of the bypass, if possible.

(ii) A User shall submit oral notice to the city of an unanticipated bypass that exceeds applicable Pretreatment Standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. the city may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

d. Bypass

(i) Bypass is prohibited, and the city may take an enforcement action against a User for a bypass, unless

(1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The User submitted notices as required under paragraph (c) of this section.

(ii) the city may approve an anticipated bypass, after considering its adverse effects, if the city determines that it will meet the three conditions listed in paragraph (d)(i) of this Section.

R. Private Wastewater Disposal

1. Where a public sewer is not available under the provisions of the Uniform Plumbing Code (UPC), the building sewer shall be connected to a private wastewater disposal system complying with the same provisions and applicable city, state and federal requirements.

2. Upon completion of construction of a sewer system extension in an area, the city shall publish a notice that sewer service is available to serve the property owners of that area. The owner of a property as defined in 13.20.020.A.4 and served by a private wastewater disposal system shall have installed or cause to be installed, at his expense, a connection to the public sewer within no less than two years from the date such sewer service is declared to be available, or any other timetable as prescribed by city council or city code. Prior to the sale of a property served by a wastewater service system, hook up to the wastewater service is required. The connection shall be of a type and installed in a manner consistent with this chapter. Monthly wastewater fees as established by city code shall begin at time of such connection. (Ord. 01-03, §2(part), 2003).

3. Tie in fees for new service areas are to be established by resolution of council. Tie in fees are due at time of connection, however arrangements may be made to amortize tie in fees over a twelve-month period.

4. Failure to connect to available sewer service within the two-year time period, shall be cause for the property owner to be billed and required to pay the applicable monthly wastewater fee on an ongoing month by month basis. In addition, the tie in fee becomes due and payable, however arrangements may be made to amortize tie in fees over a twelve-month period.

5. Failure to connect or pay applicable fees within three years of notice shall be cause for the city to file a lien against said property for outstanding tie in fees and/or wastewater fees. Such lien shall be reviewed annually and may be adjusted to reflect actual outstanding balances. (Ord. 98-16, §2 (part), 1998).

S. Building Sewers

All building sewers shall be installed in complete accordance with provisions of the Uniform Plumbing Code.

T. Service Connection

1. No unauthorized person(s) shall uncover, make any connections with or openings into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written sewer connection permit from the mayor or designated representative.

2. Where construction, repair, maintenance and excavation in public streets are involved, see North Pole Water and Sewer Standards of Construction.

3. The owner shall be responsible to the city for any loss or damage that may directly or indirectly be occasioned by the installation of the service connection.

4. All requested permit applications shall be screened and evaluated by the utility manager and the mayor or designated representative to determine the following:

- a. The quantity and characteristics of the sewage to be introduced;
- b. The availability of a public sewer;
- c. The sufficiency of the public sewer capacity;
- d. The commitment of the owner for payment of assessments;
- e. The commitment of the owner to comply with all provisions of this code.

Unacceptability of any item above shall be sufficient grounds for denying the application. The applicant, if required by the city, shall provide such data as is necessary for the above determination.

5. Every service line shall contain cleanouts outside the building as required by the Uniform Plumbing Code.

6. All structures shall contain a backwater valve to prevent sewer backup inside the confines of the structure as required by Section 710.1 of the 1997 Uniform Plumbing Code. (Ord. 00-16 §2(part), 2000)

7. Individual Sewer Services. Independent and separate sewer services shall be provided on each lot for all buildings within the city or that are to be ultimately connected to the municipal sewer system. Common sewer services are expressly prohibited in zero lot line and townhouse developments. Condominiums or planned unit developments with specific association agreements subject to the city's review and satisfaction may be allowed as exceptions. The customer provides and pays for all expenses required to install the necessary sewer pipe, fittings, cleanouts, manholes and pump stations required to connect the property to the city sewer at the point of connection designated by the utility supervisor or his designated representative.

8. Sampling and Observation Station. When required by the utility, any commercial or industrial user shall install a suitable sampling station on his property to facilitate observation, sampling and measurement of wastes. Such station, when required by the North Pole Utility, shall be accessible and safely located and shall be constructed in accordance with plans approved by the North Pole Utility. Installation and maintenance expense shall be the responsibility of the property owner.

