

Mayor
John K. Handeland

City Manager
Glen Steckman

Deputy City Clerk
Susan Hite



Nome Planning Commission
Kenneth Hughes III, Chair
Mathew Michels
Sara Lizak
John Odden
Gregory Smith
Carol Piscoya
Colleen Deighton

**NOME PLANNING COMMISSION
REGULAR MEETING AGENDA
TUESDAY, MAY 04, 2021 at 7:00 PM
COUNCIL CHAMBERS IN CITY HALL**

102 Division St. ▪ P.O. Box 281 ▪ Nome, Alaska 99762 ▪ Phone (907) 443-6663 ▪ Fax (907) 443-5345

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- [A.](#) 21-04-06 Nome Planning Commission Regular Meeting Minutes,

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HISTORIC PRESERVATION COMMISSION ACTIVITIES

- [A.](#) Final Review of Preliminary Draft Historic Preservation Plan,

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COMMUNICATIONS

- [A.](#) Letter of April 5, 2021 from Department of Transportation & Public Facilities to City of Nome re: 2021 Construction Season,

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- [B.](#) Email of April 5, 2021 from CRS Specialist James to City of Nome re: Annual CRS Certification,

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CITIZENS' COMMENTS

NEW BUSINESS

- [A.](#) Conditional Use Permit Application for Lot 6A Block 43A - 402 E N Street, **PUBLIC HEARING,**

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- [B.](#) Variance Application for Lot 5A Block 50 - 103 East King Place, **PUBLIC HEARING,**

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- [C.](#) R-2021-01 A Resolution Recommending the Nome Common Council Adopt the 2018 International Property Management Code,

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- [D.](#) R-2021-02 A Resolution in Support of Kawerak, Inc's Effort to Develop a Feasibility Study for a Regional Recycling Center That Would Serve the Residents and Visitors of the Bering Strait Region,

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STAFF REPORTS

[A.](#) City Planner Report,

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[B.](#) Permit Summaries,

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COMMISSIONERS' COMMENTS

SCHEDULE OF NEXT MEETING

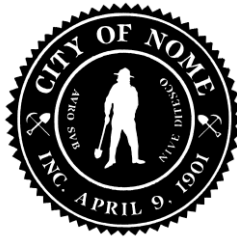
The next regular meeting is scheduled for Tuesday June 1, 2021.

ADJOURNMENT

Mayor
John K. Handeland

City Manager
Glen Steckman

Deputy City Clerk
vacant



Nome Planning Commission Item A.
Kenneth Hughes III, Chairman
Mathew Michels
Sara Lizak
John Odden
Gregory Smith
Carol Piscoya
Colleen Deighton

**NOME PLANNING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, APRIL 06, 2021 at 7:00 PM
COUNCIL CHAMBERS IN CITY HALL**

102 Division St. • P.O. Box 281 • Nome, Alaska 99762 • Phone (907) 443-6663 • Fax (907)
443-5345

ROLL CALL

Members Present: Colleen Deighton; Mathew Michels; Sara Lizak; Gregory Smith.

Members Absent: Ken Hughes (excused); Carol Piscoya (excused); John Odden (excused)

Also Present: Glenn Steckman, City Manager; Bryant Hammond, City Clerk; Eileen Bechtol, City Planner; Jeremy Jacobson, Clerk's Office Administrative Assistant

In the audience: James Mason, Nome Nugget; Gary Gillette (telephonic)

APPROVAL OF AGENDA

A motion was made by C. Smith and seconded by C. Michels to approve the agenda as presented.

At the roll call:

Aye: Michels; Lizak; Smith; Deighton

Nay:

Abstain:

The motion **CARRIED**.

APPROVAL OF MINUTES

A. February 2, 2021 Nome Planning Commission Regular Meeting Minutes.

B. March 2, 2021 Nome Planning Commission Regular Meeting Minutes.

A motion was made by C. Michels and seconded by C. Smith to approve the February 2, 2021 and March 2, 2021

minutes.

Discussion:

- Commissioner Deighton noted that Sue Steinacher was still listed as present in the February minutes.

At the roll call:

Aye: Michels; Lizak; Smith; Deighton

Nay:

Abstain:

The motion **CARRIED**.

HISTORIC PRESERVATION COMMISSION ACTIVITIES

A. Historic Preservation Plan for Nome Alaska.

- Gary Gillette presented the draft Historic Preservation Plan, noting the plan was currently in the public comment period.
- The Commission requested and Mr. Gillette delivered a basic overview of the plan, giving a synopsis of each of the major sections of the plan.
- Planner Bechtol explained the plan for dissemination and public comment, noting the desire for an open house in May.
- Acting Chair Lizak complimented the draft, noting the introduction pedagogic value.
- Commissioner Deighton asked if the property owners knew they were on the historic properties list.
- Commissioner Michels opined it was a great start to the plan and noting current events and suggested the Spanish Flu should be included in the historic events section.
- Commissioner Smith noted the historic list was an old list and might need updating.
- Planner Bechtol explained the final plan needs to be delivered to SHPO by June 30th and approved by the Commission at the June 1st meeting.
- Commissioner Michels suggested using track changes to stay on the same page as to edits and to discuss the plan at the May meeting.
- Planner Bechtol expressed concern over using track changes in real time.

COMMUNICATIONS

A. Letter of March 25, 2021 from AK DOT&PF re: Nome Center Creek Road Rehabilitation.

- Commissioner Deighton expressed concern over the proposed realignment cutting into the cemetery.
- Commissioner Smith opined it would only eliminate a single access point and not disturb any graves.
- Commissioner Michels opined the realignment made sense in terms of public safety and reducing potential accidents.

CITIZENS' COMMENTS

none given

NEW BUSINESS**A. Discussion on the Location of a Community Garden.**

- Clerk Hammond gave a brief explanation of the Council directive.
- Manager Steckman noted the assumption was that it would be on a City owned lot and would need to be planned out in detail, including soil development and water access. He noted realistic implementation wouldn't be until 2022.
- Acting Chair Lizak asked if the City had the financial and volunteer capacity to take on such a project.
- Commissioner Michels asked if there was enough interest to take on the physical labor, noting the water is the trickiest part. He suggested possibly by East End Park where there was a natural lake already present.
- Commissioner Smith noted a previous project at Pilgrim Hot Springs, which dovetailed nicely with the Historic Preservation Plan. He agreed East End Park was an adequate location if implemented in town.

B. 2020 Building Worksheet Discussion.

- Clerk Hammond suggested the Commission study the properties individually and bring notes back to the Commission to discuss potential action.
- The Planning Commission discussed a potential timeline for action and decided upon taking up the matter again at the July Regular Meeting.

UNFINISHED BUSINESS**STAFF REPORTS****A. City Planner's Report.**

- Planner Bechtol presented her written report, noting she was waiting on clarification on when she could travel to Nome for an open house.
- Manager Steckman gave an update on Nome travel restrictions, explaining the City was getting ready to reopen to more normal operations on June 1. He noted the City would be able to set up streaming for the open house to serve those still concerned about the virus.

B. Permit Summaries.

- Clerk Hammond introduced Jeremy Jacobson, who has been coordinating the permitting process since Deputy Clerk Piscoya's resignation.

COMMISSIONERS' COMMENTS

1. Commissioner Deighton expressed excitement over the Historic Preservation Plan and explained she was happy the Commission made quorum this evening.

2. Commissioner Michels opined it was good to see the Historic Preservation Plan coming together and seeing some movement towards working on the building worksheet. He noted he was looking forward to the open house and that it was great to hear that Nome is 71% vaccinated and looking to open up again.
3. Commissioner Lizak agreed with other commissioners, especially with respect to the high vaccination percentage. She thanked City Staff for their hard work.
4. Commissioner Smith echoed the rest of the commission's sentiments and thanked the staff for putting everything together. He opined it would be nice to be fully open and welcomed Mr. Jacobson.

SCHEDULE OF NEXT MEETING

The next regular meeting is scheduled for Tuesday May 4, 2021.

ADJOURNMENT

A motion was made by C. Michels and seconded by C. Smith to adjourn.

Hearing no objections, the Nome Planning Commission adjourned at 8:33 PM.

APPROVED and **SIGNED** this 4th day of May, 2021.

KENNETH HUGHES III
Chair

ATTEST:

BRYANT HAMMOND
City Clerk

Eileen R. Bechtol, AICP
P.O. Box 3426
Homer, Alaska 99603

Phone (907) 399-1624
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erbechtol@gmail.com

Bechtol Planning & Development

Memorandum

To: Nome Planning Commission (NPC)
Glenn Steckman, City Manager

From: Eileen R. Bechtol, City Planner, AICP

Date: May 4, 2021 NPC Meeting

Subject: Preliminary Draft Historic Preservation Plan

The following preliminary draft Historic Preservation Plan is provided to the NPC for final review and comments at the meeting. Architect Gary Gillette will be present at the meeting (zoomed in) to answer any questions.

Also attached are two emails from residents regarding the plan and my responses. Please look over the comments. We will work on getting the answers to questions from Nancy Mendenhall.

Please read the draft plan for review on Tuesday, May 4, 2021 at 7 p.m.

From: Mark Johnson
To Eileen Bechtol
Date: April 20, 2021

Eileen

I was reading through the Draft Historic Preservation Plan and had a couple of questions.

1) Is the list of Historic Properties towards the end of the plan a list of Historic place recognized as such by the federal government or registry or whomever does such things? Or is it a list comprised from different sources withing the City of Nome of Historic Properties?

2) Are there any advantages of owning a recognized property on this list?

3) Are there any disadvantages of having a property listed as a Historic Property?

The reason I ask is that my wife and I own a building at 120 W 1st Ave Blk 30, Lot 63B. I understand that this building was built in 1934 and previously housed a BIA Reindeer office and at some point a gold jewelry store. When the Lewis brothers were still living (there were three brothers - two were twins). Robert Lewis (I believe I have the right brother) used to be a former Fire Chief in Nome. Charlie Lean and others would remember. Anyway, one of these brothers told me they used to work as a young man in the jewelry store located in this building.

Mark

To: Mark Johnson
From: Eileen Bechtol
Date: April 27, 2021

Thanks Mark, good to hear from you. Sound like you have a cool old building. I want to look at it next time I am in town.

First, I want to assure you and your wife that there are no regulations or requirements to having your property listed as a historic property. I really do not think there is a downside.

Advantages are that if you want to advertise that your building is a historic property having it on list City list may be helpful. And there is grant money available for restoration, if it is

on the National Register.

Property owners work with the State Historic Preservation Office and the federal historic office to voluntarily register their property. If you do not want your property on the list in the plan I can take it off.

The PC will be reviewing the plan at the May 4, 2021 meeting.

Please email back with any further questions.

Eileen

From: Nancy Mendenhall

To: Eileen Bechtol

Date: April 20, 2021

Thanks for sending this. I am very impressed with all the good work that has gone into this document. Right now I can't go over it in minute detail so I may have missed some points.

My main suggestion is that you be sure that a local Inuit person or two be on your planning and administrative groups. There are older people in Nome who could be a great resource. It would also be good to include the Kawerak Cultural Center director, a younger person with important perspective.

I don't think I have much to contribute on buildings etc.--you have been very thorough on this. Are you covering just inside the city limits or will you cover items/history outside? For example, some of the WWII planes (I believe) who were part of the lend-lease program, out on the tundra, and a hanger that was part of it out toward the hills. (Maybe this is already listed.) There is the old WWII hospital concrete foundation structure out behind the high school. And the old dredges outside the city I assume you will cover?

Did you cover the WWII Kayler-Dahl buildings about town, for example the Current UMC Thrift Shop? Another K-D was the Nome Skinsewers Shop, which you did list, but it has gone thru several new roles. Right now it is a retail cannabis shop. There are places that used to be horse barns/corrals but all that is left is some good manure I think for gardeners.

It is good that we have the donated omiak outside at Old St. Joes' park. Is it sturdy enough for more decades of weather or should it be more protected? The old "junk yard" on the beach at the east side of Nome, not far out, can be quite fascinating for iron relics lovers. Nome's Walking Tour pamphlet is still available. It is more than a walk to some of the sites however.

Thank you for letting me wander.

To: Nancy Mendenhall
From: Eileen Bechtol
Date: April 22, 2021

Nancy:

Wow, thank you! You win the prize for being the first to respond and thank you for your comments.

We will go through your comments one by one at the May 4, 2021 meeting. The meeting minutes will be available soon after the meeting and I can send them to you - just let me know.

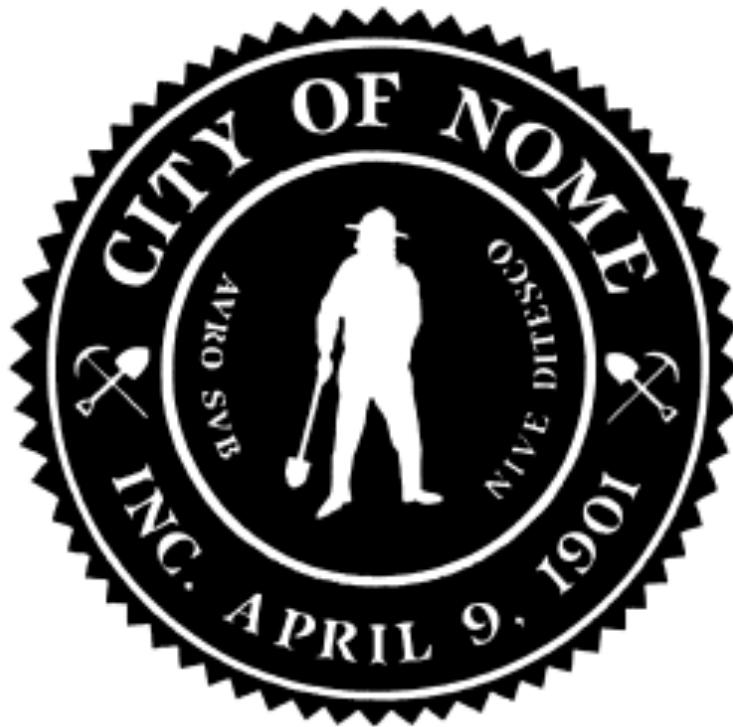
Thank you very much.
Eileen.

HISTORIC PRESERVATION PLAN

for

NOME, ALASKA

**PRELIMINARY
DRAFT**



Prepared by
Gary H. Gillette, Architect
For
The City of Nome, Alaska

March 25, 2021

The preparation of this plan has been financed by the City of Nome with federal funds from the Department of the Interior, National Park Service, and through the assistance of the State of Alaska Office of History and Archaeology. Contents and opinions expressed do not necessarily reflect the views or policies of the Department of the Interior or the State of Alaska, nor does the mention of trade names or commercial products constitute endorsement or recommendation.

CITY OF NOME, ALASKA

MAYOR

John K. Handelman

COMMON COUNCIL

Jerald Brown

Doug Johnson

Mark Johnson

Adam Martinson

Jennifer Reader

Meghan Sigvanna Topkok

PLANNING and HISTORIC PRESERVATION COMMISSION

Kenneth Hughes III – Chair

Sara Lizak

Mathew Michels

John Odden

Carol Piscoya

Gregory Smith

Colleen Deighton

HISTORIC PRESERVATION COMMISSION

***EX OFFICIO* PROFESSIONALS**

Charlie Lean – Historian

Gary Gillette – Historical Architect

Julie Raymond-Yukoubian - Archaeologist

CITY MANAGER

Glenn Steckman

Cheryl Thompson – Executive Assistant

CITY PLANNER

Eileen Bechtol, AICP

Bechtol Planning and Development

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EXECUTIVE SUMMARY

The City of Nome was incorporated as an Alaskan first-class city in 1901 - one hundred and twenty years ago. Physical evidence uncovered in 2005 indicates an indigenous settlement within the city boundaries occurred at least two hundred years prior to Nome becoming a city. It is also known that nomadic indigenous people hunted, fished, and gathered in the surrounding areas since time immemorial.

The people; events; stories; customs; and physical remains (sites, buildings, structures, objects) represent the history and legacy of Nome. This history is important for understanding the community's past and guiding its future. This history contributes to the community's unique personality and character thereby adding to the quality of life in this special location between the vast Bering Sea and the upland tundra of northwest Alaska.

Background

Preserving the history and physical remains of a community provides important links to the past. The City of Nome has taken steps toward historic preservation in past actions. The *Nome Comprehensive Plan 2020* was adopted in 2012 to help shape the character of the community and its quality of life. Its mission was to promote new development opportunities while maintaining and enhancing existing elements of the community that make Nome unique and define its heritage and identity. Within the Comprehensive Plan are goals, objectives, and strategies to promote and capitalize on Nome's unique history.

In 1975 the Nome Common Council adopted an ordinance that supported historic preservation. The ordinance set the first steps to be taken, including the identification of historic resources; designation of significant historic resources as historical landmarks; and maintenance of a catalogue of city landmarks.

In 2018 the City of Nome became a Certified Local Government (CLG) as approved by the Alaska State Historic Preservation Officer. This designation made Nome eligible for certain historic preservation programs and for funding of preservation activities.

The City of Nome applied received a CLG grant in 2018 for Phase I of the development of an historic preservation plan. The grant was specifically to solicit public input for development of the historic preservation plan. A follow-up grant was awarded in 2019 to complete Phase II of the plan's development. The city contracted with Gary H. Gillette, Architect to perform the work.

Purpose

The purpose of the Nome Historic Preservation Plan is to guide efforts for identification, preservation, and protection of valuable historic and cultural resources of the Nome community. The plan is intended to educate the public of the value and importance of Nome's history and influence future development to be sensitive to historic and cultural resources.

The plan states a vision of a future for Nome that celebrates, preserves and shares its unique past. The plan establishes goals and objectives that the community has determined to be important for historic preservation. It defines implementing actions that will serve as a road map for future activities with an eye toward achieving the preservation goals.

Recommendations

The preservation plan identifies a number of recommendations that should be implemented to assure that Nome's past is clearly supported by the community and demonstrates a desire to protect important historic resources. These recommendations include the following:

- Adopt and Implement the Historic Preservation Plan
- Review and Update the Historic Preservation Ordinance (76-10-1)
- Update the Nome Comprehensive Plan
- Periodically Review and Update the Historic Preservation Plan

INTRODUCTION to HISTORIC PRESERVATION

In 1966 the National Historic Preservation Act was adopted by the United States Congress. The National Park Service (NPS) was charged with implementing the programs outlined in the act. NPS describes historic preservation as follows:

“Historic preservation is a conversation with our past about our future. It provides us with opportunities to ask, "What is important in our history?" and "What parts of our past can we preserve for the future?" Through historic preservation, we look at history in different ways, ask different questions of the past, and learn new things about our history and ourselves. Historic preservation is an important way for us to transmit our understanding of the past to future generations.”

“Our nation's history has many facets, and historic preservation helps tell these stories. Sometimes historic preservation involves celebrating events, people, places, and ideas that we are proud of; other times it involves recognizing moments in our history that can be painful or uncomfortable to remember.”

Historic preservation includes the process of identifying, preserving, and protecting sites, districts, buildings, structures, or objects which reflect elements of a community’s cultural, social, economic, political, archaeological or architectural history. This history is important because it links to specific times, places and events that were significant milestones in the past. Revisiting preserved elements of a community’s past provides a sense of place, and maintains continuity between the past and the present.

What is Historic?

The generally accepted threshold of establishing an historic resource is its age of 50 years or greater. The NPS evaluation criteria for listing a resource on the National Register of Historic Places is a good reference for use in the evaluation and determination of the significance of an historic property within the national, state, or local community.

Properties of historic significance possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

1. That are associated with events that have made a significant contribution to the broad patterns of our history; or
2. That are associated with the lives of persons significant in our past; or
3. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. That have yielded, or may be likely to yield, information important in prehistory or history.

Historic resources (districts, sites, buildings, structures, and objects) that meet one of the above criteria are considered significant in a community's history and worthy of preservation and are the focus of the Vision, Goals, and Objectives of the Nome Historic Preservation Plan.

Benefits of Historic Preservation

The history of a community contributes to its personality. Preserving this personality through its history, historic properties, and culture gives a community its unique character. Historic preservation provides a link to the roots of the community and its people. It adds to the quality of life making for a more livable community.

Historic preservation is beneficial to the community in many ways:

- Cultural - a community is richer for having the tangible presence of past eras and historic styles. It benefits from traditional languages, customs, rituals, events and other cultural activities.
- Economical - a community benefits from increased property values and tax revenues when historic buildings are protected and made the focal point of revitalization and when the community is attractive to visitors seeking heritage tourism opportunities.

- Social - a community benefits when citizens take pride in its history and culture through mutual concern for the protection of the historic building fabric, sites, and cultural customs and practices.
- Developmental - a community benefits from having a concerted and well-defined planning approach for the protection of historic buildings while accommodating healthy growth.
- Environmental - a community benefits when historic buildings are recycled (restored or rehabilitated) rather than demolished and disposed of in the community landfill.
- Educational - a community benefits through teaching local heritage and the understanding of the past and the resultant cultural respect by its citizens.

Importance of Historic Preservation Planning

Historic preservation efforts can be influenced by national, state, and local factors: social; political; economic; legal; and other influences. These influences can come from private enterprises and/or public agencies. Successful preservation planning recognizes these influences and establishes goals, objectives, standards, and incentives to resolve conflicts between various parties in reaching consensus within the community.

Historic preservation planning is important for the following reasons:

- A. To clearly state goals of preservation in the community.
- B. To inform developers in advance how the community wants to grow and what the community wants to protect.
- C. To assure consistency between various government policies that affect the community's historic resources.
- D. To educate and inform citizens about their heritage and its value to the community.

- E. To create an agenda for preservation activities and a framework to protect historic resources.
- F. To comprehensively address issues relating to tourism, zoning, traffic patterns, development patterns, and design that might adversely affect historic preservation goals.
- G. To encourage economic development through the preservation of historic resources.
- H. To strengthen the political understanding of and support for historic preservation policies.

Activities Affecting Historic Resources

- Tourism: Heritage tourism is a growing sector of the tourism industry. Increased use of a historic resource through tourism development may have detrimental impacts to the property. Care should be taken to control the level of use and impacts to assure the integrity of the property is maintained. The balance between preservation and sharing the resource is critical as protection may be dependent on the economic benefits that tourism brings.
- New Development: As communities grow, pressure arises for new and larger buildings to meet the needs of the overall community and its businesses and its residents. New development in and around historic buildings, districts, sites, and neighborhoods can dilute the overall historic character by compromising the scale and fabric of the area. Additions and remodeling of existing buildings can have a negative impact to the overall character of the district if they are not done in a sensitive manner. Development and adoption of local design guidelines for new development which might negatively impact historic resources is an important tool for preserving the overall character of historic properties. Guidelines need to allow new buildings to reflect their own time but should identify general characteristics that would enhance the historic neighborhood rather than detract from the established architectural character.
- Demolition: Often buildings are demolished to make way for new development. This practice may have major impacts to the character of

historic buildings, districts, sites, and neighborhoods. In many cases blanket demolition is not as cost effective as rehabilitation of the existing buildings.

Communities should investigate offering financial assistance for preservation activities through grants, low interest loans, and tax incentives that would encourage developers to consider renovation rather than demolition of historic properties. Typically, renovation of existing buildings provides economic benefits to the community through increased local labor and materials purchases. In remote communities such as Nome there may be a cost advantage to preserve materials and avoid the cost of shipping in new materials.

- **Maintenance:** Buildings in general, require periodic repair and maintenance. Neglecting maintenance needs of historic buildings may lead to their destruction over time. Maintenance that is delayed often results in being too costly to reverse in later years. Relatively simple tasks such as keeping roofing intact to not allow water intrusion and the inevitable rot that would occur will preserve buildings for the future. Protecting wood elements with paint or preservative treatment will prolong materials.

Unique Events Affecting Historic Resources in Nome

Sometimes unforeseen events can impact the history and historic resources of an area. Nome suffered fire and storm damage that erased much of the historic building fabric of the main downtown area. These events caused new design considerations for roadways and distances between buildings that are significantly different than the original construction practices. The new design standards significantly changed the character of the original community, especially in the downtown business areas.

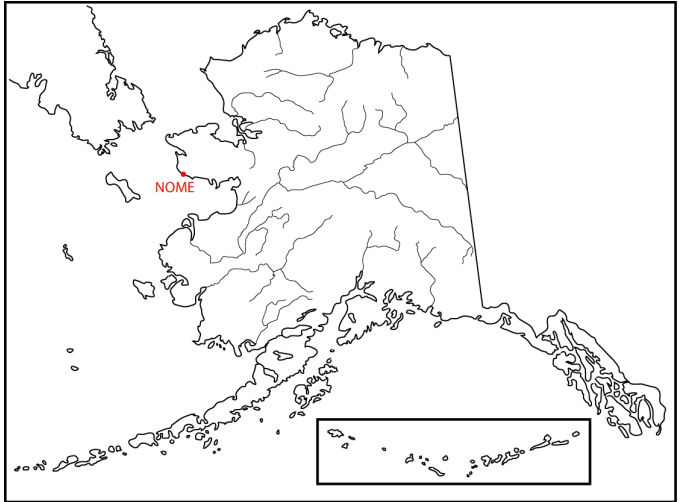
Often, buildings that were spared by the fire or storm events were moved for reuse to sites at different locations. In other cases, such as occurred with the closing of Marks Air Force Base, buildings were moved to recycle or reuse for other purposes. Moving an historic resource from its original location may reduce its historic integrity. While this practice is not preferred in historic preservation efforts, it does serve to preserve important historic resources when other options are not available.

LOCATION and SETTING

Location

The City of Nome is located on the southwestern edge of the Seward Peninsula along the coast of Norton Sound of the Bering Sea. It is approximately 550 miles northwest of Anchorage and 102 miles south of the Arctic Circle.

Nome is a regional hub of commerce, education, transportation, and tribal and federal government services for much of northwest Alaska.

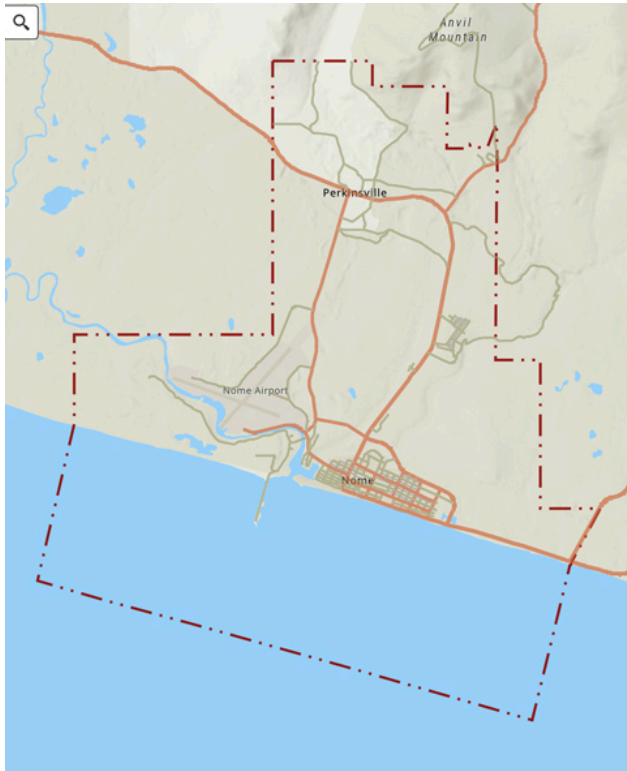


Setting

The Seward Peninsula features rolling hills and flat lowlands cut by meandering streams and containing thousands of lakes and bogs. The area is in the transitional climate zone, receiving about 18 inches of rain and 56 inches of snowfall per year. Average temperatures range from -3 to +65 degrees Fahrenheit. The climate is influenced by both maritime and continental conditions. Maritime conditions dominate in the summer, while in the winter, conditions shift to a mostly continental climate. The area is known for numerous intense storms, particularly during the fall months. Storms usually arrive from the southwest, although intense storms can also come from the south and southeast.

City of Nome

The City of Nome became an Alaskan first-class city on April 9, 1901. The city has a total area of 21.6 square miles, of which 12.5 square miles is land and 9.1 square miles is water. The population of Nome has waned since the peak of early gold rush years. The 1900 census reported a population of 12,488. The 2010 census established the population at 3,598 and in 2018 the population was estimated to be 3,866.



Boundary Map of the City of Nome

Nome's local government is a Mayor/Manager administration. The executive power of the city is vested in the Mayor. The Mayor presides at meetings of the Common Council.

