

## NOTICE TO ALL OKLAHOMA MUNICIPALITIES AND OTHER POLITICAL SUBDIVISIONS

The 2009 editions of the **International Building Code®**, **International Existing Building Code®**, **International Fire Code®**, **International Fuel Gas Code®**, **International Mechanical Code®**, **2009, International Plumbing Code®**, and the **2011 edition of the National Electrical Code®** have been adopted with modifications by the State of Oklahoma through the Uniform Building Code Commission utilizing the Secretary of State's Office of Administrative Rules process. These codes are effective November 1, 2012.

These codes are the **minimum building codes** for all Commercial Construction throughout the State of Oklahoma including **the rural areas of the state**.

Previously, the **International Residential Code, 2009 edition was adopted with modifications** by the State of Oklahoma through the Uniform Building Code Commission utilizing the Secretary of State's Office of Administrative Rules process. This code was effective July 15, 2011.

The 2009 IRC is the **minimum building code** for all Residential Construction (Building, Plumbing, Mechanical, Fuel Gas and Electrical) throughout the State of Oklahoma including **the rural areas of the state**.

You may see the modifications by clicking on this link:

[http://www.ok.gov/oubcc/Codes\\_& Rules/Adopted\\_Building\\_Codes/index.html](http://www.ok.gov/oubcc/Codes_& Rules/Adopted_Building_Codes/index.html)

Please contact the Oklahoma Uniform Building Code Commission at 405-521-6501 with any questions you may have.

STATE OF OKLAHOMA  
OKLAHOMA UNIFORM BUILDING CODE COMMISSION

EFFECTIVE JULY 15, 2011,  
PUBLIC NOTICE OF FORMAL ADOPTION OF  
INTERNATIONAL RESIDENTIAL CODE® FOR ONE- AND TWO-FAMILY  
DWELLINGS AND TOWNHOUSES, 2009 EDITION (IRC 2009)  
BY THE STATE OF OKLAHOMA,  
AS AMENDED AND MODIFIED IN  
OKLAHOMA ADMINISTRATIVE CODE (OAC) 748: 20-5-1 to 20-5-23,  
TO BE THE MINIMUM STANDARDS FOR RESIDENTIAL CONSTRUCTION  
FOR ONE AND TWO FAMILY DWELLINGS AND TOWNHOUSES  
WITHIN THE STATE OF OKLAHOMA

AND

EFFECTIVE NOVEMBER 1, 2012,  
PUBLIC NOTICE OF FORMAL ADOPTION OF  
THE INTERNATIONAL BUILDING CODE®, 2009, THE INTERNATIONAL  
FIRE CODE®, 2009, THE INTERNATIONAL EXISTING BUILDING CODE®,  
2009, THE NATIONAL ELECTRICAL CODE®, 2011, THE INTERNATIONAL  
FUEL GAS CODE®, 2009, THE INTERNATIONAL MECHANICAL CODE®,  
2009, AND THE INTERNATIONAL PLUMBING CODE®, 2009  
BY THE STATE OF OKLAHOMA, AS AMENDED AND MODIFIED IN  
OKLAHOMA ADMINISTRATIVE CODE (OAC) 748: 20-1-1 to 748: 20-15-16  
TO BE THE MINIMUM STANDARDS FOR COMMERCIAL CONSTRUCTION  
WITHIN THE STATE OF OKLAHOMA

PURSUANT TO 59 O.S.SUPP.2010, § 1000.23

The 2009 Oklahoma Legislature passed the Oklahoma Uniform Building Code Commission Act, 59 O.S.Supp.2010, §§ 1000.20 - 1000.29 (the "Act") with an Emergency Clause attached, which Act was signed by Governor Brad Henry on June 2, 2009. The Act §1000.21(A)(1) created the Oklahoma Uniform Building Code Commission (the "OUBCC").

Pursuant to the Act § 1000.23(A); OUBCC has the power and the duty to review and adopt all building codes for residential and commercial construction to be used by all entities within this state. According to Act § 1000.23(A), second sentence, "Codes and standards adopted by the Commission [OUBCC] shall be the minimum standards for residential and commercial construction in this state." (emphasis added).

