



CP#12A-25 – ICC Consensus Procedures (ANSI)

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1.0 Due Process:

- 1.1 The International Code Council (ICC) adheres to the consensus procedures of the American National Standards Institute (ANSI) as set forth in ANSI Essential Requirements: Due process requirements for American National Standards, latest edition, hereafter referred to as “ANSI Essential Requirements.”

2.0 Appeals:

- 2.1 ICC adheres to the ANSI appeals criteria set forth in ANSI Essential Requirements, latest edition. All procedural matters in these Procedures and ICC Council Policy 7 – Committees and Members are appealable as set forth herein.

3.0 ICC Consensus Committees:

- 3.1 ICC Consensus Committees shall be informed of these ICC Consensus Procedures and shall comply with ICC Council Policy 7 – Committees and Members. Where there are conflicting or overlapping requirements between ICC Council Policy 7 and the ICC Consensus Procedures, the requirements within the ICC Consensus Procedures shall apply to ICC standards development committees. Each such committee may develop additional procedures, with approval of the ICC Board of Directors, as needed to perform its assigned mission.

4.0 Procedures for ICC Consensus Committees:

- 4.1 General: These procedures are designed to meet the requirements for due process and development of consensus for approval of standards developed under the ICC Consensus Procedures and for approval as an American National Standard in accordance with the ANSI Essential Requirements.
- 4.2 Organization of the Committee: The Committee shall consist of its members and an ICC appointed Secretariat (ICC Secretariat). It shall have a title, scope, and an interest classification system for its members. The membership shall be sufficiently diverse to ensure reasonable balance without dominance or imbalance by a single interest category, individual or organization. No single interest category should constitute more than 1/3 of the membership of any committee.

4.2.1 Interest Categories:

Category	Description
A Builder:	Individuals assigned to the Builder Interest category are those who represent the interests of an entity, including an association of such entities that builds, installs or maintains an assembly or system subject to the provisions within the committee scope.

Category	Description
B Consumer:	Individuals assigned to the Consumer Interest category are those who represent the interests of an entity, including an association of such entities that represent the ultimate purchaser of the assembly or system subject to the provisions within the committee scope.
C Government Regulator:	Individuals assigned to the Government Regulator Interest category are those who represent the interests of an entity, including an association of such entities, representing the entities that promulgate or enforce the provisions within the committee scope.
D Insurance:	Individuals assigned to the Insurance Interest category are those who represent the interests of an entity, including an association of such entities, that insure subject to the provisions or voluntarily utilize the provisions within the committee scope, including insurance related inspection agencies.
E Manufacturer:	Individuals assigned to the Manufacturer Interest category are those who represent the interests of an entity, including an association of such entities that produces an assembly or system subject to the provisions within the committee scope.
F Public Segment:	Individuals assigned to the Public Segment Interest category are those who represent the interests of an entity, including an association of such entities that represent a particular group of the public that benefits from the assembly or system subject to the provisions within the committee scope.
G Standards Promulgator/Testing Laboratory:	Individuals assigned to the Standards Promulgator/Testing Laboratory Interest category are those who represent the interests of an entity, including an association of such entities that provides independent standards promulgation or laboratory testing of an assembly or system subject to the provisions within the committee scope.

Category	Description
H User:	Individuals assigned to the User Interest category are those who represent the interests of an entity, including an association of such entities, which is subject to the provisions or voluntarily utilize the provisions within the committee scope, including designers, architects, consultants and building owners.
I Utility:	Individuals assigned to the Utility category are those who represent the interests of an entity, including an association of such entities, which supplies power or water or accepts wastewater from an assembly or system subject to the provisions within the committee scope.