Although the Mayor may take part in the discussion of a matter before the Common Council, the Mayor may not vote except in the case of a tie. The Mayor acts as ceremonial head of the City government, executes official documents on authorization of the Common Council, and is responsible for additional duties and powers prescribed by Alaska law.

The Mayor/Common Council employs a City Manager who serves as the Chief Administrative Officer for the City by providing management and policy direction as established by the Common Council. The City Manager is responsible for the overall supervision and coordination of City operations, which includes managing the multimillion-dollar annual budget for 13 departments, plus capital programs.

The city has a seven-member Planning Commission appointed by the Mayor. The Commission oversees the preparation and implementation of the Comprehensive Plan; land use regulations; coastal management program; platting regulations and serves as the Platting Board; considers and acts on variances and conditional uses; and other duties as prescribed by the Common Council.

The Common Council has adopted legislation that designates the Planning Commission as the official Historic Preservation Commission.

NOME'S HISTORIC SIGNIFICANCE

Introduction

Nome has a rich heritage spanning from the earliest indigenous inhabitants to the modern-day community. A tool to understanding a community's history is to organize it into "historic contexts." An historic context is based on historic/cultural themes; geographical areas; and chronological periods.

Contexts describe the significant broad patterns of development in an area that may be represented by historic properties. As historic resources are identified they should be categorized within the historic contexts that relate to a community's history.

The State of Alaska's Historic Preservation Plan identifies themes and time periods that are useful in setting the appropriate contexts for Nome's historic resources.

Pre-History:

- First Inhabitants, Time Immemorial Prior to Contact (Mid 1700s).

Historic periods:

- Russian America, 1741-1867
- Early American Alaska, 1867-1897
- Gold Rush Era, 1897-1912
- Post Gold Rush, 1912-1939
- WWII and the Cold War Era, 1941-1959
- Statehood, Earthquake, and Oil Era, 1959 to present

Within these state-wide themes and time periods, historic contexts may be identified that are specific to Nome. Information about the occupancy and development of Nome provides a clearer picture of the overall history of the community. Some broad themes span various time periods. The following discussion identifies significant contexts that relate to historic resources identified in Nome.

First Inhabitants

- First Inhabitants, Time Immemorial Prior to Contact (Mid 1700s).

It is believed that the first people came to Alaska around 15,000 years ago across the Bering Land Bridge connecting with Siberian Russia. Ultimately these people migrated throughout northern Alaska and Canada. Although their lifestyle was primarily nomadic there is evidence of at least seasonal settlements near present-day Nome, one of which was an Inupiaq Eskimo settlement site at Cape Nome. The site is now a protected archaeological resource.

A relatively recent archaeological discovery indicates a more permanent Inupiat settlement was located at the mouth of the Snake River, which lies within the City of Nome boundaries. The settlement, known in Inupiat as Sitnasuak, was uncovered during construction work in 2005-2006 to improve navigation to the Nome harbor. Two semi-subterranean houses and a trash midden dating back to 1700 were excavated and recovered tools, pottery, carvings, and animal bones. This discovery documents that indigenous people were in Nome prior to the Gold Rush.

Gold Seekers

- Early American Alaska, 1867-1897
- Gold Rush Era, 1897-1912

Since 1865, when gold was first discovered in the streams and coastal beaches of the Seward Peninsula, the area has been known for gold extraction. In 1898 gold was discovered about three miles north of present-day Nome along the banks of Anvil Creek. The discovery by the “Three Lucky Swedes” (Jafet Lindeberg, Eric Lindblom, and John Brynteson) set off one of the most famous gold rushes in American history.

Gold was also found in 1899 along the sandy beaches around the mouth of the Snake River that fed into the Bering Sea. With gold discoveries in the Nome area prospectors and suppliers arrived in droves. The spring of 1900 saw thousands of pioneers arriving from the ports of Seattle, Portland, and San Francisco setting off the great Alaska Gold Rush. Almost overnight this isolated area was transformed into a tent city of prospectors, gamblers, claim jumpers, saloonkeepers, lawyers, and prostitutes.

In short time, vessels arrived from southern ports with building materials and workers to craft a new community upland of the gold-laden beaches. The need for quickly erected buildings to serve the growing community meant there was no time to analyze the local climate and environmental conditions. The new residents brought with them the styles and forms of buildings they were accustomed to in their former communities. The lineup of buildings created narrow streets with wooden walkways.

Early photographs of Nome show bustling scenes with narrow streets, wooden walkways, and rows of buildings much like those erected in early mining towns of the western United States. Commercial businesses and government facilities were mainly located along Front Street (parallel to the beach) and Steadman Street (perpendicular to the beach). Most commercial buildings featured residential uses on the upper floors in the form of hotels, apartments, and rooms for prostitution. Family residences were located inland from the bustling scene of Front Street.

The only remaining commercial building of that early era is the Discovery Saloon. It is located on Lomen Avenue at the west end of town along with a number of residential buildings from that era.

Reindeer Herders

- Post Gold Rush, 1912-1939

Nome's reindeer industry began with Dr. Sheldon Jackson, a pioneer missionary and educator. His plan was to develop reindeer herding as a viable industry for the local Natives. Jafet Lindeberg, one of the "Three Lucky Swedes" originally came to the Nome area as a reindeer herder.

The Lomen Company, founded by brothers Carl and Alfred Lomen, began developing a large-scale commercial reindeer enterprise in 1914. The peak reindeer years were from 1927 to 1930 when the Lomen Company and the Office of Indian Affairs, Reindeer Service, sold millions of pounds of reindeer meat throughout the United States. The reindeer market crashed as political and advertising endeavors of powerful cattlemen and sheep ranchers were able to thwart the vision of a great reindeer industry. The Lomen herding operations ceased after 1937 when passage of the Reindeer Act phased out white ownership

of reindeer herds. Though Native herding continued it was much less in scale than originally envisioned.

There are a couple sites, buildings, and structures utilized by the Lomen Company in their reindeer processing and shipping enterprise that remain in Nome.

Serum Run

- Post Gold Rush, 1912-1939

In 1925 Nome was the destination of the famous Great Race of Mercy in which dog sleds played a large part in transporting diphtheria serum through harsh conditions. In 1973 Nome became the ending point of the 1,049 mile Iditarod Trail Sled Dog Race of which the latter part of its route was used in the serum run.

World War II Build-Up

- WWII and the Cold War Era, 1941-1959

In 1940, rumors spread that the Russians were building an air and submarine base on Big Diomed Island just 150 miles northwest of Nome. The rumors proved untrue but they may have helped convince Congress to fund a military build-up in Alaska. Construction of an air base at Nome began in the summer of 1941. The military facilities were built on the spoils of gold dredging where the tailings provided firm foundations for buildings, roads, and landing strips. After the base was decommissioned in 1955 it became Nome's municipal airport. Many of the military buildings were made available for subsequent uses. Some of these buildings were moved to downtown Nome for use as storage, workshops, and even residences.

Transportation

- First Inhabitants, Time Immemorial Prior to Contact, Mid 1700s.
- Russian America, 1741-1867
- Early American Alaska, 1867-1897
- Gold Rush Era, 1897-1912
- Post Gold Rush, 1912-1939

- WWII and the Cold War Era, 1941-1959
- Statehood, Earthquake, and Oil Era, 1959 to present

Transportation is a broad subject that spans all historic themes and time periods and which may include all movement from person powered to machine powered methods. The importance of this discussion is in understanding historic transportation trends and how transportation influenced the historic development of Nome. This understanding is important for relating identified historic resources to the overall history of Nome.

Access to and around Nome can be categorized into three basic routes: Land; Water; and Air. The following discusses the influence of transportation on the historic development of the city and connection to surrounding areas.

Land Access

The Bering Land Bridge is recognized as the primary land access route for indigenous people from Siberia to Alaska. The primary mode of transportation was pedestrian and may have been supplemented with dogs. People and dog pulled sleds were likely used to transport goods and belongings on the trek.

Sometimes people embarked on journeys with unconventional transportation means simply for the challenge or to join the swarms of people seeking their fortune. Such is the case of those who ventured out on wheeled bicycles. In February 1900, Ed Jesson left Dawson arriving in Nome several weeks later. In March of that year Max Hirshberg did the same trek by bicycle. His chain broke east of Nome so he rigged up a sail for the last leg of the venture.

Roads

Nome cannot be reached by road from Anchorage or other population centers of Alaska, but it is the hub for a regional network of roads that provide access to various villages, mines, and resource development sites eastward to Council, northwest to Teller, and north to Taylor. This road system is critical for connection and supplying needs of outlying communities. The main roads outside the city boundaries are maintained by the State of Alaska Department of Transportation and Public Facilities.

Railroads

Private rail lines were developed primarily to transport supplies and materials to area mining operations. In 1900 the Wild Goose Railroad was created by the Wild Goose Mining Company. Track was laid from Nome to the terminus at Anvil City. The trains ran only from spring to November. In 1903 the Wild Goose Railroad was reorganized as the Nome Arctic Railway. In 1906 it was bought by The Seward Peninsula Railway and was ultimately acquired by the State of Alaska but it never resumed operations. In 1953 the railroad was reopened as The Curly Q Line which was outfitted for tourist operations but lasted only until 1955.

During the gold rush frenzy, the Western Alaska Construction Company was organized for the purpose of constructing the Council City & Solomon River Railroad (CC&SRR). The current Nome-Council Highway turns inland at the ghost town of Solomon, an old mining town where an abandoned railroad train known locally as the “Last Train to Nowhere” is located.

The engines of the CC&SRR were originally used in New York City on elevated lines in 1881. They were shipped to Alaska in 1903 to serve the miners along this line to Nome.

The remains of the railroad at Mile 31 of the Nome-Council Highway are comprised of three locomotives, two flat cars and a boiler. The site was listed as an historic district on the National Register of Historic Places in 2001.

Water Access

Water access has been important to Nome throughout the years. Baidarkas (enclosed skinned kayaks) and *Umiaks* (open skinned boats) were used by early inhabitants for basic transportation from one location to another and for hunting expeditions. The original vessels were made of wood and skins but have evolved to more modern materials of wood, aluminum, fiberglass, and high-tech composites. These single and multiple passenger vessels continue to provide transportation for recreation, hunting, and ceremonial activities.

Once word got out about the gold discoveries, stampeders began arriving overland from the Klondike but the greatest number of prospectors arrived by steamships from Seattle, Portland, and San Francisco. The beaches of Nome did not offer deep water access so ships anchored offshore and people came ashore

by small vessels. The water access allowed materials and supplies for the prospectors mining needs and for development of the new town.

The area at the mouth of the Snake River provided deeper water for the development of a port and harbor. Construction of Nome's original jetties began in 1919 and were complete by 1923. A seawall protecting Nome was constructed in the early 1950s and a 3,000 ft. armor stone causeway was built in 1985. The Corps of Engineers continued improvements to the port in 2006 adding an approximately 3,000 foot long breakwater east of the existing Causeway. During this project remains of two semi-subterranean houses and a trash midden dating back to 1700 were discovered as mentioned above.

Nome's port was and continues to be an important regional transshipment hub for many Western Alaska communities that rely on the port for movement of heating oil and gasoline, construction supplies, non-perishable food, gravel, and other cargo. The port is strategically positioned to serve national, state, regional, and local needs as it is poised to play an increasingly important role in a changing sea access to the Arctic.

Air Access

Air flights began in Nome as early as 1901 when Leonard, Prince of the Air, launched a balloon and drifted out to sea while performing trapeze acts. He parachuted to the sea where a boat was waiting to pluck him from the cold water. In 1905, Professor Nemo rose above Nome in a balloon as part of a May carnival. The first airplane built in Alaska was in 1911 by Professor Henry Peterson but after a number of attempts it never left the ground.

In August 1923 four Army biplanes, travelling cross country from New York City, circled Nome and landed at Fort Davis outside the city. In 1925 Noel Wein made the first commercial flight into Nome from Fairbanks. He later began Wein Alaska Airways in 1927 providing weekly flights to Fairbanks.

By 1939 Nome had five year-round commercial air operators (Wein Alaska Airlines, Mirow Air Service, Ferguson Airways, Northern Cross, Pacific Alaska Airways – a subsidiary of Pan American). Today Nome is primarily served by regular, scheduled jet service by Alaska Airlines.

The Nome Airport features a 6,000-foot main runway and a 5,576-foot crosswind runway. The airport occupies what was once Marks Air Force Base. There is also a small airstrip known as Nome City Field which offers a 1,950-foot-long gravel runway.

There are a number of historic buildings that remain in Nome that were connected to the history air access. These include a building used by Wein Alaska Airways and recycled buildings from Marks Air Force Base.

White Alice Communications System

- WWII and the Cold War Era, 1941-1959

Conceived in the 1950s to improve communications across Alaska the White Alice Communications System (WACS) was built by the U.S. Air Force beginning in 1955 and became operational in 1958. A series of giant antenna structures were built in several locations including Anvil Mountain outside Nome. The construction brought some economic benefits to the area for a brief period. The large steel antenna structures of the WACS facility remain at the site. Although they are not within the boundaries of the City of Nome, the large structures present a striking landmark visible from Nome across the treeless tundra landscape.

PUBLIC PARTICIPATION

Development of the Nome Historic Preservation Plan was completed in two phases. Phase I conducted public outreach to gather information from Nome residents.

The work of Phase I consisted of a public outreach process that included individual and small group meetings; a written survey; an on-line survey; and a community wide public meeting. This effort was led by Monica Pellegrino Faix, AICP, who served Nome as the City Planner at the time.

The outreach effort culminated in a final report titled *City of Nome Historic Preservation Plan Phase I – Public Outreach* dated October 15, 2019 (Appendix I). The report acknowledges input received during the public outreach process:

“This report was made possible with the open and honest input of Nome residents, the hard-working members of the Historic Preservation Commission, and the support and funding by the City of Nome; the Department of the Interior, National Park Service; and the State of Alaska Office of History and Archaeology.”

During the public process of Phase I, a list of historic properties was generated and included in the report. The list contained historic properties within the City of Nome boundaries; historic properties outside Nome; and certain historic events that influenced Nome history.

For Phase II of the historic preservation plan three lists were created: Historic Properties of Nome (Attachment A); Historic Properties Outside Nome (Appendix III); and Historic Events of Nome (Appendix IV). The provisions of this historic preservation plan would apply only to those historic properties within the boundaries of Nome. While there are historic properties outside the city that have connection and importance to Nome they are not within the city’s governmental jurisdiction. The third list identifies significant historic events that may be important to understanding the history of Nome.

PRESERVATION VISION and GOALS

The City of Nome has a Comprehensive Plan that was adopted by the Common Council in 2012. The plan identifies goals, objectives, and strategies for future development of the community. Specific goals, objectives, and strategies relating to historic and cultural preservation are listed below.

Quality of Life Goal, Social Environment: A welcoming, culturally diverse community with opportunities for all residents and visitors that encourages arts and cultural activities as a catalyst for education, communication, economic development and social programs.

Objective 5. Capitalize on Nome's unique history

Objective 6. Promote cultural activities, music and arts.

Economic Development Goal, Business Support and Development: A quality of life and financial climate that encourages businesses to stay in Nome, start up, expand or relocate to Nome.

Objective 9. Capitalize on the potential for increasing the visitor industry.

Strategies: Promote Nome's unique history; Advertise cultural activities that could draw people to Nome.

Based on these references to historic preservation in the Comprehensive Plan and public input received as part of Phase I of the Historic Preservation Plan process, an overall historic preservation vision statement was crafted for Nome.

With this historic preservation vision, a number of goals were developed that will serve to guide the community for its preservation efforts into the future.

Historic Preservation Vision Statement

Nome is a place defined by its diverse history and culture that is understood, celebrated, preserved, and shared with locals and visitors alike.

Historic Preservation Goals

- G-1: Identify, evaluate, and protect the historic and cultural resources of Nome, Alaska.
- G-2: Increase public awareness of the value and importance of Nome's history and its historic and cultural resources.
- G-3: Preserve and protect the unique culture of Nome's Native people including buildings, sites, traditions, lifestyle, language, and history.
- G-4: Promote heritage tourism which enhances and accurately represents Nome's unique history and culture.

IMPLEMENTATION OF THE PLAN

Strategy for Preservation

Strategies for implementing the preservation plan should include programs to document and protect the community's historic resources; educational programs to increase the public's knowledge, understanding, and appreciation of the community's past; programs and guidelines for maintaining and enhancing the historic features of the community; and programs to encourage and assist owners of historic properties to retain their historic integrity.

Other strategies may include working jointly with groups and organizations which, through their own programs, may educate the community about historic preservation and actively work toward preserving and recognizing historic and cultural resources.

Objectives and Implementing Actions

This section of the plan features objectives and implementing actions which support the overall vision and goals of historic preservation in Nome. The implementing actions offer strategies and/or specific tasks which, when completed, would meet the goals and objectives of the plan.

When specific tasks are identifiable, they are included within the implementing actions. Other actions may require further development and therefore no specific tasks are presented at this time.

O-1: Update and expand past efforts to identify historic resources of Nome.

Implementing Actions:

- A. Establish a survey program to identify historic districts, sites, structures, buildings, and objects of Nome. This program should provide for gathering input from local citizens who may have particular historical knowledge; photos; documents; or other sources of information that would enhance the record of historic resources in the community.

- B. Maintain the list of historic resources through a computer database that provides easy access for professionals and citizens for research and general knowledge of the community.
 - C. Develop and implement a use and access policy for historic preservation information especially that which is sensitive to protect the particular resources.
- O-2: Evaluate, categorize, and recognize significant historic resources in the community and officially acknowledge such resources and their owners for retention of historic integrity and contribution to historic preservation.

Implementing Actions:

- A. Develop criteria for conducting historic preservation assessments that acknowledge preservation and appropriate maintenance efforts that protect historic resources.
 - B. Develop and adopt criteria for local designation of historically significant districts, buildings, sites, structures, and objects. Recognize such resources with a public honor program through interpretive signage, plaques, or other methods.
 - C. Prepare nominations to list significant historic Nome properties on the National Register of Historic Places. Listing may provide opportunities for grant funding to restore and maintain these historic properties.
- O-3: Identify appropriate measures to protect significant historic and cultural resources.

Implementing Actions:

- A. Develop design standards and guidelines to follow when proposed projects involve or impact historic buildings, structures, and sites.
- B. Establish a special review process through the Historic Preservation Commission to consider potential impacts to historic and cultural resources caused by proposed development projects and utilize historic preservation education: standards and guidelines; and financial

assistance and incentives to resolve conflicts to eliminate or lessen detrimental impacts to historic resources.

- C. Establish a special review process for evaluating and mitigating potential impacts from tourism on historic and cultural resources.
- D. Investigate measures to assure that appropriate consideration has been given to the impacts of demolition or moving proposals for significant historic buildings and structures.

O-4: Encourage and assist owners of significant historic properties to maintain their original architectural character.

Implementing Actions:

- A. Establish a clearinghouse of design information to assist owners of historic properties when making changes to their buildings, structures, and sites.
- B. Develop design guidelines for use by owners of historic properties to suggest methods of construction which retain the original architectural character of the property.
- C. Adopt tax incentives and appropriate code provisions which encourage maintaining the architectural character of historic buildings.
- D. Investigate and develop local funding programs that will assist owners of historic buildings in retaining the historic architectural character of their buildings.
- E. Work with owners of historic properties to comply with Americans with Disabilities Act while retaining important historic features of their buildings.

O-5: Educate and inform the general public about Nome's unique history and Native heritage.

Implementing Actions:

- A. Work with schools, other agencies, and private groups to educate the younger generations about the significance of Nome's history and culture and the importance of historic preservation.
 - B. Develop on-line information which features the history of the community; explains the importance and value of historic preservation; includes historic preservation legislation and ordinances; and includes the Historic Preservation Plan.
 - C. Investigate and develop a variety of media formats, such as video, Internet, social media, and written publications to educate the community about the history of Nome and importance of historic preservation.
- O-6: Develop interpretive materials throughout the community to inform the public about Nome's history and Native heritage.

Implementing Actions:

- A. Work with local interest groups to document and interpret Nome's history and Native culture.
 - B. Support the development of exhibits, educational brochures, and interpretive signs which establish an appreciation and understanding of Nome's rich ethnic diversity and history.
 - C. Develop and install interpretive signs and exhibits within the community that convey the value and importance of the historic resources of Nome.
- O-7: Provide a means for understanding and appreciating the traditional culture of Nome's Native community members.

Implementing Actions:

- A. Support a Native Studies Program in city schools.

- B. Involve Natives in telling the Native history of Nome.
 - C. Work with Native organizations to educate the community at large of the value and importance of the Native customs and culture.
 - D. Support the development of interpretive exhibits at the Carrie M. McLain Memorial Museum depicting the local Native culture.
 - E. Work with Native organizations to document and promote use of traditional place names throughout the community.
- O-8: Promote accurate depictions by the visitor industry of Nome's unique history and Native heritage.

Implementing Actions:

- A. Support the development of educational programs for tour vendors about the history and culture of Nome.
- B. Develop a recognition program for tour vendors who demonstrate the ability to deliver accurate depictions of Nome's history and Native heritage.

PRESERVATION ACCOMPLISHMENTS

The City of Nome has taken steps in past legislation and actions to promote historic preservation. The following actions demonstrates that the City of Nome values its historic and cultural resources and desires to protect them for future generations.

Heritage Ordinance

On November 10, 1975 the Nome Common Council (Council) adopted Ordinance 76-10-1 (see Appendix II). The ordinance established the Nome Historical District; created an Historical Landmark Preservation Commission (HLPC); and identified duties for the HLPC. Those duties were to advise the Council in the identification of structures and areas of historic importance; make recommendations for inclusion of those structures and areas be designated as historical landmarks; to maintain a catalog of those historic landmarks; and to review and recommend to the Council on all development activities that might change the exterior landmark properties. The ordinance also gave the Council authority to object to and delay demolition or removal of historic structures in order to attempt salvaging the structure “in some agreeable manner.”

Comprehensive Plan

In 2012 the Common Council adopted a Comprehensive Plan that contained some specific goals, objectives, and strategies relating to historic and cultural preservation. These are as follows:

Quality of Life Goal, Social Environment: A welcoming, culturally diverse community with opportunities for all residents and visitors that encourages arts and cultural activities as a catalyst for education, communication, economic development and social programs.

- Objective 5. Capitalize on Nome’s unique history
- Objective 6. Promote cultural activities, music and arts.

Economic Development Goal, Business Support and Development: A quality of life and financial climate that encourages businesses to stay in Nome, start up, expand or relocate to Nome.

- Objective 9. Capitalize on the potential for increasing the visitor industry.

Strategies: Promote Nome's unique history; Advertise cultural activities that could draw people to Nome.

Historic Preservation Commission

The Nome Common Council amended the powers and authority of the Planning Commission to add duties as the Nome Historic Preservation Commission (HPC). The first tasks of the new HPC would be to: 1. Develop a local historic preservation plan; 2. Review and make recommendations about local projects that might affect properties identified in the historic preservation plan; and 3. Review nominations to the National Register of Historic Places for properties with its jurisdiction.

Certified Local Government

On April 24, 2018 the Alaska State Historic Preservation Officer (SHPO) designated the City of Nome as a Certified Local Government (CLG) under provisions of the National Historic Preservation Act of 1966 as amended.

The CLG program assists local governments in the developing historic preservation ordinances and plans; conducting surveys; developing context statements; creating local designation guidelines and procedures; identifying economic incentives; training preservation commissions; and protecting significant local properties.

A CLG is eligible: To apply for certain federal Historic Preservation Funds; to participate directly in National Register of Historic Places program by reviewing and commenting on local nominations prior to the Alaska Historic Commission review; and for technical assistance, including workshops, conferences and travel grants to attend national preservation conferences.

Historic Preservation Plan – Phase I

A primary task of the Historic Preservation Commission (HPC) was to develop a Historic Preservation Plan (HPP) for Nome. With a grant from the Alaska Office of History and Archaeology (OHA) the HPC began development of the HPP. Due to funding availability the planning process was divided into phases. Phase I – Public Outreach was completed in October 2019. The planning process was led by Monica Pellegrino Faix, AICP, a planner under contract to the City of Nome. She orchestrated a public process to inform and gather input from the general

public about what was important to residents regarding the history and culture of Nome. The process culminated with a written report (Appendix I) which was to be used as guidance for the final planning document.

Historic Preservation Plan – Phase II

The City of Nome received a CLG grant from OHA to continue the development of the Historic Preservation Plan. The City contracted with Gary H. Gillette, Architect to prepare the planning documents which are expected to be complete by July 2021.

RECOMMENDATIONS

Nome has numerous significant historic resources that are valuable to the community and should be protected and preserved. A number of preservation activities have taken place previously by individuals and local government. A concerted effort should be made to assure the long-term protection and preservation of these resources enhancing the cultural and economic benefits for the community.

Following are recommendations that should be undertaken as soon as possible in order to assure protection of important historic resources of Nome.

Adopt and Implement the Historic Preservation Plan

The Historic Preservation Plan is currently under development and is scheduled to be completed by July 2021. The plan should proceed through a public process that includes the Historic Preservation Commission with recommendations as appropriate for adoption by the Nome Common Council as an official plan of the city and as part of the overall Comprehensive Plan.

Once adopted the Historic Preservation Commission should prioritize implementing actions identified in the Historic Preservation Plan and begin measures to fulfilling the goals and objectives of the plan.

Review and Update the Historic Preservation Ordinance

Nome has an existing ordinance (Ordinance 76-10-1) that establishes a Landmark Preservation Commission charged with identifying historic resources; recommending significant structures and areas for landmark designation; and maintaining a catalog of city landmarks and areas. It is not clear of the status of this ordinance and to what level these provisions were implemented. The ordinance should be reviewed and updated to reflect the recent appointment of the Historic Preservation Commission which could implement the provisions identified in the ordinance.

Update the Nome Comprehensive Plan

The Nome Comprehensive Plans is currently in the process of being updated. It is important the Comprehensive Plan acknowledge the importance of historic and cultural resources to the community. The plan should support the Nome Historic Preservation Commission and its efforts to implement the Historic Preservation Plan.

Periodic Review and Update of the Historic Preservation Plan

The Nome Historic Preservation Plan will be an effective policy instrument as long as it meets the need and desires of the community. It is important that the plan be reviewed about every five years or so to determine if it is meeting the community's goals and objectives. If it appears the plan is working, no update is necessary. If items are identified that are causing loss of historic resources or are not feasible for implementation then the plan should be modified to reflect the current state of the community will.

ATTACHMENTS and APPENDICES

Attachment A: List of Historic Properties of Nome, Alaska

Appendix I: Report of Historic Preservation Plan Phase I – Public Outreach

Appendix II: Historic Preservation Ordinance

Appendix III: List of Historic Properties Outside Nome

Appendix IV: List of Historic Events Important to Nome, Alaska

Appendix V: Glossary of Terms

Appendix VI: References, Repositories and Resources

ATTACHMENT A

LIST OF HISTORIC PROPERTIES WITHIN NOME, ALASKA

This list of historic properties include those within the City of Nome boundaries and thereby subject to the codes and ordinances of the city. The list was compiled from past work including: *Nome Survey Project* by Kim Hunter, 1982; review of materials at Carrie M. McLain Memorial Museum; *Historical Walking Tour of Nome, Alaska* produced by the Nome Convention and Visitor Bureau; and the *Alaska Historic Resources Survey* of the Alaska Office of History and Archaeology.

This list is a valuable tool for historic preservation as discussed in the Historic Preservation Plan. It is based on information obtained at a specific point in time. As new information is discovered the list should be updated and reissued in order that the information is as pertinent as possible.

The list is incorporated into this plan as an attachment such that when updates are made, the attachment may be approved as a separate item without the entire plan needing to be re-approved.

