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SAMPLE ORDINANCE FOR ADOPTION OF THE *ICC PERFORMANCE CODE FOR BUILDINGS AND FACILITIES*

ORDINANCE NO. _____

An ordinance of the **[JURISDICTION]** adopting the *ICC Performance Code for Buildings and Facilities,* _____ edition, regulating and controlling the performance-based design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of building and/or fire protection systems in the **[JURISDICTION]**, providing for the issuance of permits and collection of fees therefore; repealing Ordinance No(s). ____ of the **[JURISDICTION]** and all other ordinances and parts of the ordinances in conflict therewith.

The **[GOVERNING BODY]** of the **[JURISDICTION]** does ordain as follows**:**

Section 1. That certain documents, three (3) copies of which are on file in the office of the **[JURISDICTION'S KEEPER OF RECORDS]** and the **[JURISDICTION]**, being marked and designated as the *ICC Performance Code for Buildings and Facilities*, including Appendix Chapters [FILL IN THE APPLICABLE APPENDIX CHAPTERS], as published by the International Code Council, be and is hereby adopted as the code of the **[JURISDICTION]** for regulating the performance-based design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of building and /or fire protection systems in the **[JURISDICTION]**.

Section 2. The issuance of permits and collection of fees therefore, and each and all of the regulations, provisions, conditions and terms of the *International Codes*, ____ edition published by the International Code Council, adopted by **[JURISDICTION]** Ordinance No(s). _____ also on file in the office of the **[JURISDICTION]** shall provide enforcement, permits, plan review, inspection, fees and Certificate of Occupancy requirements where not specified in the *ICC Performance Code for Buildings and Facilities.* The **[JURISDICTION]** also establishes the following Performance Groups for new and/or existing Use Groups or specific buildings or facilities for the application of this code[1].

ALLOCATION OF USE AND OCCUPANCY CLASSIFICATIONS AND SPECIFIC BUILDINGS OR FACILITIES TO PERFORMANCE GROUPS

PERFORMANCE GROUP	USE AND OCCUPANCY CLASSIFICATION OR SPECIFIC BUILDINGS OR FACILITIES
I	
II	
III	
IV	

Section 3. That Ordinance No(s). ____ of **[JURISDICTION]** entitled (*fill in here the complete title of the present ordinance(s) in effect at the present time so that they will be repealed by definite mention)* and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The **[GOVERNING BODY]** hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses and phrases be declared unconstitutional**.**

Section 5. That the **[JURISDICTION'S KEEPER OF RECORDS]** is hereby ordered and directed to cause this ordinance to be published. *(An additional provision may be required to direct the number of times the ordinance is to be published and to specify that it is to be in a newspaper in general circulation. Posting may also be required.)*

Section 6. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect **[TIME PERIOD]** from and after the date of its final passage and adoption.

[1] The concept of assigning buildings or facilities to Performance Groups relates to the use of Chapter 3 for the determination of Design Performance Levels. Communities may find that they have unique objectives that would require adjusting the performance groups assigned in Chapter 3 for particular buildings or facilities.

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101.2 Intent.

101.2.1 Building. To provide an acceptable level of health, safety and welfare, and to limit damage to property from events that are expected to impact buildings and structures. Accordingly, Part II of this code intends buildings and structures to provide for:

1. An environment free of unreasonable risk of death and injury from fires.
2. A structure that will withstand loads associated with normal use and of the severity associated with the location in which the structure is constructed.
3. Means of egress and access for normal and emergency circumstances.
4. Limited spread of fire both within the building and to adjacent properties.
5. Ventilation and sanitation facilities to maintain the health of the occupants.
6. Natural light, heating, cooking and other amenities necessary for the well being of the occupants.
7. Efficient use of energy.

101.2.2 Fire. Part III of this code establishes requirements necessary to provide an acceptable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in all facilities, equipment and processes.

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103.2.6 Equipment and processes. Equipment and processes, and their installation and operation shall comply with approved design documents submitted in accordance with this code, and shall be verified and approved to demonstrate compliance with this code.

103.2.7 Materials and contents. Materials and contents shall comply with approved design documents submitted in accordance with this code and shall be verified and approved to demonstrate compliance with this code.

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garding plan review, permit issue, inspection and enforcement shall supplement these provisions.

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103.3.1 Building owner's responsibility.

