

House Bill 1508

By: Representatives Stephens of the 164<sup>th</sup>, Smith of the 13<sup>th</sup>, and Benton of the 31<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 8-2-25 of the Official Code of Georgia Annotated, relating to  
2 state-wide application of minimum standard codes, so as to provide that the governing  
3 authority of any municipality or county in this state is authorized to exempt by ordinance or  
4 resolution compliance with the provisions contained in Section 17 of the International  
5 Building Code relating to earthquakes; provide for related matters; to repeal conflicting laws;  
6 and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 8-2-25 of the Official Code of Georgia Annotated, relating to state-wide  
10 application of minimum standard codes, is amended by striking paragraph (1) of subsection  
11 (c) and inserting in its place a new paragraph (1) of subsection (c) to read as follows:

12 "(c)(1) In the event that the governing authority of any municipality or county finds that  
13 the state minimum standard codes do not meet its needs, the local government may  
14 provide requirements not less stringent than those specified in the state minimum  
15 standard codes, except as provided in subsection (e) of this Code section, when such  
16 requirements are based on local climatic, geologic, topographic, or public safety factors;  
17 provided, however, that there is a determination by the local governing body of a need  
18 to amend the requirements of the state minimum standard code based upon a  
19 demonstration by the local governing body that local conditions justify such requirements  
20 not less stringent than those specified in the state minimum standard codes for the  
21 protection of life and property. All such proposed amendments shall be submitted by the  
22 local governing body to the department 60 days prior to the adoption of such amendment.  
23 Concurrent with the submission of the proposed amendment to the department, the local  
24 governing body shall submit in writing the legislative findings of the governing body and  
25 such other documentation as the local governing body deems helpful in justifying the  
26 proposed amendment. The department shall review and comment on a proposed

1 amendment. Such comment shall be in writing and shall be sent to the submitting local  
2 government with a recommendation:

3 (A) That the proposed local amendment should not be adopted, due to the lack of  
4 sufficient evidence to show that such proposed local amendment would be as stringent  
5 as the state minimum standard codes and the lack of sufficient evidence to show that  
6 local climatic, geologic, topographic, or public safety factors require such an  
7 amendment;

8 (B) That the proposed local amendment should be adopted, due to a preponderance of  
9 evidence that such proposed local amendment would be as stringent as the state  
10 minimum standard codes and a preponderance of evidence that the local climatic,  
11 geologic, topographic, or public safety factors require such an amendment; or

12 (C) That the department has no recommendation regarding the adoption or disapproval  
13 of the proposed local amendments, due to the lack of sufficient evidence to show that  
14 such proposed local amendment would or would not be as stringent as the state  
15 minimum standard codes and the lack of sufficient evidence to show that local climatic,  
16 geologic, topographic, or public safety factors require or do not require such an  
17 amendment."

## 18 SECTION 2.

19 Said Code section is further amended by adding a new subsection (e) to read as follows:

20 "(e) The governing authority of any municipality or county in this state is authorized to  
21 provide by ordinance or resolution an exemption from compliance with the provisions  
22 contained in Section 17 of the International Building Code relating to earthquakes. No  
23 such exemption shall be effective until the local governing body has caused a copy of the  
24 adopted ordinance or resolution to be filed with the department. A copy of the adopted  
25 ordinance or resolution shall be deemed to have been filed with the department when it has  
26 been placed in the United States mail, return receipt requested."

## 27 SECTION 3.

28 All laws and parts of laws in conflict with this Act are repealed.