

Tribal Building Code Adoption

Awareness to the process

Kayenta Township
Building & Safety
Department

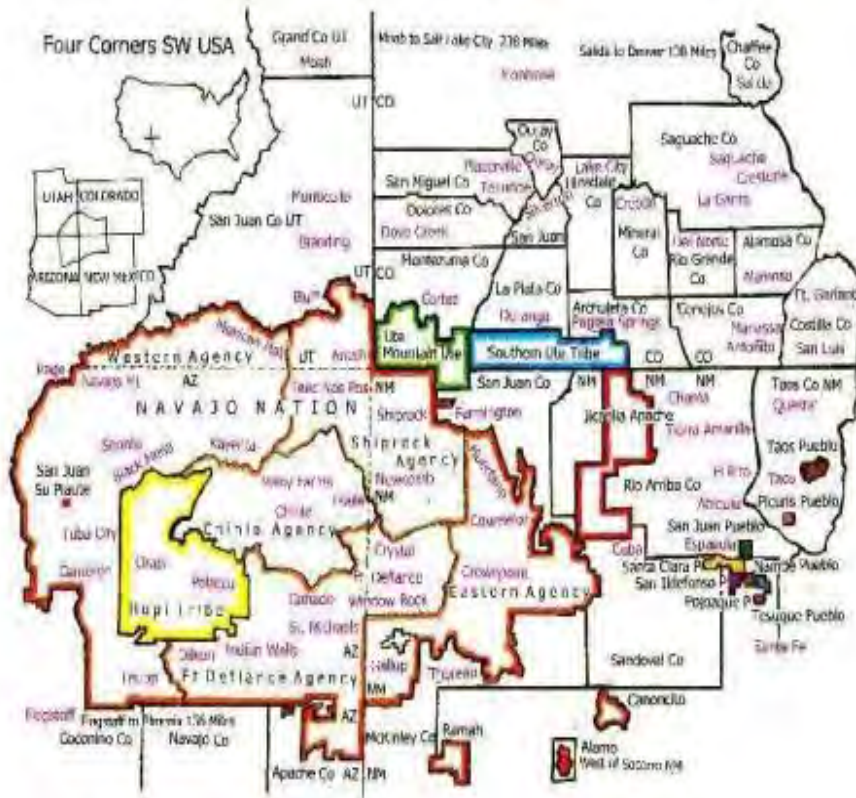
Presenter: Philbert Tso, Building Official- Kayenta Township, Navajo Nation

- Currently serving as Building Official for Kayenta, AZ as of June 2010.
- Former Building and Zoning Official for the City of Gallup, NM from January - November of 2008 and continued to serve at that capacity for the State of New Mexico from November of 2008 for McKinley, Catron, Cibola and San Juan Counties.
- Contracted by private firms as a Senior Building Inspector since November of 2005.
- Started career in the private sector of the code compliance industry in April of 2005.
- AZ State Licensed General Contractor since 2001.
- AZ State Licensed Plumbing Contractor since 1999.

Questions confronted during Building Code adoption for Kayenta Township

- What building codes or standards have been applied in the region (UBC, IBC or NFPA)?
- What type of construction is driving the market (Commercial or Residential)?
- What standards are professional registrants of record referencing?
- What codes or standards were used in the construction of buildings in the community?
- Are insurance carriers insuring properties in the community?

Building codes adopted by these Jurisdictions



- Arizona functions as a home rule state, so local **AHJ's** have precedent.
- Navajo and Coconino County have adopted the 2006 ICC codes.
- Apache County has adopted the 2003 ICC codes
- San Juan County (Utah) and New Mexico have state building codes that reference the 2009 ICC codes.
- Navajo Nation has a utility enterprise Navajo Tribal Utility Authority (NTUA) that has acknowledged the standards of the 2005 NEC.

Request for assistance from local AHJ's for building code adoption

- Maintain consistency in the region.
- Establish great partnerships up-front.
- Identify and address obstacles that exist.
- Possibly share resources.
- Why re-invent the wheel?