List of Historic Properties Within City of Nome, Alaska

Name	Other Name	Location	Date of Construction	Context	Property Type	Architectural Style	National Register	Nome Landmark	AHRS No.
500 Lomen Avenue		Lot 10A, Blk 26	1904	D	4		N		NOM-00143
A.J. Guinan House	Lomen Commercial Company	Lot 8, Blk 23	ca. 1906	D					
Alaska Gold Powerhouse				D	2	i			
Alaska Telephone & Telegraph Company		Lot 68, Blk 30	ca. 1906	D	3				
Alaska Territorial Guard	Major Marvin "Muktuk" Marston Statue								
Alfred J. Daly House	Mason/Bockman/Scott House	Lot 1, Blk 66	ca. 1906	D	4				
Andrew Ottosen House		Lots 12, 13, Blk 13	1909	D	4				
Anvil Creek Gold Discovery Site							Y-1		
Arthur House	Kelliher House	Lot 42, Blk 65A	ca. 1915	E	4				
B.B. Mozee House		Lot 61, Blk 30	ca. 1906	D	4				
BIA Building 401		Lot 88, Blk 30	1914	D	4				
BIA Denton Hospital for the Insane									
C.J. Loman House		Lot 6A, blk 22	ca. 1901	D	4				
CAA Housing	FAA Housing	Lot 6, Blk 62/63	ca. 1941	F	5				
Captain John Braun	"Dollhouse" / Silverman House	Lot 6, Blk G	ca. 1910	D	4				
Carrie McLain House	Mielke House / Salenious House	Lot 45, Blk 57	1900	D	4		N		NOM-00032
Catholic Hospital			1906	D	6		N		NOM-00033
Charles and Esther Birdsall Darling House	Tolbert and Vallie Scott House	Lot 3, Blk 50	ca. 1906	D	4				
Chauncey G. Cowden House	William Moore House	Lots 9, 10, Blk 25	ca. 1903	D	4				
Detention Hospital Building	Maynard Columbus Hospital / Reindeer Building	Lots 66, Blk 30	1914	E	13		N		NOM-00144
Discovery Sloop		Lot 18A, Blk26	1901	D	3	b	Y-3		NOM-00042
Dream Theater									
Edward Anderson House		Lot 22, Blk 21	ca.1914	E	4				
Eli Nicholi House		Lot 31, Blk 29	1910	D	4				
Episcopal Church Rectory		Lot 17, Blk 66	1899	D	7				
Erik O. Lindblom House		Lot 13, Blk 26	1899	D	4	h	N		NOM-00034
Esther Birdsall Darling / Scott House		Lot 1A, Blk 50	ca. 1906	D	4				
Ft. Davis Guardhouse	Nome Nugget Building	Lot 1, Blk D	ca. 1901	D	11	f	N		NOM-00083
Galleher House		Lots 20, 21, Blk29			4				
Iditarod Trail									
Ira Orton House		Lot 7, Blk 22	1904	D	4	b			
Jacob Berger House	Sally Carrighar House	Lot 12B, Blk 52A	1904	D	4	b	Y-3		NOM-00018
Jimmy Doolittle House		Lot 6, Blk 26			4				
John H. Dunn House	Bjorstad/Gelzer House	Lot 5, Blk 50	ca. 1906	D	4				
Johnny Tesack Cottage		Lot 10, Blk 26	1905	D	4				
Joseph C. Brown House		Lot 5, Blk 22	ca. 1906	D	4				
Leonhard Seppala House		Lot 36, Blk 29	ca. 1909	D	4				
Lomen Commercial Company Warehouse		Lot 2, Blk 7	ca. 1905	D	3				
Marks Field	Nome Municipal Airport		1941	F	11	k	N		NOM-00105
Methodist Church							N		NOM-00035
Methodist Rectory		Lot 27, Blk 27							
Michael J. Walsh House	McGivney/Gervais House	Lot 18, Blk 51	ca. 1905	D	4				

List of Historic Properties Within City of Nome, Alaska

Nels Swanberg House		Lot 33, Blk 66	ca. 1906	D	4				
Nerland House		Lot 8, Blk 52	ca. 1910	D	4				
Nick Ezukameow House									
Nolan House									
Nome Beach Site									
Nome Public Warehouse Company	Warm Storage Warehouse	Lot 36, Blk 67	ca. 1906	D	3				
Nome Skin Sewers Association		Lots 9, 10, Blk 55	ca. 1942	F	3				
Norton Sound Regional Hospital			1948	F	13		N		NOM-00152
Nurses' Residence		Lot 1, Blk 53	ca. 1906	D	5				
NWS Nome Garage/Shop		Nome Airfield			12		N		NOM-00122
NWS Nome Residence B2		Nome Airfield			5		N		NOM-00120
NWS Nome Residence B2		Nome Airfield			5		N		NOM-00121
NWS Nome Upper Air Facility			ca. 1950	F	12	k			NOM-00119
Old Federal Building		Lot 5, Blk C	1936	E	12				
Old St. Joseph's Catholic Church		Lot 1A, Blk 52A	1901	D	7	a	Y-3		NOM-00040
Otto Halla House	Herman Hoop House	Lot 15, Blk 25	ca. 1903	D	4				
Pioneer Mining Company Vault		Lot 13, Blk 25			14				
Post Office		Lot 4, Blk J							
Quonset Huts									
R.B. & P. Milroy House	W.F. & E. Baldwin House	Lot 28, Blk 67	ca. 1906	D	4				
R.E. Trentgrove House	O'Conner House	Lot 11, Blk 55	ca. 1905	D	4				
Reindeer House	BIA Building 402	Lot 3, Blk 16	1934	E	4	e	N		NOM-00156
Richard O. Lee House		Lot 2, Blk 66	1906	D	4				
Roald Amundsen Bust									
Scotty Alan House		Lot 18, Blk 31			4				
Seawall		Nome Waterfront	1949	F	14	k			
Sitnasuak	Inupiat House/Midden Site	Mouth of Snake River	ca. 1700	B	1	k	N		NOM-00025
Wein Aircraft Hangar	Red Hanger	Nome Airfield	1927	E	9	j	N		NOM-00031
Wild Goose Railroad Building		Lot 33A, Blk 67	1910	D	9	h			
William H. Bard House		Lot 8A, Blk 53	1906	D	4	c			
William J. Rowe Building		Lot 17, Blk 14	ca. 1903	D	3				

**List of Historic Properties
City of Nome, Alaska
LEGEND**

MARCH 25, 20

Item A.

Identifier	Period of Significance	Context
A	10,000 BP - 5,000 BP	First Inhabitants
B	5,000 BP - 1741	First Inhabitants
C	1741 - 1867	Russian America
D	1867 - 1912	Gold Rush Era
E.	1912 - 1939	Post Gold Rush
F.	1941 - 1959	World War II and Cold War
G.	1959 - Present	Statehood, Earthquake & Oil

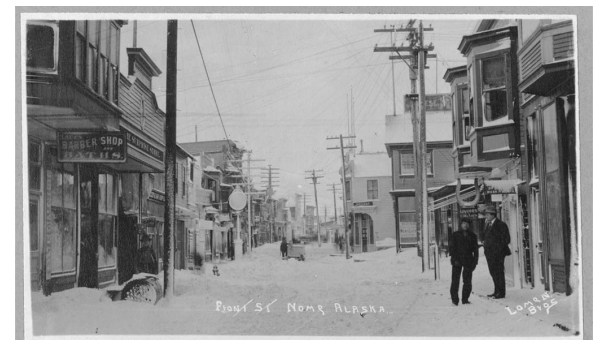
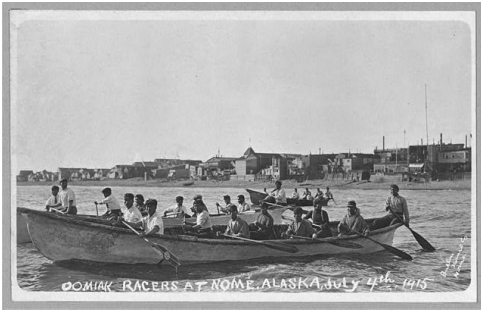
Property Types
1. Archaeological Sites
2. Mining Sites and Ruins;
3. Commercial Buildings
4. Residential - Single Family
5. Residential - Multi-Family
6. Civic Buildings
7. Religious and Social Buildings
8. Education Buildings
9. Transportation
10. Recreation
11. Military
12. Government
13. Medical
14. Structure

Architectural Style
a. Late Gothic Revival
b. Queen Anne
c. Prairie
d. Bungaloid
e. National Folk
e. Modern Movement
f. Commercial
g. Craftsman
h. No Designated Style
i. Industrial
j. Utilitarian
k. Not Applicable

National Register Status	
No	Yes
N	Y-1: Site
	Y-2: District
	Y-3: Individual
	Y-4: Multi-Property

APPENDIX I

HISTORIC PRESERVATION PLAN – PHASE I



City of Nome

Historic Preservation Plan

Phase 1 - Public Outreach

Historic Preservation Commission
 October 15, 2019
 Prepared by Monica Pellegrino Faix, A

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* This publication has been financed by the City of Nome with Federal funds from the Department of the Interior, National Park Service, and through the assistance of the State of Alaska Office of History and Archaeology. Contents and opinions expressed do not necessarily reflect the views or policies of the Department of the Interior or the State of Alaska, nor does the mention of trade names or commercial products constitute endorsement or recommendation.

Photo Credit: Library of Congress

INTRODUCTION

The National Park Service says it best - **Preservation of historic and cultural sites and resources is a conversation with our past about our future.** It provides us with opportunities to ask, "What is important in our history?" and "What parts of our past can we preserve for the future?" The historic preservation public input process in Nome endeavored to look at broadly at historic preservation, and ask questions of the past and the future, in order to learn about the community priorities and steps forward.

Nome has a rich history, and in 2018 the State Historic Preservation Office designated Nome as a Certified Local Government. This established the formation of the Nome Historic Preservation Commission, which was placed within the Nome Planning Commission. The first role of this new commission is to develop a Historic Preservation Plan for Nome.

The Historic Preservation Plan development was divided into two phases. Phase 1, the subject of this report, conducted public outreach to gather information from Nome residents. Phase II will start later in 2019, and will create and complete the Historic Preservation Plan report, and incorporate information gathered during the public outreach.

The Historic Preservation Plan development is following the Secretary of Interior's Standards for Preservation Planning. The goals are to:

- Identify and inventory the location and condition of historic and cultural sites and resources within and nearby the City of Nome.
- Develop 'historic & cultural contexts,' to organize and group historic & cultural sites and resources by culture, location, event, and/or time.
- Identify and rank historic and cultural preservation goals.
- Coordinate with other state and local planning efforts.
- Identify ways to resolve conflicts about historic & cultural preservation issues.

This report was made possible with the open and honest input of Nome residents, the hard working Historic Planning Commission, and the support and funding provided by the City

of Nome, the Department of the Interior, National Park Service, and at the State of Alaska Office of History and Archaeology. *

PUBLIC OUTREACH PROCESS

Public input was gathered in individual and small group meetings, through a paper and online survey, and in a public meeting. Participants were encouraged to think broadly about historic preservation as historic and cultural sites and resources, including important buildings, objects, landscapes, districts, cultural and archaeological sites, and locations of significant events. Participants were asked to identify places or events, seen or unseen, and within the City of Nome or nearby, if they have influenced Nome's history, including:

- Places that have meaning as told through oral history, or archeological sites.
- Important buildings that are extant as well as those that were lost to fire, flood or deterioration over time.
- Places that were locations of significant events important in Nome's history.
- Locations that memorialize events or periods of time that were, and may remain, painful or uncomfortable, but are part of what Nome is today.

The Historic Preservation Plan process was as important as the outcome. Efforts were made to reach out to audiences that reflected the diverse population of Nome, and to be respectful of all contributions.

SURVEY and PUBLIC MEETING and INDIVIDUAL MEETINGS

Participants were asked the following questions in the survey, public meeting, and individual meetings:

- What people, places, stories, and events are important in Nome's history?
- What should be the top priorities for historic and cultural preservation efforts?
- What parts of Nome's past can we preserve for the future, recognizing both things we are proud of, and history that can be painful or uncomfortable?
- What buildings, landscapes, trails, cultural sites and landmarks in Nome are important to you?

- Is Nome doing too much or not enough to preserve and promote our historic sites and cultural resources?
- Is Nome doing too much or not enough to preserve and promote Alaska Native / Indigenous historic sites and cultural resources? What do you think are the benefits to Nome of historic and cultural preservation?
- What concerns do you have about historic and cultural preservation?

The survey and public meeting announcement were disseminated widely via flyer postings, distribution to organizations, Nome Post and Nome Rant Facebook groups, Nome Announce list serve, an ad in the Nome Nugget, and a KNOM radio interview. The survey was open for 2 months and had 33 respondents. The public meeting was held on June 5, 2019 and had about 15 attendees. An article in the Nome Nugget reported on the public meeting.

Individual Meetings took place with 10 stakeholders representing themselves and various organizations, including: the City of Nome, the Museum and Library Commission, the Nome Visitor Center, Kawerak, Inc., Katirvik Cultural Center, Nome Eskimo Community, and the Alaska Mining Association.

FINDINGS

The input received was reviewed and synthesized into seven (7) findings.

1) Themes arose to develop in to more fully developed historic contexts. A historic context is an organizational format that groups information about related historic properties based on theme, geographic limits and/or chronological period. The historic context is the cornerstone of the preservation planning process. The goal of preservation planning is to identify, evaluate, register and treat the full range of properties representing each historic context, rather than only one or two types of properties.

- Alaska Native/Indigenous
- Gold Rush
- Military
- Transportation (aviation, dog mushing & Iditarod, railroad, umiaqs, commercial whaling)
- Land and Nature
- Religious
- Russia relationship
- Civil and labor rights
- Exploration

2) Nome's history has been predominantly interpreted as a Gold Rush history. Most respondents indicated that there are other historic contexts that weave a varied and interesting history, but these have been overshadowed by the Gold Rush. The focus on Gold Rush is represented in the National Register listings. Of the 23 sites on the Seward Peninsula and Norton Sound, 13 are related to the Gold Rush, six to Alaska Native sites, three to the Military, and one to Transportation.

3) Alaska Native sites and resources are under identified, under recognized, and undervalued. Most participants recognized this as a problem and an opportunity, with some voicing stronger concern than others. There has been a pattern in the US, and globally, of colonizers and non-Native people being the ones to interpret Indigenous history, so it is no surprise this also occurred in Nome, and it remains a current issue. For example, nearly everyone participating in the 1:1 interviews, and many survey respondents, brought up the divide that occurred regarding co-housing the Carrie M. McLain Memorial Museum and the Katirvik Cultural Center in mid 2000, and the handling of the archeological artifacts found at the current location of the port, also in mid 2000.

4) The City of Nome is inextricably linked to the Seward Peninsula. Historic and cultural sites and resources in the City should be considered and placed in the context of the region.

5) Some participants identified economic concerns. These focused on the additional cost to taxpayers and potentially exacerbating Nome's already high cost of living and/or the diversion of funds from other critical needs. In addition, some respondents indicated that the focus on history and historic

"Where do we see the rich history of the Native people in this town?"
Survey respondent

"We can and should preserve authentic not commemorative history."
Survey respondent

"I want us to tell our whole story. Right now people only know Nome as the gold mining town, but the majority of our residents are Tribal members who are the descendants of Nome's first residents. Their ancestor's stories are almost never told. What was life like for them? What challenges did they face? We need to have the help of the Katirvik Cultural Center staff with Kawerak and the four Tribes in Nome to tell that story."

Survey respondent

preservation is sufficiently addressed by the city run Carrie M. McLain Memorial Museum, and the Kawerak run Katirvik Cultural Center.

6) Much of Nome's history is not visible owing to many factors: the indigenous history that did not leave substantial built evidence; several widespread town fires; natural disasters; and long term economic struggles along with the exorbitant cost of building supplies that has impacted the ability to maintain buildings and sites. Therefore, interpretation and programming opportunities are very important and greatly needed. Interpretation ideas presented included a walking tour, video, material at the Visitor Center and on their website, interpretive signage, and place naming.

7) Enhanced focus on the varied historic contexts were identified to have many positive impacts.

Participants felt strongly that the historic sites and cultural resources were points of local pride. At the same time, many stated that locals don't necessarily know all of Nome's history or prominence. Potential tourism opportunities and the opportunity improve the physical condition of historic structures and Front Street were cited as a welcome positive impacts. In the case of the Alaska Native history, it was pointed out that improved recognition will help focus on greater equity.

"Locals can have pride in their history, and tourists can see the benefit from an enriched experience to tell their friends about and encourage more to want to come see our homelands."

- Survey respondent

"Capture the deep variety of all walks of life that have called Nome their home and patchwork a collage of all the historic ties that make Nome the diverse and friendly location that we live in. Our common thread is the helpfulness and spirit of volunteerism that keeps us moving forward."

- Survey respondent

LIST of SITES

The original list of historic sites had 89 locations and events identified in and around Nome. These were aggregated from the following resources:

- Nome Certified Local Government Application (City Inventory section), 2018
- Historic Buildings of Nome, Past, Present and Future by Gary Gillette, 2008
- Nome Coastal District Resource (Historic Resources section), 2003
- Study of Historic Nome by Kim Hunter, 1985

With the ideas generated from this public outreach work, the total locations and events currently identified (in Nome and the Seward Peninsula) now total 127, with 99 located in Nome. The current list should be considered a work in progress. It is attached as an addendum to this report.

CONCLUSION and NEXT STEPS

This historic preservation work has been the start of a conversation and an opportunity. The input generously provided by the community forms the backbone of the Phase 2 work to create the Historic Preservation Plan.

The next steps should continue using an inclusive process that honors all knowledge from Nome's diverse community and stakeholders.

Early early action steps identified by participants to celebrate the varied and interesting history of Nome and its people, include usage of Native place names in signage, updating the City logo, creation of an updated walking tour, creation a video, and installation of interpretive signage.

"...You need to make sure that everyone who is interested has a seat at the table! Don't rush this process - take it slow and make sure all voices are heard. Lots of organizations in town have a lot of documented information about Nome and the surrounding area that could be utilized..."

- Survey respondent

Nome Historic Properties
October 15, 2019
* Work in Progress

Item A.

Name/Event	City	Seward Peninsula	National Register	Military	Alaska Native	Gold/Gold Rush	Transportation	Land & Nature	Religious	Russia Relationship	Civil and Labor Rights	Exploration
Abenson flight through Nome							x					
AFN and ANCSA influence changing economic landscape of the region	x	x			x							
Alaska Anti-Discrimination Act of 1945 - Nome's role	x				x							
Alaska Gold Powerhouse	x					x						
Alaska Telephone & Telegraph Company	x					x						
Alaska Territorial Guard - Major Marvin "Muktuk" Marston statue	x	x		x								
Allan, Scotty House	x						x					
Amundsen, Roald Bust	x						x	x				
Anderson, Edward House	x										x	
Anvil Creek Gold Discovery Site	x		x			x						
Archeological discovery - Inupiat houses (2) /trash midden dated AD 1700 was unearthed 2005 & 2006 during port construction	x				x							
Bard, William H. House	x											
Barger/Carrighar/Heyolt House	x											
Belmont Point Cemetery	x											
Berger, Jacob House	x		x			x						
Beringia – Bering Land Bridge	x	x						x				
Blackjack, Ada	x				x							x
Braum, Captain John "Doll house"	x											
Brown House	x											
Bureau of Indian Affairs Unalakleet School		x	x		x							
CAA/FAA Housing				x								
Cape Nome Mining District Discover Sites	x		x			x						
Cape Nome Roadhouse		x					x					
Cape Nome villages												
Council City and Solomon River Railroad		x	x			x	x					
Cowden, Chauncey G. House	x											
Daly, Alfred J. /Bockman, Helen House	x											
Detention Hospital for the Insane / Bureau of Indian Affairs	x				x							
Discovery Saloon	x		x			x						
Distant Early Warning, or DEW line/Alice Mountain	x	x		x						x		
Ditch lines	x	x				x						
Doolittle, Jimmy Home	x		x	x								
Dream Theatre	x	x			x						x	
Dredge 5 and 6						x						

Nome Historic Properties
October 15, 2019
* Work in Progress

Item A.

Name/Event	City	Seward Peninsula	National Register	Military	Alaska Native	Gold/Gold Rush	Transportation	Land & Nature	Religious	Russia Relationship	Civil and Labor Rights	Exploration
Dunn/Bjorstad/Gelzer House	x											
Episcopal Church Rectory	x								x			
Eric Lindbloom Placer Claim	x		x			x						
Esther Birdsall Darling House/Scott House	x											
Ezukameow, Nick House	x											
Fairhaven Ditch		x	x			x						
First Torah in Alaska came to Nome	x								x			
Fish Camps	x	x			x							
Fort St. Michael		x	x	x		x						
Friendship Flight - Alaska:Siberia										x		
Ft Davis Guardhouse / Nome Nugget	x			x								
Galleher home	x											
Gambell Sites		x	x		x							
Glacier Creek Road (original)		x				x						
Gold strike site						x					x	
Hammon Consolidated Gold Fields - Keystone Drill	x					x						
Hammon Consolidated Gold Fields Bridge	x					x						
Hammon Consolidated Gold Fields Complex	x					x						
Hammon Consolidated Gold Fields Housing	x					x						
Historical trauma and colonization of indigenous people	x	x			x							
Iditarod Trail	x						x					
Iyatayet Site		x	x		x							
Kelliher, Arthur House	x											
King Island community - relocation to Nome & original site in Nome	x				x							
Kittilsen/Halla/Hoop House	x											
Labor movement in Alaska started in Nome						x					x	
Last shot in the civil war fired off Diomode		x		x								
Lavinia Wallace Young Center	x											
Lee, Richard O.House	x											
Lend Lease Program	x	x		x						x		
Lighterage Building	x											
Lindbergh flight through Nome - 1931 flight to the "Orient"							x					
Little Creek Railroad Station	x						x					
Little Sisters of Jesus - religious order	x								x			
Lomen Commercial Company Office / A.F. Guinan	x	x				x						

Nome Historic Properties
October 15, 2019
* Work in Progress

Item A.

Name/Event	City	Seward Peninsula	National Register	Military	Alaska Native	Gold/Gold Rush	Transportation	Land & Nature	Religious	Russia Relationship	Civil and Labor Rights	Exploration
Lomen Commercial Company Warehouse	x					x						
Lomen, G.J., Home	x					x						
Marks Air Force Base (formerly Marks Air Field)	x			x								
Maynard-McDougall Memorial Hospital	x											
McGivney, John/Walsh, Michael House	x											
McLain, Carrie House	x											
Methodist Rectory	x								x			
Milroy/Baldwin House	x											
Mirow Air Service and owner Hans Mirow							x					
Moze, B.B. House	x											
Munz Airfield	x			x			x					
Nerland Home	x											
Nicholi, Eli House	x											
Nolan House	x											
Nome Beach Site	x											
Nome Post Office	x											
Nome Skin Sewer Sewers Association	x				x							
Norge Storage Site		x	x				x					x
Northwest Passage Travel							x					x
Nurse's Residence	x											
Old Federal Buiding	x											
Old mining equipment on the seawall						x						
Old Nome Red Light District	x											
Old Railroad Warehouse	x						x					
Old Red Hangar at Icy View	x						x					
Old St. Joseph's Catholic Church	x		x			x			x			
Original Town Marker	x					x						
Ottosen, Andrew Home	x											
Outdoor community/town square gather space	x											
Pilgrim Hot Springs - Kruzgamepa		x	x	x	x	x						
Pioneer Mining Company Safe	x					x						
Quonset Huts	x			x								
Railway roundhouse	x						x					
Reindeer and Reindeer herding	x	x			x							
Rowe, William J. Building	x											

Nome Historic Properties
October 15, 2019
* Work in Progress

Item A.

Name/Event	City	Seward Peninsula	National Register	Military	Alaska Native	Gold/Gold Rush	Transportation	Land & Nature	Religious	Russia Relationship	Civil and Labor Rights	Exploration
Schenck Adams, Alberta (and Dream Theatre)	x				x						x	
Seawall	x											
Seppala, Leonhard House	x						x					
Serum Run							X					
Sinrock Mary	x	x			x							
Sitnasauḡmiut Qurjuwit (Cemetery)	x				x							
Snow Creek Placer Claim #1		X	X			x						
Solomon Roadhouse		x	x			x						
St. Michael Redoubt Site		x	x							x		
Stevenson/Orton House	x					x						
Swanberg Dredge	X		x			x						
Swanberg Home	x					x						
Teller Mission Orphanage		x	x		x							
Tesack, Johnny Cottage	x											
Trail behind Icy View to show what land looks like after mining						x		x				
Trails behind Windmill Hill, around King Mt, Monument Trail, Corduroy Hwy, Solomon, Grand Central River, Nuuk								x				
Transportation by boat history - skin boat, miners, whaling.	x						x					
Trengrove/O'Connor House	x											
U.S. Location Monument #1	x											
Umiak frames	x				x		x					
Wales Sites		X	X		x							
Warm storage warehouse	x											
Wild Goose Railroad (Nome Arctic Railway)	x	x				x	x					
Women (white) suffrage - voted in the 1 st election in Nome	x										x	
World War II Hospital at base of Anvil Mountain (part of Lend Lease)	x			x						x		
World War II-F Hangar	x			x								
World War II-T Hangar (part of Lend Lease Program)	x			x								
Wyatt Earp history - Wyatt Earp's house on the Dexter Bypass						x						

APPENDIX II

HISTORIC PRESERVATION ORDINANCE

ORDINANCE 76-10-1

AN ORDINANCE OF THE CITY OF NOME, ALASKA: PROVIDING FOR SAFEGUARD OF THE HERITAGE OF THE CITY BY PRESERVING ITS CULTURAL, SOCIAL, ECONOMIC, POLITICAL AND ARCHITECTURAL HISTORY: TO PROMOTE THE USE OF THE NOME HISTORIC DISTRICT FOR THE EDUCATION, PLEASURE AND WELFARE OF THE CITIZENS AND VISITORS OF THE CITY: AND TO FOSTER CIVIC BEAUTY.

SECTION 1. The establishment of the Nome Historical District which shall consist of all lots within the city limits of the City of Nome.

SECTION 2. Create an Historical Landmark Preservation Commission. There shall be nine (9) persons on the Commission appointed by the Mayor with the approval of the City Council. Such membership is to be selected from citizens dedicated to the proposition that the historical and cultural foundations of the City should be preserved as a living part of our community life and development in order to give a sense of orientation to the people of Nome.

SECTION 3. Power and duties of the Historical Landmark Preservation Commission. The Commission shall have the duties and be empowered to:

- a. Act in an advisory capacity to City Council in the identification of all structures and areas within the City that are of cultural, historical or geographical importance in the Heritage of the City or region.
- b. Recommend to the City Council that those structures and areas of significant importance be designated as historical landmarks.
- c. Develop and maintain a catalog of City landmarks and areas.

SECTION 4. It shall be mandatory for a property owner whose property is listed on the catalog of City landmarks and areas to submit to the Historical Landmark Preservation Commission proposed exterior plans before construction, alteration, moving or demolition of any structure in the Nome Historic District. It shall be unlawful to proceed with any construction, alteration, moving or demolition of any structure in the Nome Historic District without formal approval of the City Council.

Ordinance 76-10-1

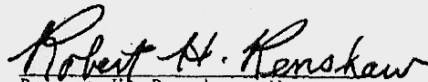
page 2

SECTION 5. If Council objects to the demolition or removal of an Historic Structure, Council may hold up demolition or removal for 14 days, in order for Council to make an attempt to salvage the structure in some agreeable manner.


NOW THEREFORE BE IT RESOLVED by the City Council of the City of Nome, Alaska, that the Nome Historic District is hereby established for the education, pleasure and welfare of the citizens and visitors of the City of Nome, and to foster civic beauty.

Dated this 10th day of November 1975 at Nome, Alaska.

CITY OF NOME, ALASKA


Robert H. Renshaw, Mayor

Attest:


H. L. Hensley, City Clerk

APPENDIX III LIST OF HISTORIC PROPERTIES OUTSIDE NOME

List of Historic Properties Outside City of Nome, Alaska

[illegible]

**List of Historic Properties
City of Nome, Alaska
LEGEND**

Identifier	Period of Significance	Context
A	10,000 BP - 5,000 BP	First Inhabitants
B	5,000 BP - 1741	First Inhabitants
C	1741 - 1867	Russian America
D	1867 - 1912	Gold Rush Era
E.	1912 - 1939	Post Gold Rush
F.	1941 - 1959	World War II and Cold War
G.	1959 - Present	Statehood, Earthquake & Oil

Property Types
1. Archaeological Sites
2. Mining Sites and Ruins;
3. Commercial Buildings
4. Residential - Single Family
5. Residential - Multi-Family
6. Civic Buildings
7. Religious and Social Buildings
8. Education Buildings
9. Transportation
10. Recreation
11. Military
12. Government
13. Medical
14. Structure

Architectural Style
a. Late Gothic Revival
b. Queen Anne
c. Prairie
d. Bungaloid
e. National Folk
e. Modern Movement
f. Commercial
g. Craftsman
h. No Designated Style
i. Industrial
j. Utilitarian
k. Not Applicable

National Register Status	
No	Yes
N	Y-1: Site
	Y-2: District
	Y-3: Individual
	Y-4: Multi-Property

APPENDIX IV

LIST OF HISTORIC EVENTS OF NOME

Event	Period of Significance	Context
Abenson Flight Through Nome		
Ada Blackjack		
AFN and ANCSA Economic Influence of the Region		
Alaska - Siberia Friendship Flight		
Alaska Anti-Discrimination Act of 1945 - Nome's Role		
First Torah in Alaska Came to Nome		
Hans Mirow Air Service		
Historical Trauma and Colonization of Indigenous People		
Labor Movement In Alaska Began in Nome		
Last Shot in the Civil War Fired Off Diomede		
Lend Lease Program		
Lingverg Flight Through Nome		
Little Sisters of Jesus		
Mary Sinrock		
Northwest Passage Travel		
Reindeer Herding		
Relocation of King Island Community		
Women Suffrage		
Wyatt Erp in Nome		

APPENDIX V

GLOSSARY OF TERMS

Following is a selection of terms that relate to historic architecture and the principles and practice of historic preservation.

