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**ANCHORAGE, ALASKA**  
**AO No. 2022-\_\_\_\_\_**

1 **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING**  
2 **BUILDING CODES AT ANCHORAGE MUNICIPAL CODE CHAPTER 23.10,**  
3 **ANCHORAGE ADMINISTRATIVE CODE 2018 EDITION, TO ALLOW OPTIONAL**  
4 **INDEPENDENT PLAN REVIEW OF STRUCTURAL DESIGN FOR COMMERCIAL**  
5 **BUILDING PERMITS.**  
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8 **WHEREAS**, Title 23 of Anchorage Municipal Code provides applicants applying for a  
9 residential single-family or two-family building permit the option to use independent  
10 reviewing professionals for plan review; and  
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12 **WHEREAS**, the Anchorage building community utilizes this option frequently, saving  
13 Anchorage residents and Municipality of Anchorage staff, time and resources; and  
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15 **WHEREAS**, this ordinance would provide applicants applying for a commercial  
16 building permit the option to use an independent reviewing professional for review of  
17 structural plans only; now, therefore,  
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19 **THE ANCHORAGE ASSEMBLY ORDAINS:**

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21 **Section 1.** Anchorage Municipal Code section 23.10.104.9 is hereby amended to  
22 read as follows:  
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24 **23.10.104.9 – Optional independent [RESIDENTIAL SINGLE-FAMILY AND**  
25 **TWO-FAMILY] plan review.**  
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27 A. Residential one-, two-, and three-family dwellings. For residential one-  
28 family, [SINGLE-FAMILY OR] two-family, and three-family dwelling  
29 permit applications, the permit applicant shall have the qualified option  
30 for independent reviewing professionals, as described in this  
31 subsection [B BELOW], to accept responsibility for plan review and  
32 building code compliance for the permit. For permit applications  
33 submitted under this provision, it shall not be the responsibility of the  
34 building official to review the application for compliance with applicable  
35 building codes. The building official shall conduct or cause to be  
36 conducted reviews for zoning, address, flood, NPDES, storm water and  
37 any other reviews necessary for the project.

38 1. [A.] The applicant's exercise of the option and the identity of the  
39 independent reviewing professionals shall be designated on the  
40 building permit application in accordance with this section.

41 2. [B.] Plan review shall be conducted by independent reviewing  
42 professionals as follows:

43 a. [1.] Review of the structural plans and calculations shall be  
44 conducted by a professional engineer currently registered

1 by the State of Alaska Board of Registration for  
2 Architects, Engineers and Land Surveyors as either a  
3 structural engineer or a civil engineer. A reviewing civil  
4 engineer must be able to demonstrate experience in  
5 structural engineering.

6 b. [2.] Review of the plans for fire code compliance and building  
7 safety shall be conducted by either

8 i.[(i)] an individual certified as a Building Plans  
9 Examiner or Residential Plans Examiner by the  
10 International Code Council (ICC), or

11 ii.[(ii)] a professional architect registered by the State of  
12 Alaska Board of Registration for Architects,  
13 Engineers and Land Surveyors.

14 c. [3.] The structural review and the review for fire code  
15 compliance and building safety may be conducted by a  
16 single individual if that individual meets the certification  
17 requirements set forth in both subsections 2.a. and  
18 2.b.[B.1 AND B.2], above.

19 d. [4.] No application will be accepted where an independent  
20 reviewing professional [HAS] also serves[D] as the  
21 designer or builder of the project.

22 3. [C.] A complete building permit application reviewed pursuant to this  
23 section shall include:

24 a.[1.] Complete building plans and structural calculations;

25 b. [2.] Plot plan;

26 c. [3.] Completed storm water discharge permit application;

27 d. [4.] Letter of review signed by the appropriate independent  
28 reviewing professional demonstrating experience in  
29 structural engineering certifying structural plans,  
30 calculations, fire code compliance, building safety,  
31 accepting responsibility for plan review, as required by  
32 this section;

33 e. [5.] Signed release of liability, as required by this section; and

34 f. [6.] Any geotechnical reports required by Titles 21 and 23 of  
35 the Anchorage Municipal Code.

36 4. [D.] The plans, calculations and all documents required under this  
37 section may be submitted electronically via the department's  
38 electronic plan review software [KNOWN AS E-PLANS].

