

Building Resilient Infrastructure and Communities Building Code Activities

The adoption and enforcement of building codes, specifications, and standards is an important mitigation activity that provides significant resilience benefits. This Program Support Material (PSM) provides applicants and subapplicants of the Building Resilient Infrastructure and Communities (BRIC) program with information about eligible building code-related activities under the State or Territory Allocation and Tribal Set-Aside and also under the new State or Territory Building Code Plus-Up and Tribal Building Code Plus-Up. These are also described in the BRIC [funding opportunity](#).



Figure 1. Capacity and Capability Building – Building Code Activities

Background

Section 1234 of the [Disaster Recovery and Reform Act of 2018](#) amended Section 203 of the [Robert T. Stafford Disaster Relief and Emergency Assistance 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



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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.

As referenced in the Building Resilient Infrastructure and Communities (BRIC) [funding opportunity](#), building code adoption and enforcement efforts are eligible as capability- and capacity-building (C&CB) activities under the BRIC State or Territory Allocation and BRIC Tribal Set-Aside. This emphasis on building codes was reinforced by stakeholder feedback gathered during the development of the BRIC program, which indicated strong support for building code activities.

Ideas that stakeholders offered to overcome barriers to adoption and enforcement were considered in the design of the BRIC program. As a result, several activities, such as training and outreach, have been incorporated into the list of eligible activities provided in the sections below.

Increasing the range of building code activities will support eligible state, local, tribal, and territorial governments as they pursue building code adoption and enforcement measures to build community resilience. Additionally, many of the activities noted in this document could lead to higher technical criteria scores for code adoption and the Building Code Effectiveness Grading Schedule (BCEGS) rating, which will earn points in the BRIC National Competition.

Building Code Plus-Up

New in Fiscal Year 2023, BRIC will allow up to an additional \$2 million per state and territory to be dedicated for building code activities. This is called the State and Territory Building Codes Plus-Up.

In addition, BRIC will allow up to \$25 million to be dedicated for building code activities for federally recognized tribes called the Tribal Building Codes Plus-Up. Under the BRIC Building Code Plus-Up, state, territory or federally recognized tribal governments may carry out eligible building code adoption and enforcement activities such as:

- Implement 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 relating to building codes through technical assistance and training.

Building code adoption activities under this category should adopt building codes based on both the [International Building Code \(IBC\)](#) and the [International Residential Code \(IRC\)](#) model codes published by the International Code Council (ICC) either through mandatory state-wide or territory building code adoption requirement, or via local code adoption requirement.

For any consensus-based codes, specifications, or standards used to carry out these activities, the two most recently published editions may be used.

Eligibility Criteria

As described in the BRIC funding opportunity:

Subapplicants are exempt from the hazard mitigation plan requirements for the following C&CB activity types: (1) hazard mitigation planning and planning-related activities, (2) partnerships, and (3) building codes. A hazard mitigation plan is required for project scoping subapplications.

Building code activities are eligible for funding under the BRIC State and Territory Allocation and BRIC Tribal Set-Aside, as well as under the new BRIC State and Territory Building Code Plus-Up and BRIC Tribal Building Code Plus-Up described below. These activities are not eligible for funding under the BRIC National Competition.

Building code activities are the only activities eligible under the new State and Territory Building Code Plus-Up and Tribal Building Code Plus Up.

Eligible Building Code Adoption, Administration, and Enforcement Activities

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

- Adopt and/or implement codes, specifications, and/or standards that incorporate hazard-resistant designs and establish minimum acceptable criteria for the design, construction, and maintenance of residential and non-residential structures
- Enhance existing adopted codes, specifications, and/or standards to incorporate more current requirements or higher standards
- Develop professional workforce capabilities through technical assistance and training that capitalize on the use of virtual/electronic submission methods

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

- Implement which code adoption and enforcement activities are best suited for the jurisdiction
 - For example, a community may evaluate the family of International Codes, namely the [International Building Code](#), [International Residential Code](#), and the [International Existing Building Code](#), or other model building codes for adoption. Evaluation activities include staff time or external consultant costs necessary for evaluations and expenses for code review committees.

BRIC may also give a community the option of entering into 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, specifications, and/or standards, or develop building code requirements—including publication of those requirements related to land use, zoning, floodplain management, infrastructure, wildland-urban interface defensible space, 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, wildland-urban interface defensible space, or other area—that help make the community more resilient.
- Adopt, improve, or modify current or existing building energy and green codes that result in buildings that meet or exceed the energy performance thresholds and renewable generation requirements specified in the zero energy appendices of the [International Energy Conservation Code \(IECC\)](#), or the requirements outlined in Chapter 7 and Normative Appendix B (if applicable) of the [International Green Construction Code \(IgCC\)](#).

- Enhance existing adopted codes and enforcement to incorporate current requirements, higher standards, electronic permitting, online model code access, virtual inspection technology, and remote building code administration.
- Provide or pursue individual certification courses or training related to building codes for both the public and private sectors. Examples include building code inspections or plans reviewer, floodplain management, etc.
- 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 (i.e., evaluate processes, implement an inspection program, improve BCEGS score, improve Community Rating System rating, etc.).
- Develop or acquire software and hardware, as well as 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 activities associated with building codes, specifications, and/or standards.
- Engage consulting services to support activities related to building codes, specifications, and/or standards.
- Cover costs associated with building department accreditation.
- Conduct public awareness outreach activities (related to new requirements).

Building Code Activities in FEMA GO

The [FEMA Grants Outcomes \(FEMA GO\)](#) management system is used for the BRIC program and is where applicants and subapplicants submit, track, and manage all applications. This section provides a brief synopsis on how to submit building code activity subapplications in FEMA GO under the annual BRIC State or Territory Allocation or BRIC Tribal Set-Aside and the State or Territory Building Code Plus-Up and Tribal Building Code Plus-Up, including information on selecting the correct activity type and an overview of the required narrative questions.

Submit an Application in FEMA Go

- 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.
- Answer the following questions:

Question: "Are you doing construction during this project?"

- Please answer "No" for building code activities.

Question: “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.
- 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.”

More information on navigating the new FEMA GO system and the full application process can be found on the [FEMA GO webpage](#).

Additional Resources

The resources below provide additional information related to the BRIC program to assist applicants and subapplicants. More information can be found on the [FEMA BRIC webpage](#).

- Hazard Mitigation Assistance [Mitigation Action Portfolio](#)
- Additional information about building codes can be found at the following sites:
 - International Code Council [Training Program](#) and [Certifications](#)
 - U.S. Fire Administration [Online Learning Opportunities](#)
 - FEMA [Building Science Resources](#)
 - [Building Code Adoption Playbook](#)
 - [Building Codes Toolkit for Homeowners and Occupants](#)
- For a list of many, but not necessarily all, consensus-based codes, please see Appendix A of [Consensus-Based Codes and Standards V2.1 - DRRRA 1235\(b\)](#)