Adaptive Reuse – Refers to the recycling of an old building for use other than that for which it was originally constructed.

Arch – A curved construction usually spanning an opening or used for decorative purposes.

Asphalt shingles – A type of roofing material composed of layers of saturated felt, cloth, or paper, and coated with a tar or asphalt substance and granules.

Bay Window – A window or set of windows, which project out from a wall, forming an alcove or small space in a room.

Bracket – A supporting member for a projecting element or shelf, sometimes in the shape of an inverted “L” and sometimes as a solid piece or a triangular truss.

Building – A resource created principally to shelter any form of human activity, such as a house.

Capital – The topmost member, usually decorated, of a column or pilaster.

Clapboards – Narrow, horizontal, overlapping wooden boards, usually thicker along the bottom edge, that form the outer skin of the walls of many wood frame houses. The exposed surface of the boards ranges from 4 to 6 inches in older buildings.

Column – A slender upright structure generally consisting of a cylindrical shaft, a base, and a capital.

Contributing Resource – A building, site, structure, or object that adds to the significance of a historic property.

Corbel – A projection or one of a series of projections, each stepped progressively farther forward with height; anchored in a wall, story, column, or chimney; used to support an overhanging member above.

Cornice – The exterior trim of a structure at the meeting of the roof and wall.

Cross Gable – A building where there are two gable roof forms perpendicular to each other forming a cross in plan.

Divided Light Window – A window with the glass divided into small panes.

Dormer – A structure projecting from a sloping roof usually housing a window or ventilating louver.

Double Hung Window – A window having two vertically sliding sashes each closing a different part of the window.

Eaves – The lower edge of a sloping roof; that part of a roof of a building, which projects beyond the wall.

Eyebrow Dormer – A low dormer on the slope of a roof. It has no sides the roofing being carried over it in a low arch or wave line.

Façade – Front or principal face of a building. Any side of a building that faces a street or other open space.

False Front – A front wall, which extends beyond the sidewalls of a building to create a more imposing facade.

Fascia – A flat board with a vertical face that forms the trim along the edge of a flat roof, or along the horizontal, or eaves sides of a pitched roof.

Fenestration – The arrangement and design of windows in a building.

Form – The overall shape of a structure.

Front Gable – A gabled roof form building where the front of the building is on the gable end.

Gable – The vertical triangular portion of the end of a building having a double-sloping roof, from the level of the cornice or eaves to the ridge of the roof.

Glazing – Fitting glass into windows and doors.

Head – The top horizontal member over a door or window opening.

Hip on Gable Roof – The end of a roof when it is formed into a shape intermediate between a gable and a hip.

Hip Roof – A roof, which slopes upward from all four sides of a building, requiring a hip rafter at each corner.

Historic Context – information about historic trends and properties grouped by an important theme in the prehistory or history of a community, State, or the nation during a particular period of time.

Historic District – A significantly concentration of sites, buildings, structures or objects united historically or aesthetically by plan or physical development.

Historic Integrity – the authenticity of a property’s historic identity, evidenced by the survival of physical characteristics that existed during the property’s historic or prehistoric period.

Historic Property – a district, site, building, structure or object significant in American history, architecture, engineering, archeology, or culture at a national, State, or local level.

Historic Significance – the importance of a property to the history, architecture, archeology, engineering, or culture of a community, State, or the nation.

In-Kind Replacement – To replace a feature of a building with materials of the same characteristics, such as material, texture, color, etc.

Inventory – a list of historic properties determined to meet specified criteria of significance.

Lap Siding – See “clapboards.”

Mass – The physical size and bulk of a structure.

National Register Criteria – the established criteria for evaluating the eligibility of properties for inclusion in the National Register of Historic Places.

Non-contributing Resource – A building, site, structure, or object that does not add to the historic significance of a property.

Overhang – The projection of an upper story or roof beyond the story immediately below

Palladian Window – A window of large size divided by columns or piers resembling pilasters into three lights, the middle one of which is usually wider than the others and is sometimes arched.

Parapet – A low wall used along the edge of a roof.

Pediment – In classical architecture, the triangular gable end of the roof above the horizontal cornice often filled with sculpture. In later work, a surface used ornamentally over doors or windows, usually triangular but may be curved.

Pilaster – A support treated architecturally as a column, with a base, shaft, and capital that is attached to a wall surface.

Property Type – a grouping of individual properties based on a set of shared physical or associative characteristics.

Pyramidal Roof – A roof hipped equally on all sides so as to have a pyramidal form.

Rafter – Any of the beams that slope from the ridge of a roof to the eaves and serve to support the roof.

Rake – A board or molding along the sloping edge of a gable.

Return – The continuation of a molding, projection, member, or cornice in a different direction usually at a right angle.

Roof Crest – A wall or decorative element along the ridge of a roof.

Rose Window – A large circular medieval window containing tracery disposed in a radial manner.

Shape – The general outline of a building or its façade.

Shed Dormer – A dormer whose eave line is parallel to the eave line of the main roof instead of being gabled.

Shed Roof – A roof slope having only one sloping plane.

Side Gable – A gabled roof form building where the front of the building is on the side.

Siding – The narrow horizontal or vertical wood boards that form the outer face of the walls in a traditional wood frame house. The term is also more loosely used to describe any material that can be applied to the outside of a building as a finish.

Sill – The lowest horizontal member in a frame or opening for a window or door.

Soffit – The underside of a structural part, as of a beam, arch, or rafter tails.

Stile – A vertical piece in a panel or frame, as of a door or window.

Streetscape – The character of the street, or how elements of the street form a cohesive environment.

Tower – A building characterized by its relatively great height.

Transom – A window located above a door or window.

Turret – A diminutive tower characteristically corbelled from a corner.

Vernacular Architecture – A mode of building based on regional forms and materials.

Window Parts – The moving units of a window are known as sashes and move within the fixed frame. The sash may consist of one large pane of glass or may be subdivided into smaller panes by thin members called muntins or glazing bars. Sometimes larger window divisions called mullions are used.

APPENDIX VI

REFERENCES, REPOSITORIES & RESOURCES

References

Alaska Heritage Resources Survey (AHRS)

2021 AHRS List for Nome, Alaska, Alaska Office of History and Archaeology, Anchorage

Antonson, Joan M. and William S. Hanable

1994 Alaska's Heritage, The Alaska Historical Society for The Alaska Historical Commission, Department of Education, State of Alaska.

Blumenson, John J.-G.

1977 Identifying American Architecture, American Association for State and Local History

Cole, Terrence and Jim Walsh, Editors

1984 Nome "City of the Golden Beaches", The Alaska Geographic, The Alaska Geographic Society.

Decker, Julie and Chris Chiei, Editors

2005 Quonset Hut, Metal Living for a Modern Age, Princeton Architectural Press

Engelhard, Michael

2021 Wheels of Fortune, True West Magazine

Gillette, Gary H. Architect

2008 Historic Buildings of Nome – Past, Present, Future, Bureau of Indian Affairs – Alaska Region

Harris, Cyril M., Editor

1975 Dictionary of Architecture and Construction, McGraw-Hill Book Company

Hoagland, Alison K.

1993 Buildings of Alaska, Society of Architectural Historians, University of Virginia Press

Hunter, Kimberly

1982 National Register of Historic Places Inventory - Nomination Form,
on record at Alaska Office of History and Archaeology, Anchorage

Hunter, Kimberly

1982 Nome Survey Project, Northwest Community College, Nome,
Alaska

Jones, Preston

2007 Empire's Edge: American Society in Nome, Alaska 1898-1934,
University of Alaska Press

Phillips-Chan, Amy, Dr.

2019 Images of America – Nome, Arcadia Publications

McAlester, Virginia and Lee

1985 A Field Guide to American Houses, Alfred A. Knopf, Inc.

National Park Service

1983 Archeology and Historic Preservation: Secretary of the Interior's
Standards and Guidelines, Department of the Interior

National Register Branch

1986 National Register Bulletin 16: Guidelines for Completing National
Register of Historic Places Forms, National Park Service,
Department of the Interior

National Register Branch

1991 National Register Bulletin 16A: How to Complete the National
Register Registration Form, National Park Service, Department of
the Interior

Repositories

Alaska and Polar Regions Collections, Elmer E. Rasmuson Library, University
of Alaska Fairbanks

Alaska State Library, Historical Collections, Juneau, Alaska

Anchorage Museum at Rasmuson Center, Library and Archives, Anchorage, Alaska

Carrie M. McLain Memorial Museum, Nome, Alaska

City of Nome Assessor Files

Resources

Advisory Council on Historic Preservation
1100 Pennsylvania Avenue NW, Suite 803
Washington, DC 20004
Phone: (202) 606-5803
Web: www.achp.gov

Alaska Office of History and Archeology
550 W. 7th Avenue, Suite 1310
Anchorage, Alaska 99501-3565
Phone: (907) 269-8721
Web: www.dnr.state.ak.us/parks/oha

Alaska State Historic Preservation Office
Judith E. Bittner, State Historic Preservation Officer
550 W. 7th Avenue, Suite 1310
Anchorage, Alaska 99501-3565
Phone: (907) 269-8721
Web: www.dnr.state.ak.us/parks/oha

National Alliance of Preservation Commissions
325 South Lumpkin Street
Founders Garden House
Athens, Georgia 30602
Phone: (706) 542-4731
Web: www.sed.uga.edu/pso/programs/napc/napc.htm

National Center for Preservation Technology and Training
645 University Parkway
Natchitoches, LA 71457
Phone: (318) 356-7444

Web: www.ncptt.nps.gov

National Park Service Cultural Programs

Web: www.nps.gov/history/whatwedo.htm

National Register of Historic Places

Web: www.nps.gov/history/nr/index.htm

National Trust for Historic Preservation

1785 Massachusetts Avenue NW

Washington, DC 20036-2117

Phone: (202) 588-6000

Web: www.preservationnation.org

Preserve America

Web: www.preserveamerica.gov

Preservation Action

National Building Museum

401 F Street, Room 324

Washington, DC 20001

Phone: (202) 637-7873

Web: www.preservationaction.org



THE STATE
of ALASKA

GOVERNOR MIKE DUNLEAVY

Department of Transportation Item A.

Public Facilities

NORTHERN REGION
Director's Office

2301 Peger Road
Fairbanks, Alaska 99701
(907) 451-2210
dot.alaska.gov

RECEIVED

APR 16 2021

CITY OF NOME
CLERKS DEPARTMENT

April 5, 2021

City of Nome
PO Box 281
Nome, AK 99762

Re: 2021 Construction Season

Dear City of Nome,

Your community is one of our partners in the upcoming Dept. of Transportation & Public Facilities (DOT&PF) construction season. I want to be sure you have all the information you need about the construction projects in your area and know where you can find more information. Included with this letter are information sheets on each project in or near your community. You can also find information about all the projects in our region on our website:

dot.alaska.gov/nreg/construction.

The following projects are ongoing or scheduled for construction activities in or near your community during this upcoming summer season:

- Nome Airport Paving
- Nome Bering Street Rehabilitation

As we plan for our upcoming construction activities, we would like to ensure that our work is consistent with federal and state health mandates and guidance, as well as any local travel restrictions and guidance related to COVID-19. DOT&PF and all contractors will continue to have work plans in place to minimize the spread of the virus. We are asking all of our community partners for input and guidance on developing site-specific plans for construction activities within individual communities. Your partnership and support is essential to the success of these projects.

Please feel free to contact me with any questions regarding our upcoming construction season. We appreciate your cooperation and look forward to speaking with you soon.

Sincerely,

Ryan Anderson, Northern Region Director

RECEIVED
CITY OF NOME
CLERK'S DEPARTMENT

Nome Bering Street Rehabilitation

Project overview

Project Description and Location

Rehabilitate Bering Street in Nome from the intersection of Front Street to the intersection of Greg Kruschek Avenue/Little Creek Road. Work includes sewer and water line utility work, improving drainage, hot mix asphalt paving, striping and sign installation. New ADA-compliant curb and gutter, sidewalks and curb ramps will also be installed.

General Expected Traffic Impacts

There will be times during construction when there are restrictions to traffic and detours in effect. Access businesses will remain open during business hours, access to churches will be maintained during weekend service hours, and access to private properties will be maintained at all times.

Project Timeline

May 2021 - October 2021

Contractor and Contract Amount

Knik Construction Co., Inc., \$3,959,363

Funding Information

This project is 91% funded by the Federal Highway Administration with a 9% state match.

Where to find more information

DOT&PF Project Engineer

Ulysses Hall, 907-443-3440, ulysses.hall@alaska.gov

Project Website

dot.alaska.gov/nreg/beringst/

Current Traffic Information

AlaskaNavigator.org and 511.alaska.gov

Northern Region DOT&PF 2021 Construction Information

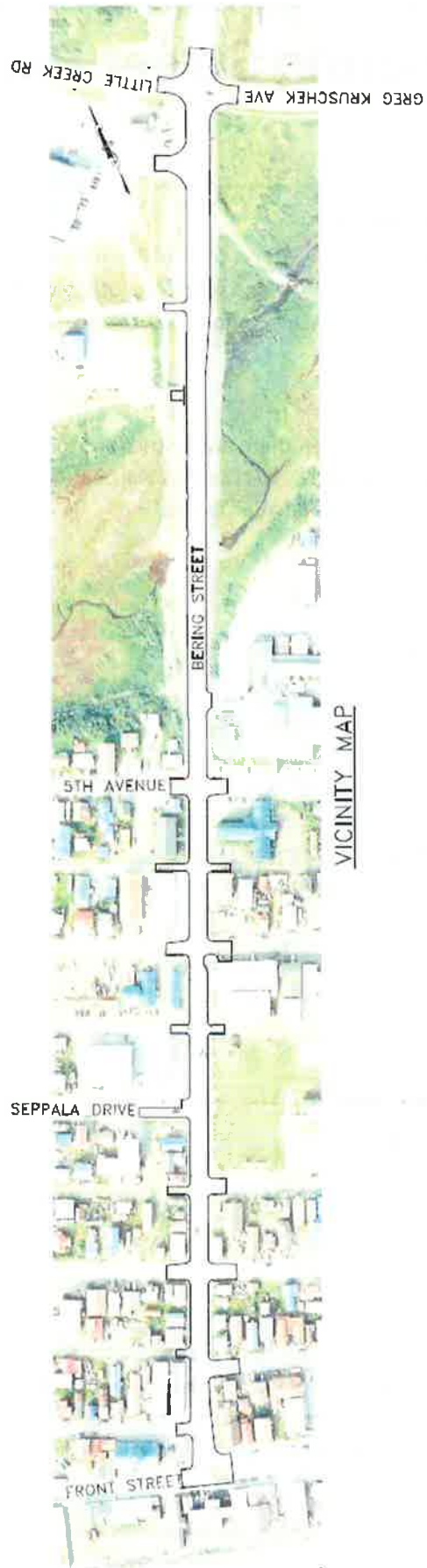
dot.alaska.gov/nreg/construction

The fine print

The information on this page was compiled on April 8, 2021 by Northern Region DOT&PF staff. All the information listed on this sheet was accurate at the time it was published, but is subject to change, as are all things related to construction in Alaska's short summer season. Please contact the DOT&PF project engineer if you have any questions about this project. Thank you!

DOT&PF operates all programs without regard to race, religion, color, gender, age, marital status, ability, or national origin. Full Title VI Nondiscrimination Policy: dot.alaska.gov/tvi_statement.shtml. To file a complaint go to: dot.alaska.gov/cvlrts/titlevi.shtml.





Nome Airport Paving

Project overview

Project Description and Location

Rehabilitate Runway 10-28, Runway 3-21, portions of the north apron, and airport lighting.

General Expected Traffic Impacts

During summer 2021, Runway 3-21 will be closed for up to 60 days. Runway 10-28 will be restricted to half-width operations for 24 days of this 60 day period for work on the runway intersection. During summer 2022, Runway 10-28 will be closed for up to 60 days. Night closures of up to 21 nights in 2021 and up to 16 nights in 2022 will be required for pavement grooving and marking.

Project Timeline

Summer 2021 - Fall 2022

Contractor and Contract Amount

Knik Construction Co., Inc., \$27,921,523

Funding Information

This project is 90% funded by the Federal Aviation Administration with a 10% state match.

Where to find more information

DOT&PF Project Engineer

Neil Strandberg, 907-443-3442, neil.strandberg@alaska.gov

Northern Region DOT&PF 2021 Construction Information

dot.alaska.gov/nreg/construction

The fine print

The information on this page was compiled on April 6, 2021 by Northern Region DOT&PF staff. All the information listed on this sheet was accurate at the time it was published, but is subject to change, as are all things related to construction in Alaska's short summer season. Please contact the DOT&PF project engineer if you have any questions about this project. Thank you!

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Cheryl Thompson

From: James, Melissa <Melissa.James@verisk.com>
Sent: Monday, April 5, 2021 1:21 PM
To: Cheryl Thompson; Glenn Steckman
Cc: Alvelo, Teresa; Pilkenton, Roxanne
Subject: 2021 CRS Recertification Acknowledgment – Nome, AK #020069

Caution! This message was sent from outside your organization.

Dear CRS Coordinator:

Congratulations! I have reviewed your submittal and found everything to be in order. This concludes your annual CRS recertification.

You have reported that you have had no development in your SFHA and no construction certificates during the reporting period. Every year from now on, your reporting period for your construction certificates will be from February 1 to January 31 (recertification due date to recertification due date). If you need to only report on those certificates received up through January 15th each year because it helps you organize and prepare them for the February 1st recertification date, that is understandable and acceptable. The next year you will start at February 1 again for reporting purposes.

Should you have any questions, please do not hesitate to contact me, or your CRS Specialist.

Sincerely,

Melissa James, CFM
CRS Resource Specialist
New Orleans, LA
502.386.5258
Melissa.James@Verisk.com
verisk.com | [LinkedIn](#) | [Twitter](#) | [YouTube](#)



This email is intended solely for the recipient. It may contain privileged, proprietary or confidential information or material. If you are not the intended recipient, please delete this email and any attachments and notify the sender of the error.

CRS Activity 510
Progress Report on Implementation of Credited Plan

Date this Report was Prepared: 3/2/2020, Updated 1/25/2021

Name of Community: City of Nome

Name of Plan: City of Nome, Alaska -Hazard Mitigation Plan Update 2/1/2017

Progress Report prepared by: Cheryl Thompson

Date of Adoption of Plan: 1/3/2017 or 2/1/2017

5 Year CRS Expiration Date: October 1, 2022

1. How can a copy of the original plan or area analysis report be obtained:

The plan is on the City of Nome website, listed under: "Disaster, Hazard and Flood Plans". There are also copies available at City Hall.

2. Describe how this evaluation report was prepared and how it was submitted to the governing body, released to the media, and made available to the public:

Nome's City Planner worked with the City Planning Commission in advertised, open public meetings. When the plan was ready it was accepted by the Planning Commission by Resolution 2017-1. It was then accepted by the Common Council by Resolution 17-01-03. The local newspaper and often radio station attend these meetings and report on them. Minutes of these meetings are also submitted to the Common Council during their publicized meetings and these are reported on also.

This Evaluation Report was prepared by reviewing our Hazard Mitigation Plan and judging what parts we had worked on in the last year to complete the plan. This Evaluation will be presented to the City Council and the Planning Commission at their next public meetings. It will also be placed on the City's website and notice of that will be made to the public via our two local radio stations and our local newspaper.

3. Provide a description of the implementation of each recommendation or action item in the action plan or area analysis report, including a statement on how the project was implemented or not implemented during the previous year:

FLD #1 City owned buildings were covered by flood insurance where necessary.

FLD #2 We did pursue and achieved a lower CRS ranking during our 5-year re-certification.

FLD #3 & #4 were not achieved. The City did not fund an engineering evaluation to flood-proof vulnerable structures or bring a flood proofing workshop to Nome.

FLD #5 With a new, better trained Building Inspector on board, we are even more serious on ensuring that all new construction or more than 50% remodel projects in the flood-plain, adhere to elevations that are required.

FLD #6 Some Nome Joint Utility lines have been relocated that are in the flood-plain and more will be moved as construction projects continue.

FLD #7 Money was applied for and appropriated to repair and reinforce Nome's Seawall within the last 5 years. This is Nome's major form of flood protection as our flooding dangers stem from ocean wave surges and high winds over a long fetch of ocean.

4. Discuss why any objectives were not reached or why implementation is behind schedule:

The City of Nome is mostly built right along the sea coast and most of it is old construction. The costs to flood-proof these old buildings would not really be practical versus the cost to raze and rebuild new structures properly if/when it becomes necessary.

5. What are the recommendations for new projects or revised recommendations?

The City is actively enforcing elevations and proper building methods going forward. We are also requiring Elevation Certificates before and after construction completion, which wasn't always done and we have informed the main surveyor in this area that he has to put the elevation of the mechanicals (furnace, water heater, etc.) on the Certificates. Our one Repetitive Loss property has been raised above grade, since the time that it was flooded in 2004 and 2005. I believe we should encourage the property owner to get a new Elevation Certificate and see where it is at compared to the regulations. This past summer 2020, due to so many Covid-19 difficulties, this property was not addressed. It is still much improved from its state in 2004 and 2005. The City Building Inspector intends to have a conversation with the current owner going forward.

City of Nome
Application for Conditional
Use Permit

DATE: 3/26/21

PERMIT NO. _____

The undersigned hereby applies to the City of Nome for approval of the following conditional use permit to the land as follows as per Section 18.120. NCO.

Property Owner: Terrance Michael Phone# (907) 434-1206

Property Address: 402 E. N St. Mailing Address: PO Box 1075

Legal Description: Block# 43A Lot# 6A Tax Lot # 001.032.26
 U.S. Survey _____ Parcel No. _____

CURRENT ZONE DESIGNATION: (Mark appropriate box)

☒ Residential
☐ Commercial

☐ Industrial
☐ Resource Development

☐ General Use

PROPOSED CONDITIONAL USE: Chapter 18.110 (Description of Request)

Retail Store - See attached Statement

Zoning- 18.120.20 NCO – The following process shall apply to conditional permits.
The City Clerk shall give notice of the public hearing in the following manner:

- a. The City shall send notice of the public hearing to the applicant, all property owners of record within three hundred (300) feet of the property in question no less than fourteen (14) days before the hearing.
- b. The referral information shall include the time and place of the public hearing, the nature of the hearing, the location of the subject property, and the applicant's name.
- c. The City shall also publish notice in a newspaper of general circulation.
- d. The City shall prepare a public hearing notification sign to be posted on the property by the applicant.
- e. The hearing may be held no less than fourteen (14) days from the date of property posting and newspaper publication.
- f. If the conditional use request is accompanying another application, which is scheduled for public hearing before the Planning Commission, one public hearing may be held on both applications.

PLEASE NOTE:

Conditional Use Application Submittal. The applicant shall submit one (1) copy of the complete conditional use application package to the City and shall request that the Planning Commission review the application. Conditional use request shall include:

1. Conditional Use Application Form.
2. Written statement and any graphics necessary to describe the precise nature of the proposed use and its operating characteristics and to illustrate how all conditional use review criteria have been satisfied.
3. A map showing the proposed development of the site, including building locations, parking, utilities, and drainage features.
4. Preliminary building plans and elevations sufficient to indicate the dimensions, general appearance, and scale of all buildings.
5. Such additional material as the City may prescribe or the applicant may submit pertinent to the application.

This request will be heard before the Nome Planning Commission on

Tuesday May 4, 2021, applicant attendance is required.

CERTIFICATION:

I hereby certify that (I Am) (I have been authorized to act for) the owner of the property described above and that I desire a conditional use permit for this property in conformance with the Title 18 NCO and hereby dispose and say that all of the above statements are true. I am familiar with the code requirements and certify that to the best of my knowledge, belief and professional ability, that this application meets them. I understand that payment of the conditional use fee is non-refundable and it is to cover Costs associated with the processing of this application and that it does not assure approval of the request.


 Signature of Applicant

3/30/21
 Date

Planning Commission Additional Restriction or Conditions:

A conditional use hearing on this permit was held by the Planning Commission on _____ and this permit was / was not approved.

Chairman, Planning Commission Date

City Clerk's Office Date

Date/Fee Paid: _____

Receipt No: _____

FEE SCHEDULE:

Regular Planning Commission Meeting: \$200.00

Special Planning Commission Meeting : \$300.00

Chapter 18.120

CONDITIONAL USES

Sections:

[18.120.010 Purpose.](#)

[18.120.020 Conditional use review process.](#)

[18.120.030 Conditional use review criteria.](#)

18.120.010 Purpose. SHARE

In order to provide flexibility and to help diversify uses within a zoning district, specified uses are permitted in certain districts subject to the granting of a conditional use permit. Specific conditional uses for each zoning district are listed in the matrix of permitted and conditional uses (Chapter [18.110](#) NCO).

Conditional uses may be permitted subject to such conditions and limitations as the city may prescribe to ensure that the location and operation of the conditional uses will be in accordance with the conditional use criteria. The scope and elements of any conditional use may be limited or qualified by the conditions applicable to the specific property. Where conditions cannot be devised to achieve these objectives, applications for conditional use permits shall be denied. (Ord. O-08-09-01 § 2 (part), 2008)

18.120.020 Conditional use review process. SHARE

(a) Step 1: **Optional Pre-Application Conference**. The applicant may attend a pre-application conference with a representative from the city. The purpose of the meeting is to discuss the conditional use submittal requirements and review process.

(b) Step 2: Conditional Use Application Submittal. The applicant shall submit one copy of the complete conditional use application package to the city and shall request that the planning commission review the application. Conditional use requests shall include:

(1) Conditional use application form.

(2) Written statement and any graphics necessary to describe the precise nature of the proposed use and its operating characteristics and to illustrate how all conditional use review criteria have been satisfied.

(3) A map showing the proposed development of the site, including building locations, parking, and utilities and drainage features.

(4) Preliminary building plans and elevations sufficient to indicate the dimensions, general appearance, and scale of all buildings.

(5) Such additional material as the city may prescribe or the applicant may submit pertinent to the application.

(c) Step 3: Conditional Use Application Certification of Completion and Report to Planning Commission. Within a reasonable period of time, staff shall either certify the application as complete and in compliance with all submittal requirements or reject it as incomplete and notify the applicant of any deficiencies. Applicant shall then correct any deficiencies in the application package, if necessary, and submit the required number of copies of the application (as specified in the conditional use application form) to the city. After a complete application is received, staff shall prepare a report to the planning commission explaining how the application is or is not consistent with the conditional use application review criteria.

(d) Step 4: Set Conditional Use Public Hearing Date and Notify Public of Hearing. The city shall send notice of the public hearing to the applicant and all property owners of record within three hundred feet of the property in question no less than fourteen days before the hearing. The referral information shall include the time and place of the public hearing, the nature of the hearing, the location of the subject property, and the applicant's name. The city shall also publish notice in a newspaper of general circulation. The city shall prepare a public hearing notification sign to be posted on the property by the applicant. The hearing may be held no less than fourteen days from the date of property posting and newspaper publication. If the conditional use request is accompanying another application, which is scheduled for public hearing before the planning commission, one public hearing may be held on both applications.

(e) Step 5: Planning Commission Public Hearing and Action on the Conditional Use. The planning commission shall hold a public hearing on the conditional use application. Following the public hearing, the planning commission may approve, conditionally approve or deny the conditional use application based on the conditional use review criteria. A conditional use permit may be revocable, may be granted for a limited time period, or may be granted subject to conditions as the planning commission may prescribe. Conditions may include, but shall not be limited to: requiring special setbacks, street dedication and improvement, regulation of vehicular access and parking, hours and methods of operation, control of potential nuisances, prescription of standards for maintenance of buildings and grounds, and prescription of development schedules. (Ord. O-08-09-01 § 2 (part), 2008)

18.120.030 Conditional use review criteria. SHARE

The city shall use the following criteria to evaluate the applicant's request:

(a) The conditional use will satisfy all applicable provisions of this title and subdivision regulations unless a variance is being requested.