39 5. [E.] The building official shall confirm the application includes the  
40 materials required by sections 23.10.104.9 and 23.10.104.10. If  
41 complete and compliant with Title 21 regulations, the application  
42 shall be accepted, and the building official shall issue the permit  
43 provided that:

44 a. [1.] The permit application demonstrates the plans and  
45 specifications for residential one-, two-, and three-family  
46 [SINGLE-FAMILY AND/OR TWO-FAMILY] dwellings  
47 have been reviewed by independent reviewing  
48 professionals. Each reviewing professional must submit a  
49 signed letter of review with the plans describing the  
50 scope of their review and including the details of their

1 credentials to conduct such review. Each reviewing  
2 professional must include their registration number and  
3 the related expiration date.

4 b. [2.] The permit applicant and the independent reviewing  
5 professionals confirm in writing that the independent  
6 reviewing professionals accept responsibility for the plan  
7 review.

8 c. [3.] Each independent reviewing professional either:

9 i. [a.] Submits to the building official, in concert with the  
10 letter of review, a waiver of claims against the  
11 Municipality of Anchorage for all damages, losses  
12 and expenses, arising out of or resulting from the  
13 performance of the review, to the fullest extent  
14 permitted by law and on a form satisfactory to the  
15 Municipality of Anchorage Office of Risk  
16 Management, executed by  
17 (A)[i.] the reviewing professional;  
18 (B)[ii.] the building construction contractor; and  
19 (C)[iii.] the current owner of the property and any  
20 party under contract to purchase the  
21 property within a year of its completion; or

22 ii. [b.] Provides proof that they maintain professional  
23 liability insurance meeting each of the following  
24 requirements:

25 (A) [i.] Plan review and building code compliance  
26 review under Anchorage Municipal Code  
27 are within the scope of the professional  
28 liability insurance coverage.

29 (B) [ii.] The professional liability insurance  
30 provides a minimum of \$250,000 in  
31 coverage.

32 (C) [iii.] Coverage extends for no less than two  
33 years from completion of the project  
34 construction. If the existing policy does not  
35 extend for the duration of this period, the  
36 independent reviewing professional must  
37 specify in his or her reviewing letter when  
38 the policy expires and that it will be  
39 renewed to ensure continuous coverage for  
40 no less than two years from the date of  
41 completion.

42 d. [4.] Each independent reviewing professional indemnifies,  
43 holds harmless and states they shall defend the  
44 Municipality of Anchorage from and against all claims,  
45 damages, losses and expenses, including but not limited  
46 to attorney fees and costs, arising out of or resulting from  
47 the performance of the review to the fullest extent  
48 permitted by law.

49 6. [F.] Reviewing professionals do not have authority to approve code  
50 modifications or alternative materials, designs, and methods of

1 construction and equipment as defined in this code. Any request  
2 for consideration of code modifications or alternative materials,  
3 designs, and methods of construction and equipment shall be  
4 submitted to the building official for approval prior to or along  
5 with the permit application under the optional process.

6 Z. [G.] The building official may revoke the privilege afforded by this  
7 section of any individual who displays incompetence or lack of  
8 knowledge in matters relevant to the design and construction of  
9 one-, [AND] two-, and three-family dwellings, or who commits  
10 fraudulent acts.

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12 B. Commercial. For commercial permit applications, the permit applicant  
13 shall have the qualified option for an independent reviewing  
14 professional, as described in this subsection, to accept responsibility for  
15 structural plan review for the permit. For permit applications submitted  
16 under this provision, it shall not be the responsibility of the building  
17 official to review the application for compliance with applicable building  
18 codes regarding structural design requirements. The building official  
19 shall conduct or cause to be conducted reviews for fire, electrical,  
20 plumbing, zoning, address, flood, NPDES, storm water and any other  
21 reviews necessary for the project.

22 1. The applicant's exercise of the option and the identity of the  
23 independent reviewing professional shall be designated on the  
24 building permit application in accordance with this section.

25 2. Plan review shall be conducted by independent reviewing  
26 professionals as follows:

27 a. Review of the structural plans and calculations shall be  
28 conducted by a professional engineer currently registered  
29 by the State of Alaska Board of Registration for  
30 Architects, Engineers and Land Surveyors as either a  
31 structural engineer or a civil engineer. A reviewing civil  
32 engineer must be able to demonstrate experience in  
33 structural engineering.

34 b. No application will be accepted where an independent  
35 reviewing professional also serves as the designer or  
36 builder of the project.

37 3. A complete building permit application reviewed pursuant to this  
38 section shall include:

39 a. Complete building plans and structural calculations;

40 b. Plot plan;

41 c. Completed storm water discharge permit application;

42 d. Letter of review signed by the appropriate independent  
43 reviewing professional demonstrating experience in  
44 structural engineering certifying structural plans and  
45 calculations, and accepting responsibility for plan review,  
46 as required by this section;

47 e. Signed release of liability, as required by this section; and

48 f. Any geotechnical reports required by Titles 21 and 23 of  
49 the Anchorage Municipal Code.