103.3.1.1 Design professional. The owner shall have the responsibility for retaining and furnishing the services of a design professional, who shall be in responsible charge of preparing and coordinating a complete and comprehensive set of design documents and other services required to prepare reports and other documents in accordance with this code. If the services required by this section are not provided, the use of this code is prohibited.

103.3.1.2 Principal design professional. When the project requires the services of multiple design professionals, a principle design professional shall be retained and furnished, who shall have the contractual responsibility and authority over all required design professional disciplines to prepare and coordinate a complete and comprehensive set of design documents for the project.

103.3.1.3 Peer review. The owner shall be responsible for retaining and furnishing the services of a design professional or recognized expert, who will perform as a peer reviewer, when required and approved by the code official. See Section 103.3.6.3 of this code.

103.3.1.4 Costs. The costs of all special services, including contract review, when required by the code official, shall be borne by the owner.

103.3.1.5 Document retention. The owner shall retain on the premises all documents and reports required by this code and make them available to the code official upon request.

103.3.1.6 Maintenance. The owner is responsible to operate and maintain a building, structure or facility designed and built under this code in accordance with the bounding conditions and the Operations and Maintenance Manual.

103.3.1.7 Changes. The owner shall be responsible to ensure any change to the facility, process or system does not increase the hazard level beyond that originally designed without approval and that all changes shall be documented in accordance with this code.

103.3.1.8 Special expert. Where the scope of work is limited or focused in an area that does not require the services of a design professional or the special knowledge and skills associated with the practice of architecture or engineering, a special expert may be employed by the owner as the person in responsible charge for the limited or focused activity. It is the intent of this code that the individual shall possess the qualification characteristics required in Appendix D.

103.3.1.9 Occupant requirements. The owner is responsible and accountable to ensure that all occupants and employees who are required to take certain actions or perform certain functions in accordance with a performance-based design, possess the required knowledge and skills and are empowered to perform those actions.

103.3.2 Design professional qualifications. The principal design professional, architects, engineers and other design professionals in responsible charge for their discipline as a member of a design team shall be responsible and accountable to possess the required knowledge and skills to perform design, analysis and verification in accordance with the provisions of this code and applicable professional standards of practice. It is the intent of this code that these individuals possess the qualification characteristics as stated in Appendix D. Qualification statements shall be submitted to the code official for the principal design professional, design professionals and special experts to demonstrate compliance with Appendix D.

103.3.3 Design professionals' and special expert responsibilities.

103.3.3.1 Principal design professional. When multiple design disciplines are involved, the principal design professional is responsible to ensure that all design elements are comprehensive and complete before submittals are made to the code official. During the code review process all designated reports, drawings and design documents necessary to demonstrate compliance with the code shall be submitted by the principal design professional. The principal design professional's responsibilities include those of a design professional.

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103.3.3.4 Acceptable methods. Design professionals shall use authoritative documents or design guides to determine testing and verification methods for selecting building materials that are compatible with the building systems approach selected.

103.3.3.5 References. Design professionals are responsible to document applicable design guides or authoritative documents for a performance-based design and demonstrate how these documents are utilized to substantiate design solutions to show compliance with the provisions of this code. The use of documents that are not accepted as authoritative documents or design guides will require substantiation with the code official to obtain acceptance.

103.3.3.6 Documentation of bounding conditions. The design professional shall document all bounding conditions and establish thresholds that determine when changes must be approved by the code official.

103.3.3.7 Compliance with bounding conditions. The design professional(s) shall review the completed construction elements, equipment, furnishings, processes, and contents to verify compliance with the bounding conditions and the critical design features identified in the approved design documents. The code official may require that the principal design professional file a report to verify compliance with the bounding conditions and the critical design features at the completion of the project as a condition of obtaining required certificates.

103.3.3.8 Special expert. The scope of work of a special expert shall be limited to the area of expertise as demonstrated in the documentation submitted to the code official for review and approval. Where a special expert performs functions of a design, the special experts shall assume the responsibilities of that phase of the design.

103.3.4 Design documentation.

103.3.4.1 General. The design professional shall prepare appropriate documentation for the project that clearly provides the design approach and rationale for design submittal, construction, and future use of the building, facility or process.

103.3.4.1.1 Required documentation. The documentation for the project shall identify the goals and objectives; the steps undertaken in the analytical analysis; the facility maintenance and testing requirements; and limitations and restrictions on the use of the facility in order to stay within bounding conditions. When requirements for documentation are specified in applicable engineering and/or design guides, documentation shall be included in the design documents. Computer modeling documentation shall comply with Appendix E.

