

HRS Chapter 107, Part II, State Building Code and Design Standards

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Council**

Requirements and Standards heretofore authored or administered by the Counties

Code / Standard	Rules or Basis
Building	Authority per HRS 46-1.5 (13)
Fire Code of the County	HRS 132-3,9,16 HAR 12-44, 12-45 State Fire Council creates a model code (NFPA 1)
Plumbing Code	Uniform Plumbing Code by IAPMO
Electrical	NFPA 70 National Electrical Code
County Energy Efficiency Requirements	Loosely based on DBEDT Model Energy Code Guidelines; no HAR
Flood and Tsunami Inundation requirements vary widely by county	No HRS or HAR ASCE - 24 or FEMA minimum
No mechanical code	Only energy efficiency and prescriptive fresh air cfm's per

Requirements and Standards currently authored or administered by others

State / Federal Agency	Code / Standard	Rules
DLIR	Elevator and Escalators, Dumbwaiters, Rides, and Trains	HAR 12-229 (2000)
DOH	Outside Fresh Air requirements	HAR 11-48 Ventilation
EPA / DOH	Private Sewage Disposal	HAR 11-62 Wastewater Systems
DOH	Toilets, Showers, Lavatories, Food Establishment Sanitation	HAR 11-11, 11-12
DAGS / DCCA Insurance Commissioner	Hurricane Resistive Standards for Shelters and Essential Facilities	Public Hurricane Shelter Criteria (Act 5, 2005) and Act 82 (2007)
DLIR HIOSH	Boilers and Pressure Vessels	HAR 12-8-10, Chapters 220-225
Administration Directive for State Buildings	LEED	HRS 196-A

Act 82 (May 21, 2007)

- The legislature finds that the State has traditionally allowed the individual counties to establish their own building codes. The counties have adopted various portions of the Uniform Building Code, but the code differs from county to county. The status of fragmented building requirements in Hawaii is of serious concern to those involved in building ownership, design, construction, and insurance. Over forty states have adopted some form of a statewide building code.
- The adoption of a uniform set of statewide building codes applicable to one and two family dwellings, all other residential uses, and commercial and industrial buildings, and state buildings would make it possible for building owners, designers, contractors, and code enforcers within the State to apply consistent standards. The International Building Code is currently being considered for adoption by all counties. The health and safety considerations related to the codes are of statewide interest, especially relating to emergency disaster preparedness.

Act 82 was implemented in HRS 107-II

HRS 107 Part II created the authority of the State Building Code Council, any law to the contrary notwithstanding, to establish a comprehensive State Building Code. Under HRS §107-25, the State Building Code is required to include various codes and design standards that are listed specifically or generically in the statute. The State Building Code Council includes the State agencies and County jurisdictions with pre-existing regulations affected by a State Building Code.

Act 82 as implemented in HRS 107-II

- The purpose of the act is to require the department of accounting and general services to establish and implement a state building code
- Creates a state building code council with decision making authority
- Preserves responsibilities for administration, permitting, enforcement and inspection as presently held by each county
- Prohibits conflict with chapter 464, HRS, Professional Engineers, Architects, Surveyors and Landscape Architects
- Permits county amendments without state building code council approval

State Building Code Council

- Attached to DAGS
- Nine voting members, one non-voting member
- Chairman and Vice Chairman elected annually by members
- Forms technical committees
- Consults with general building contractor associations, and building trade associations
- Adopts state model building codes
- May adopt state code amendments if there is a unanimous consensus of the four county building officials
- Shall provide education and technical training in the state building code
- Files an annual report to the state legislature

SBCC Members

Kauai County Building Official	Douglas Haigh
City & County of Honolulu Building Official	Tim Hiu (Vice-Chair)
Maui County Building Official	Ralph Nagamine
Hawaii County Building Official	Brian Kajikawa
State Fire Council Member	Socrates Bratakos
Department of Health	Jerry Haruno
Department of Labor & Industrial Relations	Keith Rudolph
Structural Engineers Association of Hawaii	Gary Chock
AIA Hawaii Chapter	Bill Brizee
State Comptroller (Non-Voting)	Russ Saito (Chair)

[§107-25] State building code; requirements. There is established a state building code applicable to all construction in the State of Hawaii. The state building code shall include:

1. The latest edition of the state fire code as adopted by the state fire council;
2. The latest edition of the Uniform Plumbing Code, as copyrighted and published by the International Association of Plumbing and Mechanical Officials, including its appendices;
3. The latest edition of the International Building Code, as published by the International Code Council;
4. Hawaii design standards implementing the criteria pursuant to Act 5, Special Session Laws of Hawaii, 2005, as applicable to:
 - A. Emergency shelters built to comply with hurricane resistant criteria, including enhanced hurricane protection areas capable of withstanding a five hundred year hurricane event as well as other storms and natural hazards; and
 - B. Essential government facilities requiring continuity of operations; and

Additional Codes To Be Adopted

5. Code provisions based on nationally published codes or standards that include, but are not limited to,
 - residential and hurricane resistive standards for residential construction,
 - fire,
 - elevator,
 - electrical,
 - plumbing,
 - mechanical,
 - flood and tsunami,
 - existing buildings, and
 - energy conservation standards for building design and construction,
 - and
 - onsite sewage disposal.

Additional Codes That May Be Adopted

Other codes that are currently used or needed by new laws affecting buildings that are being considered for formal update and adoption by the SBCC:

- Boiler and pressure vessels
- Toilet, food establishment, sanitation
- LEED/green building standards

SBCC Code Implementation

- New state building code to be adopted within 18 months of new national/international model building code
- The state building code may include state amendments
- State building design to be in compliance with state building code within one year
- State building design is allowed to be exempt from
 - County codes that have not adopted the state building code
 - County amendments that are inconsistent with the minimum performance objectives of the state building code
 - County amendments that are contrary to amendments adopted by another county

SBCC Code Implementation by the county jurisdiction

- Counties may amend/adopt within two years without seeking approval of the state
 - If they do not, the state building code shall become applicable to county as an interim building code until the county amends/adopts state model building code
- Counties can create exemptions allowing the exercise of indigenous Hawaiian architecture