9. All commercial kitchens and other food processing facilities shall furnish, install and maintain a grease trap/interceptor to trap animal and vegetable based greases and oils in accordance with the Uniform Plumbing Code and the local limits criteria listed in Section 13.20.020.F.2 of this ordinance. Final acceptance of such a device and the operation and maintenance plan to ensure its proper performance is subject to approval by North Pole Utility department. Further applicability and information on this requirement can be obtained from North Pole Utility. (Ord. 00-16 §2(part), 2000)

10. Installation of sewer stub line and sewer connections;

a. All sewer stub lines shall be installed and mains tapped by a contractor licensed by the state. As a prerequisite to commencing any work on the utility, the contractor shall furnish:

(i) Contractor's license (State of Alaska);

(ii) Proof of Workman's Compensation Insurance, if required by law;

(iii) A bond in the amount of five thousand dollars;

(iv) Other proof of capability to perform such work as required by the public works director.

b. The party or parties installing the building sewer line portion outside the street right of way need not meet the requirements of a bonded contractor as outlined above, but they shall make the city aware of their capabilities to perform such work. Those installing this portion of the water service line will, however, be required to meet the same material and workmanship qualifications outlined in the City of North Pole Standard of Construction Specifications. (Ord04-08 §2(part), 2004)

U. Maintenance and Repair

Users shall be responsible for all maintenance and repair of their service line, connection cleanouts, backwater valves, and shall further be responsible for the removal of soft plugs or debris which accumulate in their service line or connection as well as frozen service line and connections. Users shall insure that all-weather access is available to sewer system personnel for cleanouts, valves, control manholes and pretreatment facilities located on user property. (Ord. 00-16 §2(part), 2000)

V. Claim for Sewage Blockages

1. Subject to the provisions of subdivision 2 of this subsection, if it is determined that a backup problem stems from a blockage within a city sewer easement or a main line plug and the property owner notifies the sewer manager prior to incurring costs for cleaning and/or thawing, the customer is eligible for reimbursement of such costs. (Ord. 00-16 §2(part), 2000)

2. If it is determined that a backup problem stems from a blockage or other malfunction existing within a sewer interceptor or lateral located within the city easement, and if it is determined that such interceptor or lateral was installed by a person, corporation or other entity who, at the time of such installation, was not under contract with the city to install such improvements, then and in such event, the property owner shall have the burden of showing that the person, corporation, or other entity responsible for such installation complied with the provisions of this code prior to connection to the municipal sewer system. If such compliance cannot be established, the customer shall not be eligible for reimbursement of the costs of cleaning and/or thawing, or repairing such broken connection or other obstruction. (Ord. 00-16 §2(part), 2000)

3. The city will reimburse the customer for steam thawing when performed by a licensed bonded contractor if:

- a. It is determined that the total cost has been paid to the vendor; and
- b. An original copy of the vendors invoice, marked paid, is submitted to the city within one hundred twenty days of the date the work was performed; and
- c. When it has been determined that the backup and/or freezing was caused by a main line plug.

4. Liability resulting from blockages shall be limited in any event to reimbursement for correction of the blockage.

W. Liability for Damages Due to Failure of Service

The sewer utility will exercise reasonable diligence in furnishing utility service in compliance with applicable laws and regulations but will not be liable for damage caused by interruptions to service, irregularity of services, or failure of service which occurs as a result of failure of utility facilities, accidents, acts by third persons, or circumstances beyond the utility's reasonable control.

X. Service Interruptions

The sewer utility reserves the right to temporarily suspend services when necessary for the purpose of new installations, repairs, testing, modification, expansion, correction or replacement of the system. The utility will attempt to notify affected utility users of impending service interruptions where possible and where not precluded by emergency conditions. The utility will exercise reasonable diligence in avoiding inconvenience which may arise out of necessary service interruptions.

Y. Disclaimer of Warranty

Any approval by the city of a type, kind or capacity of an installation shall not relieve a person of the responsibility of revamping, enlarging or otherwise modifying such installation to

accomplish an intended purpose. Nor shall any written or oral agreement as to limits of constituents of volume of waters or waste be considered as final approval for continuing operation. These limits will be subject to constant study and change as considered necessary to serve their intended purpose. The utility expressly disclaims warranty to facilities installed by users or by users' representatives.

Christmas in Ice

NORTH POLE * ALASKA



April 9, 2012

On behalf of Christmas In Ice, Inc. (CII), I formally request 1st quarter 2012 Bed Tax from the City of North Pole.

See attached financial report.