4.3 Responsibilities

- 4.3.1 ICC Board of Directors Responsibility. The ICC Board of Directors shall:
- 4.3.1.1 Approve initiation of a standard project;
 - 4.3.1.2 Adopt committee procedures and revisions thereof;
 - 4.3.1.3 Appoint new committee members;
 - 4.3.1.4 Approve the target size of the committee, with each committee to include a minimum of six members.
 - 4.3.1.5 Approve termination of the committee;
 - 4.3.1.6 Approve withdrawal of an existing standard;
 - 4.3.1.7 Approve discontinuance of standard projects;
 - 4.3.1.8 Approve a change in the committee or Standard scope.
- 4.3.2 ICC Codes and Standards Council Responsibility. The ICC Codes and Standards Council shall:
- 4.3.2.1 Where required, consider and act on conflicts with other American National Standards to comply with the ANSI Essential Requirements, including deliberations required based on comments received related to a PINS announcement in accordance with Section 2.5 of the ANSI Essential Requirements.
- 4.3.3 Committee Membership. The committee members shall be responsible for:
- 4.3.3.1 Developing proposed American National Standards within the scope of the committee;
 - 4.3.3.2 Voting on approval of proposed American National Standards within its scope;
 - 4.3.3.3 Considering and acting on identified views and objections;
 - 4.3.3.4 Maintaining the standards developed by the committee;
 - 4.3.3.5 Complying with committee policy and procedures for interpretations of the standard(s) developed by the committee;
 - 4.3.3.6 Responding to requests for interpretations of the standard(s) developed by the committee;

- 4.3.3.7 Complying with committee procedures and revisions thereof;
- 4.3.3.8 Other matters requiring committee action as provided in these procedures.

4.3.4 ICC Secretariat. The ICC Secretariat shall:

- 4.3.4.1 Organize the committee;
- 4.3.4.2 Apply for committee accreditation by ANSI and maintain accreditation in accordance with the ANSI Essential Requirements, including submission of the committee roster;
- 4.3.4.3 Develop a standard development schedule;
- 4.3.4.4 Oversee the committee's compliance with these procedures;
- 4.3.4.5 Maintain a roster of the committee and a list of standards for which the committee is responsible;
- 4.3.4.6 Provide a committee secretary to perform administrative work, including secretarial services; meeting notices and arrangements; preparation and distribution of meeting agendas, minutes, ballots, and draft standards, and maintenance of adequate records;
- 4.3.4.7 Submit candidate standards approved by the committee, with supporting documentation, for ANSI review and approval as American National Standards;
- 4.3.4.8 Perform other administrative functions as required by these procedures;
- 4.3.4.9 Make initial effort towards resolution of conflicts with other American National Standards to comply with the ANSI Essential Requirements, including those based on comments received related to a PINS announcement in accordance with Section 2.5 of the ANSI Essential Requirements;
- 4.3.4.10 Publish its standards, revisions and supplements.

4.3.5 Project Team. The Project Team shall at a minimum consist of the ICC Secretariat and one or more committee members. Formation of the Project Team is referenced in Section 5.8. The Project Team:

- 4.3.5.1 Reviews proposals, comments and objections and make attempts at resolution of same;
- 4.3.5.2 Makes recommendations to the committee with regards to the disposition of input and public comments;
- 4.3.5.3 Makes recommendations to the committee with regards to proposals, comments and objections that may need to be considered during the next standard revision cycle based on technical complexities or timing issues related to the standard development schedule;
- 4.3.5.4 Reviews committee membership issues such as committee resignations, non-participation, conflicts of interest or other violations of ICC Council Policies. The Project Team shall make recommendations to the ICC Secretariat;
- 4.3.5.5 Reviews and makes recommendations to the ICC Secretariat regarding partnerships with other standard developers and organizations for the support, development, publishing and/or funding of the project.

4.4 Officers. At a minimum there shall be a chair and a vice-chair. Applicants interested in the chair and vice-chair positions shall be considered and appointed by the ICC Board

of Directors at the time of committee appointments. Each will serve until a successor is selected and ready to serve. The vice-chair shall carry out the chair's duties if the chair is temporarily unable to do so.

4.5 Membership. The committee shall consist of members having a direct and material interest in the activities of the committee. The addition or termination of members shall be subject to approval of the ICC Board of Directors.

4.5.1 Applications. Applications for membership shall be addressed to the ICC Secretariat, shall indicate the applicant's direct and material interest in the committee's work and shall show the applicant's qualifications and willingness to participate actively.

