

**Department of Finance
Division of Construction Management**

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Finance, Real Property Management, Division of Construction Management

RULE NO. & TITLE: 355-1-12 Alabama State Building Code

INTENDED ACTION: The Department of Finance, Division of Construction Management, proposes to amend an existing rule.

SUBSTANCE OF PROPOSED ACTION: The amended rule updates the Alabama State Building Code to reflect the recommendation of the Technical Staff.

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held only if requested by an interested party. A written request shall be submitted to the agency contact person listed below. Interested persons may present their view in writing to the Department of Finance, Real Property Management, 770 Washington Avenue, Suite 470, P.O. Box 301150, Montgomery, AL 36130-1150.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: The Department of Finance, Real Property Management will accept comments or requests for a hearing no later than February 3, 2022 at 5 p.m.

CONTACT PERSON AT AGENCY: Frank Barnes, Department of Finance, Real Property Management, P.O. Box 301150, Montgomery, AL 36130-1150, Phone 334-242-3727 or Frank.Barnes@realproperty.alabama.gov.



Frank Barnes

**ALABAMA DEPARTMENT OF FINANCE
CONSTRUCTION MANAGEMENT DIVISION
ADMINISTRATIVE CODE**

CHAPTER 355-12-1 ALABAMA STATE BUILDING CODE

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ED NOTE: THE RULES OF THE BUILDING COMMISSION, CHAPTER 170-X-2, WERE TRANSFERRED TO THE DEPARTMENT OF FINANCE PURSUANT TO ACT 2015-435.

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355-12-1-.01 Adopted Standard Codes.

(1) ~~The minimum building standard codes adopted by reference and enforced by the Alabama Finance are all of the following:~~ The minimum building standard code adopted by the Division of Construction Management is the 2021 International Building Code. The following companion codes to the 2021 International Code are also adopted:

- (a) ~~2015~~ 2021 – International Existing Building Code.
- (b) ~~2015~~ 2021 – International Plumbing Code.
- (c) ~~2015~~ 2021 – International Fuel Gas Code.
- (d) ~~2015~~ 2021 – International Mechanical Code.
- (e) ~~2014~~ 2020 – National Electrical Code (NFPA 70).
- (f) ~~2015~~ 2021 – International Fire Code.

(g) ANSI/ASHRAE/IESNA Standard 90.1 – 2013 Energy Standard for Buildings ~~Except~~ except Low-Rise Residential Buildings with exceptions permitted to:
6.5.1 – Economizers,

8.4.2 – Automatic Receptacle Control, and
8.4.3 – Electrical Energy Monitoring.

- (h) 2010 – ADA Standards for Accessible Design.
- (i) ~~ABC~~ DCM Code Supplements.
- (j) ~~2014~~ 2020 – ICC/NSSA-500 Standard for the Design and Construction of Storm Shelters (~~ICC 500 – 2014~~).
- (k) ~~2013~~ 2019 NFPA 72: National Fire Alarm and Signaling Code (NFPA 72).

(2) The requirements of the 2010 ADA Standards for Accessible Design supersede the ~~handicapped~~ accessibility requirements contained in the International Building Code and ANSI A117.1.

Author: ~~Frank Barnes~~ Katherine Lynn

Statutory Authority: Code of Ala. 1975, §§21-4-3, 41-4-35, 41-4-400, 41-9-161, 41-9-171.

History: Repealed and Replaced: Filed August 29, 1997; effective October 3, 1997. **Amended:** Filed September 18, 2001; effective October 23, 2001; operative November 1, 2001. **Amended:** Filed October 16, 2003; effective November 20, 2003. **Amended:** Filed March 14, 2005; effective April 18, 2005. **Amended:** Filed August 6, 2007; effective September 10, 2007; operative October 1, 2007. **Amended:** Filed January 4, 2008; effective February 8, 2008. **Amended:** Filed November 13, 2008; effective December 18, 2008. **Amended:** Filed July 14, 2010; effective August 18, 2010. **Amended:** Filed March 14, 2011; effective April 18, 2011. **Amended:** Filed March 11, 2013; effective April 15, 2013. **Amended:** Filed May 12, 2016; effective June 26, 2016. **Amended:** Filed October 20, 2021; effective _____.