In March 2012, CII received NP City bed tax revenue for the 4th quarter of 2011. Those funds allowed our organization to pay for January's contracted labor services, as well as memberships at the Fairbanks Convention & Visitor's Bureau and the North Pole Chamber of Commerce. We also designed and printed unique rack cards for display and advertising, and purchased a heavy-duty chainsaw for ice harvesting. Ice carvers received participation certificates and major sponsors received engraved plaques for this past winter's event.

Bed tax monies received for the 1st quarter of 2012 will be used over the summer months to promote our organization at local community events, such as North Pole's 4th of July festival and Fairbanks' Golden Days. We need to replenish our supply of logo merchandise to sell at the festival booths and during next winter's ice park event. Also, the bed tax revenue will assist in paying summer bills, such as rent for our storage unit and our post office box.

Christmas In Ice's directors and members-at-large are currently preparing a grant application to procure a major piece of equipment. A sponsor package for local and Lower 48 business owners has been developed in order to obtain additional working capital as we begin to plan this December's main event.

Attracting visitors to North Pole during the cold and dark winter months is one of our main goals in building an ice park. We look forward to the day we can host summer activities to educate and entertain North Pole residents and visitors in the city *where the Spirit of Christmas lives year 'round*.

Respectfully requested,

Betsy A. Jones, Treasurer
Christmas In Ice, Inc.

Christmas In Ice, Inc.
P.O. Box 57250
North Pole, Alaska 99705
(907) 378-5778 www.christmasinice.org


Accrual Basis

Christmas In Ice, Inc.
Profit & Loss
January through March 2012

	Jan - Mar 12
Ordinary Income/Expense	
Income	
Contribs, gifts, grants, other	3,160.81
Program Service Revenue	4,322.82
Total Income	7,483.63
Cost of Goods Sold	
Cost of Sales	247.76
Total COGS	247.76
Gross Profit	7,235.87
Expense	
Contract Services	3,125.00
Advertising	841.72
Telephone, Internet, Webcams	2,282.55
Occupancy	570.00
Food & Beverage	62.72
Insurance	336.00
Park Operations	1,044.46
Facilities and Equipment	3,241.33
Bank fees	746.76
Total Expense	12,380.54
Net Ordinary Income	-5,124.67
Other Income/Expense	
Other Income	
TILL OVER	8.00
Total Other Income	8.00
Other Expense	
TILL SHORT	37.02
Total Other Expense	37.02
Net Other Income	-29.02
Net Income	-5,153.69

North Pole Police Department

Memo

To: North Pole City Council
From: Chief Paul Lindhag 
Date: April 12, 2012
Re: Acceptance of 2012 Chena Lakes Contract

I am requesting you approve the attached 2012 Chena Lakes contract the runs from May 1, 2012 to September 30, 2012. The contract totals \$77,946.64, which is approximately a 2% increase from the 2011 contract. This contract pays for the officer for the 872 hours of regular time he works there during this period, up to 40 hours of overtime that may need to be worked, patrol vehicle costs for all these hours, and 24 hours of holiday pay (for Memorial Day, Independence Day, and Labor Day).

Thank you for your consideration on this matter.

COOPERATIVE AGREEMENT BETWEEN THE U.S. ARMY CORPS OF
ENGINEERS AND THE CITY OF NORTH POLE, ALASKA FOR THE PROVISION
OF LAW ENFORCEMENT SERVICES

APPENDIX A
2012 PLAN OF OPERATION FOR LAW ENFORCEMENT SERVICES
AT THE CHENA RIVER FLOOD CONTROL PROJECT

TASK ORDER 01-2012

1. INTRODUCTION

In the interest of public safety and security, the City of North Pole, Alaska (**Cooperator**) will provide law enforcement services on U.S. Army Corps of Engineers (**Corps**) managed lands and waters within the Chena River Flood Control Project as described below. The Corps has proprietary jurisdiction over all Project lands and waters in accordance with Federal regulations contained within Title 36, Code of Federal Regulations, Part 327. Law enforcement cooperative agreements (LECA) with states or their political subdivisions are authorized by Engineer Regulation 1130-2-550, Chapter 7, to help provide a safe and healthful environment for public use at Corps water resource development projects. Concurrent patrol and enforcement by both the Corps and the Cooperator is the most effective means of assuring a safe environment for public use at the Chena River Flood Control Project.

