

**MINUTES  
MEETING OF THE  
ICC INDUSTRY ADVISORY COMMITTEE**

*Wednesday, June 4, 2003 — 10:00 a.m. to 1:00 p.m.  
Marriott Key Bridge Hotel  
Arlington, VA*

**1. Call to Order:**

Chairman David Frable called the meeting to order at 10:00 a.m. and it was determined that a quorum was present.

**2. Approve Agenda:**

A **motion** was made and seconded to approve the agenda. The motion carried. The Chairman informed the committee that the maker of the motion that was tabled at the September, 2002 IAC meeting and shown as item 9.1 on today's agenda is requesting that the motion be withdrawn.

A **motion** was made and seconded to withdraw agenda item 9.1. The motion carried. ICC President Paul Myers presented IAC past Chairman Larry Perry a distinguished service award for his two years of service to ICC as IAC Chairman. President Myers and the IAC Committee commended Perry for his work.

**3. Self Introductions:**

The Chairman asked for self introductions of those present at the meeting. A list of those in attendance is included as Attachment A to the minutes.

**4. Chairman's Appointments:**

**4.1 Nominations Committee:** Chairman Frable stated that he was appointing Dick Kraus to the Nominating Committee to fill the existing vacancy. He stated that the other four current members of the committee are Ron Nickson, Chair, David Collins, Marshall Klein, and Bob Eugene.

A **motion** was made, seconded and carried to confirm the appointment of Dick Kraus to the IAC Nominating Committee.

**4.2 Executive Committee:** Chairman Frable informed the Committee that the letter ballot which was sent to the members to confirm his appointments to the Executive Committee was approved. The members of the IAC Executive Committee are Chairman Frable, Vice-Chair Julie Ruth, Ken Bland, David Harris, Jim Messersmith, Larry Perry, Charles Spitz and David Viola.

**5. Approval of September 29, 2002, IAC Meeting Minutes:**

A **motion** was made and seconded to approve the minutes of the September 29, 2002 IAC meeting held in Ft. Worth, TX. The motion carried.

NOTE: THE SEPTEMBER 29 MINUTES INDICATE A MOTION TO LIMIT ALL COMMITTEES TO A MAXIMUM OF 50% OF ANY INTEREST GROUP. THIS WILL BE FORWARDED TO THE ICC BOARD IN THE FORM OF A PROPOSED CHANGE BY THE IAC TO SECTION 5.2.4 OF THE CODE DEVELOPMENT PROCEDURES AND SECTION 4.1 TO COUNCIL POLICY #7.

**6. Staff Report on ICC Activities:**

Staff reported on the following:

1. Board Action on IAC Recommendations:

< Approved the IAC recommendations to change the code change submittal date to March 24, 2003 and set the committee application deadline to the same date.