(b) The conditional use will conform with or further the goals, policies, and strategies set forth in the city comprehensive plan.

(c) The conditional use will be adequately served with public utilities, services, and facilities, if available (i.e., water, sewer, electric, fire protection, storm drainage, etc.), and not impose an undue burden on public utilities, services and facilities above and beyond those of the permitted uses of the district.

(d) The conditional use will not substantially alter the basic character of the district in which it is in or jeopardize the development or redevelopment potential of the district.

(e) The conditional use will result in efficient on- and off-site traffic circulation which will not have a significant adverse impact on the adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site.

(f) Potential negative impacts of the conditional use on the rest of the neighborhood or of the neighborhood on the conditional use have been mitigated through setbacks, architecture, site arrangement, or other methods. The applicant shall satisfactorily address the following impacts:

(1) Traffic;

(2) Activity levels;

(3) Noise;

(4) Building type, style, and scale;

(5) Hours of operation;

(6) Dust;

(7) Erosion control; and

(8) The applicant has submitted evidence that all applicable local, state, and federal permits have been or will be obtained. (Ord. O-08-09-01 § 2 (part), 2008)

Date: March 26, 2021

To: City of Nome Planning Commission

Subject: Application of Conditional Use Permit

This statement is a request for a Conditional Use Permit to convert an existing 512 square-foot house building located at 402 East N Street Nome, AK 99762 into retail store to allow for the operating of a selling cannabis. This cannabis retail store would include improvements to create the display and service room, products storage, employee areas and other ancillary areas within the building for the store's operation. There will be no substantive changes to the exterior of existing building or lot, the parking lot and the outside area to provide blend in with the general neighborhood appearance and architecture.

The proposed use is substantially consistent with the city comprehensive plan and other city adopted plans. We plan to operate very friendly, community business and will work with all local government to maintain compliance of all codes, laws, rules, regulations and restrictions. All while maintaining good communication of our intent to all parties involved, including the public, we want to maintain transparency.

The proposed use is adequately served by water, sewer, electricity, and other utilities. Being hooked up to city sewer and water, and electricity service by Nome Joint Utility are sufficient for proposed use and are preexisting, we have no plans of changing.

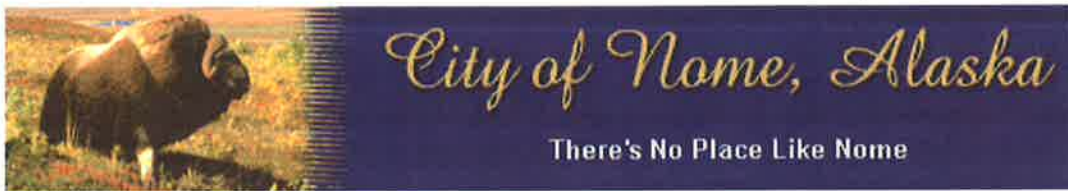
The proposed will not overload the street system with traffic or result in unsafe streets or dangers to pedestrians. The proposed site is on East N Street between 3rd and 4th Avenue which is of sufficient width and road system to carry the daily vehicle trips generated by the proposed retail store. The proposed use will not be changing or adding to the current parking system that is in place, still there is sufficient parking space for the employees and customers at the front, side and behind of building. We will also ensure all employees and customer utilize designated parking spaces.

The operations of the proposed use will not disturb the surrounding properties, the operating hours would occur during normal hours between 10:00 am – 10:00 pm. Our proposed use will not result in significantly different use characteristics than

surrounding properties. Nothing we plan to do will create excessive noise, fumes or odors, glare, smoke, light, dust, litter or any interference in any circumstances.

The proposed use would not adversely affect the health, peace and comfort of the residents of the surrounding area, and would not be detrimental to other properties or jeopardize public health and safety. The addition of cannabis facility helps with economic vitality in the areas. The proposed use would provide a viable service to the community, initially creating permanent full-time and part-time jobs, while potentially increasing the number of employees, helping maintain the economic viability of this area, while conducting in a safe and secure setting.

Best regards

**Search Details**

Account #: 001.032.26 Street: 402 E. N ST. Legal Description: Block 43A Lot 6A

Owner's Name and Address:

MICHELS, TERRANCE L.

Subdivision:	NOME TOWNSITE	Plat Number:	82-04
Mineral Survey #:			
Description:			
Comments:			
Tax Year:	2020	Mill Rate:	13
Land Value:	33000	Improvements Value:	52600
Lot Size:	6006	Building Size:	512
Water & Sewer:	yes	Date Built:	2002
Zoning:	RESIDENTIAL		
Exemption:	Percent Exempt:	0	
Taxable value:	85600		

FIGURES GOOD AS OF JUNE 18, 2020.

Call City Clerk's Office for Payoff of Taxes - (907) 443-6663

NOTICE: The above figures are taken from the most recent postings available.
Current year tax is the calendar year 2020.

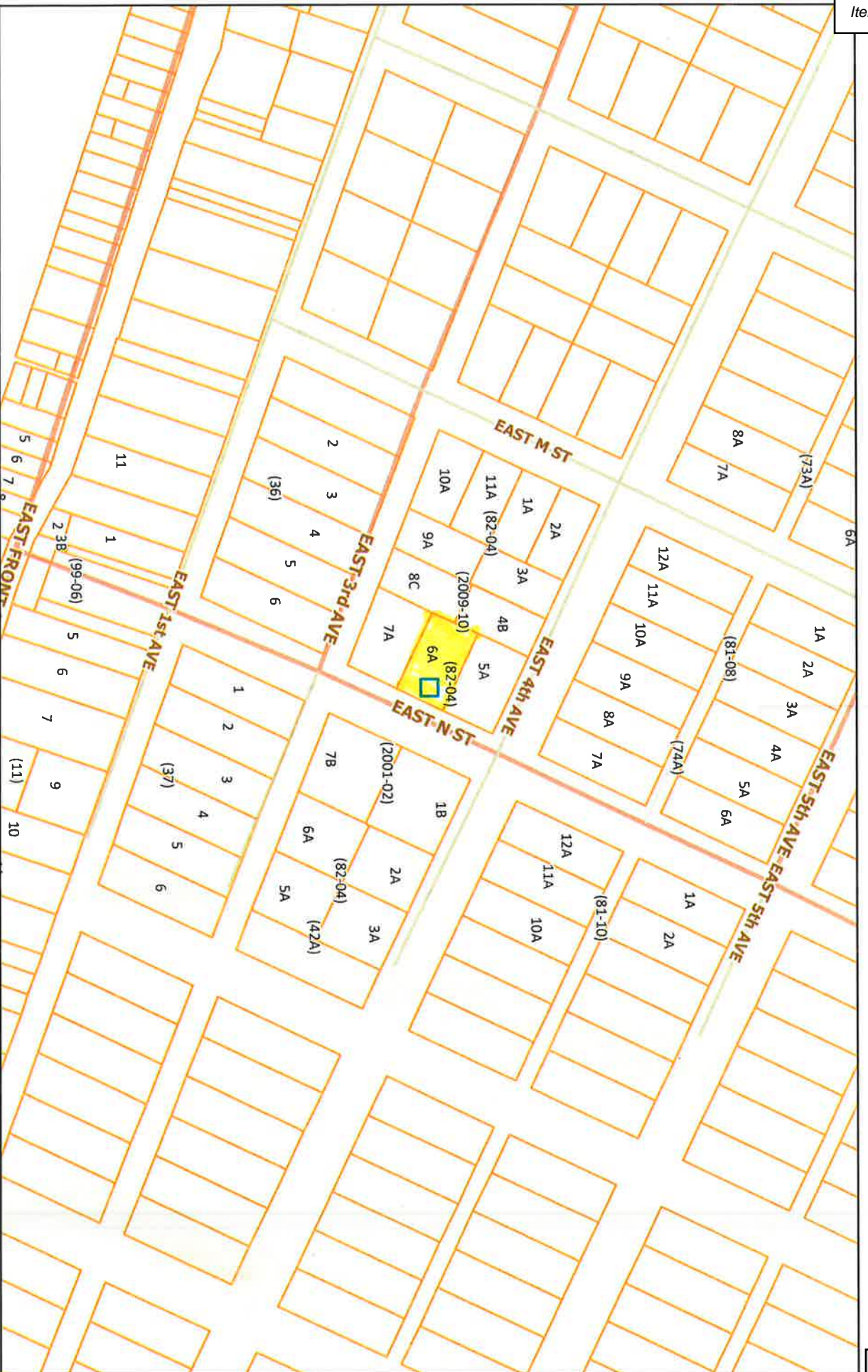
When payment is applied to an account in delinquent status, it will pay delinquent years first in the following order: cost; penalty; interest; principal.

[Print](#)

[Close](#)



Imagery ©2021 CNES / Airbus, Maxar Technologies, Map data ©2021 20 ft



3/25/2021, 5:00:35 PM

Streets

LOCAL

City Limits

ARTERIAL

ALL EY

11

Parcels Joined with Taxroll

MAJOR

1:4,514

0 0.01 0.03 0.06 mi

0 0.03 0.05 0.1 km

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N. Robinson, NCEAS,

Public User

Copyright 2021, City of Nome

April 15th 2021

Dear City Staff and Planning Commission,

Thank you for your letter dated April 6, 2021 and the opportunity to respond to the proposed conditional use permit to open a retail cannabis store in my neighborhood. My husband and I are opposed to the approval of this conditional use permit for the following reasons:

1. Our neighborhood is zoned for residential use. We are worried that the value of our property will fall if we are located so close to a retail cannabis store. This has the potential to drive prospective buyers of our property away. In the event that we need to sell our property, the sale price could be much less than we would otherwise be able to sell it for. In this case our family's financial future would be significantly affected.
2. We are very concerned about the increase in steady traffic this cannabis store will bring to our neighborhood if approved. Our neighborhood is already home to the Nome Preschool and Nome Elementary School. Small children walk to and from school five days per week for most of the year in our neighborhood, often right past the proposed cannabis store's location. We are worried about collisions and accidents with small children. Our daughter is only three years old. Many other families have toddlers and small children in this neighborhood. The amount of traffic cannabis stores bring to a neighborhood can be significant at times, increasing the risk of accidents.
3. An increase in traffic will result in an increase in the amount of dust our neighborhood sees. N Street is not paved and there is already too much dust to contend with during the spring, summer and fall. An increase in dust will result in an increase in respiratory issues for people living in our neighborhood, further driving down our quality of life.
4. At the back of our property, we have two small one bedroom homes that we rent. We are worried the pool of potential tenants may be reduced. Potential tenants may not want to live so close to a cannabis store for a number of reasons. Having a smaller pool of tenants to select from has the potential to negatively impact our family's finances.
5. There does not seem to be sufficient parking at the location. This will result in a steady stream of customers parking on N Street which could be a concern because ambulances often use N Street to get to and from the hospital. An improperly parked car (or several) could result in an awful accident.
6. Nome is currently in a housing crisis. Taking a perfectly good single family house located in a residential zone and turning it into a retail cannabis store further exacerbates our housing shortage issues.
7. Allowing new retail stores to operate in residential zones reduces the overall quality of those zones and results in the zone no longer serving its intended purpose. This is especially true when the store serves only a certain population of people (e.g., cannabis product users) and draws significant amounts of vehicular traffic. A case could be made

for a small neighborhood corner store that serves everyone, will draw more foot traffic than vehicular traffic, has overwhelming neighborhood/community support and has sufficient parking for the few customers that do drive to it. This is not that case.

In conclusion, if our house was not located in a residential zone, we would seriously consider selling it and moving to a residential zone. We are currently happy with our location, specifically because we are in a residential zone. We appreciate the benefits of living in a residential zone, such as – not having to worry about cannabis stores opening in our neighborhood.

To be clear, we are not opposed to another cannabis store opening in Nome, but if one does open, it should be in a *commercial, industrial or general use zone that allows for that type of activity*. We have zones for a reason. Many people specifically seek out properties to buy that are only located in residential zones because of the expected benefits of living in a residential zone. The proposed location of this retail cannabis store is terrible. If approved it will create a number of safety risks, reduce our quality of life and has the potential to significantly drive down surrounding property values. Please seriously consider the impacts to our community before making your decision.

Sincerely,

Sara Lizak

Adjacent Property Owner

RECEIVED

Item B.

APR 20 2021
DATE RECEIVED:
CITY OF NOME
CLERK'S DEPARTMENT

CITY OF NOME
Variance Application

PERMIT NO.

NCO 5.10.090 (Building Code) – Variances – It is recognized there are special cases where unusual physical features (including small lot size), location within a commercial or historic district, special design features which can be incorporated into the structure, and the limited building season which make strict application of the foregoing regulations unreasonable. Variances are intended to allow a relaxation of the terms of these regulations in such cases. A variance shall not be granted merely for reason of financial hardship or inconvenience. An applicant may request a variance from the Planning Commission. The Planning Commission must meet within fourteen days from the time a completed application is received in the Clerk's Office. Upon receipt of a completed application, the City Clerk shall provide notice of the application and the date of the Planning Commission meeting at which the application will be heard by regular mail to all adjacent property owners.

Denials may be appealed to the Board of Adjustment.

The Planning Commission may impose restrictions and conditions as necessary to assure complete compliance with the foregoing regulations is reasonable.

The Planning Commission may grant a variance only if the Planning Commission believes, based upon the facts placed before the Commission by the applicant, the City, and members of the public, that all of the following are true:

- 1) The variance is needed in order to provide the applicant or property owner rights to commonly enjoyed by other similarly situated properties in the same district or neighborhood;
- 2.) The applicant or property owner did not cause the condition that requires the variance;
- 3.) The variance is not requested simply to save the applicant or property owner money;
- 4.) The variance is not requested merely because complying with the regulations is inconvenient;
- 5.) Unusual physical features make strict application of the applicable regulations unreasonable;
- 6.) The variance requested is the minimal variance needed in order to alleviate the hardship to the applicant or property owner resulting from strict application of the applicable provisions of ordinance or regulation;
- 7.) Granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws, ordinances or regulations;
- 8.) The variance will not permit a land use in a district in which that use is prohibited.

Subdivisions - General Provisions 70.012 - The following process shall apply to variances.

The City Clerk shall give notice of the public hearing in the following manner:

- a. By publication of a notice in a newspaper of general circulation within the City not less than five (5) days nor more than twenty (20) days prior to the date of hearing
- b. By sending notices by mail at least five (5) days but not more than twenty (20) days prior to the date of hearing to the property owners and residents of property who are not owners of property adjacent to the exterior boundaries of the property involved. The names and addresses of owners as shown in the records of the tax assessor and land use maps of the City will be used for this purpose. Where mailing addresses are not available, the notice will be delivered directly.
- c. **Failure to send notices to persons specified in this section or failure of a person to receive a notice shall not invalidate the proceedings.**

Applicant: Patrick Dewane

Phone #: 907 538 5403

I am requesting the Planning Commission consider a variance in reference to a:

(Please check one)

Preliminary Plat/Subdivision Application _____

Building Permit Application _____

Block #: 55 Lot #: 5A Tax Lot #: _____

For the following reason(s):

- ☐ Set Back from Lot Line
☒ Lot Size
☐ Off Street Parking
☐ Permitted Work Suspended

Other reason(s):

New construction on <5000sqft lot



Signature of Applicant

4/20/21

Date

Proof of notice will be provided to the Planning Commission with this application. A copy of this variance request shall be posted in the Office of the City Clerk for public information purposes and shall remain posted until the variance is acted upon by the Planning Commission.

This request will be heard before the Nome Planning Commission on _____. Applicant or representative attendance is required.

Planning Commission Additional Variance Restriction or Conditions:

A variance hearing on this permit was held by the Planning Commission at a meeting held

_____ and this permit was / was not approved.

BUILDING PERMIT REFERENCE NO: _____

Chairman, Planning Commission

Date

City Clerk's Office

Date

FEES: REGULAR MEETING : \$200.00
 SPECIAL MEETING: \$300.00

Receipt #: _____

Date Paid: _____

Fee \$: _____

3/15/2021

I, Patrick Dewane, request a variance in relation to Lot 5A of Block 55 of Plat 85-8 in the Cape Nome Recording District.

The Lot in Review is currently vacant of any structures, housing only a water/sewer connection. Lots 5A and 5B are the product of the 1985 subdivision of "Lot 5". Lot 5A is 2900 square feet, requiring a variance for new construction.

I request a variance to build an approximately 1500 sqft 2-story residential structure, similar to surrounding properties with comparable acreage. A proposed lot plan is attached, adhering to applicable set-backs.

THANK YOU

PATRICK DEWANE

907.538.5403



3/15/21

1" = 10' (1 SQUARE = 2')

LOT 5A, BLOCK 55

PATRICK DEWANE

4/15/2021

POVE

Item B.

LOT PLAN

LOTS TO NORTH

E. KING PL.
R.O.W.

OPTIMUM
UTILITY POLE FOR
ELEC. SERVICE.

20'

ELEC SERVICE
RUN! 50'

14'

50'

Block 55
Lot 1A
8582 SQ FT

Block 55, Lot 5A
2900 SQ FT

Block 55
Lot 7A
1894 SQ FT

10' SETBACK

20' CONNEX
FOR CONSTRUCTION

APPROX. UTILITY
ENTRY LOCATION.

8X16
ENTRY SHED

1" < 300 GAL
FUEL TANK

60'

55'

20 X 32 2-STORY
GABLE EAVES WITHIN SETBACK.

4'
EXT. STAIRS

8' X 20'
UPPER DECK

5'

5'

20'

30' Block 55, Lot 5B, 3877 SQ FT

1. ENTRY SHED EAST-WEST LOCATION DEPENDENT
ON TRUE LOCATION OF UTILITY HOOKUP. (CURRENTLY
BUTTERED UNDER SNOW-PILE)

Presented By:
Planning Commission

Action Taken:
Yes ____
No ____
Abstain ____

**CITY OF NOME, ALASKA
PLANNING COMMISSION RESOLUTION NO. R-2021-01**

**A RESOLUTION RECOMMENDING THE NOME COMMON COUNCIL ADOPT THE 2018
INTERNATIONAL PROPERTY MANAGEMENT CODE**

WHEREAS, the City of Nome seeks a built environment based on standards that sustain long-term economic viability and growth that support affordable residential and commercial development; and,

WHEREAS, furtherance of this goal the City of Nome has adopted the 2009 Edition of the International Residential Code the 2009 Edition of the International Mechanical Code, the 2011 Edition of the National Electrical Code, the 2012 Edition of the International Plumbing Code and the 2009 Edition of the International Fire Code; and,

WHEREAS, the International Property Code establishes minimum requirements for the maintenance of existing buildings through model core regulations that contain clear and specific property maintenance and property improvement provisions; and,

WHEREAS, adoption of the 2018 Edition of the International Property Code will give the City of Nome additional tools to promote the health and safety of residents through adequately maintained housing, to discourage continued degradation of existing housing stock in Nome and to appropriately address nuisance properties;

NOW, THEREFORE, BE IT RESOLVED that the Nome Planning Commission recommends that the Nome City Council adopt the 2018 International Property Management Code by ordinance.

APPROVED and SIGNED this 4th day of May, 2021

KENNETH HUGHES III, Chairman

ATTEST:

BRYANT HAMMOND, Clerk

2018

INTERNATIONAL CODES[®]

IPMC[®]

A Member of the International Code Family[®]

INTERNATIONAL
PROPERTY MAINTENANCE CODE[®]



Item C.

2018

INTERNATIONAL CODES®

2018 I-CODE BONUS OFFER

Get a **free 45-day online subscription** to ICC's *premiumACCESS™* 2018 I-Codes Complete Collection. Test drive many powerful, time-saving tools available to you from *premiumACCESS*. To activate your bonus, visit www.iccsafe.org/codebonus.

IPMC®

A Member of the International Code Family®

INTERNATIONAL PROPERTY MAINTENANCE CODE®



107

2018 International Property Maintenance Code®

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PRINTED IN THE U.S.A.

PREFACE

Introduction

The *International Property Maintenance Code*® (IPMC®) establishes minimum requirements for the maintenance of existing buildings through model code regulations that contain clear and specific property maintenance and property improvement provisions. This 2018 edition is fully compatible with all of the *International Codes*® (I-Codes®) published by the International Code Council® (ICC®), including the *International Building Code*®, *International Energy Conservation Code*®, *International Existing Building Code*®, *International Fire Code*®, *International Fuel Gas Code*®, *International Green Construction Code*®, *International Mechanical Code*®, *International Plumbing Code*®, *International Private Sewage Disposal Code*®, *International Residential Code*®, *International Swimming Pool and Spa Code*®, *International Wildland-Urban Interface Code*®, *International Zoning Code*® and *International Code Council Performance Code*®.

The I-Codes, including this *International Property Maintenance Code*, are used in a variety of ways in both the public and private sectors. Most industry professionals are familiar with the I-Codes as the basis of laws and regulations in communities across the U.S. and in other countries. However, the impact of the codes extends well beyond the regulatory arena, as they are used in a variety of nonregulatory settings, including:

- Voluntary compliance programs such as those promoting sustainability, energy efficiency and disaster resistance.
- The insurance industry, to estimate and manage risk, and as a tool in underwriting and rate decisions.
- Certification and credentialing of individuals involved in the fields of building design, construction and safety.
- Certification of building and construction-related products.
- U.S. federal agencies, to guide construction in an array of government-owned properties.
- Facilities management.
- “Best practices” benchmarks for designers and builders, including those who are engaged in projects in jurisdictions that do not have a formal regulatory system or a governmental enforcement mechanism.
- College, university and professional school textbooks and curricula.
- Reference works related to building design and construction.

In addition to the codes themselves, the code development process brings together building professionals on a regular basis. It provides an international forum for discussion and deliberation about building design, construction methods, safety, performance requirements, technological advances and innovative products.

Development

This 2018 edition presents the code as originally issued, with changes reflected in the 2003 through 2015 editions and further changes developed through the ICC Code Development Process through 2016. A new edition of the code is promulgated every 3 years.

This code is intended to establish provisions that adequately protect public health, safety and welfare; that do not unnecessarily increase construction costs; that do not restrict the use of new materials, products or methods of construction; and that do not give preferential treatment to particular types or classes of materials, products or methods of construction.

Maintenance

The *International Property Maintenance Code* is kept up to date through the review of proposed changes submitted by code enforcement officials, industry representatives, design professionals and other interested parties. Proposed changes are carefully considered through an open code development process in which all interested and affected parties may participate.

The ICC Code Development Process reflects principles of openness, transparency, balance, due process and consensus, the principles embodied in OMB Circular A-119, which governs the federal government's use of private-sector standards. The ICC process is open to anyone; there is no cost to participate, and people can participate without travel cost through the ICC's cloud-based app, cdp-Access®. A broad cross section of interests are represented in the ICC Code Development Process. The codes, which are updated regularly, include safeguards that allow for emergency action when required for health and safety reasons.

In order to ensure that organizations with a direct and material interest in the codes have a voice in the process, the ICC has developed partnerships with key industry segments that support the ICC's important public safety mission. Some code development committee members were nominated by the following industry partners and approved by the ICC Board:

- American Institute of Architects (AIA)
- National Association of Home Builders (NAHB)

The code development committees evaluate and make recommendations regarding proposed changes to the codes. Their recommendations are then subject to public comment and council-wide votes. The ICC's governmental members—public safety officials who have no financial or business interest in the outcome—cast the final votes on proposed changes.

The contents of this work are subject to change through the code development cycles and by any governmental entity that enacts the code into law. For more information regarding the code development process, contact the Codes and Standards Development Department of the International Code Council.

While the I-Code development procedure is thorough and comprehensive, the ICC, its members and those participating in the development of the codes disclaim any liability resulting from the publication or use of the I-Codes, or from compliance or noncompliance with their provisions. The ICC does not have the power or authority to police or enforce compliance with the contents of this code.

Code Development Committee Responsibilities (Letter Designations in Front of Section Numbers)

In each code development cycle, proposed changes to this code are considered at the Committee Action Hearings by the International Property Maintenance Code Development Committee, whose action constitutes a recommendation to the voting membership for final action on the proposed changes. Proposed changes to a code section having a number beginning with a letter in brackets are considered by a different code development committee. For example, proposed changes to code sections that have the letter [F] in front of them (e.g., [F] 704.1) are considered by the International Fire Code Development Committee at the Committee Action Hearings.

The content of sections in this code that begin with a letter designation is maintained by another code development committee in accordance with the following:

- [A] = Administrative Code Development Committee;
- [F] = International Fire Code Development Committee;
- [P] = International Plumbing Code Development Committee;
- [BE] = IBC—Egress Code Development Committee; and
- [BG] = IBC—General Code Development Committee.

For the development of the 2021 edition of the I-Codes, there will be two groups of code development committees and they will meet in separate years.

Group A Codes (Heard in 2018, Code Change Proposals Deadline: January 8, 2018)	Group B Codes (Heard in 2019, Code Change Proposals Deadline: January 7, 2019)
International Building Code – Egress (Chapters 10, 11, Appendix E) – Fire Safety (Chapters 7, 8, 9, 14, 26) – General (Chapters 2–6, 12, 27–33, Appendices A, B, C, D, K, N)	Administrative Provisions (Chapter 1 of all codes except IECC, IRC and IgCC, administrative updates to currently referenced standards, and designated definitions)
International Fire Code	International Building Code – Structural (Chapters 15–25, Appendices F, G, H, I, J, L, M)
International Fuel Gas Code	International Existing Building Code
International Mechanical Code	International Energy Conservation Code—Commercial
International Plumbing Code	International Energy Conservation Code—Residential – IECC—Residential – IRC—Energy (Chapter 11)
International Property Maintenance Code	International Green Construction Code (Chapter 1)
International Private Sewage Disposal Code	International Residential Code – IRC—Building (Chapters 1–10, Appendices E, F, H, J, K, L, M, O, Q, R, S, T)
International Residential Code – IRC—Mechanical (Chapters 12–23) – IRC—Plumbing (Chapters 25–33, Appendices G, I, N, P)	
International Swimming Pool and Spa Code	
International Wildland-Urban Interface Code	
International Zoning Code	
Note: Proposed changes to the ICC <i>Performance Code</i> ™ will be heard by the code development committee noted in brackets [] in the text of the ICC <i>Performance Code</i> ™.	

Code change proposals submitted for code sections that have a letter designation in front of them will be heard by the respective committee responsible for such code sections. Because different committees hold Committee Action Hearings in different years, proposals for the IPMC will be heard by committees in both the 2018 (Group A) and the 2019 (Group B) code development cycles.

For instance, every section of Chapter 1 of this code is designated as the responsibility of the Administrative Code Development Committee, which is part of the Group B portion of the hearings. This committee will hold its Committee Action Hearings in 2019 to consider code change proposals for Chapter 1 of all I-Codes except the *International Energy Conservation Code*, *International Residential Code* and *International Green Construction Code*. Therefore, any proposals received for Chapter 1 of this code will be assigned to the Administrative Code Development Committee for consideration in 2019.

It is very important that anyone submitting code change proposals understand which code development committee is responsible for the section of the code that is the subject of the code change proposal. For further information on the code development committee responsibilities, please visit the ICC website at www.iccsafe.org/scoping.

Marginal Markings

Solid vertical lines in the margins within the body of the code indicate a technical change from the requirements of the 2015 edition. Deletion indicators in the form of an arrow (➡) are provided in the margin where an entire section, paragraph, exception or table has been deleted or an item in a list of items or a table has been deleted.

Coordination of the International Codes

The coordination of technical provisions is one of the strengths of the ICC family of model codes. The codes can be used as a complete set of complementary documents, which will provide users with full integration and coordination of technical provisions. Individual codes can also be used in subsets or as stand-alone documents. To make sure that each individual code is as complete as possible, some technical provisions that are relevant to more than one subject area are duplicated in some of the model codes. This allows users maximum flexibility in their application of the I-Codes.

Italicized Terms

Words and terms defined in Chapter 2, Definitions, are italicized where they appear in code text and the Chapter 2 definition applies. Where such words and terms are not italicized, common-use definitions apply. The words and terms selected have code-specific definitions that the user should read carefully to facilitate better understanding of the code.

Adoption

The International Code Council maintains a copyright in all of its codes and standards. Maintaining copyright allows the ICC to fund its mission through sales of books, in both print and electronic formats. The ICC welcomes adoption of its codes by jurisdictions that recognize and acknowledge the ICC's copyright in the code, and further acknowledge the substantial shared value of the public/private partnership for code development between jurisdictions and the ICC.