2 DESCRIPTION OF WORK AREA

The work area covered by this task order includes all accessible Corps managed public lands and waters contained within the boundaries of the Project (Attachment 1). Most, but not all, patrol work will be in those areas receiving the greatest use to maximize visibility and effectiveness. These areas include the Project entrance road corridor, dam structure and outlet works, bicycle trail, visitor kiosk, Piledriver Slough access areas, Bathing Beauty Hole, Moose Creek Bluff, Tanana groin road and silt blanket portion of the floodway.

The **Chena Lakes Recreation Area** (*Lake Park and River Park*), leased to and managed by the Fairbanks North Star Borough (FNSB), **is not included in this Task Order**; however, this will not preclude the Cooperator from independently entering these areas in extreme emergencies. The Cooperator may, at no expense to the Corps, provide backup support to the Alaska State Troopers (AST) responding to other than extreme emergencies in the leased parks pursuant to state or local authority. **The FNSB is expected to call AST for all law enforcement within the Chena Lakes Recreation Area since they (the FNSB) are not a party to the original LECA or this Task Order.**

3. PERIOD OF SERVICES

Regularly scheduled patrols shall begin no earlier than May 1, 2012 and shall end no later than September 30, 2012. This period covers approximately 22 weeks of continuous service from the Cooperator.

4. NORMAL LEVEL OF SERVICE

There is currently no scheduled law enforcement service provided at the Project. The Alaska State Troopers make infrequent visits to the Project and respond to emergencies if available. The FNSB has no law enforcement powers or organization.

5. TASKS

a. The Cooperator shall provide one or more state certified law enforcement officers, with jurisdictional authority to enforce State laws on the Project, to perform an average of 40 hours of patrol work each week during the service period. The total number of hours worked under this task order shall not exceed 872 hours, regular time; 40 hours, overtime; and 24 hours, holiday time.

1. Patrol work will be performed by one law enforcement officer using the Cooperator's law enforcement vehicle, the Corps' all-terrain vehicles, patrol boat and by foot. The primary emphasis of these patrols will be on accident prevention, emergency services to Project visitors, and the enforcement of state laws. Maximum visibility of the Cooperator is desired to encourage voluntary compliance with laws and regulations. Liberal use of verbal and written warnings for minor infractions is encouraged; enforcement actions are to be undertaken as necessary.

2. The Cooperator shall generally provide services from Thursday through Monday each week. Service on Tuesday and Wednesday will generally not be required except for holidays falling on these days for which holiday wages will be paid. If Corps requested work for individual officer exceeds 40 hours in one week, overtime will be paid.

3. Patrol work shall usually coincide with the daily period of greatest use of the Project by visitors. Except for special circumstances or as otherwise directed by the Corps, the Cooperator is expected to begin work no earlier than 1000 and finish no later than 2400 each day. Within this general coverage window, the Corps will allow maximum flexibility in the Cooperator's daily schedule. Should inclement weather, equipment down time or other conditions beyond the control of the Cooperator reduce the patrol on a particular day, the lost time may be made up on another day when additional work is considered necessary. The cooperator is encouraged to rotate starting points and work hours so as not establish a predictable patrol pattern.

b. The Cooperator shall operate traffic radar on the primary Project access road as necessary to measure and control traffic speed along the road and prevent accidents.

c. The Cooperator will not provide nor be reimbursed for water safety patrols or enforcement of State boating laws.

6. DAILY LAW ENFORCEMENT LOG

The Cooperator shall maintain a daily activity log recording all incidents, accidents, visitor assists and public contacts, including warnings or citations issued. It is particularly important that any work (to include emergency responses and assists to AST) performed within the **Chena Lakes Recreation Area** (Lake and River Parks), that is leased to and operated by the FNSB, be noted separately for statistical purposes. A summation of the activity log shall be submitted to the Corps at the end of each month. Detailed written reports of major incidents such as traffic accidents, fatalities, theft, property damage, assaults and other such incidents shall be submitted to the Corps no later than the following scheduled workday.

Any emergency involving a fatality, serious injury, major property damage or credible physical security threat involving the dam shall be reported immediately to the Corps' Project Manager or Senior Park Ranger regardless of time of day.