- < No action on recommendation that there not be more than 50% code officials on any committee.
- 2. Changes to Code Development Process as follows:
  - < Delegation of duties from Exec VP/ICC Board to: CEO.....1.5, 4.4; Councils.....5.2; ICC President....5.2.1
  - < It was noted that the last sentence of Section 5.2.1 was deleted by the ICC Board.
  - < Membership change from 3 MCG's to ICC membership: Section 2.4, 3.3.4(4), 5.7.4, 7.4
  - < Administrative: 2 copies of proposed new ref stds....3.4
  - < Number of copies of modifications to be determined based on size of code development committee....5.5.2(1)
  - < Modifications accepted by Chairman.....5.5.2(2), 5.7.1(2)
  - < "Annual conference" changed to "Final Action Hearing" to reflect 18 month cycle..6.1
  - < Committee "recommendation" to "action".....7.3.3(2)
- 3. Council Policy #9-2003: Councils: Code Development Committees are now appointed by the Councils rather than the Board.
- 4. I-Code Adoptions status report given.
- 5. Standards Development Activities:
  - < ICC Amusement Standard: Committee to be appointed soon and will start development.
  - < ICC Standard on Bleachers: Standard development completed. Standard has been sent to ANSI for approval.
  - < ICC Standard on Hurricane Resistant Construction: Committee has been appointed and will start development soon.
  - < ICC Standard on Log Structures: Committee to be appointed soon and will start development.
  - < ICC Standard on Storm Shelters: Committee held their first meeting in May.
- 6. Ad-hoc Committee on Referenced Standards in the I-Codes: Code changes have been submitted for the 2003/2004 Cycle. The committee will be reviewing the status to date in an attempt to refocus the direction consistent with the original scope in order to support the 2004/2005 code change cycle.
- 7. Federal Regulatory Activities reported on:
  1. IBC Safe Harbor for HUD Fair Housing Guide: Currently IBC 2000 w/2001 Supplement is recognized as safe harbor. ICC has requested the HUD review 2003 IBC for safe harbor status.
  2. Review by DOJ of IBC for equivalency to ADAAG: When revised ADAAG is issued by DOJ a technical review of the IBC will be made to determine equivalency to ADAAG.
  3. HUD 1&2 Family MPS and Technical Suitability of Products Program has been proposed for elimination in a NIBS report for HUD.
  4. Reference to the 2000 IECC is made in both the House and Senate versions of the Energy Policy Act of 2003. Tax credits will be based on exceeding the IECC thermal protection requirements by 20%.

Kevin Kelly informed the committee that there is legislation being considered in Congress to give tax credits for installing fire sprinklers, HB 1824. Kelly asked IAC members to consider supporting this legislation.
- 8. Veeck Supreme Court Case status report: On May 30 the Solicitor General recommended that the Court not hear the case because he agrees with the 5<sup>th</sup> Circuit Court decision. Must now wait to see what the Court decides.
- 9. ICC President Myers reported that the consolidation of ICC is complete and ICC has hired former FEMA Director James Lee Witt as the new ICC CEO.
- 10. ICC Membership: A report on the new ICC membership, dues, services was distributed with the agenda. The IAC was informed that all current members of BOCA, ICBO and SBCCI have automatically become members of ICC and member status will be honored through each 2003 expiration date.

11. Staff informed the ICC of the tentative schedule of code development hearings during the ICC 2003 ABM in Nashville, TN and stated that the schedule will be posted on the ICC web site next week.
12. ICC Governmental Consensus Process: Staff reported on the promotional material for the Government Consensus Process and informed the committee that ANSI has issued Essential Requirements: Due Process Requirements for American National Standards. This document contains the procedures that govern the American National Standards process and it replaces the ANSI Procedures for the Development and Coordination of American National Standards. Staff will be comparing the old procedures to the new procedures for possible correlation with ICC procedures.
13. ASME Workshop on Use of Elevators in Fires and Other Emergencies: ICC is a co-sponsor of this ASME Workshop that will be held in March, 2004 in Atlanta, GA.
14. ANSI Homeland Security Standards Panel: ICC is participating on this Panel which has as its scope to catalog, promote, accelerate and coordinate the timely development of consensus standards within the national and international voluntary standards systems intended to meet identified homeland security needs, and communicate the existence of such standards appropriately to governmental units and the private sector. The Panel will initially focus its activities on responding to the ten most immediate standards needs of DHS.

**7. Chairman's Report:**

Chairman Frable expressed his appreciation for the good attendance at this meeting and stated that he is very pleased with ICC's decision to hire James Lee Witt as the new ICC CEO. Frable pledged to do his best in serving as the IAC Chair and welcomed members to communicate their issues to him.

**8. Report of IAC ICC Use of Consensus Procedures Task Group:**

Task Group Chair, Perry stated that, in view of ICC's efforts to promote the Government Consensus Process, the Task Group has been put on hold waiting for further guidance from the ICC Board.