4.5.2 Review of Membership. The ICC Secretariat shall review the membership list periodically with respect to the criteria of this Section 4.5. Members are expected to fulfill obligations of active participation. Where a member is found in habitual default of these obligations, the ICC secretariat shall direct the matter to the ICC Board of Directors for appropriate action, which may include termination of membership.

4.5.3 Interest Categories. All appropriate interests that might be directly and materially affected by the standards activity of the committee shall have the opportunity for fair and equitable participation without dominance or imbalance by any single interest, individual or organization. Interest categories are listed in Section 4.2.1 of these procedures. The interest categories are subject to revision by the ICC Board of Directors upon recommendation by the ICC Secretariat.

4.5.4 Membership Roster. The ICC Secretariat shall maintain a current and accurate committee roster and shall make it available on the ICC website and distribute it to the members periodically. The roster shall include the following:

4.5.4.1 Title of the committee and its designation;

4.5.4.2 Scope of the committee;

4.5.4.3 Secretariat: name of organization, name of secretary, and address(es);

4.5.4.4 Officers: chair and vice-chair;

4.5.4.5 Members name, representation and business affiliation;

4.5.4.6 Interest Category of each member;

4.5.4.7 Tally of Interest Categories; total of voting members and subtotals for each interest category.

4.6 Subgroups Created by the Committee

4.6.1 When one or more subgroups (subcommittees, working groups, technical subcommittees, project teams, writing groups, etc.) are formed to expedite the work of the committee, their formation (and later disbandment) requires approval by a majority vote of the committee and appropriate public notice. The scope and duties delegated to the subgroup shall be approved at the time it is formed, and subsequent changes in scope or duties shall also require approval. The charge to the subgroup shall clearly state whether:

4.6.1.1 The subgroup is responsible for the definitive content of one or more standards and for responding to views and objections thereon. Such subgroups shall comply with these procedures.

- 4.6.1.2 The subgroup is responsible for assisting the committee (e.g. draft all or a portion of a standard, drafting responses to comments, draft positions on international standards, or other purely advisory functions).
- 4.6.2 Approval of Standards. Draft standards and any substantive change in the content of a standard proposed by a subgroup shall be referred to the committee for approval.
- 4.6.3 Subgroup Identification. A subgroup roster that includes the subgroup title and scope, and identifies the Chair and other members by name, representation and affiliation shall be made publicly available.
- 4.7 Meetings.
- 4.7.1 Committee meetings shall be held to conduct business, such as making assignments, receiving reports of work, considering draft standards, resolving differences among subgroups, and considering views and objections from any source.
- 4.7.2 Open Meetings. Meetings of the committee shall be open to all members and others having a direct and material interest. At least four weeks' notice of scheduled in-person meetings shall be given by the ICC Secretariat in ANSI's Standards Action; or in other media designed to reach directly and materially affected interests; or in both. This notice can be reduced to 2 weeks' notice for virtual committee meetings. The notice shall describe the purpose of the meeting and shall identify a readily available source for further information. An agenda shall be available and shall be distributed in advance of the meeting to members and to others expressing interest. The ICC Secretariat may optionally maintain a permanent mailing list of other interests.
- 4.7.3 7.2 Quorum. A majority of the members of the committee shall constitute a quorum for conducting business at a meeting. If a quorum is not present, actions may be taken subject to confirmation by letter ballot. If a quorum is truncated during the course of a meeting, business may still be conducted by the committee for later approval when a quorum is present during the same or later meeting or confirmation by letter ballot.
- 4.8 Standard Development Process.
At the initiation of a project to develop or revise an American National Standard, notification shall be transmitted to ANSI using the Project Notification System (PINS) form, or its equivalent, for announcement in Standards Action. Comments received in connection with a PINS announcement shall be handled in accordance with clause 2.5.1 of the ANSI Essential Requirements. The ICC Secretariat shall prepare and maintain a time schedule for the standard development process that considers the standard development steps described herein and culminates with the publication of the standard. The time schedule shall be communicated with the committee chair for

purposes of maintaining deliverables on time. The chair may provide input to the schedule and henceforth require adherence to the schedule upon the committee.

