

BRIC Building Code Activities

The adoption and enforcement of building codes is an important mitigation activity that provides significant resilience benefits. This program support material provides Applicants and subapplicants of the Building Resilient Infrastructure and Communities (BRIC) program with information relative to eligible building code-related activities under the State/Territory Allocation and Tribal Set-Aside, as described in the BRIC Notice of Funding Opportunity (NOFO).



Background

Section 1234 of the Disaster Recovery and Reform Act of 2018 (DRRA) amended Section 203 of the Stafford Act to expressly permit funding:

“...to establish and carry out enforcement activities and implement the latest published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs and establish minimum acceptable criteria for the design, construction, and maintenance of residential structures and facilities that may be eligible for assistance under this Act for the purpose of protecting the health, safety and general welfare of the buildings’ users against disasters.”

To support this legislative intent, the importance of these activities is explicitly highlighted as part of the intended BRIC program principles, as referenced in the BRIC NOFO:

“Support the adoption and enforcement of building codes, standards, and policies that will protect the health, safety, and general welfare of the public and have long-lasting impacts on community risk-reduction, including for critical services and facilities and for future disaster costs.”

As referenced in Section A.9 (*Program Overview, Objectives, and Priorities*) of the BRIC NOFO, building code adoption and enforcement efforts are eligible as a capability- and capacity- building activity under the State/Territory



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Allocation and Tribal Set-Aside of BRIC. This emphasis on building codes was reinforced by stakeholder feedback gathered in the summer of 2019, which indicated strong support for building code activities. Ideas stakeholders offered to overcome barriers to adoption and enforcement have been considered in the design of the program and several activities, such as training and outreach, have been incorporated into the list of eligible activities provided below.

Increasing the range of building code activities will support eligible states, territories, tribes, and local governments as they pursue building code adoption and enforcement measures to build community resilience.

Activity Eligibility Criteria

As described in Section C.3 (*Eligibility Information – Other Eligibility Information*) of the BRIC NOFO:

“C&CB [capability- and capacity-building] activities must result in a resource, strategy, or tangible mitigation product that will reduce or eliminate risk and damage from future natural hazards, increase resiliency, and promote a culture of preparedness.”

Building code activities are only eligible for funding under the State/Territory Allocation and Tribal Set-Aside; they are not eligible for funding under the national competition.

Eligible Building Code Adoption and Enforcement Activities

Eligible building code adoption and enforcement activities for the proposed BRIC program are activities that:

- Evaluate adoption and/or implementation of codes that reduce risk
- Enhance existing adopted codes to incorporate more current requirements or higher standards
- Develop professional workforce capabilities through technical assistance and training

The following is a non-exhaustive list of potential building code adoption and enforcement activities eligible under BRIC to enhance the knowledge, skills, and expertise of Applicants and subapplicants:

- Evaluate which code adoption and enforcement activities are best suited for the jurisdiction
 - For example, a community may evaluate the family of International Codes and decide to adopt all residential and nonresidential construction through the International Building Code (IBC). Evaluation activities include staff time or external labor consultants necessary for evaluations and expenses for code review committees. BRIC may also allow a community the option to decide to enter a Memorandum of Agreement or Intergovernmental Agreement with an adjacent jurisdiction or third-party provider to permit and enforce appropriate building codes.
- Adopt building codes or develop building code requirements, including publication of those requirements, related to land use, zoning, floodplain management, infrastructure, urban-wildland defensible space (e.g., building, stormwater management regulations), or other area, that help make the community more resilient
- Improve or modify current or existing building code requirements to reflect the latest code edition, exceed the latest code edition, or develop or modify building code–coordinated requirements, including publication of those requirements, related to land use, zoning, floodplain management, infrastructure, urban-wildland defensible space (e.g., stormwater management regulations), or other area, that help make the community more resilient

- Enhance existing adopted codes and enforcement to incorporate more current requirements, higher standards, electronic permitting, online model code access, virtual inspection technology, and remote building codes administration
- Provide or pursue training, including individual certification courses (inspector, plans reviewer, certified floodplain manager, etc.) and training for both the public and private sectors
- Develop planning, training, and exercises for post-disaster building code enforcement through the International Code Council's *When Disaster Strike's Institute* training course
- Develop activities related to improving code enforcement (evaluate processes, implement an inspection program, improve Building Code Effectiveness Grading Schedule [BCEGS] score, improve Community Rating System [CRS] rating, etc.)
- Develop or acquire software and hardware, and associated training, to assist with plan reviews, permitting, inspections, and records retention
- Purchase publications, or obtain digital license or printing permissions of publications, to support building code activities
- Engage consulting services to support activities related to building codes
- Cover costs associated with building department accreditation
- Conduct public awareness outreach activities (related to new requirements)

Building Code Activities in FEMA GO

The new FEMA Grants Outcomes (FEMA GO) management system will be used for the BRIC program, where Applicants and subapplicants submit, track, and manage all applications. The eGrants system will not be used to process BRIC applications or subapplications. This section provides a brief synopsis on how to submit building code activity subapplications in FEMA GO under the annual BRIC State/Territory Allocation or Tribal Set-Aside, including information on selecting the correct activity type and an overview of the required narrative questions. More information on navigating the new FEMA GO system and the full application process can be found at <https://www.fema.gov/grants/guidance-tools/fema-go>.

FEMA GO Information

- To begin a building code activity subapplication in FEMA GO, select the **“Project”** Subapplication Type.
- In the Scope of Work Section, select **“Codes and Standards”** as the Primary Activity Type.
- Choose a **Sub-Activity Type** that best describes your building code activity.
- Select a **Primary Community Lifeline**; if applicable, select secondary and tertiary lifelines as well.
- **Q: “Are you doing construction during this project?”**
 - Answer “No.”
- **Q: “Please identify the entity that will perform any long-term maintenance and provide a maintenance plan, schedule and cost information. The subapplicant or owner of the area to be mitigated is responsible for maintenance (including costs of long-term care) after the project is completed.”**
 - To fully address this question, focus on describing how building codes will be enforced and updated.

BRIC BUILDING CODE ACTIVITIES

- In the **Additional Comments** Section, provide insight on how education and outreach will be used to facilitate the building code activity.
- In the Cost Effectiveness Section, select **“Not Applicable.”**

Additional Resources

The resources below provide additional information related to the BRIC program to assist Applicants and subapplicants in their development of BRIC subapplications and can be found at <https://www.fema.gov/bric>:

- BRIC Technical Criteria Program Support Material
- BRIC Qualitative Criteria Program Support Material
- Mitigation Action Portfolio

Additional information about building codes can be found at the following sites:

- International Code Council training and certifications: <https://www.iccsafe.org/products-and-services/international-green-construction-code-igcc/training-and-certification/>
- U.S. Fire Administration online learning opportunities: https://www.usfa.fema.gov/training/coffee_break/060118.html
- FEMA Building Science resources: <https://www.fema.gov/building-code-resources>