| 1 | ORDINANCE NO |
|----------|--|
| 2 | |
| 3 | AN ORDINANCE TO AMEND CHAPTER 8 OF THE REVISED CODE OF |
| 4 | ORDINANCES OF THE CITY OF LITTLE ROCK, ARKANSAS, TO |
| 5 | PROVIDE FOR THE ADOPTION OF THE 2009 INTERNATIONAL |
| 6 | ENERGY CONSERVATION CODE, FOR RESIDENTIAL STRUCTURES |
| 7 | WITH AMENDMENTS HERIN AND FOR OTHER PURPOSES. |
| 8 | |
| 9 | WHEREAS, Little Rock customers spend millions of dollars annually for electricity and natural gas |
| 10 | services, and |
| 11 | WHEREAS, more efficient buildings can conserve energy, reduce stress on our electricity grid and |
| 12 | natural gas supplies while saving money and resources for our citizens; and |
| 13 | WHEREAS, existing the State adopted and amended 2014 AR Energy Code is inferior in comparison |
| 14 | with the 2009 International Energy Conservation Code; and |
| 15 | WHEREAS, pursuant to A.C.A §14-55-206, the City of Little Rock has published a notice of intent to |
| 16 | adopt and require all new residential construction and additions, alterations and renovations to comply with |
| 17 | the 2009 International Energy Conservation Code, three (3) copies of which are available for public |
| 18 | inspection and review in the City Clerk's Office. |
| 19 | WHEREAS, such amendments are appropriate and necessary for the health, safety and welfare of |
| 20 | citizens. |
| 21 | NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY |
| 22 | OF LITTLE ROCK, ARKANSAS: |
| 23 | Section 1. This section of Little Rock, AR. Revised Code (1988) Sec. 8-2(7) is hereby deleted in its |
| 24 | entirety and the following language substituted therefore: |
| 25 | Sec 8-2 Codes Adopted |
| 26 | (7) The 2009 International Energy Conservation Code with amendments and supplements. |
| 27 | (A) Commercial. The Arkansas Energy Code, its Rules and Regulations as adopted and |
| 28 | promulgated by the Arkansas Energy Office, and as from time to time hereafter may be |
| 29 | amended, is hereby adopted by reference pursuant to A.C.A. §14-55-206. |
| 30 | (B) Residential. The 2009 International Energy Conservation Code (IECC) is hereby |
| 31 | adopted by reference for all new residential structures with the exception of \$107 Fees and \$100 Peerd of Annuals |
| 32 | §109 Board of Appeals. |
| 33 24 | (1) New residential construction. |
| 34 35 | The 2009 IECC is hereby amended by adding a provision requiring a Home Energy Pating System (HEPS) Index Pating for new residential construction. The City of |
| 55 | Rating System (HERS) Index Rating for new residential construction. The City of [Page 1 of 4] |

| 1 | | Little Rock requires that all new residential construction have a HERS Index |
|----|-----|---|
| 2 | | Rating completed by an independent Residential Energy Services Network |
| 3 | | (RESNET) Certified Home Energy Raters, or equivalent, prior to the issuance of |
| 4 | | a Certificate of Occupancy. Residential developments that utilize the exact same |
| 5 | | floor plan multiple times are required to have a HERS Index Rating completed on |
| 6 | | a minimum of 20% of the residential units. As per Chapter Six of the RESNET |
| 7 | | standards. |
| 8 | (2) | Sticker. |
| 9 | | A sticker provided by the City shall be posted in a very visible location near the |
| 10 | | front entrance to the residential structure indicating the estimated monthly and five |
| 11 | | (5)-year utility cost as derived from the HERS Rating until the structure is sold, or |
| 12 | | for at least ninety (90) days, whichever is less. |
| 13 | (3) | Additions, Alteration and renovations. |
| 14 | | All additions, alterations and renovations to existing residential structures shall |
| 15 | | comply with the standards of the 2009 IECC, but shall not be required to provide |
| 16 | | a HERS Index Rating or post a sticker. Where it is shown to be impractical to meet |
| 17 | | the 2009 IECC. "The Building Official may permit additions to comply with the |
| 18 | | Rules and Regulations as adopted and promulgated by the Arkansas Energy Office, |
| 19 | | and as from time to time hereafter may be amended." |
| 20 | (4) | Repairs. |
| 21 | | All repairs to existing residential structures and mechanical systems need only be |
| 22 | | constructed to at least the same energy conservation standard as the damaged |
| 23 | | structure or mechanical system which needed repair unless a higher standard is |
| 24 | | required by the 2009 IECC. |
| 25 | (5) | Fees. |
| 26 | | The Fees Section 107 shall be removed from the 2009 IECC to reflect that only |
| 27 | | the City Board of Directors can set required fees and any refund policy, the "Code |
| 28 | | Official" cannot set fees nor a refund policy. All fees shall be as prescribed in the |
| 29 | | 1988 Little Rock Code of Ordinances. |
| 30 | (6) | Spray foam insulation. |
| 31 | | Spray application of polyurethane foam to the exterior of ducts in attics and crawl |
| 32 | | spaces shall be permitted subject to all of the following. |
| 33 | | A. The Flame Spread Index is not greater than twenty-five (25) and the |
| 34 | | smoke-developed index is not greater than 450 at the specified installed |
| 35 | | thickness. |