## **SPECIAL NOTICE: MUNICIPALITIES AND OTHER POLITICAL SUBDIVISIONS**

According to the Act § 1000.23 (C), Oklahoma **"Municipalities and other political subdivisions shall abide by such minimum standards and requirements."** (emphasis added). In § 1000.24 (A)(3), the Act provides that any codes adopted by municipalities or other political subdivisions of the state prior to uniform codes being adopted by OUBCC, pursuant to the provisions of or rules promulgated pursuant to the Act, "...shall be considered valid and in effect **until uniform codes are adopted by the Oklahoma Uniform Building Code Commission.**" (emphasis added).

## **SPECIAL NOTICE: ALL PUBLIC PROJECTS IN OKLAHOMA**

According to the Act § 1000.23 (B), **"All public projects shall abide by such minimum standards and requirements."** (emphasis added).

## **PROMULGATED PERMANENT RULES APPROVED BY GOVERNOR AND LEGISLATURE**

The Act §1000.24(A)(1) provides that OUBCC shall have the power to adopt, amend, repeal and promulgate rules as may be necessary to perform the duties required under the Act. Subsequent to the enactment of the Act, the OUBCC engaged in the rulemaking process for permanent rules to promulgate its first set of code-adopting permanent rules in order to adopt the International Residential Code© for One- and Two-Family Dwellings 2009 Edition (IRC 2009) as amended and modified in Oklahoma Administrative Code (OAC) 748: 20-5-1 to 20-5-23. As part of the rulemaking process for permanent rules, these Code-adopting permanent rules were subject to and successfully completed the Gubernatorial and Legislative review process resulting in approval by both Governor Mary Fallin and the 2011 Oklahoma Legislature. Subsequent to such required approvals, the Oklahoma Administrative Code (OAC) 748: 20-5-1 to 20-5-23 was published in the Oklahoma Register on July 1, 2011, with an effective date of July 15, 2011.

Further, the OUBCC engaged in the rulemaking process for permanent rules to promulgate its Code-adopting permanent rules in order to adopt the International Codes® for commercial structures, the International Building Code®, 2009, the International Fire Code®, 2009, the International Existing Building Code®, 2009, the National Electrical Code®, 2011, the International Fuel Gas Code®, 2009, the International Mechanical Code®, 2009, and the International Plumbing Code®, 2009 as amended and modified in Oklahoma Administrative Code (OAC) 748: 20-5-1 to 20-5-23. As part of the rulemaking process for permanent rules, these Code-adopting permanent rules were subject to and successfully completed the Gubernatorial and Legislative review process resulting in approval by both Governor Mary Fallin and the 2011 Oklahoma Legislature. Subsequent to such required approvals, the Oklahoma Administrative Code (OAC) 748: 20-1-1 to 748: 20-15-16 was published in the Oklahoma Register on July 2, 2012, with an effective date of November 1, 2012.

## **SUGGESTED ACTIONS FOR MUNICIPALITIES AND OTHER POLITICAL SUBDIVISIONS**

As previously mentioned above, § 1000.24 (A)(3) of the Act provides that any codes adopted by municipalities or other political subdivisions of the state prior to uniform codes being adopted by OUBCC, pursuant to the provisions of or rules promulgated pursuant to the Act, "...shall be considered valid and in effect **until uniform codes are adopted by the Oklahoma Uniform Building Code**

**Commission.”** (emphasis added).

Effective July 15, 2011, the Oklahoma Uniform Building Code Commission has adopted the International Residential Code© for One- and Two-Family Dwellings 2009 Edition (IRC 2009) as amended and modified in Oklahoma Administrative Code (OAC) 748: 20-5-1 to 20-5-23, and effective November 1, 2012, the International Building Code®, 2009, the International Fire Code®, 2009, the International Existing Building Code®, 2009, the National Electrical Code®, 2011, the International Fuel Gas Code®, 2009, the International Mechanical Code®, 2009, and the International Plumbing Code®, 2009 as amended and modified in Oklahoma Administrative Code (OAC) 748: 20-1-1 to 20-15-16.

Accordingly, in order for Oklahoma municipalities and other political subdivisions to have valid residential and commercial codes in effect, such local governmental entities need to begin to take certain steps towards compliance with Oklahoma law.