The ICC also recognizes the need for jurisdictions to make laws available to the public. All I-Codes and I-Standards, along with the laws of many jurisdictions, are available for free in a nondownloadable form on the ICC's website. Jurisdictions should contact the ICC at adoptions@iccsafe.org to learn how to adopt and distribute laws based on the *International Property Maintenance Code* in a manner that provides necessary access, while maintaining the ICC's copyright.

To facilitate adoption, several sections of this code contain blanks for fill-in information that needs to be supplied by the adopting jurisdiction as part of the adoption legislation. For this code, please see:

Section 101.1. Insert: [NAME OF JURISDICTION]

Section 103.5. Insert: [APPROPRIATE SCHEDULE]

Section 112.4. Insert: [DOLLAR AMOUNT IN TWO LOCATIONS]

Section 302.4. Insert: [HEIGHT IN INCHES]

Section 304.14. Insert: [DATES IN TWO LOCATIONS]

Section 602.3. Insert: [DATES IN TWO LOCATIONS]

Section 602.4. Insert: [DATES IN TWO LOCATIONS]

EFFECTIVE USE OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE

The *International Property Maintenance Code* (IPMC) is a model code that regulates the minimum maintenance requirements for existing buildings.

The IPMC is a maintenance document intended to establish minimum maintenance standards for basic equipment, light, ventilation, heating, sanitation and fire safety. Responsibility is fixed among owners, operators and occupants for code compliance. The IPMC provides for the regulation and safe use of existing structures in the interest of the social and economic welfare of the community.

Arrangement and Format of the 2018 IPMC

Before applying the requirements of the IPMC it is beneficial to understand its arrangement and format. The IPMC, like other codes published by ICC, is arranged and organized to follow sequential steps that generally occur during an inspection. The IPMC is divided into eight different parts:

Chapters	Subjects
1	Scope and Administration
2	Definitions
3	General Requirements
4	Light, Ventilation and Occupancy Limitations
5	Plumbing Facilities and Fixture Requirements
6	Mechanical and Electrical Requirements
7	Fire Safety Requirements
8	Referenced Standards

The following is a chapter-by-chapter synopsis of the scope and intent of the provisions of the *International Property Maintenance Code*:

Chapter 1 Scope and Administration. This chapter contains provisions for the application, enforcement and administration of subsequent requirements of the code. In addition to establishing the scope of the code, Chapter 1 identifies which buildings and structures come under its purview. Chapter 1 is largely concerned with maintaining “due process of law” in enforcing the property maintenance criteria contained in the body of the code. Only through careful observation of the administrative provisions can the building official reasonably expect to demonstrate that “equal protection under the law” has been provided.

Chapter 2 Definitions. All terms that are defined in the code are listed alphabetically in Chapter 2. While a defined term may be used in one chapter or another, the meaning provided in Chapter 2 is applicable throughout the code.

Where understanding of a term’s definition is especially key to or necessary for understanding of a particular code provision, the term is shown in italics. This is true only for those terms that have a meaning that is unique to the code. In other words, the generally understood meaning of a term or phrase might not be sufficient or consistent with the meaning prescribed by the code; therefore, it is essential that the code-defined meaning be known.

Guidance is provided regarding tense, gender and plurality of defined terms as well as terms not defined in this code.

Chapter 3 General Requirements. Chapter 3, “General Requirements,” is broad in scope. It includes a variety of requirements for the exterior property areas as well as the interior and exterior elements of the structure. This chapter provides requirements that are intended to maintain a minimum level of safety and sanitation for both the general public and the occupants of a structure, and to maintain a building’s structural and weather-resistance performance. Chapter 3 provides specific criteria for regulating the installation and maintenance of specific building components; maintenance requirements for vacant structures and land; requirements regulating the safety, sanitation and appearance of the interior and exterior of structures and all exterior property areas; accessory structures; vehicle storage regulations and establishes who is responsible for complying with the chapter’s provisions. This chapter also contains the requirements for swimming pools, spas and hot tubs and the requirements for protective barriers and gates in these barriers. Chapter 3 establishes the responsible parties for exterminating insects and rodents, and maintaining sanitary conditions in all types of occupancies.

Chapter 4 Light, Ventilation and Occupancy Limitations. The purposes of Chapter 4 are to set forth these requirements in the code and to establish the minimum environment for occupiable and habitable buildings, by establishing the minimum criteria for light and ventilation and identifying occupancy limitations including minimum room width and area, minimum ceiling height and restrictions to prevent overcrowding. This chapter also provides for alternative arrangements of windows and other devices to comply with the requirements for light and ventilation and prohibits certain room arrangements and occupancy uses.

Chapter 5 Plumbing Facilities and Fixture Requirements. Chapter 5 establishes the minimum criteria for the installation, maintenance and location of plumbing systems and facilities, including the water supply system, water heating appliances, sewage disposal system and related plumbing fixtures.

Sanitary and clean conditions in occupied buildings are dependent upon certain basic plumbing principles, including providing potable water to a building, providing the basic fixtures to effectively utilize that water and properly removing waste from the building. Chapter 5 establishes the minimum criteria to verify that these principles are maintained throughout the life of a building.

Chapter 6 Mechanical and Electrical Requirements. The purpose of Chapter 6 is to establish minimum performance requirements for heating, electrical and mechanical facilities and to establish minimum standards for the safety of these facilities.

This chapter establishes minimum criteria for the installation and maintenance of the following: heating and air-conditioning equipment, appliances and their supporting systems; water heating equipment, appliances and systems; cooking equipment and appliances; ventilation and exhaust equipment; gas and liquid fuel distribution piping and components; fireplaces and solid fuel-burning appliances; chimneys and vents; electrical services; lighting fixtures; electrical receptacle outlets; electrical distribution system equipment, devices and wiring; and elevators, escalators and dumb-waiters.

Chapter 7 Fire Safety Requirements. The purpose of Chapter 7 is to address those fire hazards that arise as the result of a building’s occupancy. It also provides minimum requirements for fire safety issues that are most likely to arise in older buildings.

This chapter contains requirements for means of egress in existing buildings, including path of travel, required egress width, means of egress doors and emergency escape openings.

Chapter 7 establishes the minimum requirements for fire safety facilities and fire protection systems, as these are essential fire safety systems.

Chapter 8 Referenced Standards. The code contains numerous references to standards that are used to regulate materials and methods of construction. Chapter 8 contains a comprehensive list of all standards that are referenced in the code. The standards are part of the code to the extent of the reference to the standard. Compliance with the referenced standard is necessary for compliance with this code. By providing specifically adopted standards, the construction and installation requirements necessary for compliance with the code can be readily determined. The basis for code compliance is, therefore, established and available on an equal basis to the code official, contractor, designer and owner.

Chapter 8 is organized in a manner that makes it easy to locate specific standards. It lists all of the referenced standards, alphabetically, by acronym of the promulgating agency of the standard. Each agency's standards are then listed in either alphabetical or numeric order based upon the standard identification. The list also contains the title of the standard; the edition (date) of the standard referenced; any addenda included as part of the ICC adoption; and the section or sections of this code that reference the standard.

Item C.

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Item C.

CHAPTER 1

SCOPE AND ADMINISTRATION

User note:

About this chapter: Chapter 1 establishes the limits of applicability of the code and describes how the code is to be applied and enforced. Chapter 1 is in two parts: Part 1—Scope and Application (Sections 101 and 102) and Part 2—Administration and Enforcement (Sections 103 – 112). Section 101 identifies which buildings and structures come under its purview and references other I-Codes as applicable.

This code is intended to be adopted as a legally enforceable document and it cannot be effective without adequate provisions for its administration and enforcement. The provisions of Chapter 1 establish the authority and duties of the code official appointed by the authority having jurisdiction and also establish the rights and privileges of the property owner and building occupants.

PART 1 — SCOPE AND APPLICATION

SECTION 101 GENERAL

[A] 101.1 Title. These regulations shall be known as the *International Property Maintenance Code* of [NAME OF JURISDICTION], hereinafter referred to as “this code.”

[A] 101.2 Scope. The provisions of this code shall apply to all existing residential and nonresidential structures and all existing *premises* and constitute minimum requirements and standards for *premises*, structures, equipment and facilities for light, *ventilation*, space, heating, sanitation, protection from the elements, a reasonable level of safety from fire and other hazards, and for a reasonable level of sanitary maintenance; the responsibility of *owners*, an owner’s authorized agent, *operators* and *occupants*; the *occupancy* of existing structures and *premises*, and for administration, enforcement and penalties.

[A] 101.3 Intent. This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued *occupancy* and maintenance of structures and *premises*. Existing structures and *premises* that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

[A] 101.4 Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 102 APPLICABILITY

[A] 102.1 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

102.2 Maintenance. Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or *premises* was constructed, altered or repaired shall be maintained in good working order. An *owner*, owner’s authorized agent, *operator* or *occupant* shall not cause any service, facility, equipment or utility that is required under this section to be removed from, shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the *owner* or the *owner’s* authorized agent shall be responsible for the maintenance of buildings, structures and *premises*.

[A] 102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of *occupancy*, shall be done in accordance with the procedures and provisions of the *International Building Code*, *International Existing Building Code*, *International Energy Conservation Code*, *International Fire Code*, *International Fuel Gas Code*, *International Mechanical Code*, *International Residential Code*, *International Plumbing Code* and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the *International Zoning Code*.

[A] 102.4 Existing remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure that is dangerous, unsafe and insanitary.

[A] 102.5 Workmanship. Repairs, maintenance work, alterations or installations that are caused directly or indirectly by the enforcement of this code shall be executed and installed in a *workmanlike* manner and installed in accordance with the manufacturer’s instructions.

[A] 102.6 Historic buildings. The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings where such buildings or structures are judged by the *code official* to be safe and in the public interest of health, safety and welfare.

[A] 102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this

code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.

[A] 102.7.1 Conflicts. Where conflicts occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

[A] 102.7.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

[A] 102.8 Requirements not covered by code. Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the *code official*.

[A] 102.9 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

[A] 102.10 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

PART 2 — ADMINISTRATION AND ENFORCEMENT

SECTION 103 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION

[A] 103.1 General. The department of property maintenance inspection is hereby created and the executive official in charge thereof shall be known as the *code official*.

[A] 103.2 Appointment. The *code official* shall be appointed by the chief appointing authority of the jurisdiction.

[A] 103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *code official* shall have the authority to appoint a deputy(s). Such employees shall have powers as delegated by the *code official*.

[A] 103.4 Liability. The *code official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

[A] 103.4.1 Legal defense. Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful

discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

[A] 103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule.

[JURISDICTION TO INSERT APPROPRIATE SCHEDULE.]

SECTION 104 DUTIES AND POWERS OF THE CODE OFFICIAL

[A] 104.1 General. The *code official* is hereby authorized and directed to enforce the provisions of this code. The *code official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

[A] 104.2 Inspections. The *code official* shall make all of the required inspections, or shall accept reports of inspection by *approved* agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such *approved* agency or by the responsible individual. The *code official* is authorized to engage such expert opinion as deemed necessary to report on unusual technical issues that arise, subject to the approval of the appointing authority.

[A] 104.3 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the *code official* has reasonable cause to believe that there exists in a *structure* or upon a *premises* a condition in violation of this code, the *code official* is authorized to enter the *structure* or *premises* at reasonable times to inspect or perform the duties imposed by this code, provided that if such *structure* or *premises* is occupied the *code official* shall present credentials to the *occupant* and request entry. If such *structure* or *premises* is unoccupied, the *code official* shall first make a reasonable effort to locate the *owner*, owner's authorized agent or other person having charge or control of the *structure* or *premises* and request entry. If entry is refused, the *code official* shall have recourse to the remedies provided by law to secure entry.

[A] 104.4 Identification. The *code official* shall carry proper identification when inspecting *structures* or *premises* in the performance of duties under this code.

[A] 104.5 Notices and orders. The *code official* shall issue all necessary notices or orders to ensure compliance with this code.

[A] 104.6 Department records. The *code official* shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records for the period required for retention of public records.

SECTION 105 APPROVAL

[A] 105.1 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the *code official* shall have the authority to grant modifications for individual cases upon application of the *owner* or *owner's* authorized agent, provided that the *code official* shall first find that special individual reason makes the strict letter of this code impractical, the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

[A] 105.2 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not *approved*, the *code official* shall respond in writing, stating the reasons why the alternative was not *approved*.

[A] 105.3 Required testing. Whenever there is insufficient evidence of compliance with the provisions of this code or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *code official* shall have the authority to require tests to be made as evidence of compliance without expense to the jurisdiction.

[A] 105.3.1 Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *code official* shall be permitted to approve appropriate testing procedures performed by an *approved* agency.

[A] 105.3.2 Test reports. Reports of tests shall be retained by the *code official* for the period required for retention of public records.

[A] 105.4 Used material and equipment. Materials that are reused shall comply with the requirements of this code for new materials. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested where necessary, placed in good and proper working condition and *approved* by the *code official*.

[A] 105.5 Approved materials and equipment. Materials, equipment and devices *approved* by the *code official* shall be constructed and installed in accordance with such approval.

[A] 105.6 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

SECTION 106 VIOLATIONS

[A] 106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

[A] 106.2 Notice of violation. The *code official* shall serve a notice of violation or order in accordance with Section 107.

[A] 106.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a *strict liability offense*. If the notice of violation is not complied with, the *code official* shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such *premises* shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

[A] 106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

[A] 106.5 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal *occupancy* of a building, structure or *premises*, or to stop an illegal act, conduct, business or utilization of the building, structure or *premises*.

SECTION 107 NOTICES AND ORDERS

107.1 Notice to person responsible. Whenever the *code official* determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall comply with Section 108.3.

107.2 Form. Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the *dwelling unit* or structure into compliance with the provisions of this code.

5. Inform the property *owner* or owner's authorized agent of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 106.3.

107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is: delivered personally, or sent by certified or first-class mail addressed to the last known address. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

107.4 Unauthorized tampering. Signs, tags or seals posted or affixed by the *code official* shall not be mutilated, destroyed or tampered with, or removed without authorization from the *code official*.

107.5 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

107.6 Transfer of ownership. It shall be unlawful for the *owner* of any *dwelling unit* or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such *owner* or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the *code official* and shall furnish to the *code official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT

108.1 General. When a structure or equipment is found by the *code official* to be unsafe, or when a structure is found unfit for human *occupancy*, or is found unlawful, such structure shall be *condemned* pursuant to the provisions of this code.

108.1.1 Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the *occupants* of the structure by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

108.1.2 Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the structure that is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or *occupants* of the *premises* or structure.

108.1.3 Structure unfit for human occupancy. A structure is unfit for human *occupancy* whenever the *code official* finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks *ventilation*, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the *occupants* of the structure or to the public.

108.1.4 Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

108.1.5 Dangerous structure or premises. For the purpose of this code, any structure or *premises* that has any or all of the conditions or defects described as follows shall be considered to be dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration*, *neglect*, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and *occupancy*.
7. The building or structure is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.

8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system, or otherwise, is determined by the *code official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *code official* to be a threat to life or health.
11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

108.2 Closing of vacant structures. If the structure is vacant and unfit for human habitation and *occupancy*, and is not in danger of structural collapse, the *code official* is authorized to post a placard of condemnation on the *premises* and order the structure closed up so as not to be an attractive nuisance. Upon failure of the *owner* or owner's authorized agent to close up the *premises* within the time specified in the order, the *code official* shall cause the *premises* to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and shall be collected by any other legal resource.

108.2.1 Authority to disconnect service utilities. The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without approval. The *code official* shall notify the serving utility and, whenever possible, the *owner* or owner's authorized agent and *occupant* of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the *owner*, owner's authorized agent or *occupant* of the building structure or service system shall be notified in writing as soon as practical thereafter.

108.3 Notice. Whenever the *code official* has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the *owner*, owner's authorized agent or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall be placed on the condemned equipment. The notice shall be in the form prescribed in Section 107.2.

108.4 Placarding. Upon failure of the *owner*, owner's authorized agent or person responsible to comply with the notice provisions within the time given, the *code official* shall post on the *premises* or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the *premises*, operating the equipment or removing the placard.

108.4.1 Placard removal. The *code official* shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the *code official* shall be subject to the penalties provided by this code.

108.5 Prohibited occupancy. Any occupied structure condemned and placarded by the *code official* shall be vacated as ordered by the *code official*. Any person who shall occupy a placarded *premises* or shall operate placarded equipment, and any *owner*, owner's authorized agent or person responsible for the *premises* who shall let anyone occupy a placarded *premises* or operate placarded equipment shall be liable for the penalties provided by this code.

108.6 Abatement methods. The *owner*, owner's authorized agent, *operator* or *occupant* of a building, *premises* or equipment deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action.

108.7 Record. The *code official* shall cause a report to be filed on an unsafe condition. The report shall state the *occupancy* of the structure and the nature of the unsafe condition.

SECTION 109 EMERGENCY MEASURES

109.1 Imminent danger. When, in the opinion of the *code official*, there is *imminent danger* of failure or collapse of a building or structure that endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building *occupants* or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the *code official* is hereby authorized and empowered to order and require the *occupants* to vacate the *premises* forthwith. The *code official* shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its *Occupancy* Has Been Prohibited by the *Code*

Official.” It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

109.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the *code official*, there is *imminent danger* due to an unsafe condition, the *code official* shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the *code official* deems necessary to meet such emergency.

109.3 Closing streets. When necessary for public safety, the *code official* shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, *public ways* and places adjacent to unsafe structures, and prohibit the same from being utilized.

109.4 Emergency repairs. For the purposes of this section, the *code official* shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

109.5 Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the *owner* of the *premises* or owner’s authorized agent where the unsafe structure is or was located for the recovery of such costs.

109.6 Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

SECTION 110 DEMOLITION

110.1 General. The *code official* shall order the *owner* or owner’s authorized agent of any *premises* upon which is located any structure, which in the *code official*’s or owner’s authorized agent judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the *owner*’s option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the *code official* shall order the *owner* or owner’s authorized agent to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless *approved* by the building official.

110.2 Notices and orders. Notices and orders shall comply with Section 107.

110.3 Failure to comply. If the *owner* of a *premises* or owner’s authorized agent fails to comply with a demolition

order within the time prescribed, the *code official* shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

110.4 Salvage materials. Where any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

SECTION 111 MEANS OF APPEAL

[A] 111.1 Application for appeal. Any person directly affected by a decision of the *code official* or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

[A] 111.2 Membership of board. The board of appeals shall consist of not less than three members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The *code official* shall be an ex-officio member but shall not vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.

[A] 111.2.1 Alternate members. The chief appointing authority shall appoint not less than two alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.

[A] 111.2.2 Chairman. The board shall annually select one of its members to serve as chairman.

[A] 111.2.3 Disqualification of member. A member shall not hear an appeal in which that member has a personal, professional or financial interest.

[A] 111.2.4 Secretary. The chief administrative officer shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

[A] 111.2.5 Compensation of members. Compensation of members shall be determined by law.

[A] **111.3 Notice of meeting.** The board shall meet upon notice from the chairman, within 20 days of the filing of an appeal, or at stated periodic meetings.

[A] **111.4 Open hearing.** Hearings before the board shall be open to the public. The appellant, the appellant's representative, the *code official* and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of not less than two-thirds of the board membership.

[A] **111.4.1 Procedure.** The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

[A] **111.5 Postponed hearing.** When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

[A] **111.6 Board decision.** The board shall modify or reverse the decision of the *code official* only by a concurring vote of a majority of the total number of appointed board members.

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

[A] **111.6.2 Administration.** The *code official* shall take immediate action in accordance with the decision of the board.

[A] **111.7 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

[A] **111.8 Stays of enforcement.** Appeals of notice and orders (other than *Imminent Danger* notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

SECTION 112 STOP WORK ORDER

[A] **112.1 Authority.** Whenever the *code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the *code official* is authorized to issue a stop work order.

[A] **112.2 Issuance.** A stop work order shall be in writing and shall be given to the *owner* of the property, to the *owner's* authorized agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

[A] **112.3 Emergencies.** Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

[A] **112.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.

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CHAPTER 2

DEFINITIONS

User note:

About this chapter: Codes, by their very nature, are technical documents. Every word, term and punctuation mark can add to or change the meaning of a technical requirement. It is necessary to maintain a consensus on the specific meaning of each term contained in the code. Chapter 2 performs this function by stating clearly what specific terms mean for the purpose of the code.

SECTION 201 GENERAL

201.1 Scope. Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

201.2 Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the *International Building Code*, *International Existing Building Code*, *International Fire Code*, *International Fuel Gas Code*, *International Mechanical Code*, *International Plumbing Code*, *International Residential Code*, *International Zoning Code* or NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes.

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

201.5 Parts. Whenever the words “dwelling unit,” “dwelling,” “premises,” “building,” “rooming house,” “rooming unit,” “housekeeping unit” or “story” are stated in this code, they shall be construed as though they were followed by the words “or any part thereof.”

SECTION 202 GENERAL DEFINITIONS

ANCHORED. Secured in a manner that provides positive connection.

[A] APPROVED. Acceptable to the *code official*.

BASEMENT. That portion of a building that is partly or completely below grade.

BATHROOM. A room containing plumbing fixtures including a bathtub or shower.

BEDROOM. Any room or space used or intended to be used for sleeping purposes in either a dwelling or *sleeping unit*.

[A] CODE OFFICIAL. The official who is charged with the administration and enforcement of this code, or any duly authorized representative.

CONDEMN. To adjudge unfit for *occupancy*.

COST OF SUCH DEMOLITION OR EMERGENCY REPAIRS. The costs shall include the actual costs of the demolition or repair of the structure less revenues obtained if salvage was conducted prior to demolition or repair. Costs shall include, but not be limited to, expenses incurred or necessitated related to demolition or emergency repairs, such as asbestos survey and abatement if necessary; costs of inspectors, testing agencies or experts retained relative to the demolition or emergency repairs; costs of testing; surveys for other materials that are controlled or regulated from being dumped in a landfill; title searches; mailing(s); postings; recording; and attorney fees expended for recovering of the cost of emergency repairs or to obtain or enforce an order of demolition made by a *code official*, the governing body or board of appeals.

DETACHED. When a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

DETERIORATION. To weaken, disintegrate, corrode, rust or decay and lose effectiveness.

[BG] DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

[Z] EASEMENT. That portion of land or property reserved for present or future use by a person or agency other than the legal fee *owner(s)* of the property. The *easement* shall be permitted to be for use under, on or above said lot or lots.

EQUIPMENT SUPPORT. Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers or saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.

EXTERIOR PROPERTY. The open space on the *premises* and on adjoining property under the control of *owners* or *operators* of such *premises*.

GARBAGE. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

[BE] GUARD. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

[BG] HABITABLE SPACE. Space in a structure for living, sleeping, eating or cooking. *Bathrooms, toilet rooms, closets,*

DEFINITIONS

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halls, storage or utility spaces, and similar areas are not considered *habitable spaces*.

HISTORIC BUILDING. Any building or structure that is one or more of the following:

1. Listed or certified as eligible for listing, by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, in the National Register of Historic Places.
2. Designated as historic under an applicable state or local law.
3. Certified as a contributing resource within a National Register or state or locally designated historic district.

HOUSEKEEPING UNIT. A room or group of rooms forming a single *habitable space* equipped and intended to be used for living, sleeping, cooking and eating that does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

IMMINENT DANGER. A condition that could cause serious or life-threatening injury or death at any time.

INFESTATION. The presence, within or contiguous to, a structure or *premises* of insects, rodents, vermin or other pests.

INOPERABLE MOTOR VEHICLE. A vehicle that cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

[A] LABELED. Equipment, materials or products to which have been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, *approved* agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

LET FOR OCCUPANCY or LET. To permit, provide or offer possession or *occupancy* of a dwelling, *dwelling unit*, *rooming unit*, building, premise or structure by a person who is or is not the legal *owner* of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

NEGLECT. The lack of proper maintenance for a building or *structure*.

[A] OCCUPANCY. The purpose for which a building or portion thereof is utilized or occupied.

OCCUPANT. Any individual living or sleeping in a building, or having possession of a space within a building.

OPENABLE AREA. That part of a window, skylight or door which is available for unobstructed *ventilation* and which opens directly to the outdoors.

OPERATOR. Any person who has charge, care or control of a structure or *premises* that is let or offered for *occupancy*.

[A] OWNER. Any person, agent, *operator*, firm or corporation having legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of

any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PERSON. An individual, corporation, partnership or any other group acting as a unit.

PEST ELIMINATION. The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other *approved pest elimination* methods.

[A] PREMISES. A lot, plot or parcel of land, *easement* or *public way*, including any structures thereon.

[A] PUBLIC WAY. Any street, alley or other parcel of land that: is open to the outside air; leads to a street; has been deeded, dedicated or otherwise permanently appropriated to the public for public use; and has a clear width and height of not less than 10 feet (3048 mm).

ROOMING HOUSE. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

ROOMING UNIT. Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

RUBBISH. Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, *yard* trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

[BG] SLEEPING UNIT. A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a *dwelling unit* are not *sleeping units*.

STRICT LIABILITY OFFENSE. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

[A] STRUCTURE. That which is built or constructed.

TENANT. A person, corporation, partnership or group, whether or not the legal *owner* of record, occupying a building or portion thereof as a unit.

TOILET ROOM. A room containing a water closet or urinal but not a bathtub or shower.

ULTIMATE DEFORMATION. The deformation at which failure occurs and that shall be deemed to occur if the sustainable load reduces to 80 percent or less of the maximum strength.

[M] VENTILATION. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

WORKMANLIKE. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

[Z] YARD. An open space on the same lot with a structure.

CHAPTER 3

GENERAL REQUIREMENTS

User note:

About this chapter: Chapter 3 is broad in scope and includes a variety of requirements for the maintenance of exterior property areas, as well as the interior and exterior elements of the structure, that are intended to maintain a minimum level of safety and sanitation for both the general public and the occupants of a structure, and to maintain a building's structural and weather-resistance performance. Specifically, Chapter 3 contains criteria for the maintenance of building components; vacant structures and land; the safety, sanitation and appearance of the interior and exterior of structures and all exterior property areas; accessory structures; extermination of insects and rodents; access barriers to swimming pools, spas and hot tubs; vehicle storage and owner/occupant responsibilities.

SECTION 301 GENERAL

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and *exterior property*.

301.2 Responsibility. The *owner* of the *premises* shall maintain the structures and *exterior property* in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy *premises* that are not in a sanitary and safe condition and that do not comply with the requirements of this chapter. *Occupants* of a *dwelling unit*, *rooming unit* or *housekeeping unit* are responsible for keeping in a clean, sanitary and safe condition that part of the *dwelling unit*, *rooming unit*, *housekeeping unit* or *premises* they occupy and control.

301.3 Vacant structures and land. Vacant structures and *premises* thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION 302 EXTERIOR PROPERTY AREAS

302.1 Sanitation. *Exterior property* and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* that such *occupant* occupies or controls in a clean and sanitary condition.

302.2 Grading and drainage. *Premises* shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: *Approved* retention areas and reservoirs.

302.3 Sidewalks and driveways. Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

302.4 Weeds. *Premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of [JURIS-

DICTION TO INSERT HEIGHT IN INCHES]. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

302.5 Rodent harborage. Structures and *exterior property* shall be kept free from rodent harborage and *infestation*. Where rodents are found, they shall be promptly exterminated by *approved* processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

302.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly on abutting or adjacent public or private property or that of another *tenant*.

302.7 Accessory structures. Accessory structures, including *detached* garages, fences and walls, shall be maintained structurally sound and in good repair.

302.8 Motor vehicles. Except as provided for in other regulations, inoperative or unlicensed motor vehicles shall not be parked, kept or stored on any *premises*, and vehicles shall not at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an *approved* spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and *approved* for such purposes.

302.9 Defacement of property. A person shall not willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the *owner* to restore said surface to an *approved* state of maintenance and repair.

SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS

303.1 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Exception: Spas or hot tubs with a safety cover that complies with ASTM F1346 shall be exempt from the provisions of this section.