7. COST OF SERVICES

The hourly rate for law enforcement services shall be as follows:

<u>Item</u>	<u>Cost/Hour</u>	<u>Estimated Hours</u>	<u>Estimated Cost</u>
Officer's Total Hourly Rate*	\$ 50.67	872	\$ 44,184.24
Vehicle Rate**	\$ 33.12	912***	\$ 30,205.44
Overtime (Officer/)	\$ 63.67	40	\$ 2,546.80
Holiday (Officer/)	\$ 42.09	24	\$ 1,010.16
TOTAL COST			\$ 77,946.64

* To include all insurance costs

** Vehicle rate is cost for depreciation and maintenance only and not for purchase costs.

*** Includes overtime hours

8. COMPENSATION TO THE COOPERATOR

The Cooperator shall be paid for services listed in this task order performed over the agreement period. No legal liability on the part of the Corps for payment of any money for performance outside of this task order shall arise. Additional work, if necessary, will be covered under separate task orders.

9. BILLINGS

The Cooperator shall submit monthly invoices to the Corps, itemizing the hours of services actually performed and the hourly rates listed previously in Section 7. The Cooperator's log will be used as one method of verifying performance.

Invoices shall be submitted directly to the following:

U.S. Army Corps of Engineers
Chena River Flood Control Project
PO Box 55270
North Pole, AK 99705

10. PAYMENTS

Monthly invoices will be reviewed for accuracy and forwarded to the Alaska District Office in Anchorage for payment. The Cooperator will be paid only for those services received and approved by the District Engineer's Representative at the Project. The total cost of services performed during the term of this agreement may not exceed \$ 77,946.64.

1. CORPS AND COOPERATOR REPRESENTATIVES

1. Mr. John C. Schaake, Project Manager, Chena River Flood Control Project, P.O. Box 55270, North Pole, AK 99705, telephone 488-2748, is designated as the District Engineer's Representative and Point of Contact for all matters relating to this task order.

2. Mr. Paul Lindhag, Chief, North Pole Police Department, 125 Snowman Lane, North Pole, AK 99705, telephone 488-6902, is designated the Cooperator's Representative and Point of Contact for all matters relating to this task order.

12. APPROVAL

The date of approval for this annual task order shall be the date on which it is signed by the Chief, Construction-Operations Division, U.S. Army Corps of Engineers, Alaska District. This Plan of Operation shall remain in effect until modified or terminated for convenience by either party.

U.S. ARMY CORPS OF ENGINEERS
(To be signed after negotiations)

E. Allen Churchill, Jr.
Chief, Operations Branch
U.S. Army Engineer District, Alaska

DATE

CITY OF NORTH POLE, ALASKA
(To be signed after negotiations)

Douglas W. Isaacson
Mayor, City of North Pole, Alaska

DATE

CITY OF NORTH POLE

RESOLUTION 12-08

A RESOLUTION OF THE CITY OF NORTH POLE TO FORMALLY ACCEPT A MUNICIPAL MATCHING GRANT FROM THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION IN THE AMOUNT OF \$187,334 FOR THE UTILITY GARAGE CONSTRUCTION PROJECT THAT WILL SUPPLEMENT PRIOR FUNDING OF \$524,977

WHEREAS, the City previously received a Municipal Matching Grant (MMG) #63319 in the amount of \$524,977 for the Utility Garage Construction Project; and

WHEREAS, after the completion of the City's Sludge Removal Project funded in part by MMG #63318, unspent state funds in that grant totaled \$187,344; and

WHEREAS, the North Pole City Council approved submitting a revised grant application in Resolution 12-01 for MMG# 63319 requesting the unspent funds from MMG# 63318 be reallocated to MMG# 63319; and

WHEREAS, the Alaska Department of Environmental Conservation approved the City's revised grant application for MMG# 63319 increasing the amount of the grant by \$187,344 to a total state allocation of \$712,311; and

WHEREAS, the City agrees it shall construct, operate and maintain the completed Utility Garage Project funded in part with MMG# 63319.

NOW, THEREFORE, BE IT RESOLVED, by the North Pole City Council of the City of North Pole that the City accepts Alaska Department of Environmental Conservation MMG# 63319 supplemental award of \$187,344 for a total award of \$712,311 for the Utility Garage Construction Project and accepts the conditions of the grant agreement.

PASSED AND APPROVED by a duly constituted quorum of the North Pole City Council on the 16th day of April, 2012.