1. Oklahoma municipalities and other political subdivisions, if they have not done so or have not done so recently, should familiarize themselves with the Act, OAC 748: 20-5-1 to 20-5-23 and IRC 2009 as amended and modified in OAC 748: 20-5-1 to 20-5-23, and the International Building Code®, 2009, the International Fire Code®, 2009, the International Existing Building Code®, 2009, the National Electrical Code®, 2011, the International Fuel Gas Code®, 2009, the International Mechanical Code®, 2009, and the International Plumbing Code®, 2009 as amended and modified in Oklahoma Administrative Code (OAC) 748: 20-1-1 to 20-15-16 through their respective Elected Officials, Officers, Attorneys, Building Officials and municipal staffs as well as reviewing their own previously adopted residential and/or commercial building codes.

**(Please Note:** Local jurisdictions that have previously adopted building codes in some form may need to amend such previous versions so as, at a minimum, to match or exceed the codes as amended and modified in OAC 748: 20-5-1 to 20-5-23 and 748: 20-1-1 to 20-15-16 as adopted by OUBCC.)

2. While Oklahoma municipalities and other political subdivisions are required to abide by the minimum standards for residential and commercial construction as adopted by OUBCC, nothing in the Act prevents or takes away from such municipalities and other political subdivisions the authority to enact and enforce requirements containing **higher standards and requirements** than those minimum standards for residential and commercial construction as adopted by OUBCC. *See* 59 O.S. Supp.2010, § 1000.23(C).

3. Oklahoma municipalities and other political subdivisions may wish to consult their own Attorney(s) as to the best way for their jurisdiction to adopt these codes as amended and modified in OAC 748: 20-5-1 to 20-5-23 and &748: 20-1-1 to 20-15-16.

4. Sample Ordinances that Oklahoma municipalities and other political subdivisions may wish to review, follow and/or modify for individual use are available on the OUBCC Web site under the Forms tab: <http://www.ok.gov/oubcc/>

5. Oklahoma municipalities and other political subdivisions should take action to adopt the codes as amended and modified in OAC 748: 20-5-1 to 20-5-23 and 748: 20-1-1 to 20-15-16 in order to comply with the requirements of 59 O.S. Supp.2010, § 1000.23 (C).

6. Oklahoma municipalities and other political subdivisions shall send all amendments for **higher standards and requirements** to their adoption immediately to the OUBCC along with documentation for publication on the website.

Adopted codes, a certification letter and a copy of the relevant meeting minutes shall be sent to the Oklahoma Uniform Building Code Commission by electronic mail, facsimile or regular mail.

E-mail: [mary.oberly@oubcc.ok.gov](mailto:mary.oberly@oubcc.ok.gov)

Fax: (405) 521-6504

Mail: P.O. Box 700007, Oklahoma City, OK 73107

Refer to the OUBCC website, <http://www.ok.gov/oubcc>, for FAQs. For additional questions, contact the OUBCC, at (405) 521-6501.

**Sample Certification Letter to Accompany  
Ordinances and Orders Adopting Building Codes**

Pursuant to the requirements of OAC 748: 15-1-2, Ordinances and Orders adopting building codes, a certification letter and a certified copy of the meeting minutes in which meeting each ordinance or order was adopted, shall, upon adoption, be sent to the Oklahoma Uniform Building Code Commission by first-class U.S. mail to P.O. Box 700007, Oklahoma City, OK 73107.

**For Cities and Towns Adopting Building Codes by Ordinance:**

\_\_\_\_\_, 20\_\_

Oklahoma Uniform Building Code Commission

I the undersigned certify that the attached is a true and correct copy of the ordinance(s) adopting each and every building code adopted by (City of \_\_\_\_/Town of \_\_\_\_ ) by Ordinance(s)# \_\_\_\_\_ on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature of Mayor, Board President or Municipal Attorney

\_\_\_\_\_  
Printed Name of Mayor, Board President or Municipal Attorney

\_\_\_\_\_  
Title: Mayor, Board President or Municipal Attorney

**For Counties Adopting Building Codes by Order:**

\_\_\_\_\_, 20\_\_

Oklahoma Uniform Building Code Commission

I the undersigned certify that the attached is a true and correct copy of the order(s) adopting each and every building code adopted by (County of \_\_\_\_\_) by Order(s)# \_\_\_\_\_ on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature of County Commission Chairman or District Attorney

\_\_\_\_\_  
Printed Name of County Commission Chairman or District Attorney

\_\_\_\_\_  
Title: County Commission Chairman or District Attorney