The committee may be formed as a standing committee for purposes of continuous maintenance of an American National Standard according to the established and documented time schedule and pursuant to ANSI essential requirement 4.7.2.

For multiple Standards, a single committee may be responsible for some or all of such Standards.

When either a new standards project or standard revision project is being undertaken, the ICC Secretariat shall post a solicitation notice inviting interested parties to be added to an email distribution list in order to receive standard related notices.

- 4.8.1 New Standard Project. Either the ICC Secretariat or the committee shall prepare the Initial Draft. In both cases, the committee may approve the Initial Draft prior to soliciting public input.
- 4.8.2 Standard Revision Project. The ICC Secretariat shall use the current standard edition as the Initial Draft.
- 4.8.3 Soliciting Initial Draft Public Input. Public input is requested to allow interested parties to aid the committee in developing the First Draft. The ICC Secretariat shall post the Initial Draft to the ICC website for public input for a period not less than 30 days. Notification of the solicitation shall also be in the applicable ICC electronic publications. All interested parties on the email distribution list shall receive notification of the solicitation.
 - 4.8.3.1 Format of Initial Draft Public Input. Public input shall be submitted on ICC Public Comment forms in strike-out/underline format and shall include a reason for the revision, deletion or new text. The comment shall indicate the applicable section numbers being addressed.
 - 4.8.3.2 Preparing Initial Draft Public Input for Committee Consideration. The Project Team shall review all comments submitted and prepare a report for the committee with recommendations on the disposition of the comments.
 - 4.8.3.3 Initial Draft Public Input Consideration. The ICC Secretariat shall schedule a committee meeting at which the committee shall consider the report prepared by the Project Team. A Committee Actions Report shall be developed by the ICC Secretariat and distributed to the input commenters for a 30 day review during which time the commenter can submit additional comments if the commenter does not believe the committee action resolved their issue. Items that do not receive additional comments during this period are considered resolved. Comments received during this period will be considered as input to the First Draft.
 - 4.8.3.4 Preparation of First Draft. The ICC Secretariat shall prepare the First Draft, which shall incorporate all text revisions based on approved committee actions from Public Input Consideration.

- 4.8.3.4.1 Public Comment Draft Option. At the discretion of the Project Team, in lieu of preparing the First Draft, the ICC Secretariat is permitted to prepare Public Comment Draft #1 to solicit public comments in accordance with Section 4.8.5. The Public Comment Draft #1 shall incorporate all text revisions based on approved committee actions from Public Comment consideration.
- 4.8.4 Soliciting First Draft Public Input. Public input is requested to allow interested parties to aid the committee in developing Public Comment Draft #1. The ICC Secretariat shall post the First Draft to the ICC website for public input for a period not less than 30 days. Notification of the solicitation shall also be in the applicable ICC electronic publications. All interested parties on the email distribution list shall receive notification of the solicitation.
- 4.8.4.1 Format of First Draft Public Input. Public input shall be submitted on ICC Public Comment forms in strike-out/underline format and shall include a reason for the revision, deletion or new requirement. The comment shall indicate the applicable section numbers being addressed.
- 4.8.4.2 Preparing First Draft Public Input for Committee Consideration. The Project Team shall review all comments submitted and make efforts to resolve the comments with the commenters. In order for comments to be resolved, the commenters shall indicate so in writing. The Project Team shall prepare a report for the committee with recommendations on the disposition of the comments, including all comments received in accordance with Section 4.8.3.4.
- 4.8.4.3 First Draft Public Input Consideration. The ICC Secretariat shall schedule a committee meeting at which the committee shall consider the report prepared by the Project Team. A Committee Actions Report (CAR) shall be developed by the ICC Secretariat and distributed to the input commenters for a 30 day review during which time the commenter can submit additional comments if the commenter does not believe the committee action resolved their issue. Items that were disapproved during Initial Draft consideration that have been disapproved during First Draft input consideration are considered disapproved and will not be subject to ballot. The commenter shall be so notified. Items that do not receive additional comments during this period are considered resolved. The applicable portions of the CAR shall also be balloted to the committee. Comments received during this period will be considered during the recirculation ballot period (See Section 4.9.6).
- 4.8.4.4 Preparation of Public Comment Draft #1. The ICC Secretariat shall prepare Public Comment Draft #1, which shall incorporate all text revisions based on approved committee actions from Initial Draft Input (See Section 4.8.3) and from First Draft Public Input Consideration in accordance with Section 4.8.3.3 and 4.9.6.
- 4.8.5 Soliciting Public Comment Draft #1 Public Comment. The ICC Secretariat shall post the Public Comment Draft #1 to the ICC website and shall submit a BSR8 form to ANSI for posting in ANSI Standards Action for comment. Notification of the solicitation shall also be in the applicable ICC electronic publications. All interested parties on the email distribution list shall receive notification of the solicitation.