103.3.4.1.2 Extent of documentation. The level of documentation provided shall be adequate to clearly convey the required information to the involved parties, and shall be commensurate with the scope and complexity of the project.

103.3.4.1.3 Verification of compliance. Documentation shall be prepared which clearly verifies that all applicable performance and all applicable prescriptive code provisions have been met.

103.3.4.1.4 Deed restriction. Design features, with bounding conditions that require continued maintenance or supervision by the owner throughout the life of the building, facility or process as conditions of compliance with the objectives of this code, shall be recorded as a deed restriction until released by the code official. When required by the code official the deed restriction shall be modified to reflect specific changes.

103.3.4.1.5 Phased and partial occupancy. The design documents shall include an evaluation of hazards and proposed resolution of associated risks during construction in advance of a request for phased or partial occupancy.

103.3.4.1.6 Emergency response capabilities. Design documentation shall clearly describe the level of response expected by emergency responders under the direct control of the owner. Emergency response capabilities, staffing levels, training requirements and equipment availability shall be documented as a bounding condition.

103.3.4.2 Reports and manuals. When required by the code official, design documentation shall include a Concept Report, Design Report and Operations and Maintenance Manual.

103.3.4.2.1 Concept Report. The Concept Report shall document the preliminary details of the project, identify the parties involved in the project, and define the goals and objectives to be utilized in the performance-based design analysis. The Concept Report shall be submitted to the code official as a means of communicating the programming and early schematic phase of a proposed project and to obtain concurrence between the code official and the project design team on the goals and objectives to be utilized in the analysis. The concept report shall address but not be limited to the following:

1. General project information, including schematic layout and site plan.
2. Definition of project scope.
3. Description of building and occupant characteristics.
4. Project goals and objectives.
5. Selected event scenarios.
6. Methods of evaluation.
7. Qualification statements for principal design professional, design professionals and special experts.
8. Proposed performance and prescriptive code usage.
9. Conceptual site and building plan.

103.3.4.2.2 Design Report. The Design Report shall document the steps taken in the design analysis, clearly identifying the criteria, parameters, inputs, assumptions, sensitivities and limitations involved in the analysis. The Design Report shall clearly identify bounding conditions, assumptions and sensitivities that clarify the expected uses and limitations of the performance analysis. This report shall verify that the design approach is in compliance with the applicable codes and acceptable methods and shall be submitted for concur-

rence by the code official prior to the design documents being completed. The report shall also document the design features to be incorporated based upon the analysis. The Design Report shall address but not be limited to the following:

1. Project scope.
2. Goals and objectives.
3. Performance criteria.
4. Hazard scenarios.
5. Design fires loads and hazards.
6. Final design.
7. Evaluation.
8. Bounding conditions and critical design assumptions.
9. Critical design features.
10. System design and operational requirements.
11. Operational and maintenance requirements.
12. Commissioning-testing requirements, and acceptance criteria.
13. Frequency of certificate renewal.
14. Supporting documents and references.
15. Preliminary site and floor plans.

103.3.4.2.3 Operations and Maintenance Manual. The Operations and Maintenance Manual shall identify system and component commissioning requirements and the required interactions between these systems. The manual shall identify for the facility owner and the facility operator those actions that need to be performed on a regular basis to ensure that the components of the performance-based design are in place and operating properly. Furthermore, the Operations and Maintenance Manual shall identify the restrictions or limitations placed upon the use and operation of the facility in order to stay within the bounding conditions of the performance-based design. The Operations and Maintenance Manual shall be submitted at the time of the design documents submittal, unless the code official approves another time based upon the type of project and data needed for a composite review. The Operation and Maintenance Manual shall address but not be limited to the following:

1. Description of critical systems.
2. Description of required system interactions.
3. Occupant responsibilities.
4. Occupant and staff training requirements.
5. Periodic operational requirements.
6. Periodic maintenance requirements.
7. Periodic testing requirements.
8. Limitations on facility operations (Due to bounding conditions).
9. Report format for recording maintenance and operation data.
10. System and component commissioning requirements.

103.3.5 Design submittal.

103.3.5.1 General. Applicable design documents required in Sections 103.3.2, 103.3.3 and 103.3.4 for submittal in this code and other applicable codes under the jurisdiction of the code official shall be submitted to the code official for review. The documents shall be submitted in accordance with the jurisdiction's procedures and in sufficient detail to obtain appropriate permits.