355-12-1-.02 Official “Recommendations”. ~~The Commission~~ The DCM adopts by reference, as official “recommendations” rather than as mandated regulations, Chapter 5 of the Architectural and Transportation Barriers Compliance Board (ATBCB) publication; “Recommendations for Accessibility Standards for Children’s Environments.”-

Author: ~~Frank Barnes~~ Stedmann B. McCollough, Director

Statutory Authority: Code of Ala. 1975, §§21-4-3, 41-4-35, 41-4-400, 41-9-161.

History: Repealed and Replaced: Filed August 29, 1997; effective October 3, 1997. **Amended:** Filed October 20, 2021; effective _____.

355-12-1-.03 Obtaining the Adopted Codes. The Technical Staff shall publish in the Manual of Procedures the necessary information to obtain copies of the adopted codes and official recommendations.

Author: Stedmann B. McCollough, Director

Statutory Authority: Code of Ala. 1975, §§~~41-9-141, 41-9-144,~~ 41-4-35, 41-4-400, 41-9-161, 41-9-171.

History: Repealed and Replaced: Filed August 29, 1997; effective October 3, 1997.

355-12-1-.04 Applicability of Adopted Codes.

(1) Except as stated in paragraphs (2) and (3), the ~~STATE BUILDING CODE~~ State Building Code applies only to the following construction in Alabama:

(a) ~~STATE BUILDING and CONSTRUCTION~~ State Building and Construction: All buildings and other structures erected or acquired by or ~~in~~ on behalf of the State of Alabama or any of its agencies or instrumentalities.

(b) ~~SCHOOLHOUSES~~ Schoolhouses: Any building or other structure erected or acquired by the public schools of Alabama and ~~also shall mean~~ any private building in which 25 or more persons are congregated regularly for the purpose of instruction in any branch of knowledge.

(c) ~~HOTELS~~ Hotels: Any public inn or lodging house of 15 or more bedrooms, in which transient guests are lodged for pay.

(d) ~~MOVING PICTURE THEATERS~~ Moving Picture Theaters: Any building in which moving pictures are featured regularly for charge of admission.

(2) ~~The ALABAMA BUILDING ENERGY CONSERVATION CODE~~ ANSI/ASHRAE/IES Standard 90.1 – 2013 applies only to all buildings constructed or remodeled with state appropriated funds or funds from any other instrumentality of the state.

(3) ~~The Commission~~ The DCM's responsibility to review plans and specifications for compliance with handicapped accessibility standards prescribed by the State Fire Marshal applies only to all buildings and facilities used by the public which are constructed in whole or in part using state, county, or municipal funds, or the funds of any political subdivision of the state. Refer to (See §21-4-6 for shared jurisdiction.)

Author: ~~Frank Barnes~~ Stedmann B. McCollough, Director

Statutory Authority: Code of Ala. 1975, §§21-4-4, 41-4-35, 41-4-400, 41-9-163, 41-9-171.

History: Repealed and Replaced: Filed August 29, 1997; effective October 3, 1997. **Amended:** Filed October 20, 2021; effective _____.

355-12-1-.05 Precedence of Codes.

(a) In case of conflict between the State Building Code, local codes, the Life Safety Code enforced by the State Fire Marshal, or other codes, the most stringent requirements shall prevail.

(b) All food preparation facilities, private water systems, and sewage disposal systems shall also meet the requirements of and be approved by the applicable county health department.

Author: Stedmann B. McCollough, Director

Statutory Authority: Code of Ala. 1975, §§41-4-35, 41-4-400. ~~§41-9-141.~~

History: Repealed and Replaced: Filed August 29, 1997; effective October 3, 1997.

355-12-1-.06 Responsibility for Compliance. The compliance of plans and specifications with code requirements, is the responsibility of the primary design professional and the awarding authority, ~~and a~~ Approval of these documents by the Technical Staff does not relieve the primary design professional or the awarding authority of this responsibility.

Author: ~~Frank Barnes Stedmann B. McCollough, Director~~

Statutory Authority: Code of Ala. 1975, ~~§§41-4-35, 41-4-400, §41-9-141.~~

History: Repealed and Replaced: Filed August 29, 1997; effective October 3, 1997.