- 4.8.5.1 Format of Public Comment Draft #1 Public Comment. Public comments shall be submitted on ICC Public Comment forms in strike-out/underline format and shall include a reason for the revision, deletion or new text. The comment shall indicate the applicable section number(s) being addressed. The comment shall be related to subject matter that has been brought forth in the Initial Draft Public Input or the First Draft Public Input. Any issue raised during the Initial Draft or First Draft Public Input that does not receive a public comment will be considered as resolved.

4.9 Voting

- 4.9.1 Vote. Each member shall vote one of the following positions:
- 4.9.1.1 Affirmative;
 - 4.9.1.2 Affirmative, with comment;
 - 4.9.1.3 Negative, with reasons (the reasons for a negative vote shall be given and if possible should include specific wording or actions that would resolve the objection);
 - 4.9.1.4 Abstain, with reasons.
- 4.9.2 Voting Period. The voting period for letter ballots shall end four weeks from the date of issue or as soon as all ballots are returned, whichever comes earlier. An extension may be granted at the chair's option, when warranted.

A follow-up letter requesting immediate return of the ballot shall be sent, as appropriate, to members whose votes have not been received within ten working days before the ballot closes.

- 4.9.3 Actions Requiring Approval by a Majority. The following actions require approval by a majority of the membership of the committee either at a meeting or by letter ballot:

- 4.9.3.1 Confirmation of officers;
- 4.9.3.2 Formation of, or modification of, a subgroup, including its scope and duties;
- 4.9.3.3 Disbandment of subgroups;
- 4.9.3.4 Disposition of items received during public inputs that are not subject to a two-thirds vote in accordance with Section 9.4.

- 4.9.3.5 The following actions, by committee vote at a meeting, require approval by a majority of the members present:

- 4.9.3.5.1 Approval of minutes;
- 4.9.3.5.2 Authorization of a letter ballot.

- 4.9.4 Actions Requiring Approval by Two-Thirds of Those Voting. The following actions require a letter ballot or an equivalent formal recorded vote with approval by at least a majority of the membership and at least two-thirds of those voting, excluding abstentions. All members of the committee shall be given the opportunity to vote on the standards related actions described in items a and b below. When votes for items a and b are recorded at a committee meeting, those members who are absent shall be given the opportunity to vote before or after the meeting:

- 4.9.4.1 Approval of a new standard or reaffirmation of an existing one;

- 4.9.4.2 Approval of revision or addendum to part or all of a standard;
- 4.9.4.3 Approval of change of committee scope. Where approved, a change of committee scope shall be subject to ICC Board of Directors approval.

4.9.5 Authorization of Letter Ballots. A letter ballot may be authorized by any of the following:

- 4.9.5.1 Majority vote of those present at a committee meeting;
- 4.9.5.2 The chair;
- 4.9.5.3 The secretariat;
- 4.9.5.4 Petition of five or more members of the committee.

4.9.6 Disposition of Views and Objections on First Draft. Prompt consideration shall be given to the expressed views and objections of all participants commenting on the First Draft in accordance with Sections 4.8.4.2 and 4.8.4.3. The Project Team shall make an effort to resolve all expressed objections and each objector shall be advised in writing of the disposition of the objection and the reasons therefor. If resolution is not achieved, each objector shall be informed in writing that an appeals process is available in accordance with these procedures.