103.3.5.2 Coordination of design documents. Design documents shall be coordinated by the principal design professional for consistency, compatibility and completeness prior to submittal. Documentation shall be provided to the code official to demonstrate compliance with the performance provisions, including acceptable methods.

103.3.5.3 Performance-based design features. The design documents shall clearly indicate those areas of the design that are performance-based and shall be provided to the code official.

103.3.5.4 Extent of documentation and references. The code official shall be provided with sufficient documentation to support the validity, accuracy, relevance and precision of the proposed methods. Copies of referenced documentation shall be made available to the code official.

103.3.5.5 Inspections, testing, operation and maintenance. The design documents shall specify when and where special inspection and testing are required, the standards of acceptance for demonstrating compliance with the design documents, and operations and maintenance requirements for future use of the building.

103.3.5.6 Management of change. The submittal shall include appropriate management of change protocol to address how changes in the design documents will be managed for construction, operation, and maintenance activities.

103.3.6 Review and approval.

103.3.6.1 Procedures. Document review and approval shall be accomplished in accordance with the code official's procedures.

103.3.6.2 Review. The code official shall be responsible to perform a knowledgeable review of the proposed design project to verify compliance with this code or the code official shall retain competent assistance to perform the review in accordance with acceptable standards of practice.

103.3.6.3 Contract and peer review. Review may be accomplished by a contract reviewer when the reviewer is assigned by the code official. In addition, the code official may require a peer review process to review design criteria and supporting documents and/or design documents.

103.3.6.4 Approval. After documents and other supporting data are reviewed and approved by the code official to verify compliance with the applicable codes, permits may be issued.

103.3.7 Permits and inspections.

103.3.7.1 Permits. Prior to the start of construction, appropriate permits shall be obtained in accordance with the jurisdictions procedures, and applicable codes.

103.3.7.2 Inspection. Approved inspections shall be obtained in accordance with the design documents, jurisdictions procedures and applicable codes.

103.3.7.3 Verification reports. Inspection, testing and related verification reports shall be filed with the code official to verify compliance with approved design documents and applicable prescriptive code provisions.

103.3.7.4 Product installation. Compliance shall be verified for materials, fabrication, manufacturer's and engineer's installation procedures by product labeling, certification, quality assurance processes and testing, as applicable, to verify compliance.

103.3.7.5 Compliance verification. At the completion of construction, the code official shall verify that inspection and testing reports demonstrate compliance with the applicable codes and approved design documents.

103.3.7.6 Operational Permits. Prior to initiating facility uses and processes regulated under Part III of this code, appropriate permits shall be obtained

103.3.8 Project Documentation.

103.3.8.1 Verification of compliance. Upon completion of the project, documentation shall be prepared that verifies all performance and prescriptive code provisions have been met. When required by the code official in accordance with Section 103.3.3.6, the principal design professional shall file a report that verifies bounding conditions are met.

103.3.8.2 Extent of documentation. All approved design documents, the Operations and Maintenance Manual, inspection and testing records and Certificates of Occupancy with conditions shall be included in the project documentation of the code official's records**.**

103.3.8.3 Deed restrictions. Design features with bounding conditions determined by the design professional to require continued operation and maintenance by the owner throughout the life of the building as conditions of compliance with the objectives of this code shall be recorded as a deed restriction as required by the code official until released by the code official.

103.3.8.4 Technical opinion. The code official has the authority to require a technical opinion and report from an individual or organization with special expertise to identify and develop methods of protection from special hazards, and to determine the acceptability of technologies, processes, products, equipment, materials and uses applicable to the design, operation or use of a building or facility. The intent of this code is that the technical opinion and report shall be prepared by a qualified individual. See Appendix D.

103.3.9 Certificates.

103.3.9.1 Certificate of Occupancy. Prior to occupancy of a building, a Certificate of Occupancy shall be obtained from the code official.

103.3.9.1.1 Continued occupancy. A Certificate of Occupancy is required for the continued occupancy of a building.

103.3.9.1.2 Temporary Certificate of Occupancy. The code official has the authority to issue a Temporary Certificate of Occupancy for a limited time with specified conditions providing all life-safety items are accepted.

103.3.9.1.3 Conditional Certificate of Occupancy. The code official has the authority to issue a Certificate of Occupancy with conditions valid for a specified time period that requires continued compliance with bounding conditions and the operations and maintenance manual. Failure to maintain compliance with the conditions of the Certificate of Occupancy is a violation of this code.