355-12-1-.07 ABC-DCM Code Supplements. To minimize reoccurring problems on public construction and improvement projects, from time to time ~~the Commission~~ the DCM will adopt and publish specific design and construction requirements or recommendations to supplement the State Building Code. The following requirements and recommendations are adopted and bound at the end of this chapter:

(a) ABC DCM Code Supplement No. 1, Labeling of Fire Doors and Frames. ~~LABELING OF FIRE DOORS AND FRAMES~~

(b) DCM Code Supplement No. 2, Labeling of Storm Shelter Doors, Windows, Shutters, and Impact Protective Systems.

Author: ~~Frank Barnes Stedmann B. McCollough, Director~~

Statutory Authority: Code of Ala. 1975, ~~§§41-9-141,~~ 41-4-35, 41-4-400, 41-9-161.

History: Repealed and Replaced: Filed August 29, 1997; effective October 3, 1997. **Amended:** Filed October 20, 2021; effective _____.

ATTACHMENT

355-12-1-.07(a)

ABC DCM CODE SUPPLEMENT No. 1

Labeling of Fire Doors and Frames

All door openings in fire resistive walls and partitions requiring a rating shall be protected by assemblies which include doors, frames, hardware, closing devices, anchorage, sills, etc., installed in accordance with the National Fire Protection Association (NFPA) 80, Standard for "Fire Doors and Fire Windows" and the State Building Code.

To further clarify the basic requirements and ~~for~~ the correct method of labeling that will be acceptable to the Division of Construction Management ~~Alabama Finance~~, the labels shall include the following:

1. Accessibility: Each component shall bear a label located so as to be accessible after installation.
2. Permanence: Each component shall bear a label of a type of material and be so attached that the life of the label and the attachment thereof can reasonably be expected to equal the life of the component to which it is attached. Labels shall be raised or embossed on metal labels or stamped into metal frames. Plastic or paper labels are unacceptable.
3. Legibility: The label design shall be such that it can always be visible and legible ~~at all times~~ and must be clean of any paint or other coverage making the label illegible.
4. Fire Resistance: All approved labels on doors and on frames shall include thereon the fire resistance rating in hours and ~~or~~ minutes for which the door or frame is labeled. Labels on frames with transoms or sidelights must identify that the opening assembly includes same.
5. Other Requirements: The labels or stamps applied to frames must be provided by a manufacturer that has been approved by a laboratory or organization to provide testing and follow-up services for fire-rated opening assemblies.

Author: ~~Frank Barnes Stedmann B. McCollough, Director~~

Statutory Authority: Code of Ala. 1975, §§~~41-9-141; 41-4-35, 41-4-400, 41-9-161.~~

History: New: Filed August 29, 1997; effective October 3, 1997. **Amended:** Filed October 20, 2021; effective _____.

ATTACHMENT

355-12-1-.07(b)

DCM CODE SUPPLEMENT No. 2

Labeling of Storm Shelter Doors, Windows, Shutters, and Impact Protective Systems

All openings in storm shelter enclosures requiring a rating shall be protected by assemblies which include doors, frames, hardware, closing devices, windows, shutters, louvers, anchorage, sills, etc., installed in accordance with ICC 500, ICC/NSSA Standard for the Design and Construction of Storm Shelters.

To further clarify the basic requirements and/or the correct method of labeling that will be acceptable to the Alabama Division of Construction Management, the labels shall include the following:

1. Accessibility: Each component shall bear a label located to be accessible after installation.

2. Permanence: Each component shall bear a label of a type of material and be so attached that the life of the label and the attachment thereof can reasonably be expected to equal the life of the component to which it is attached. Labels shall be raised or embossed on metal labels or stamped into metal frames. Plastic or paper labels are unacceptable.

3. Legibility: The label design shall be such that it can always be visible and legible and must be clean of any paint or other coverage making the label illegible.

4. Fire Resistance: All approved labels on doors and on frames shall include thereon the fire resistance rating in hours and minutes for which the door or frame is labeled. Labels on frames with transoms or sidelights must identify that the opening assembly includes same.

5. Other Requirements: The labels or stamps applied to frames, etc., must be provided by a manufacturer that has had their products tested in accordance with ICC 500 Chapter 8. Product specimens shall have passed the testing requirements of ICC 500 Chapter 8 as conducted by a third party, nationally recognized accredited and approved testing laboratory. The testing laboratory shall maintain ongoing periodic inspections of the products it has tested to confirm continued compliance.

Author: Frank Barnes

Statutory Authority: Code of Ala. 1975, §§41-4-35, 41-4-400, 41-9-161.

History: New: Filed October 20, 2021; effective _____.