Douglas W. Isaacson, Mayor

ATTEST:

Kathryn M. Weber, MMC
North Pole City Clerk

PASSED
Yes –
No-
Abstained-
Absent-

**CITY OF NORTH POLE
RESOLUTION 12-09**

**A RESOLUTION AMENDING THE NOTICE OF ASSESSMENT LIEN, RECORDED
FEBRUARY 22, 2007 AS INSTRUMENT NUMBER 2007-003559-0,
IN THE RECORDS OF THE FAIRBANKS RECORDING DISTRICT,
FOURTH JUDICIAL DISTRICT, STATE OF ALASKA, AS TO TRACT B-4 IN
THE EAGLE ESTATES IMPROVEMENT DISTRICT**

WHEREAS, on February 22, 2007, the City of North Pole signed a Notice of Assessment Lien, recorded February 22, 2007 as Instrument Number 2007-0033559-0 in the Records of the Fairbanks Recording District, Fourth Judicial District, State of Alaska, as to Tract B-4 in the Eagle Estates Improvement District, in the amount of \$85,622.06, listing the owner as George Miller; and

WHEREAS, the ownership of Tract B-4 has been transferred to George and/or Joyce Miller, 255 Yukon Drive, North Pole, Alaska 99705, and amended by Amendment to the Declaration recorded December 5, 2005 as Instrument Number 2005-026943-0; and

WHEREAS, said Tract B-4 has been subdivided by a Plat of Eagle Estates, according to Plat Number 2006-175, Instrument Number 2012-002228-0, recorded February 9, 2012, Fairbanks Recording District; and

WHEREAS, all the owners of Tract B have requested and agreed that the City of North Pole's assessment on Tract B-4 should be subdivided and a portion of the total should attach to the separate lots within Eagle Estates as herein provided;

NOW THEREFORE, the City of North Pole, a municipal corporation of the State of Alaska, with an address of 125 Snowman Lane, North Pole, Alaska 99705, does hereby amend its assessment lien in the stated amount of \$76,006.45 on all of Tract B-4, and the principal amount of said assessment lien is divided and levied upon the twenty six (26) individual lots of Tract B-2, according to the plat filed February 9, 2012 as Plat No. 2006-175 F.R.D. Records of the Fairbanks Recording District, Fourth Judicial District, State of Alaska, as follows:

Block 2, Lot 1	\$3,558.64
Block 2, Lot 2	\$2,642.53
Block 2, Lot 3	\$2,642.18
Block 2, Lot 4	\$2,536.75
Block 2, Lot 5	\$2,561.43
Block 2, Lot 6	\$4,152.10
Block 2, Lot 7	\$4,795.98
Block 2, Lot 8	\$2,708.47
Block 2, Lot 9	\$2,716.23
Block 2, Lot 10	\$4,762.49

Passed
Yes –
No-
Abstained-

Block 2, Lot 11	\$4,110.14
Block 2, Lot 12	\$2,538.16
Block 2, Lot 13	\$2,503.95
Block 2, Lot 14	\$2,883.37
Block 2, Lot 15	\$2,882.67
Block 2, Lot 16	\$2,975.41
Block 3, Lot 1	\$2,374.90
Block 3, Lot 2	\$2,477.86
Block 3, Lot 3	\$2,478.21
Block 3, Lot 4	\$2,478.57
Block 3, Lot 5	\$2,707.06
Block 3, Lot 6	\$2,706.71
Block 3, Lot 7	\$2,478.92
Block 3, Lot 8	\$2,479.27
Block 3, Lot 9	\$2,479.27
Block 3, Lot 10	\$2,378.07

The above individual lot amounts total the principal assessment on former Tract B-4 of \$76,006.45.

In addition to the principal amount set out above as to each lot, each individual lot shall be liable for all interest, costs, fees, and penalties related to the principal assessment amount for which it is responsible.

The payment terms remain: Equal annual installments beginning December 31, 2012 and delinquent January 1, 2013, and if paid in installments, each subsequent annual installment shall be due on December 31st and delinquent January 1 of each subsequent year. The assessments may be paid in Fourteen (14) equal annual installments plus interest at five percent (5.00%) per annum on the unpaid balance, beginning May 1, 2012 until paid. A penalty of ten percent (10%) shall be added to any assessment installment not paid before the date of delinquency, and both the unpaid amount and penalty shall draw interest until paid in accordance with Chapter 4.24. of the North Pole Municipal Code of Ordinances.

PASSED AND APPROVED by a duly constituted quorum of the North Pole City Council this 16th day of April, 2012.

Douglas W. Isaacson, Mayor

ATTEST:

Kathryn M. Weber, MMC
North Pole City Clerk

Passed
Yes –
No-
Abstained-