Unresolved objections along with attempts at resolution and negative ballot comments, shall be reported to the committee members as a recirculation ballot, in writing, in order to afford all members an opportunity to respond to them or to reaffirm or change their votes within two weeks. Membership intending to change their vote shall notify the ICC Secretariat in writing of their intention.

After balloting and recirculation balloting are complete, all approved text revisions shall be included in Public Comments Draft #1 to be processed in accordance with Sections 4.8.5 and 4.9.7.

Comments received within the specified comment period that are not related to the proposal being considered shall be retained and considered as new proposals during the next development cycle. The submitter of the comment shall be so notified.

When the above process is completed, comments received subsequent to the closing of the public review and comment period may be considered, or they shall be considered at the next review.

4.9.7 Disposition of Views and Objections on Public Comment Draft #1.

4.9.7.1 Proposals for new American National Standards or reaffirmation, revision, or withdrawal of existing American National Standards shall be transmitted to ANSI for listing in Standards Action for comment. Concurrent with this listing the Public Comments Draft #1 shall be balloted to the committee for final approval, pending consideration of views and objections described herein.

4.9.7.2 Prompt consideration shall be given to the negative ballot comments and the expressed views and objections of all participants commenting on the listing in Standards Action, The Project Team shall make an

effort to resolve all expressed objections, and each objector shall be advised in writing of the disposition of the objection and the reasons therefor. If resolution is not achieved, each objector shall be informed in writing that an appeals process is available in accordance with these procedures.

4.9.7.3 Substantive changes, unresolved negative ballot comments and objections along with attempts at resolution shall be reported to the committee members, in writing, in order to afford all members an opportunity to respond to them or to reaffirm or change their votes within two weeks. Membership intending to change their vote shall notify the ICC Secretariat in writing of their intention. Recirculation negative votes shall be limited to the following:

4.9.7.3.1 Support of unresolved ballot or public review comments; and

4.9.7.3.2 Disagreement with any changes introduced to the standard.

4.9.7.4 Comments related to subject matter that has been brought forth in the Initial Draft Public Input or the Draft #1 Public Input that do not receive a public comment shall be considered as resolved.

4.9.7.5 When the above process is completed, comments received subsequent to the closing of the public review and comment period may be considered, or they shall be considered at the next review.

4.9.7.6 Any substantive change made in the proposed American National Standard shall be relisted in accordance with this section and ANSI Procedures.

4.9.8 Report of Final Result. The final result of the voting shall be reported to the committee.

4.10 Submittal of Standard

4.10.1 Upon completion of the procedures for voting, disposition of views and objections, and appeals, the proposed standard shall be submitted to ANSI by the ICC secretariat. The timeliness of this submittal shall be in accordance with the ANSI Essential Requirements.

4.10.1.1 Information Submitted. The ICC Secretariat shall submit to ANSI all the necessary evidence of compliance with ANSI's criteria of approval of an American National Standard in accordance with Section 4.2.1.1 the ANSI Essential Requirements.

4.11 Withdrawal of Standard

4.11.1 The ICC Board of Directors is authorized to withdraw a standard. When approved by the ICC Board of Directors, the secretariat shall notify ANSI with the request to withdraw the standard. Procedures for the withdrawal shall comply with Section 4.2.1.3.2 of the ANSI Essential Requirements.

4.12 Discontinuance of Standard Projects

- 4.12.1 When approved by the ICC Board of Directors, the secretariat shall notify ANSI that the standard project is being abandoned. Procedures for discontinuance of standards projects shall be in accordance with Section 4.2.1.3.3 of the ANSI Essential Requirements.

4.13 Interpretation of Standards

- 4.13.1 Written inquiries requesting an official interpretation of the committee's approved American National Standards shall be processed in accordance with the policy and procedures of the committee contained in the appendix. Revisions to the standard resulting from requests for interpretations shall be processed in accordance with these procedures.