**9. Other Business:**

**9.1 Tabled Motion from previous meeting on ICCEC Committee:** The tabled motion was withdrawn so there was no further action.

**10. New Business:**

**10.1 Publication dates of Supplements vs. time code change proposals are due:**

David Roodvelts asked for this agenda item because this year the IRC was not available at the ICC offices until after the deadline for code change proposals.

Mike Pfeiffer reported that although the IRC was posted on the ICC web site on 2/11 the hard copy was received from the printer in March. Pfeiffer stated that this would not happen again and the codes will be issued at least one month ahead of the code change deadline.

**10.2 APHA Concern with IRC Committee Representation:**

Jake Pauls expressed concern that there is a disproportionate representation of the NAHB on the IRC committees despite, for example, NAHB's open refusal to permit adoption of the IRC without amendment on the stair geometry issue back to the 1995 CABO Code. He also stated that ICC maintains some kind of agreement with NAHB which raises serious questions about ICC's sincerity about the code-development process and public safety generally. Pauls asked what is the agreement and how long is it slated to run. No action was taken by the committee.

**10.3 APHA Request regarding ICC Efforts on Nightclub Safety:**

Jake Pauls asked what was the status of the ICC effort on nightclub safety following the two incidents in Chicago and Rhode Island. He further stated that he tried a search at the ICC website

with the search term "nightclub" and learned about the Audio Virtual Seminar in June but there was no mention of an ICC-IAFC work group. Pauls also expressed objection to the search system ICC employs. He stated that the results page for the search led to web addresses that included stripper nightclubs. No action was taken by the committee.

**10.4 Operating procedures for the Code Coordinating Committee:**

Jeff Shapiro requested this agenda item and addressed the committee stating that on more than one occasion, he became aware of issues discussed and acted on by ICC's Code Coordinating Committee that were of interest to him and perhaps others after the action was taken by the Code Coordinating Committee. Shapiro also stated that, based on prior conversations with ICC staff, ICC does not publicly announce meetings of this committee and that individuals other than staff and committee members are not permitted to attend these meetings. He said that was told that ICC considers the actions of this committee to involve only editorial issues; hence, there is no perceived need to invite or involve the public. Shapiro stated his disagreement with this position because the Code Coordinating Committee has the authority to change ICC codes. Pfeiffer stated that all ICC committee meetings are open and that, in the future, notice will be posted on the ICC web site on all code development activities, including those of the ICC Code Coordinating Committee. He also stated that the need for this committee to meet tends to occur at specific points in the code development cycle, so they can be scheduled and announced well ahead of their occurrence.

**10.5 Other New Business:**

Dave Harris informed the committee that NIBS is the home for the U.S. representation on the International Alliance for Interoperability (IAI). Harris stated that IAI is a global standards-setting organization representing widely diverse constituencies - from architects and engineers, to research scientists, to commercial building owners and contractors, to government officials and academia, to facility managers and building product manufacturers. Alliance members are committed to promoting effective means of exchanging information among all software platforms and applications serving the AEC+FM community. Harris also stated that the IAI is forming a committee on codes and welcomed IAC members to join this committee.

Dave Collins informed the committee that NIBS and AIA will be hosting a reception for the new ICC CEO, James Lee Witt on July 10 and further details will be forthcoming.

**11. Date and Location of Next Meeting:**

A **motion** was made, seconded and carried to hold the next IAC meeting in Washington, DC some time after the ICC ABM in Nashville. There was general agreement among the attendees that although a meeting of the IAC is usually scheduled during the Annual Business Meeting of the MCOs, the schedule for Nashville was too full to hold a 2-3 hour meeting of the IAC without creating scheduling conflicts for its members.

**12. Adjourn:**

A motion was made, seconded and carried to adjourn the meeting at approximately 12:15 pm.

*Richard P. Kuchnicki*

Richard P. Kuchnicki,  
IAC Secretary

June 18, 2003

Date