103.3.9.1.4 Revocation and renewal. Failure of the building owner to demonstrate to the code official that the building is being operated and maintained in compliance with Sections 103.3.1.6 and 103.3.9.1 is cause to revoke or not renew a Certificate of Occupancy.

103.3.9.2 Certificate of Compliance. Prior to use of a building, facility process or premises subject to Part III of this code, a Certificate of Compliance shall be obtained from the code official.

103.3.9.2.1 Continued use. A Certificate of Compliance is required for the continued use or occupancy of a facility, process or equipment subject to Part III of this code throughout the life of the facility.

103.3.9.2.2 Renewal frequency. The Certificate of Compliance issued subject to Part III of this code shall be renewed at a frequency as determined in the design and approved by the code official.

103.3.9.2.3 Revocation and renewal. Failure of the owner to demonstrate compliance with this section is cause to revoke or not renew the Certificate of Compliance.

103.3.10 Maintenance.

103.3.10.1 Owner's responsibility. The owner is responsible for maintaining the building or facility in accordance with the approved documents.

103.3.10.2 Continued compliance. Compliance with the operations and maintenance manual and bounding conditions shall be verified throughout the life of the building or facility at a frequency in accordance with the approved documents.

103.3.10.3 Compliance verification. Documents verifying that the building, facilities, premises, processes and contents are in compliance with the approved design documents and is maintained in a safe manner shall be filed with the code official at a frequency approved by the code official.

103.3.11 Remodeling, addition or change/approval of use.

103.3.11.1 Analysis of change. The design professional shall evaluate the existing building, facilities, premises, processes, contents and the applicable documentation of the proposed change as it affects portions of the building, facility, premises, processes and contents that were previously designed for compliance under a performance-based code. Prior to any change that was not documented in a previously approved design, the principal design professional shall examine the applicable design documents, bounding conditions, operation and maintenance manuals, and deed restrictions.

103.3.11.2 Coordination of design. When multiple design disciplines are involved, one design professional shall be responsible to ensure that all design elements are comprehensive and complete before submittals are made to the code official. During the code review process all designated reports, drawings and design documents necessary to demonstrate compliance with the code shall be submitted by the design professional.

103.3.11.3 Change in activity or contents. Any change in activity or contents that results in an increase in hazard or risk that exceeds the bounding conditions requires an evaluation and approval. The code official shall have the authority to require a full evaluation of the design.

103.3.11.4 Additions, renovations and related construction changes. Construction activities in existing buildings, facilities, premises or processes shall be evaluated by a design professional and documented in a written report which shall be submitted for review and approval in conjunction with the permit request. The report shall identify whether or not the proposed construction exceeds the bounding conditions, which will result in an increase in hazard or risk beyond that expected in the approved original design documents. When bounding conditions are not exceeded, the original design documents need not be revised. When bounding conditions are exceeded, the original design documents shall be revised so that compliance with this code is perpetuated.

103.3.11.5 Designs exceeding bounding conditions. Where a proposed change exceeds the bounding conditions and does not result in an increase to hazard or risk, as approved by the code official, any person authorized by the laws of the jurisdiction is allowed to prepare design documents and reports for submittal.

103.3.11.6 Change in design objectives and bounding conditions. When changes are proposed to the design objectives and bounding conditions of an existing building, facility, process or contents, a written report by the design professional shall be prepared to specify the new design objectives and demonstrate compliance with the current code.

103.3.12 Administration and enforcement.

103.3.12.1 Supplemental administrative provisions. Administrative provisions of the International Code Council's family of codes shall supplement the performance provisions for plan review, permit issuance, inspection, Certificate of Occupancy or compliance and enforcement.

103.3.13 Violations.

103.3.13.1 General. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or facility regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

103.3.13.2 Notice of violation. The code official shall serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or facility in violation of the provisions of this code, or in violation of a detail statement or construction documents approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

103.3.13.3 Violation. If the notice of violation is not complied with promptly, the code official has the authority to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

103.3.13.4 Penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building, structure or facility in violation of the approved design documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

SECTION 104
ACCEPTABLE METHODS

104.1 Objective. To require the use of recognized authoritative documents and/or design guides for analysis, measurement of performance and determination of criteria used to evaluate compliance with the performance requirements of this code. See Chapter 2 for definitions.

104.2 Functional statements.

104.2.1 Approved methodologies. Design approaches shall utilize authoritative documents and design guides to demonstrate that designs are based on applicable and valid technical and scientific methodologies.