4.14 Appeals

Parties who are directly and materially interested in and who have been or will be adversely affected by any procedural action or inaction by a standards developer with regard to the development of a proposed American National Standard or the revision, reaffirmation, or withdrawal of an existing American National Standard, have the right to appeal. The burden of proof to show adverse effect shall be on the appellant. Appeals shall be directed to the ICC Secretariat. Appeals shall be processed in accordance with this section:

- 4.14.1 Complaint. The appellant shall file a written complaint with the ICC secretariat within thirty days after the date of notification of action or at any time with respect to inaction. The complaint shall state the nature of the objections, including any adverse effects, the section(s) of these procedures or the standard that are at issue, actions or inactions that are at issue, and the specific action(s) that would satisfy the appellant's concerns. Previous efforts to resolve the objection(s) and the outcome of each shall be noted.
- 4.14.2 Response. Within thirty days after receipt of the complaint, the respondent (chair or ICC secretariat representative) shall respond in writing to the appellant, specifically addressing each allegation of fact in the complaint to the extent of the respondent's knowledge.
- 4.14.3 Hearing. If the appellant and the respondent are unable to resolve the written complaint informally in a manner consistent with these procedures, the appellant may, within ten working days of receiving the response required in Section 4.14.2, submit a request for an appeal hearing to the ICC secretariat. Upon receiving such a timely request, the ICC secretariat shall schedule a hearing with an appeals panel on a date agreeable to all participants, giving at least ten working days notice. If the appellant does not submit a timely request for an appeal hearing, the appeal shall be considered resolved and no hearing shall take place.
- 4.14.4 Appeals Panel. An appeals panel shall consist of three individuals who have not been directly involved in the matter in dispute, and who will not be materially or directly affected by any decision made or to be made in the dispute. The members of an appeals panel shall be chosen to reflect user, producer and general interest categories, to the extent practical. Members of an appeals panel shall act at all times in a manner that promotes confidence in the integrity

and impartiality of ICC's processes and procedures. No person shall serve on an appeals panel in connection with an appeal where that person (a) has performed any investigative or other functions directly related to the matter being appealed, (b) has a financial, property, business or personal interest in the matter being appealed, or (c) has an actual or apparent conflict of interest in connection with the matter being appealed. At least two members of an appeals panel shall be acceptable to the appellant, and at least two members of an appeals panel shall be acceptable to the respondent. Where the parties to the appeal cannot agree on an appeals panel within a reasonable amount of time, the matter may be referred to the Codes and Standards Council which shall appoint members of that appeals panel.

4.14.5 Conduct of the Hearing. The appellant has the burden of demonstrating adverse effects, improper actions or inactions, and the efficacy of the requested remedial action. The respondent has the burden of demonstrating that the committee and the ICC secretariat took all actions in compliance with these procedures and that the requested remedial action would be ineffective or detrimental. Each party may adduce other pertinent arguments, and members of an appeals panel may address questions to individuals. Robert's Rules of Order (latest edition) shall apply to questions of parliamentary procedure for the hearing not covered herein.

4.14.6 Decision. An appeals panel shall render its decision in writing within thirty days, stating findings of fact and conclusions, with reasons therefor, based on a preponderance of the evidence. The appellant and respondent shall receive a copy of the appeals decision. Consideration may be given to the following positions, among others, in formulating the decision:

4.14.6.1 Finding for the appellant, remanding the action to the committee or the ICC secretariat with a specific statement of the issues and facts in regard to which fair and equitable action was not taken;

4.14.6.2 Finding for the respondent, with a specific statement of the facts that demonstrate fair and equitable treatment of the appellant and the appellant's objections;

4.14.6.3 Finding that new, substantive evidence has been introduced, and remanding the entire action to the committee or the ICC secretariat for appropriate reconsideration.

4.14.7 Appeals at ANSI. The appellant shall have the right to further appeal to ANSI in accordance with the ANSI Essential Requirements.

4.15 Parliamentary Procedures

4.15.1 On questions of parliamentary procedure not covered in these procedures, Robert's Rules of Order (latest edition) may be used to expedite due process.

4.16 Periodic Review of Standards

4.16.1 Each American National Standard shall be periodically reviewed and reaffirmed, revised, or withdrawn in accordance with the procedures set forth in the ANSI Essential Requirements.