50 4. The plans, calculations and all documents required under this

1 section may be submitted electronically via the department's  
2 electronic plan review software.

3 5. The building official shall confirm the application includes the  
4 materials required by sections 23.10.104.9 and 23.10.104.10. If  
5 complete and compliant with Title 21 regulations, the application  
6 shall be accepted, and the building official shall issue the permit  
7 provided that:

8 a. The permit application demonstrates the plans and  
9 specifications for the commercial building has been  
10 reviewed by an independent reviewing professional. The  
11 reviewing professional must submit a signed letter of  
12 review with the plans describing the scope of the review  
13 and including the details of the professional's credentials  
14 to conduct such review. The reviewing professional must  
15 include registration number and the related expiration  
16 date.

17 b. The permit applicant and the independent reviewing  
18 professional confirm in writing that the independent  
19 reviewing professional accepts responsibility for the plan  
20 review.

21 c. The independent reviewing professional provides proof  
22 that the person maintains professional liability insurance  
23 meeting each of the following requirements:

24 i. Plan review and building code compliance review  
25 under Anchorage Municipal Code are within the  
26 scope of the professional liability insurance  
27 coverage.

28 ii. The professional liability insurance provides a  
29 minimum of \$1,000,000 in coverage.

30 iii. Coverage extends for no less than two years from  
31 completion of the project construction. If the  
32 existing policy does not extend for the duration of  
33 this period, the independent reviewing  
34 professional must specify in his or her reviewing  
35 letter when the policy expires and that it will be  
36 renewed to ensure continuous coverage for no  
37 less than two years from the date of completion.

38 d. The independent reviewing professional indemnifies,  
39 holds harmless and states he/she shall defend the  
40 Municipality of Anchorage from and against all claims,  
41 damages, losses and expenses, including but not limited  
42 to attorney fees and costs, arising out of or resulting from  
43 the performance of the review to the fullest extent  
44 permitted by law.

45 6. Reviewing professionals do not have authority to approve code  
46 modifications or alternative materials, designs, and methods of  
47 construction and equipment as defined in this code. Any request  
48 for consideration of code modifications or alternative materials,  
49 designs, and methods of construction and equipment shall be  
50 submitted to the building official for approval prior to or along

with the permit application under the optional process.

7. The building official may revoke the privilege afforded by this section of any individual who displays incompetence or lack of knowledge in matters relevant to the design and construction of commercial buildings, or who commits fraudulent acts.

H. The building official may audit the reviews conducted by independent reviewing professionals as necessary to enforce the provisions of this code.

(AO No. 2020-85, § 1, 10-27-20; AO No. 2021-88(S), § 3, 2-15-22)

**Section 2.** Anchorage Municipal Code 23.10. Table 3-B, Plan Review Fees, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**23.10. Table 3-B - Plan review fees.**

1. Commercial Plan Review Fees	
A. Building Safety	
(1) Plan review	\$0.0031 valuation with a minimum of \$75
(2) Pre-approved plan review for new buildings	\$0.0017 * Valuation with a minimum of \$75 (In lieu of item A. (1))
<u>(3) Optional commercial plan reviewed by independent reviewing professionals</u>	<u>\$0.0017 * Valuation with a minimum of \$75 (In lieu of item A. (1))</u>
B. Land Use Plan Review	15% of the permit fee under Table A with a \$75 minimum fee
C. Fire Department	\$0.0011 * Valuation with a minimum of \$75
2. Residential Plan Review Fees	
A. Building Safety	
(1) Plan Review	\$0.005 * Valuation with a minimum of \$75
(2) Pre-Approved Plan Review	\$0.003 * Valuation with a minimum of \$75
(3) Optional <u>one-, two-, or three-family</u> [SINGLE-FAMILY AND TWO-FAMILY] reviewed by independent reviewing professionals	\$0.003 * Valuation with a minimum of \$75
B. Land Use Plan Review	15% of the permit fee under Table 3-A with a minimum of \$75

C. Fire Department optional residential fire plan review for Wildland Urban Interface	\$0.002 * Valuation with a minimum of \$75
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( AO No. 2020-85 , § 1, 10-27-20)

**Section 3.** This ordinance shall become effective 30 days after passage and approval by the Assembly. This ordinance shall only be effective as to new permit applications submitted after the effective date.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Chair of the Assembly

ATTEST:

\_\_\_\_\_  
Municipal Clerk