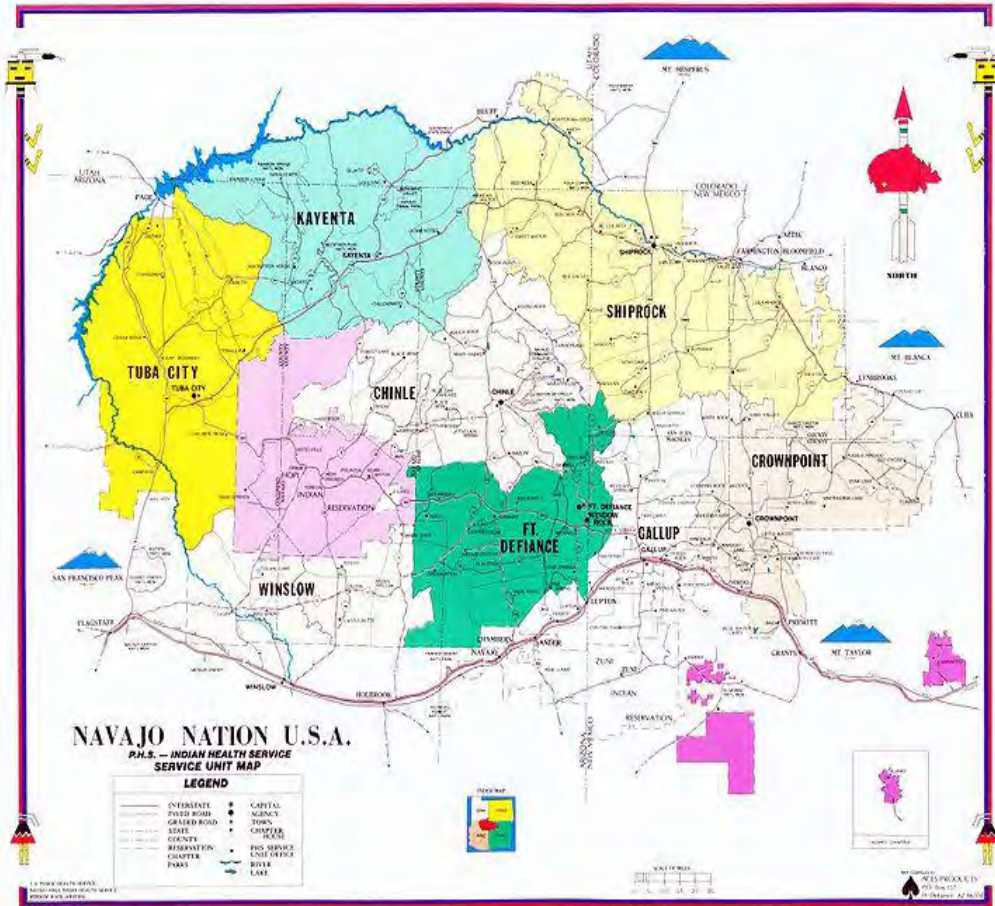
Sovereignty status of the Navajo Nation

Acknowledged by Jurisdictions the Navajo Nation occupies.

“Back to the drawing board”. This map of tribal agencies are the AHJ’s in the region.

These agencies regulate only emergency and social services.

No building codes adopted by any tribal enterprise ,housing services, or any other such regulatory agent on the Navajo Nation. However standards are referenced within specifications.



Determine what building code to adopt

- Maintain consistency in the region.

All the four corner jurisdictions have adopted a version of the ICC codes, but with different editions. To keep this statement true I did research at the legislative level and discover two bills with-in the state legislature (HB-2153 and SB-1374) prohibited cites or towns to adopt any building code that required sprinklers in single family-dwellings . The 2009 IRC has that requirement.

Determine what building code to adopt.

- Establish great partnerships up-front.

Met with building safety departments in the area and was given support on establishing a regulatory building code agent in an underserved area. I joined the Grand Canyon Chapter of the Arizona Building Officials on behalf of the Kayenta Township.

Determine what building codes to adopt.

- Possibly share resources.

Due to the Navajo Nations sovereignty status the resources we share are limited to maintaining consistency. I again visited local **AHJ's** and incorporated some of there review procedures into our policies for the developing department.

Determine what building code to adopt.

- Identify and address obstacles that exist.

Such a large area (27,000 sq. miles) not building to a safe standard. The counties in Arizona were troubled by being able to get involved with projects within the Navajo Nation. Building Officials with Navajo, Coconino and Apache Counties began distributing my contact information to builders working within the Navajo Nation.

- Why re-invent the wheel?

Building Codes identified for adoption

- 2006 International Building Code
- 2006 International Residential Code
- 2006 International Mechanical Code
- 2006 International Plumbing Code
- 1997 Uniform Administrative Code
- 2005 National Electrical Code

Procedures for the Kayenta Township Code of Ordinances.

- Ordinance Code
- Organization and Format of Code
- Notice of Proposed Ordinance, Amendment or Repeal;
First Reading
- Public Participation; Written Statements
- Times and Manner of Enacting an Ordinance; Second
Reading
- Manner of Adopting a Rule
- Effective Date of Ordinances and Rules

Building Codes Adopted as Policy

Work session of July 7, 2010

With all five Kayenta Township Commissioners present. The newly established Building Safety Department presents the building codes proposed for adoption. Support is given for adoption and the department was requested to research other codes that address accessibility and sustainability.

Town meeting of August 9, 2010

Resolution KTCAU-45-10 passes with a 4-0-0 vote and the process of enforcement as policy begins. The Amendments to the newly adopted codes also begins.

The Building Safety Department begins developing administrative guidelines with the assistance of a building code consultant.

2006 Kayenta Township Building Code



Amendments to the 2006 International Codes

Amendments completed on May 10, 2011 and currently under legal review and public comment.

Amendments made to the following codes.

- 2006 IBC
- 2006 IRC
- 2006 IMC
- 2006 IPC
- 2006 IFGC
- 2005 NEC
- 2009 IECC
- 2010 IGCC PV 2.0 (Voluntary)

Questions?