SECTION 304 EXTERIOR STRUCTURE

304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength.
2. The *anchorage* of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects.
3. Structures or components thereof that have reached their limit state.
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight.
5. Structural members that have evidence of *deterioration* or that are not capable of safely supporting all nominal loads and load effects.
6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.
7. Exterior walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.
8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of *deterioration*, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.
9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of *deterioration* or fatigue, are not properly *anchored* or are incapable of supporting all nominal loads and resisting all load effects.
10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.
11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.
12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including *guards* and handrails, are not structurally sound, not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.
13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly *anchored*, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. Where substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

304.2 Protective treatment. Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than

decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

[F] 304.3 Premises identification. Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be not less than 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

304.4 Structural members. Structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls. Foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

304.6 Exterior walls. Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.

304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.8 Decorative features. Cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.9 Overhang extensions. Overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly *anchored* so as to be kept in a sound condition. Where required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

304.11 Chimneys and towers. Chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. Exposed sur-

faces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.12 Handrails and guards. Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

304.13.1 Glazing. Glazing materials shall be maintained free from cracks and holes.

304.13.2 Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.14 Insect screens. During the period from [DATE] to [DATE], every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

304.15 Doors. Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.16 Basement hatchways. Every *basement* hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

304.17 Guards for basement windows. Every *basement* window that is openable shall be supplied with rodent shields, storm windows or other *approved* protection against the entry of rodents.

304.18 Building security. Doors, windows or hatchways for *dwelling units*, room units or *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

304.18.1 Doors. Doors providing access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

304.18.2 Windows. Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a

walking surface below that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a window sash locking device.

304.18.3 Basement hatchways. *Basement* hatchways that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

304.19 Gates. Exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.

SECTION 305 INTERIOR STRUCTURE

305.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. *Occupants* shall keep that part of the structure that they occupy or control in a clean and sanitary condition. Every *owner* of a structure containing a *rooming house*, *housekeeping units*, a hotel, a dormitory, two or more *dwelling units* or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and *exterior property*.

305.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength.
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects.
3. Structures or components thereof that have reached their limit state.
4. Structural members are incapable of supporting nominal loads and load effects.
5. Stairs, landings, balconies and all similar walking surfaces, including *guards* and handrails, are not structurally sound, not properly *anchored* or are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.
6. Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. Where substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

305.2 Structural members. Structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

305.3 Interior surfaces. Interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

305.4 Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

305.5 Handrails and guards. Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

305.6 Interior doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

SECTION 306 COMPONENT SERVICEABILITY

306.1 General. The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

306.1.1 Unsafe conditions. Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. Soils that have been subjected to any of the following conditions:
 - 1.1. Collapse of footing or foundation system.
 - 1.2. Damage to footing, foundation, concrete or other structural element due to soil expansion.
 - 1.3. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil.
 - 1.4. Inadequate soil as determined by a geotechnical investigation.
 - 1.5. Where the allowable bearing capacity of the soil is in doubt.
 - 1.6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.
2. Concrete that has been subjected to any of the following conditions:
 - 2.1. *Deterioration*.
 - 2.2. *Ultimate deformation*.
 - 2.3. Fractures.

- 2.4. Fissures.
- 2.5. Spalling.
- 2.6. Exposed reinforcement.
- 2.7. *Detached*, dislodged or failing connections.
- 3. Aluminum that has been subjected to any of the following conditions:
 - 3.1. *Deterioration*.
 - 3.2. Corrosion.
 - 3.3. Elastic deformation.
 - 3.4. *Ultimate deformation*.
 - 3.5. Stress or strain cracks.
 - 3.6. Joint fatigue.
 - 3.7. *Detached*, dislodged or failing connections.
- 4. Masonry that has been subjected to any of the following conditions:
 - 4.1. *Deterioration*.
 - 4.2. *Ultimate deformation*.
 - 4.3. Fractures in masonry or mortar joints.
 - 4.4. Fissures in masonry or mortar joints.
 - 4.5. Spalling.
 - 4.6. Exposed reinforcement.
 - 4.7. *Detached*, dislodged or failing connections.
- 5. Steel that has been subjected to any of the following conditions:
 - 5.1. *Deterioration*.
 - 5.2. Elastic deformation.
 - 5.3. *Ultimate deformation*.
 - 5.4. Metal fatigue.
 - 5.5. *Detached*, dislodged or failing connections.
- 6. Wood that has been subjected to any of the following conditions:
 - 6.1. Ultimate deformation.
 - 6.2. Deterioration.
 - 6.3. Damage from insects, rodents and other vermin.
 - 6.4. Fire damage beyond charring.
 - 6.5. Significant splits and checks.
 - 6.6. Horizontal shear cracks.
 - 6.7. Vertical shear cracks.
 - 6.8. Inadequate support.
 - 6.9. Detached, dislodged or failing connections.
 - 6.10. Excessive cutting and notching.

Exceptions:

- 1. Where substantiated otherwise by an *approved* method.
- 2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

SECTION 307 HANDRAILS AND GUARDRAILS

307.1 General. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface that is more than 30 inches (762 mm) above the floor or grade below shall have *guards*. Handrails shall be not less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. *Guards* shall be not less than 30 inches (762 mm) in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exception: *Guards* shall not be required where exempted by the adopted building code.

SECTION 308 RUBBISH AND GARBAGE

308.1 Accumulation of rubbish or garbage. *Exterior property and premises*, and the interior of every structure, shall be free from any accumulation of *rubbish* or garbage.

308.2 Disposal of rubbish. Every *occupant* of a structure shall dispose of all *rubbish* in a clean and sanitary manner by placing such *rubbish* in *approved* containers.

308.2.1 Rubbish storage facilities. The *owner* of every occupied *premises* shall supply *approved* covered containers for *rubbish*, and the *owner* of the *premises* shall be responsible for the removal of *rubbish*.

308.2.2 Refrigerators. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on *premises* without first removing the doors.

308.3 Disposal of garbage. Every *occupant* of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an *approved* garbage disposal facility or *approved* garbage containers.

308.3.1 Garbage facilities. The *owner* of every dwelling shall supply one of the following: an *approved* mechanical food waste grinder in each *dwelling unit*; an *approved* incinerator unit in the structure available to the *occupants* in each *dwelling unit*; or an *approved* leakproof, covered, outside garbage container.

308.3.2 Containers. The *operator* of every establishment producing garbage shall provide, and at all times cause to be utilized, *approved* leakproof containers provided with close-fitting covers for the storage of such materials until removed from the *premises* for disposal.

SECTION 309 PEST ELIMINATION

309.1 Infestation. Structures shall be kept free from insect and rodent *infestation*. Structures in which insects or rodents are found shall be promptly exterminated by *approved* processes that will not be injurious to human health. After pest

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elimination, proper precautions shall be taken to prevent reinfestation.

309.2 Owner. The *owner* of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure.

309.3 Single occupant. The *occupant* of a one-family dwelling or of a single-*tenant* nonresidential structure shall be responsible for pest elimination on the *premises*.

309.4 Multiple occupancy. The *owner* of a structure containing two or more *dwelling units*, a multiple *occupancy*, a *rooming house* or a nonresidential structure shall be responsible for pest elimination in the public or shared areas of the structure and *exterior property*. If *infestation* is caused by failure of an *occupant* to prevent such *infestation* in the area occupied, the *occupant* and *owner* shall be responsible for pest elimination.

309.5 Occupant. The *occupant* of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

Exception: Where the *infestations* are caused by defects in the structure, the *owner* shall be responsible for pest elimination.

CHAPTER 4

LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

User note:

About this chapter: Chapter 4 sets forth requirements to establish the minimum environment for occupiable and habitable buildings by establishing the minimum criteria for light and ventilation and identifying occupancy limitations including minimum room width and area, minimum ceiling height and restrictions to prevent overcrowding.

SECTION 401 GENERAL

401.1 Scope. The provisions of this chapter shall govern the minimum conditions and standards for light, *ventilation* and space for occupying a structure.

401.2 Responsibility. The *owner* of the structure shall provide and maintain light, *ventilation* and space conditions in compliance with these requirements. A person shall not occupy as *owner-occupant*, or permit another person to occupy, any *premises* that do not comply with the requirements of this chapter.

401.3 Alternative devices. In lieu of the means for natural light and *ventilation* herein prescribed, artificial light or mechanical *ventilation* complying with the *International Building Code* shall be permitted.

SECTION 402 LIGHT

402.1 Habitable spaces. Every *habitable space* shall have not less than one window of *approved* size facing directly to the outdoors or to a court. The minimum total glazed area for every *habitable space* shall be 8 percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

Exception: Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be not less than 8 percent of the floor area of the interior room or space, or not less than 25 square feet (2.33 m²), whichever is greater. The exterior glazing area shall be based on the total floor area being served.

402.2 Common halls and stairways. Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with not less than a 60-watt standard incandescent light bulb for each 200 square feet (19 m²) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential occupancies, interior and exterior means of egress, stairways

shall be illuminated at all times the building space served by the means of egress is occupied with not less than 1 footcandle (11 lux) at floors, landings and treads.

402.3 Other spaces. Other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe *occupancy* of the space and utilization of the appliances, equipment and fixtures.

SECTION 403 VENTILATION

403.1 Habitable spaces. Every *habitable space* shall have not less than one openable window. The total openable area of the window in every room shall be equal to not less than 45 percent of the minimum glazed area required in Section 402.1.

Exception: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be not less than 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m²). The *ventilation* openings to the outdoors shall be based on a total floor area being ventilated.

403.2 Bathrooms and toilet rooms. Every *bathroom* and *toilet room* shall comply with the *ventilation* requirements for *habitable spaces* as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical *ventilation* system. Air exhausted by a mechanical *ventilation* system from a *bathroom* or *toilet room* shall discharge to the outdoors and shall not be recirculated.

403.3 Cooking facilities. Unless *approved* through the certificate of *occupancy*, cooking shall not be permitted in any *rooming unit* or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in the *rooming unit* or dormitory unit.

Exceptions:

1. Where specifically *approved* in writing by the *code official*.
2. Devices such as coffee pots and microwave ovens shall not be considered cooking appliances.

403.4 Process ventilation. Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust *ventilation* system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

403.5 Clothes dryer exhaust. Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions.

Exception: Listed and *labeled* condensing (ductless) clothes dryers.

SECTION 404 OCCUPANCY LIMITATIONS

404.1 Privacy. *Dwelling units*, hotel units, *housekeeping units*, *rooming units* and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

404.2 Minimum room widths. A habitable room, other than a kitchen, shall be not less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a minimum clear passageway of 3 feet (914 mm) between counterfronts and appliances or counterfronts and walls.

404.3 Minimum ceiling heights. *Habitable spaces*, hallways, corridors, laundry areas, *bathrooms*, *toilet rooms* and habitable *basement* areas shall have a minimum clear ceiling height of 7 feet (2134 mm).

Exceptions:

1. In one- and two-family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not greater than 6 inches (152 mm) below the required ceiling height.
2. *Basement* rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a minimum ceiling height of 6 feet 8 inches (2033 mm) with a minimum clear height of 6 feet 4 inches (1932 mm) under beams, girders, ducts and similar obstructions.
3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a minimum clear ceiling height of 7 feet (2134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a minimum clear ceiling height of 5 feet (1524 mm) shall be included.

404.4 Bedroom and living room requirements. Every *bedroom* and living room shall comply with the requirements of Sections 404.4.1 through 404.4.5.

404.4.1 Room area. Every living room shall contain not less than 120 square feet (11.2 m²) and every bedroom shall contain not less than 70 square feet (6.5 m²) and every bedroom occupied by more than one person shall contain not less than 50 square feet (4.6 m²) of floor area for each occupant thereof.

404.4.2 Access from bedrooms. *Bedrooms* shall not constitute the only means of access to other *bedrooms* or *habitable spaces* and shall not serve as the only means of egress from other *habitable spaces*.

Exception: Units that contain fewer than two *bedrooms*.

404.4.3 Water closet accessibility. Every *bedroom* shall have access to not less than one water closet and one lavatory without passing through another *bedroom*. Every *bedroom* in a *dwelling unit* shall have access to not less than one water closet and lavatory located in the same story as the *bedroom* or an adjacent story.

404.4.4 Prohibited occupancy. Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

404.4.5 Other requirements. *Bedrooms* shall comply with the applicable provisions of this code including, but not limited to, the light, *ventilation*, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Chapter 5; the heating facilities and electrical receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.

404.5 Overcrowding. *Dwelling units* shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

TABLE 404.5
MINIMUM AREA REQUIREMENTS

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room ^{a, b}	120	120	150
Dining room ^{a, b}	No requirement	80	100
Bedrooms	Shall comply with Section 404.4.1		

For SI: 1 square foot = 0.0929 m².

a. See Section 404.5.2 for combined living room/dining room spaces.

b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

404.5.1 Sleeping area. The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. Sleeping areas shall comply with Section 404.4.

404.5.2 Combined spaces. Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

404.6 Efficiency unit. Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than one occupant shall have a minimum clear floor area of 120 square feet (11.2 m²). A unit occupied by not more than two *occupants* shall have a minimum clear floor area of 220 square feet (20.4 m²). A unit occupied by three *occupants* shall have a minimum clear floor area of 320 square feet (29.7 m²). These required areas shall be exclusive of the areas required by Items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a minimum clear working space of 30 inches (762 mm)

in front. Light and *ventilation* conforming to this code shall be provided.

3. The unit shall be provided with a separate *bathroom* containing a water closet, lavatory and bathtub or shower.
4. The maximum number of *occupants* shall be three.

404.7 Food preparation. Spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

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CHAPTER 5

PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

User note:

About this chapter: Chapter 5 establishes minimum sanitary and clean conditions in occupied buildings by containing requirements for the installation, maintenance and location of plumbing systems and facilities, including the water supply system, water heating appliances, sewage disposal systems and related plumbing fixtures. Chapter 5 includes requirements for providing potable water to a building and the basic fixtures to effectively utilize and dispose of that water.

SECTION 501 GENERAL

501.1 Scope. The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

501.2 Responsibility. The *owner* of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as *owner-occupant* or permit another person to occupy any structure or *premises* that does not comply with the requirements of this chapter.

SECTION 502 REQUIRED FACILITIES

[P] 502.1 Dwelling units. Every *dwelling unit* shall contain its own bathtub or shower, lavatory, water closet and kitchen sink that shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

[P] 502.2 Rooming houses. Not less than one water closet, lavatory and bathtub or shower shall be supplied for each four *rooming units*.

[P] 502.3 Hotels. Where private water closets, lavatories and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each 10 *occupants*.

[P] 502.4 Employees' facilities. Not less than one water closet, one lavatory and one drinking facility shall be available to employees.

[P] 502.4.1 Drinking facilities. Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in *toilet rooms* or *bathrooms*.

[P] 502.5 Public toilet facilities. Public toilet facilities shall be maintained in a safe, sanitary and working condition in accordance with the *International Plumbing Code*. Except for periodic maintenance or cleaning, public access and use shall

be provided to the toilet facilities at all times during *occupancy* of the *premises*.

SECTION 503 TOILET ROOMS

[P] 503.1 Privacy. *Toilet rooms* and *bathrooms* shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared *bathrooms* and *toilet rooms* in a multiple dwelling.

[P] 503.2 Location. *Toilet rooms* and *bathrooms* serving hotel units, *rooming units* or dormitory units or *housekeeping units*, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

[P] 503.3 Location of employee toilet facilities. Toilet facilities shall have access from within the employees' working area. The required toilet facilities shall be located not more than one story above or below the employees' working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). Employee facilities shall either be separate facilities or combined employee and public facilities.

Exception: Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of 500 feet (152 m) from the employees' regular working area to the facilities.

[P] 503.4 Floor surface. In other than *dwelling units*, every *toilet room* floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

SECTION 504 PLUMBING SYSTEMS AND FIXTURES

[P] 504.1 General. Plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. Plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

[P] 504.2 Fixture clearances. Plumbing fixtures shall have adequate clearances for usage and cleaning.

[P] 504.3 Plumbing system hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the *occupants* or the structure by reason of inadequate service, inadequate venting, cross connection, backsiphonage, improper installation, *deterioration* or damage or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

SECTION 505 WATER SYSTEM

[P] 505.1 General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an *approved* private water system. Kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the *International Plumbing Code*.

[P] 505.2 Contamination. The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

[P] 505.3 Supply. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

[P] 505.4 Water heating facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature not less than 110°F (43°C). A gas-burning water heater shall not be located in any *bathroom, toilet room, bedroom* or other occupied room normally kept closed, unless adequate combustion air is provided. An *approved* combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

[P] 505.5 Nonpotable water reuse systems. Nonpotable water reuse systems and rainwater collection and conveyance systems shall be maintained in a safe and sanitary condition. Where such systems are not properly maintained, the systems shall be repaired to provide for safe and sanitary conditions, or the system shall be abandoned in accordance with Section 505.5.1.

[P] 505.5.1 Abandonment of systems. Where a nonpotable water reuse system or a rainwater collection and distribution system is not maintained or the owner ceases use of the system, the system shall be abandoned in accordance with Section 1301.10 of the *International Plumbing Code*.

SECTION 506 SANITARY DRAINAGE SYSTEM

[P] 506.1 General. Plumbing fixtures shall be properly connected to either a public sewer system or to an *approved* private sewage disposal system.

[P] 506.2 Maintenance. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

[P] 506.3 Grease interceptors. Grease interceptors and automatic grease removal devices shall be maintained in accordance with this code and the manufacturer's installation instructions. Grease interceptors and automatic grease removal devices shall be regularly serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes. Records of maintenance, cleaning and repairs shall be available for inspection by the *code official*.

SECTION 507 STORM DRAINAGE

[P] 507.1 General. Drainage of roofs and paved areas, *yards* and courts, and other open areas on the *premises* shall not be discharged in a manner that creates a public nuisance.

CHAPTER 6

MECHANICAL AND ELECTRICAL REQUIREMENTS

User note:

About this chapter: Chapter 6 establishes minimum performance requirements for heating, electrical and mechanical facilities serving existing structures, such as heating and air-conditioning equipment, appliances and their supporting systems; water heating equipment, appliances and systems; cooking equipment and appliances; ventilation and exhaust equipment; gas and liquid fuel distribution piping and components; fireplaces and solid fuel-burning appliances; chimneys and vents; electrical services; lighting fixtures; electrical receptacle outlets; electrical distribution system equipment, devices and wiring; and elevators, escalators and dumbwaiters.

SECTION 601
GENERAL

601.1 Scope. The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

601.2 Responsibility. The *owner* of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as *owner-occupant* or permit another person to occupy any *premises* that does not comply with the requirements of this chapter.

SECTION 602
HEATING FACILITIES

602.1 Facilities required. Heating facilities shall be provided in structures as required by this section.

602.2 Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms* based on the winter outdoor design temperature for the locality indicated in Appendix D of the *International Plumbing Code*. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating.

Exception: In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

602.3 Heat supply. Every *owner* and *operator* of any building who rents, leases or lets one or more *dwelling units* or *sleeping units* on terms, either expressed or implied, to furnish heat to the *occupants* thereof shall supply heat during the period from [DATE] to [DATE] to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor

design temperature for the locality shall be as indicated in Appendix D of the *International Plumbing Code*.

2. In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from [DATE] to [DATE] to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

602.5 Room temperature measurement. The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

SECTION 603
MECHANICAL EQUIPMENT

603.1 Mechanical equipment and appliances. Mechanical equipment, appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

603.2 Removal of combustion products. Fuel-burning equipment and appliances shall be connected to an *approved* chimney or vent.

Exception: Fuel-burning equipment and appliances that are *labeled* for unvented operation.

603.3 Clearances. Required clearances to combustible materials shall be maintained.

603.4 Safety controls. Safety controls for fuel-burning equipment shall be maintained in effective operation.

603.5 Combustion air. A supply of air for complete combustion of the fuel and for *ventilation* of the space containing the

fuel-burning equipment shall be provided for the fuel-burning equipment.

603.6 Energy conservation devices. Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless *labeled* for such purpose and the installation is specifically *approved*.

SECTION 604 ELECTRICAL FACILITIES

604.1 Facilities required. Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.

604.2 Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70. *Dwelling units* shall be served by a three-wire, 120/240 volt, single-phase electrical service having a minimum rating of 60 amperes.

604.3 Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the *occupants* or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, *deterioration* or damage, or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

604.3.1 Abatement of electrical hazards associated with water exposure. The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

604.3.1.1 Electrical equipment. Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the *International Building Code*.

Exception: The following equipment shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement:

1. Enclosed switches, rated not more than 600 volts or less.
2. Busway, rated not more than 600 volts.
3. Panelboards, rated not more than 600 volts.
4. Switchboards, rated not more than 600 volts.
5. Fire pump controllers, rated not more than 600 volts.
6. Manual and magnetic motor controllers.
7. Motor control centers.

8. Alternating current high-voltage circuit breakers.
9. Low-voltage power circuit breakers.
10. Protective relays, meters and current transformers.
11. Low- and medium-voltage switchgear.
12. Liquid-filled transformers.
13. Cast-resin transformers.
14. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water.
15. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water.
16. Luminaires that are listed as submersible.
17. Motors.
18. Electronic control, signaling and communication equipment.

604.3.2 Abatement of electrical hazards associated with fire exposure. The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to fire.

604.3.2.1 Electrical equipment. Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits, that have been exposed to fire, shall be replaced in accordance with the provisions of the *International Building Code*.

Exception: Electrical switches, receptacles and fixtures that shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement.

SECTION 605 ELECTRICAL EQUIPMENT

605.1 Installation. Electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and *approved* manner.

605.2 Receptacles. Every *habitable space* in a dwelling shall contain not less than two separate and remote receptacle outlets. Every laundry area shall contain not less than one grounding-type receptacle or a receptacle with a ground fault circuit interrupter. Every *bathroom* shall contain not less than one receptacle. Any new *bathroom* receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.

605.3 Luminaires. Every public hall, interior stairway, *toilet room*, kitchen, *bathroom*, laundry room, boiler room and furnace room shall contain not less than one electric luminaire.

Pool and spa luminaires over 15 V shall have ground fault circuit interrupter protection.

605.4 Wiring. Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings.

SECTION 606

ELEVATORS, ESCALATORS AND DUMBWAITERS

606.1 General. Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, be available for public inspection in the office of the building *operator* or be posted in a publicly conspicuous location *approved* by the *code official*. The inspection and tests shall be performed at not less than the periodic intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the authority having jurisdiction.

606.2 Elevators. In buildings equipped with passenger elevators, not less than one elevator shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

SECTION 607

DUCT SYSTEMS

607.1 General. Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

Item C.

CHAPTER 7

FIRE SAFETY REQUIREMENTS

User note:

About this chapter: Chapter 7 establishes fire safety requirements for existing structures by containing requirements for means of egress, including path of travel, required egress width, means of egress doors and emergency escape openings, and for the maintenance of fire-resistance-rated assemblies, fire protection systems, and carbon monoxide alarm and detection systems.

SECTION 701 GENERAL

701.1 Scope. The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior *premises*, including fire safety facilities and equipment to be provided.

701.2 Responsibility. The *owner* of the *premises* shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as *owner-occupant* or permit another person to occupy any *premises* that do not comply with the requirements of this chapter.

SECTION 702 MEANS OF EGRESS

[F] 702.1 General. A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the *public way*. Means of egress shall comply with the *International Fire Code*.

[F] 702.2 Aisles. The required width of aisles in accordance with the *International Fire Code* shall be unobstructed.

[F] 702.3 Locked doors. Means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the *International Building Code*.

[F] 702.4 Emergency escape openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided that the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

SECTION 703 FIRE-RESISTANCE RATINGS

[F] 703.1 Fire-resistance-rated assemblies. The provisions of this chapter shall govern maintenance of the materials, systems and assemblies used for structural fire resistance and fire-resistance-rated construction separation of adjacent spaces to safeguard against the spread of fire and smoke within a building and the spread of fire to or from buildings.

[F] 703.2 Unsafe conditions. Where any components are not maintained and do not function as intended or do not have the fire resistance required by the code under which the building was constructed or altered, such components or portions thereof shall be deemed unsafe conditions in accordance with Section 111.1.1 of the *International Fire Code*. Components or portions thereof determined to be unsafe shall be repaired or replaced to conform to that code under which the building was constructed or altered. Where the condition of components is such that any building, structure or portion thereof presents an imminent danger to the occupants of the building, structure or portion thereof, the fire code official shall act in accordance with Section 111.2 of the *International Fire Code*.

[F] 703.3 Maintenance. The required fire-resistance rating of fire-resistance-rated construction, including walls, firestops, shaft enclosures, partitions, smoke barriers, floors, fire-resistive coatings and sprayed fire-resistant materials applied to structural members and joint systems, shall be maintained. Such elements shall be visually inspected annually by the owner and repaired, restored or replaced where damaged, altered, breached or penetrated. Records of inspections and repairs shall be maintained. Where concealed, such elements shall not be required to be visually inspected by the owner unless the concealed space is accessible by the removal or movement of a panel, access door, ceiling tile or entry to the space. Openings made therein for the passage of pipes, electrical conduit, wires, ducts, air transfer and any other reason shall be protected with approved methods capable of resisting the passage of smoke and fire. Openings through fire-resistance-rated assemblies shall be protected by self- or automatic-closing doors of approved construction meeting the fire protection requirements for the assembly.

[F] 703.3.1 Fire blocking and draft stopping. Required fire blocking and draft stopping in combustible concealed spaces shall be maintained to provide continuity and integrity of the construction.

[F] 703.3.2 Smoke barriers and smoke partitions. Required smoke barriers and smoke partitions shall be maintained to prevent the passage of smoke. Openings protected with approved smoke barrier doors or smoke dampers shall be maintained in accordance with NFPA 105.

[F] 703.3.3 Fire walls, fire barriers, and fire partitions. Required fire walls, fire barriers and fire partitions shall be maintained to prevent the passage of fire. Openings protected with approved doors or fire dampers shall be maintained in accordance with NFPA 80.

[F] 703.4 Opening protectives. Opening protectives shall be maintained in an operative condition in accordance with NFPA 80. The application of field-applied labels associated with the maintenance of opening protectives shall follow the requirements of the approved third-party certification organization accredited for listing the opening protective. Fire doors and smoke barrier doors shall not be blocked or obstructed, or otherwise made inoperable. Fusible links shall be replaced whenever fused or damaged. Fire door assemblies shall not be modified.

[F] 703.4.1 Signs. Where required by the code official, a sign shall be permanently displayed on or near each fire door in letters not less than 1 inch (25 mm) high to read as follows:

1. For doors designed to be kept normally open: FIRE DOOR – DO NOT BLOCK.
2. For doors designed to be kept normally closed: FIRE DOOR – KEEP CLOSED.

[F] 703.4.2 Hold-open devices and closers. Hold-open devices and automatic door closers shall be maintained. During the period that such a device is out of service for repairs, the door it operates shall remain in the closed position.

[F] 703.4.3 Door operation. Swinging fire doors shall close from the full-open position and latch automatically. The door closer shall exert enough force to close and latch the door from any partially open position.

[F] 703.5 Ceilings. The hanging and displaying of salable goods and other decorative materials from acoustical ceiling systems that are part of a fire-resistance-rated horizontal assembly shall be prohibited.

[F] 703.6 Testing. Horizontal and vertical sliding and rolling fire doors shall be inspected and tested annually to confirm operation and full closure. Records of inspections and testing shall be maintained.

[F] 703.7 Vertical shafts. Interior vertical shafts, including stairways, elevator hoistways and service and utility shafts, which connect two or more stories of a building shall be enclosed or protected as required in Chapter 11 of the *International Fire Code*. New floor openings in existing buildings shall comply with the *International Building Code*.

[F] 703.8 Opening protective closers. Where openings are required to be protected, opening protectives shall be maintained self-closing or automatic-closing by smoke detection. Existing fusible-link-type automatic door-closing devices shall be replaced if the fusible link rating exceeds 135°F (57°C).

SECTION 704 FIRE PROTECTION SYSTEMS

[F] 704.1 Inspection, testing and maintenance. Fire detection, alarm and extinguishing systems, mechanical smoke exhaust systems, and smoke and heat vents shall be maintained in accordance with the *International Fire Code* in an operative condition at all times, and shall be replaced or repaired where defective.

[F] 704.1.1 Installation. Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered or augmented as necessary to maintain and continue protection where the building is altered or enlarged. Alterations to fire protection systems shall be done in accordance with applicable standards.

[F] 704.1.2 Required fire protection systems. Fire protection systems required by this code, the *International Fire Code* or the *International Building Code* shall be installed, repaired, operated, tested and maintained in accordance with this code. A fire protection system for which a design option, exception or reduction to the provisions of this code, the *International Fire Code* or the *International Building Code* has been granted shall be considered to be a required system.

[F] 704.1.3 Fire protection systems. Fire protection systems shall be inspected, maintained and tested in accordance with the following *International Fire Code* requirements.

