

AIBD 8 - R202 (11288)

IRC: SECTION 202 (New), SECTION 202

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2024 International Residential Code

Add new definition as follows:

BUILDING DESIGNER. A person engaged by the owner or the owner's authorized agent to prepare construction documents. Where authorized by law, the owner may serve as the building designer. Where required by law, the building designer shall be a registered design professional.

[RB] DESIGN PROFESSIONAL. See "Registered design professional"

[RB] REGISTERED DESIGN PROFESSIONAL. ~~An individual~~ A building designer who is registered or licensed to practice their respective design profession, as defined by the statutory requirements of the professional registration laws of the state or jurisdiction in which the project is to be constructed. The use of the term within this code is not intended to alter the privileges, restrictions or exemptions contained in the relevant professional practice laws of the jurisdiction.

Add new definition as follows:

SPECIAL CONDITION. An element of the construction site and/or design that is outside the parameters upon which the code is based or exceeds the prescriptive guidance found in the code and is unique to the project rather than generally applicable within the project area. A general project characteristic, such as size of the structure or the cost of construction, is not a special condition.

SUPPLEMENTAL CONSTRUCTION DOCUMENT. A construction document not normally provided as part of the standard permit application package for the type of work proposed that addresses how the proposed design solves a special condition presented by the project.

Reason: The new definitions proposed for Building Designer is intended to address multiple problems. First, the code and its many referenced standards presently do not have a uniform term to reference the person who prepares construction documents. The proposed term of 'Building Designer' is used in ANSI/TPI 1 and IRC section R502.12.4, so it already has some recognition in the industry. Second, most states allow unregistered persons to prepare construction documents for residential construction. Many of these states extend the ability to property owners. Using the term 'Design Professional' as the generic version of Registered Design Professional adds an implied level of qualification that may not be appropriate in all cases; Building Designer is a more neutral term and does not imply any specific qualifications. The revised definition of Registered Design Professional is offered to maintain consistency with the proposed new definition for Building Designer while allowing the term to remain unaffected throughout its many uses within the code. Collectively, the proposed modifications will allow the code to be consistent with referenced standards and better recognize the varying jurisdictional requirements imposed on persons who prepare construction documents.

The new definitions proposed for supplemental construction document and special condition are needed to clarify the current intent related to the provisions of the sentence in Section R106.1 that says, "Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional." (A related proposed modification alters the wording of this section to be consistent with the proposed definition.) The intent of the subject sentence was confirmed in an advisory opinion provided to the proponent by ICC staff (see attachment). The proposed definitions seek to clarify the intent by removing ambiguity, which is leading some local jurisdictions to declare construction cost, livable space, or even just the project's presence within the jurisdiction as being a special condition, and then requiring that all construction documents be prepared by a registered design professional. Special conditions should only exist where design parameters or site conditions are outside those accommodated by the prescriptive guidance found in the code. Supplemental construction documents should not include the documents that are common for the proposed type of construction; they should address how the proposed design will meet the intent of the code relative to those special conditions. Replacing "additional" with "supplemental" will reinforce that intent.

Cost Impact: The change proposal is editorial in nature or a clarification and has no cost impact on the cost of construction

Justification for no cost impact:

The proposed changes clarify the original intent of the code. The revised definitions seek to establish consistency with relevant state professional regulation laws. The value of the added and revised definitions is not dependent on the adoption of the related proposals.

Attached Files

- **ICC Opinion email of 11-27-2023.pdf**
<https://www.cdpassess.com/proposal/11288/34089/files/download/8718/>