| 1 | В | . The foam plastic is protected in accordance with the ignition barrier |
|----|--------------|---|
| 2 | | requirements. |
| -3 | C | The foam plastic complies with the requirements of Section R316. |
| 4 | | Duct coverings and linings shall not flame, glow, smolder or smoke when |
| 5 | | tested in accordance with the American Society for Testing Materials |
| 6 | | (ASTM) C 411 at the temperature to which they are exposed in service. |
| 7 | | The test temperature shall not fall below 250°F (121°C). Coverings and |
| 8 | | linings shall be listed and labeled. |
| 9 | E | . External duct insulation and factory-insulated flexible ducts shall be |
| 10 | | legibly printed or identified at intervals not longer than thirty-six (36) |
| 11 | | inches (914 mm) with the name of the manufacturer, the thermal resistance |
| 12 | | R-value at the specified installed thickness and the flame spread and |
| 13 | | smoke-developed indexes of the composite materials. Spray polyurethane |
| 14 | | foam manufacturers shall provide the same product information and |
| 15 | | properties, at the nominal installed thickness, to the customer in writing at |
| 16 | | the time of foam application. All duct insulation product R-values shall be |
| 17 | | based on insulation only, excluding air films, vapor retarders or other duct |
| 18 | | components, and shall be based on tested C-values at 75°F (24°C) mean |
| 19 | | temperature at the installed thickness, in accordance with recognized |
| 20 | | industry procedures. The installed thickness of duct insulation used to |
| 21 | | determine its R-value shall be determined as follows: |
| 22 | F | . For duct board, duct liner and factory-made rigid ducts not normally |
| 23 | | subjected to compression, the nominal insulation thickness shall be used. |
| 24 | G | . For ductwrap, the installed thickness shall be assumed to be 75% (25% |
| 25 | | compression) of nominal thickness. |
| 26 | Н | . For factory-made flexible air ducts, the installed thickness shall be |
| 27 | | determined by dividing the difference between the actual outside diameter |
| 28 | | and nominal inside diameter by two. |
| 29 | I. | For spray polyurethane foam, the aged R-value per inch measured in |
| 30 | | accordance with recognized industry standards shall be provided to the |
| 31 | | customer in writing at the time of foam application. In addition, the total |
| 32 | | R-value for the nominal application thickness shall be provided. |
| 33 | (7) <i>A</i> | ppeals. |
| 34 | Т | he Board of Appeals Section 109 shall be removed from the 2009 IECC and have |
| 35 | n | o force or application. Appeals of the Building Official's interpretation of this |
| | | |

| 1 | Energy Code shall be heard by the existing Board of Construction Appeals and no | | | | | |
|----------|---|---|--|--|--|--|
| 2 | new Board of Appeals for interpreting the 2009 IECC shall be created by this Code. | | | | | |
| 3 | Section 2. That in order to adequately prepare the residential construction industry for the 2009 IECC | | | | | |
| 4 | and the related new testing requirements, the effective date of the new code shall be implemented in stages | | | | | |
| 5 | as follov | vs: | | | | |
| 6 | (1) | All provisions of the adopted 2009 IECC, as amended, shall become effective on September | | | | |
| 7 | | 3, 2017, with the exception that a Certificate of Occupancy may be issued even if a residential | | | | |
| 8 | | structure does not pass the air sealing/infiltration or duct sealing testing requirements. | | | | |
| 9 | (2) | The HERS Index Rating and associated sticker requirements shall become effective on | | | | |
| 10 | | September 3, 2017. | | | | |
| 11 | (3) | All provisions of the adopted 2009 IECC, as amended, shall be effective on January 1, 2018. | | | | |
| 12 | PASSE | D: May 16, 2017 | | | | |
| 13 | ATTES | T: APPROVED: | | | | |
| 14 | | | | | | |
| 15 | | | | | | |
| 16 | | angley, City Clerk Mark Stodola, Mayor | | | | |
| 17 | APPRO | VED AS TO LEGAL FORM: | | | | |
| 18 | | | | | | |
| 19 20 | Thomas | M. Carpenter, City Attorney | | | | |
| 21 | // | | | | | |
| 22 | // | | | | | |
| 23 | // | | | | | |
| 24 | // | | | | | |
| 25 | // | | | | | |
| 26 | // | | | | | |
| 27 | // | | | | | |
| 28 | // | | | | | |
| 29 | // | | | | | |
| 30 | // | | | | | |
| 31 | // | | | | | |
| 32 | // | | | | | |
| 33 | // | | | | | |
| 34 | // | | | | | |
| 35 | // | | | | | |
| 36 | // | | | | | |