104.2.2 Design documents. Design documents shall indicate the method by which the design and construction are to be verified and applicable systems are to be measured.

104.2.3 Testing and inspection. Testing and inspection of materials and systems shall be based upon applicable authoritative documents and design guides.

104.3 Performance requirements and acceptance method approach.

104.3.1 Construction documents. Design professionals shall utilize acceptable methods. Construction documents shall contain the design approach, analysis, research, computation and criteria for acceptance that specifies the applicable design guides, and authoritative documents utilized to demonstrate that design objectives are met.

104.3.2 Design documents. Design documents shall include design verification methods that are required to demonstrate compliance with design objectives and applicable authoritative documents and design guides.

104.3.3 Individually substantiated design methods. Documents that do not meet the criteria for authoritative documents or design guides shall comply with the individually substantiated design method criteria in Appendix C.

104.3.4 Peer review. Designs that propose to use documents that do not meet the criteria for authoritative documents or design guides shall not be permitted unless approval is given by the code official. The resulting performance-based design shall undergo an independent peer review process.

CHAPTER 2
DEFINITIONS

SECTION 201
GENERAL

201.1 Scope. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this code, have the meanings indicated in this chapter.

201.2 Interchangeability. Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

201.3 Terms not defined in other codes. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

SECTION 202
DEFINED TERMS

ACCEPTABLE METHODS. Design, analysis and testing methods that have been approved for use in developing design solutions for compliance with the requirements of this code. See Section 104.

AMENITY. An attribute of, or system in, the building that provides services or functions related to the use of the building by the occupants, or that contributes to the comfort of the occupants and which is not necessary for the minimum protection of the occupants. For example, an automatic sprinkler system is not a building amenity.

ARCHITECT/ENGINEER. The individual architect or engineer who is registered or licensed to practice his or her 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. See Qualification Characteristics in Appendix D.

AUTHORITATIVE DOCUMENT. A document containing a body of knowledge commonly used by practicing architects or engineers. It represents the state-of-the-art, including accepted engineering practices, test methods, criteria, loads, safety factors, reliability factors and similar technical matters. The document portrays the standard of care normally observed with a particular discipline. The content is promulgated through an open consensus process or a review by professional peers conducted by recognized authoritative professional societies, codes or standards organizations, or governmental bodies.

BOUNDING CONDITIONS. Conditions, which if exceeded, invalidate the performance-based design. These could be maximum allowable conditions such as fuel load or type and arrangement of fuel load that must be maintained throughout the life of a building to ensure that design parameters are not exceeded.

CODE. The term used in this document to refer to the *ICC Performance Code for Buildings and Facilities*. Other codes in the ICC family of codes and *National Electrical Code*® are identified where used.

COMMISSIONING. The process of verifying that a system meets design, technical standards and code expectations via inspection, testing and operational functionality.

CONSULTANT. An individual who provides specialized services to an owner, designer, code official or contractor.

CONTRACT REVIEW. Plan review, as defined below, performed by a consultant who is retained by the code official for that purpose.

DESIGN DOCUMENTS. Design drawings, computations, geotechnical and other reports, specifications and related documentation which are submitted to governmental agencies for approval and for the purpose of constructing buildings and structures.

DESIGN GUIDE. A document containing a body of knowledge or information used by practicing architects and engineers which is not required to meet an open consensus requirement. It represents accepted architectural/engineering principles and practices, tests and test data, criteria, loads, safety factors, reliability factors and similar technical data.

DESIGN PROFESSIONAL. An individual who is registered or licensed to practice his or her 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.

ESSENTIAL FACILITIES. Buildings and other structures that are intended to remain operational in the event of extreme environmental loading from flood, wind, snow or earthquake.

FACILITY. (General Application) Includes all buildings or structures (permanent or temporary) including all fire- and life-safety systems installed therein. A facility includes interior and exterior storage areas, equipment and processes dealing with flammable and combustible substances and hazardous materials, on site. The term includes tents, membrane structures, mobile and manufactured structures, storage tanks, piers, wharves and all required access roads and areas.

FACILITY. (Only applicable to Section 702) The entire building or any portion of a building, structure or area, including the site on which such building, structure or area is located, wherein specific services are provided or activities are performed.

PEER REVIEW. An independent and objective technical review of the design of a building or structure to examine the proposed conceptual and analytical concepts, objectives and criteria of the design and construction. It shall be conducted by an architect or engineer who has at least a comparable level of experience in the design of projects similar to the one being reviewed as those of the architect or engineer responsible for the project.