1. Automatic sprinkler systems, see Section 903.5.
2. Automatic fire-extinguishing systems protecting commercial cooking systems, see Section 904.12.5.
3. Automatic water mist extinguishing systems, see Section 904.11.
4. Carbon dioxide extinguishing systems, see Section 904.8.
5. Carbon monoxide alarms and carbon monoxide detection systems, see Section 915.6.
6. Clean-agent extinguishing systems, see Section 904.10.
7. Dry-chemical extinguishing systems, see Section 904.6.
8. Fire alarm and fire detection systems, see Section 907.8.
9. Fire department connections, see Sections 912.4 and 912.7.
10. Fire pumps, see Section 913.5.
11. Foam extinguishing systems, see Section 904.7.
12. Halon extinguishing systems, see Section 904.9.

13. Single- and multiple-station smoke alarms, see Section 907.10.
14. Smoke and heat vents and mechanical smoke removal systems, see Section 910.5.
15. Smoke control systems, see Section 909.20.
16. Wet-chemical extinguishing systems, see Section 904.5.

[F] 704.2 Standards. Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 704.2 and as required in this section.

TABLE 704.2
FIRE PROTECTION SYSTEM MAINTENANCE STANDARDS

SYSTEM	STANDARD
Portable fire extinguishers	NFPA 10
Carbon dioxide fire-extinguishing system	NFPA 12
Halon 1301 fire-extinguishing systems	NFPA 12A
Dry-chemical extinguishing systems	NFPA 17
Wet-chemical extinguishing systems	NFPA 17A
Water-based fire protection systems	NFPA 25
Fire alarm systems	NFPA 72
Smoke and heat vents	NFPA 204
Water-mist systems	NFPA 750
Clean-agent extinguishing systems	NFPA 2001

[F] 704.2.1 Records. Records shall be maintained of all system inspections, tests and maintenance required by the referenced standards.

[F] 704.2.2 Records information. Initial records shall include the: name of the installation contractor; type of components installed; manufacturer of the components; location and number of components installed per floor; and manufacturers' operation and maintenance instruction manuals. Such records shall be maintained for the life of the installation.

[F] 704.3 Systems out of service. Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, either the building shall be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with not less than one approved means for notification of the fire department and shall not have duties beyond performing constant patrols of the protected premises and keeping watch for fires. Actions shall be taken in accordance with Section 901 of the *International Fire Code* to bring the systems back in service.

[F] 704.3.1 Emergency impairments. Where unplanned impairments of fire protection systems occur, appropriate emergency action shall be taken to minimize potential injury and damage. The impairment coordinator shall implement the steps outlined in Section 901.7.4 of the *International Fire Code*.

[F] 704.4 Removal of or tampering with equipment. It shall be unlawful for any person to remove, tamper with or otherwise disturb any fire hydrant, fire detection and alarm system, fire suppression system or other fire appliance required by this code except for the purposes of extinguishing fire, training, recharging or making necessary repairs.

[F] 704.4.1 Removal of or tampering with appurtenances. Locks, gates, doors, barricades, chains, enclosures, signs, tags and seals that have been installed by or at the direction of the fire code official shall not be removed, unlocked, destroyed or tampered with in any manner.

[F] 704.4.2 Removal of existing occupant-use hose lines. The fire code official is authorized to permit the removal of existing occupant-use hose lines where all of the following apply:

1. The installation is not required by the *International Fire Code* or the *International Building Code*.
2. The hose line would not be utilized by trained personnel or the fire department.
3. The remaining outlets are compatible with local fire department fittings.

[F] 704.4.3 Termination of monitoring service. For fire alarm systems required to be monitored by the *International Fire Code*, notice shall be made to the fire code official whenever alarm monitoring services are terminated. Notice shall be made in writing by the provider of the monitoring service being terminated.

[F] 704.5 Fire department connection. Where the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an *approved* sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less than 6 inches (152 mm) high and words in letters not less than 2 inches (51 mm) high or an arrow to indicate the location. Such signs shall be subject to the approval of the fire code official.

[F] 704.5.1 Fire department connection access. Ready access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or movable object. Access to fire department connections shall be approved by the fire chief.

Exception: Fences, where provided with an access gate equipped with a sign complying with the legend requirements of Section 912.5 of the *International Fire Code* and a means of emergency operation. The gate and the means of emergency operation shall be approved by the fire chief and maintained operational at all times.

[F] 704.5.2 Clear space around connections. A working space of not less than 36 inches (914 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided and maintained in front of and to the sides of wall-mounted fire department connections and around the circumference of free-standing fire department connections.

[F] 704.6 Single- and multiple-station smoke alarms. Single- and multiple-station smoke alarms shall be installed in existing Group I-1 and R occupancies in accordance with Sections 704.6.1 through 704.6.3.

[F] 704.6.1 Where required. Existing Group I-1 and R occupancies shall be provided with single-station smoke alarms in accordance with Sections 704.6.1.1 through 704.6.1.4. Interconnection and power sources shall be in accordance with Sections 704.6.2 and 704.6.3.

Exceptions:

1. Where the code that was in effect at the time of construction required smoke alarms and smoke alarms complying with those requirements are already provided.
2. Where smoke alarms have been installed in occupancies and dwellings that were not required to have them at the time of construction, additional smoke alarms shall not be required provided that the existing smoke alarms comply with requirements that were in effect at the time of installation.
3. Where smoke detectors connected to a fire alarm system have been installed as a substitute for smoke alarms.

[F] 704.6.1.1 Group R-1. Single- or multiple-station smoke alarms shall be installed in all of the following locations in Group R-1:

1. In sleeping areas.
2. In every room in the path of the *means of egress* from the sleeping area to the door leading from the *sleeping unit*.
3. In each story within the *sleeping unit*, including basements. For *sleeping units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

[F] 704.6.1.2 Groups R-2, R-3, R-4 and I-1. Single- or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1 regardless of *occupant load* at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a *dwelling unit*, including basements but not including crawl spaces and uninhabitable attics. In *dwellings* or *dwelling units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

[F] 704.6.1.3 Installation near cooking appliances. Smoke alarms shall not be installed in the following

locations unless this would prevent placement of a smoke alarm in a location required by Section 704.6.1.1 or 704.6.1.2.

1. Ionization smoke alarms shall not be installed less than 20 feet (6096 mm) horizontally from a permanently installed cooking appliance.
2. Ionization smoke alarms with an alarm-silencing switch shall not be installed less than 10 feet (3048 mm) horizontally from a permanently installed cooking appliance.
3. Photoelectric smoke alarms shall not be installed less than 6 feet (1829 mm) horizontally from a permanently installed cooking appliance.

[F] 704.6.1.4 Installation near bathrooms. Smoke alarms shall be installed not less than 3 feet (914 mm) horizontally from the door or opening of a bathroom that contains a bathtub or shower unless this would prevent placement of a smoke alarm required by Section 704.6.1.1 or 704.6.1.2.

[F] 704.6.2 Interconnection. Where more than one smoke alarm is required to be installed within an individual *dwelling* or *sleeping unit*, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

Exceptions:

1. Interconnection is not required in buildings that are not undergoing *alterations*, repairs or construction of any kind.
2. Smoke alarms in existing areas are not required to be interconnected where *alterations* or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for interconnection without the removal of interior finishes.

[F] 704.6.3 Power source. Single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for over-current protection.

Exceptions:

1. Smoke alarms are permitted to be solely battery operated in existing buildings where construction is not taking place.
2. Smoke alarms are permitted to be solely battery operated in buildings that are not served from a commercial power source.

3. Smoke alarms are permitted to be solely battery operated in existing areas of buildings undergoing *alterations* or repairs that do not result in the removal of interior walls or ceiling finishes exposing the structure, unless there is an attic, crawl space or *basement* available that could provide access for building wiring without the removal of interior finishes.

[F] 704.6.4 Smoke detection system. Smoke detectors listed in accordance with UL 268 and provided as part of the building's fire alarm system shall be an acceptable alternative to single- and multiple-station smoke alarms and shall comply with the following:

1. The fire alarm system shall comply with all applicable requirements in Section 907 of the *International Fire Code*.
2. Activation of a smoke detector in a dwelling or sleeping unit shall initiate alarm notification in the *dwelling* or *sleeping unit* in accordance with Section 907.5.2 of the *International Fire Code*.
3. Activation of a smoke detector in a *dwelling* or *sleeping unit* shall not activate alarm notification appliances outside of the *dwelling* or *sleeping unit*, provided that a supervisory signal is generated and monitored in accordance with Section 907.6.6 of the *International Fire Code*.

[F] 704.7 Single- and multiple-station smoke alarms. Single- and multiple-station smoke alarms shall be tested and maintained in accordance with the manufacturer's instructions. Smoke alarms that do not function shall be replaced. Smoke alarms installed in one- and two-family dwellings shall be replaced not more than 10 years from the date of manufacture marked on the unit, or shall be replaced if the date of manufacture cannot be determined.

SECTION 705

CARBON MONOXIDE ALARMS AND DETECTION

[F] 705.1 General. Carbon monoxide alarms shall be installed in dwellings in accordance with Section 1103.9 of the *International Fire Code*, except that alarms in dwellings covered by the *International Residential Code* shall be installed in accordance with Section R315 of that code.

[F] 705.2 Carbon monoxide alarms and detectors. Carbon monoxide alarms and carbon monoxide detection systems shall be maintained in accordance with NFPA 720. Carbon monoxide alarms and carbon monoxide detectors that become inoperable or begin producing end-of-life signals shall be replaced.

Item C.

CHAPTER 8

REFERENCED STANDARDS

User note:

About this chapter: This code contains numerous references to standards promulgated by other organizations that are used to provide requirements for materials and methods of construction. Chapter 8 contains a comprehensive list of all standards that are referenced in this code. These standards, in essence, are part of this code to the extent of the reference to the standard.

This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 102.7.

ASME

American Society of Mechanical Engineers
Two Park Avenue
New York, NY 10016-5990

ASME A17.1—2016/CSA B44—16: Safety Code for Elevators and Escalators
606.1

ASTM

ASTM International
100 Barr Harbor Drive, P.O. Box C700
West Conshohocken, PA 19428-2959

F1346—91 (2010): Performance Specifications for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs
303.2

ICC

International Code Council
500 New Jersey Avenue, NW
6th Floor
Washington, DC 20001

IBC—18: International Building Code®
102.3, 201.3, 304.1.1, 305.1.1, 306.1.1, 401.3, 604.3.1.1, 604.3.2.1, 702.3, 704.4.2

IECC—18: International Energy Conservation Code®
102.3

IEBC—18: International Existing Building Code®
102.3, 201.3, 304.1.1, 305.1.1, 306.1.1

IFC—18: International Fire Code®
102.3, 201.3, 604.3.1.1, 702.1, 702.2, 704.1, 704.1.2, 704.1.3, 704.3, 704.3.1,
704.4.2, 704.4.3, 704.5.1, 704.6.4, 705.1

IFGC—18: International Fuel Gas Code®
102.3, 201.3

IMC—18: International Mechanical Code®
102.3, 201.3

IPC—18: International Plumbing Code®
102.3, 201.3, 502.5, 505.1, 505.5.1, 602.2, 602.3

IRC—18: International Residential Code®
102.3, 201.3

IZC—18: International Zoning Code®
102.3, 201.3

NFPA

National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169-7471

- 10—17: Standard for Portable Fire Extinguishers**
Table 704.2
- 12—15: Standard on Carbon Dioxide Extinguishing Systems**
Table 704.2
- 12A—15: Standard on Halon 1301 Fire Extinguishing Systems**
Table 704.2
- 17—17: Standard for Dry Chemical Extinguishing Systems**
Table 704.2
- 17A—17: Standard for Wet Chemical Extinguishing Systems**
Table 704.2
- 25—17: Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems**
Table 704.2
- 70—17: National Electrical Code**
102.3, 201.3, 604.2
- 72—16: National Fire Alarm and Signaling Code**
Table 704.2
- 80—16: Standard for Fire Doors and Other Opening Protectives**
703.3.3, 703.4
- 105—16: Standard for Smoke Door Assemblies and Other Opening Protectives**
703.3.2
- 204—15: Standard for Smoke and Heat Venting**
Table 704.2
- 720—15: Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment**
[F] 705.2
- 750—14: Standard on Water Mist Fire Protection Systems**
Table 704.2
- 2001—15: Standard on Clean Agent Fire Extinguishing Systems**
Table 704.2

UL

Underwriters Laboratories, LLC
333 Pfingsten Road
Northbrook, IL 60062

- 268—09: Smoke Detectors for Fire Alarm Systems**
704.6.4

APPENDIX A

BOARDING STANDARD

The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

User note:

About this appendix: Appendix A provides minimum specifications for boarding a structure. This can be utilized by a jurisdiction as a set of minimum requirements in order to result in consistent boarding quality. These requirements also provide a reasonable means to eliminate having to approve numerous methods or materials for the boarding and securing of a structure. It is important to note that the provisions of Appendix A are not mandatory unless specifically referenced in the adopting ordinance of the authority having jurisdiction.

A101 GENERAL

A101.1 General. Windows and doors shall be boarded in an *approved* manner to prevent entry by unauthorized persons and shall be painted to correspond to the color of the existing structure.

A102 MATERIALS

A102.1 Boarding sheet material. Boarding sheet material shall be minimum $\frac{1}{2}$ -inch-thick (12.7 mm) wood structural panels complying with the *International Building Code*.

A102.2 Boarding framing material. Boarding framing material shall be minimum nominal 2-inch by 4-inch (51 mm by 102 mm) solid sawn lumber complying with the *International Building Code*.

A102.3 Boarding fasteners. Boarding fasteners shall be minimum $\frac{3}{8}$ -inch-diameter (9.5 mm) carriage bolts of such a length as required to penetrate the assembly and as required to adequately attach the washers and nuts. Washers and nuts shall comply with the *International Building Code*.

A103 INSTALLATION

A103.1 Boarding installation. The boarding installation shall be in accordance with Figures A103.1(1) and A103.1(2) and Sections A103.2 through A103.5.

A103.2 Boarding sheet material. The boarding sheet material shall be cut to fit the door or window opening neatly or shall be cut to provide an equal overlap at the perimeter of the door or window.

A103.3 Windows. The window shall be opened to allow the carriage bolt to pass through or the window sash shall be removed and stored. The 2-inch by 4-inch (51 mm by 102 mm) strong back framing material shall be cut minimum 2 inches (51 mm) wider than the window opening and shall be placed on the inside of the window opening 6 inches (152 mm) minimum above the bottom and below the top of the window opening. The framing and boarding shall be pre-

drilled. The assembly shall be aligned and the bolts, washers and nuts shall be installed and secured.

A103.4 Door walls. The door opening shall be framed with minimum 2-inch by 4-inch (51 mm by 102 mm) framing material secured at the entire perimeter and vertical members at a maximum of 24 inches (610 mm) on center. Blocking shall also be secured at a maximum of 48 inches (1219 mm) on center vertically. Boarding sheet material shall be secured with screws and nails alternating every 6 inches (152 mm) on center.

A103.5 Doors. Doors shall be secured by the same method as for windows or door openings. One door to the structure shall be available for authorized entry and shall be secured and locked in an *approved* manner.

A104 REFERENCED STANDARD

IBC—18	International Building Code	A102.1, A102.2, A102.3
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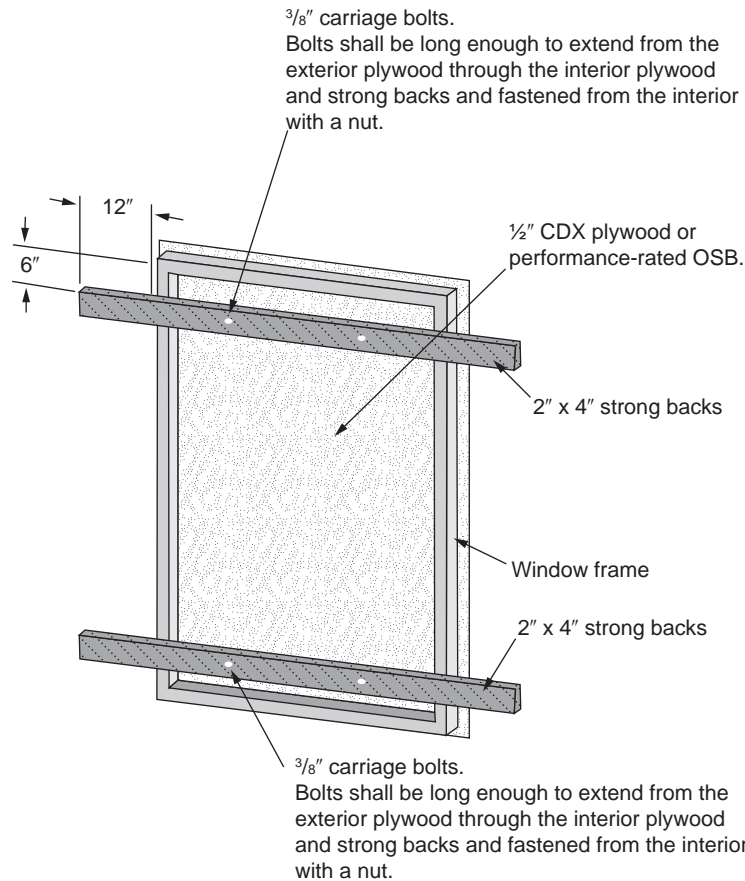
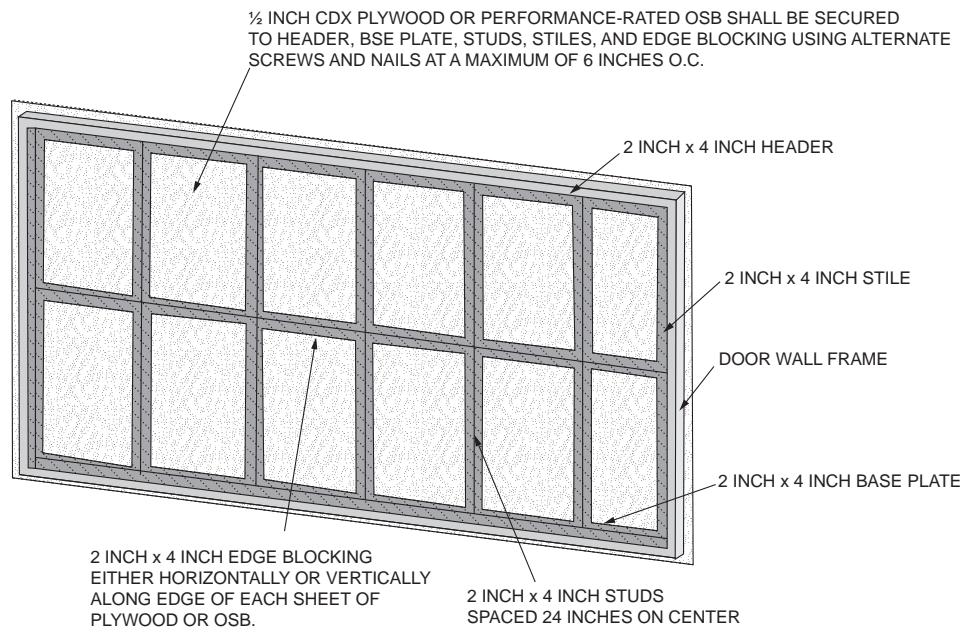


FIGURE A103.1(1)
BOARDING OF DOOR OR WINDOW



For SI: 1 inch = 25.4 mm.

FIGURE A103.1(2)
BOARDING OF DOOR WALL

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Item C.



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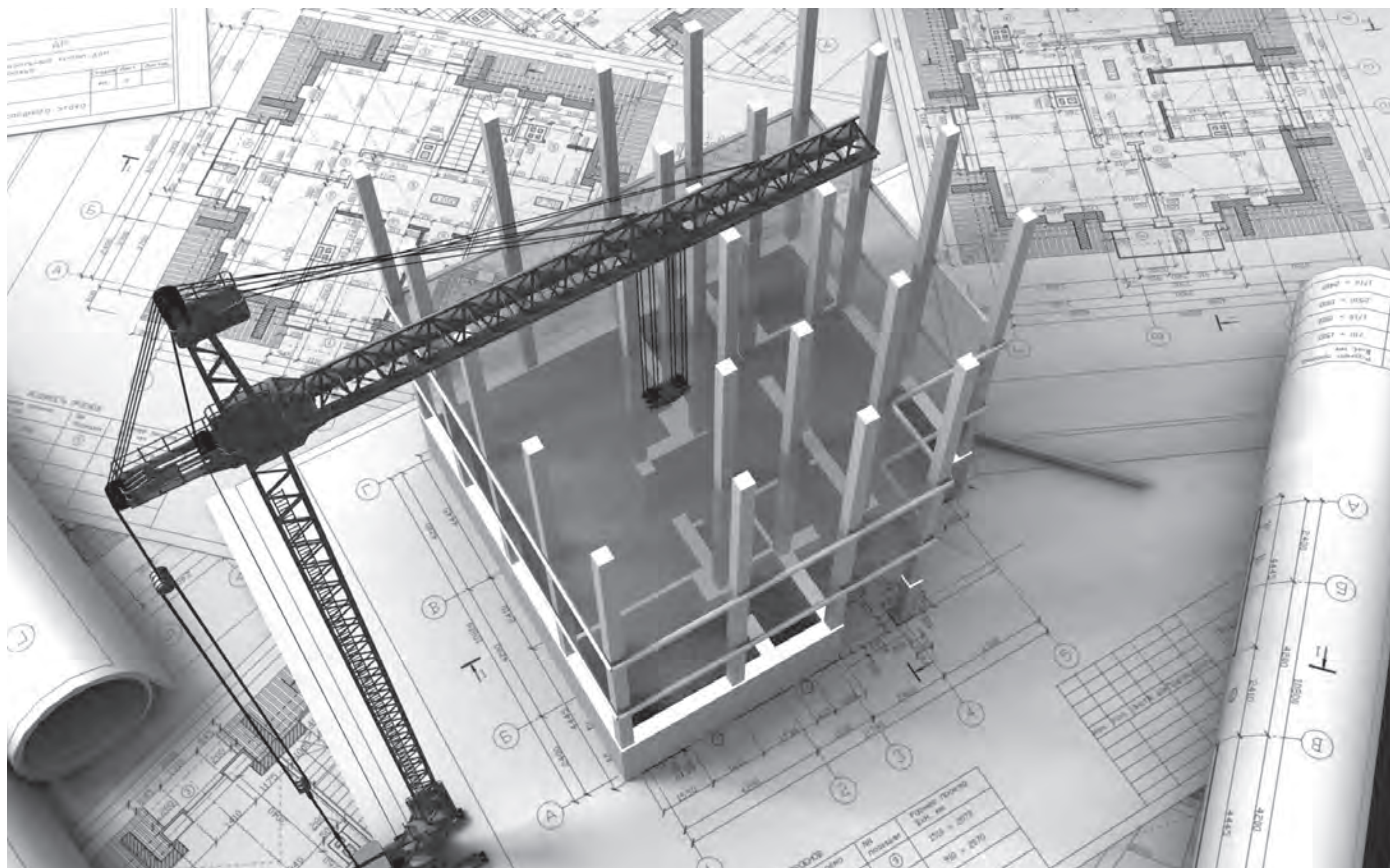
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Presented By:
City Clerk

Action Taken:
Yes____
No____
Abstain____

CITY OF NOME, ALASKA

PLANNING COMMISSION RESOLUTION NO. R-2021-02

A RESOLUTION IN SUPPORT OF KAWERAK, INC'S EFFORT TO DEVELOP A FEASIBILITY STUDY FOR A REGIONAL RECYCLING CENTER THAT WOULD SERVE THE RESIDENTS AND VISITORS OF THE BERING STRAIT REGION.

WHEREAS, the Nome Planning Commission prepares and recommends important planning documents to the city council such as the comprehensive plan and land use regulations; and

WHEREAS, the Nome Planning Commission recognizes the importance of well-managed, orderly business and residential zones with a fitting solid waste management system in place; and

WHEREAS, the Nome Planning Commission acknowledges the value of healthy subsistence activity opportunities and the importance of keeping the surrounding land and waterways clean and uncontaminated; and

WHEREAS, the Nome Planning Commission knows that in response to COVID-19, stay and work-from-home recommendations and social distancing practices, the residents of Nome have participated in more online shopping which has contributed to a greater amount of cardboard packaging and single-use plastics; and

WHEREAS, Kawerak Inc. has received a grant from the Environmental Protection Agency to study the feasibility of developing a regional recycling center that could potentially accept recyclable waste such as single-use plastics, plastic bags, cardboard, aluminum, tin, glass, food wastes, electronic wastes, lead-acid and household batteries, mercury bulbs, and more; and

WHEREAS, the feasibility study will take an in-depth look at whether or not the residents of the region want to recycle, what products they are willing to recycle, whether or not they want to pay for a curbside collection service, and what type of facility would best suit our needs;

NOW THEREFORE, BE IT RESOLVED, that the Nome Planning Commission supports studying the feasibility of a recycling center that would benefit and reflect the desires of the residents and businesses of the Bering Strait Region.

APPROVED and **SIGNED** this 4th day of May, 2021.

KENNETH HUGHES III, Chair

ATTEST:

BRYANT HAMMOND, Clerk

Eileen R. Bechtol, AICP
P.O. Box 3426
Homer, Alaska 99603

Phone (907) 399-1624
E-mail:
erbechtol@gmail.com

Bechtol Planning & Development

Memorandum

To: Nome Planning Commission (NPC)
Glenn Steckman, City Manager

From: Eileen R. Bechtol, City Planner, AICP

Date: May 4, 2021 NPC Meeting

Subject: City Planner Report

Nome Comprehensive Plan

The survey was emailed to the City officials, staff and contractors, Native Organizations, Nome Public Schools, and State/Federal Agencies on April 5, 2021. The survey will end on May 5, 2021.

As of April 27, 2021 sixty-eight people have taken the survey. Results will be displayed at the Open House.

Historic Preservation Plan (HPP)

The draft plan will be reviewed at the May 4, 2021 Historic Preservation Commission meeting.

The plan was also emailed to City officials, staff and contractors, Native Organizations, Public Schools and State/Federal Agencies.

The plan was advertised in the Nome Nugget, City website and radio stations.

May Open House

We need to set a date for an Open House in late May at St. Joseph's with the goals of disseminating information to the public and receiving input on the Historic Preservation Plan and the Comprehensive Plan. We will set up tables with highlights of the HPP and the Survey and have stations set up for public comments.

At the meeting on May 4, 2021, we should schedule the Open House date and time and sign up for Commissioner's participation at the Open house. Also, we should discuss the pros and cons of having a raffle to bring people into the forum.

Building/Remodel Permit Summary

Updated Item B.

NAME	ADDRESS	MONTH	PERMIT #	ISSUE DATE	BUILDING PERMIT		REMODEL PERMIT		TOTAL
					<u>VALUE</u>	<u>FEE</u>	<u>VALUE</u>	<u>FEE</u>	<u>TOTAL</u>
	<u>JANUARY</u>								
Tri-M Terry Michels	606 East I		21-01R	1/27/2021			\$30,000.00	\$441.75	\$441.75
		<u>FEBRUARY</u>							
Greg Smith	604 W 2nd		21-02R	2/24/2021			\$6,750.00	\$135.05	\$135.05
Robert J Kauer	206 W Tobuk		21-03R	2/26/2021			\$10,000.00	\$181.25	\$181.25
		<u>MARCH</u>							
AK Wireless Network	1200 Satellite Dr		21-01B/05R	3/17/2021	\$200,000.00	\$1,553.75			\$1,553.75
AK Wireless Network	311 West 3rd		21-02B/06R	3/17/2021	\$200,000.00	\$1,553.75			\$1,553.75
Hai Nguyen	502 E 3rd		21-07R	3/30/2021			\$5,000.00	\$111.25	\$111.25
		<u>APRIL</u>							
Lucas Stotts	1009 E Tobuk		21-03B	4/6/2021	\$5,000.00	\$111.25			\$111.25
David Olson	504 Bering		21-08R	4/9/2021			\$5,000.00	\$111.25	\$111.25
Pomeranz Construction	500 E 6th		21-09R	4/9/2021			\$28,000.00	\$421.55	\$421.55
AK Wireless Network	400 E 4th		21-10R	4/27/2021			\$25,000.00	\$391.25	\$391.25
Tongass Engineering	Lot 5 Port Rd		21-04B	4/28/2021	\$200,000.00	\$1,553.75			\$1,553.75
David Barron	702 Ivan Johnson		21-11R	4/29/2021			\$6,000.00	\$125.25	\$125.25
Total: 12									\$6,691.10
		<u>MAY</u>							

Updated

Item B.

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175

Updated

Item B.

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Updated

Item B.

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Item B. d
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Item B.

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Item B.

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Item B.

[illegible]

\$350.00