APPENDIX A: Interpretation Policy and Procedures

1.0 Purpose.

The purpose of the committee's activity is to provide official comments on the meaning and intent of the provisions of the American National Standard for which the committee is responsible. It shall be the responsibility of the committee to review and ballot on preliminary committee interpretations in accordance with the procedures indicated herein. A preliminary committee interpretation approved by the committee will be issued by the secretariat as a committee interpretation.

2.0 Committee Interpretations.

- 2.1 Purpose. A committee interpretation is intended to interpret the literal text of the standard and/or to interpret the intent of the text based upon the development of the standard. Committee Interpretations are intended to represent the official position of the committee. Any other statement either written or oral shall not be considered, referred to, or relied upon as a committee Interpretation.
- 2.2 Intent. The intent of the committee interpretation process is to clarify issues which do not appear to be addressed directly by the standard and are hence interpretive in nature. A request for committee interpretation will not be processed if such a request involves:
 - 2.2.1 A determination of compliance of a specific product, design or installation,
 - 2.2.2 A determination of compliance of an equivalency of protection,
 - 2.2.3 A review of a project's plans or specifications,
 - 2.2.4 A judgment or knowledge that is not readily available in the inquiry or which can only be acquired as a result of an on-site inspection,
 - 2.2.5 Text that clearly provides the requested information, or
 - 2.2.6 An issue which cannot be clearly and concisely phrased in the question asked.

3.0 Processing.

- 3.1 Requests. A request for a committee interpretation may be submitted by any person and shall be submitted in writing to the Secretariat.
- 3.2 Evaluation. Each request received will be reviewed by a three-person panel, appointed by the chairman for conformance to 2.2. Any request not conforming with Section 2.2 will be returned to the inquirer with an explanation.
- 3.3 Preliminary Interpretation. The Secretariat processes each request, providing answers and reasons for the answers to the interpretation questions, and distributes the request to each ICC committee member for deliberation and ballot.
- 3.4 Ballot Return: Committee members must vote approval or disapproval and return the ballot within 20 calendar days from time of receipt. A disapproval vote of the interpretation must be accompanied by the reason for disapproval.

4.0 Committee Voting.

- 4.1 First Ballot: A unanimous approval vote by the committee is required for the interpretation to be approved on the first ballot. If one or more committee member votes for disapproval on the first ballot, the interpretation request is returned to the committee for re-ballot with the reasons as given by the members voting for disapproval.

- 4.2 Second Ballot: Sixty Seven percent (67%) approval votes are required on the second ballot for acceptance. If there are less than sixty seven percent (67%) approval votes, the interpretation request shall be considered unresolved pending action in 4.3.
- 4.3 Unresolved Interpretations: Unresolved requests for interpretations shall be rewritten by the Secretariat, after due consideration of negative comments, and resubmitted for voting in accordance with 4.1 and 4.3. Should this re-voting fail to gain the necessary sixty seven percent (67%) positive votes, the Secretariat shall notify the requesting party in writing, citing the negative comments as reason for failure to reach a committee consensus, and a committee interpretation shall not be issued.

5.0 Distribution.

- 5.1 Interpretation Distribution: Committee interpretations shall be distributed in writing to the requestor and shall be made publicly available by ICC.

6.0 Records.

- 6.1 Complete records of matters pertaining to committee interpretations shall be maintained by the Secretariat for a period of one complete cycle or until the standard is revised.

APPENDIX B: Record Retention Policy

Records shall be prepared and maintained to provide evidence of compliance with this policy. Records shall be retained for a minimum of five years or until approval of the subsequent revision or reaffirmation of the completed standard. Records concerning withdrawn standards shall be retained for five years from the date of withdrawal of the standard.

APPENDIX C: Metric Policy

The primary units of measurements for dimensions and units of force in ICC standards shall be Inch Pound (IP) units. Requirements shall be stated in IP units, followed in parentheses by equivalent units of the International System of Units (SI).

APPENDIX D: Patent Policy

The ANSI Patent Policy, as contained in the ANSI Essential Requirements, shall be applicable to ICC Standards developed under these procedures.

APPENDIX E: Commercial Terms and Conditions Policy

The Commercial Terms and Conditions Policy as contained in Section 3.2 of the ANSI Essential Requirements, shall be applicable to ICC Standards developed under these procedures.