ICC
INTERNATIONAL CODE COUNCIL

People Helping People Build a Safer World ™

April 4, 2005

MINUTES
MEETING OF THE
ICC INDUSTRY ADVISORY COMMITTEE

Wednesday, March 16, 2005 — 1:00 p.m. to 5:00 p.m.
American Petroleum Institute
1220 L Street, NW
Washington, DC 20005

1. **Call to Order:** Chairman Julie Ruth (American Architectural Manufacturers Association) called the meeting to order at 1:00 p.m. and it was determined that a quorum was present. Vice Chair, Richard Kraus (American Petroleum Institute) and Karen Haase (American Petroleum Institute) welcomed the IAC members to API Headquarters.

2. **Approve Agenda:** A **motion** was made and seconded to approve the agenda. The motion carried.

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. **Approval of September 13, 2004 IAC Meeting Minutes:** A **motion** was made and seconded to approve the minutes of the September 13, 2004 IAC meeting held in Reston, VA. The motion carried.

5. **Chairman's Report:** Julie Ruth thanked the members of the IAC for electing her as chair, and for their continued participation in the IAC. She reported that she attended the ICC Board meeting in Cincinnati and reported on the IAC recommendations that were made at the last meeting. Ruth stated that the Board is trying to be responsive to the IAC activities and said that it is important to keep open lines of communication. Ruth also stated that, in response to requests from a number of IAC members, it is her desire to return to holding at least one IAC meeting per year outside of the Washington, DC area. Ruth then thanked the ICC staff for their support of the IAC, and called on ICC Staff Vice President, Mike Pfeiffer to present an award to the Past IAC Chairman, David Frable (General Services Administration).
    Pfeiffer called Dave Frable forward and presented him with a plaque in recognition of his outstanding service as Chairman of the IAC from 2002 to 2004.

6. **Staff Report on ICC Activities:**
    6.1 **Board Action on IAC Recommendations**
        6.11 **Copyright agreement on code change proposals:** Pfeiffer reported that the Board has approved a second code change form for those who are unable to sign the copyright release on the first form.
        Jim Messersmith (Portland Cement Association) expressed concern with the derivative works clause in the new form and would like ICC to do further work on this clause.
        Several members expressed concern that a second code change form is not referred to in the code development procedures. They also asked that adequate notice that a second, alternate form was available should be given by placing the alternate form on the code change proposal form.
    ** A **motion** was made and seconded to request ICC to put the new copyright release statement on the code change submittal form and to revise the code development procedures as necessary. The motion carried.
        6.2 **ICC Annual Conference 2005:** Pfeiffer reported that the 2005 ICC ABM will be held in Detroit, MI on September 25 – October 2 and the Final Action Hearings will begin on September 28. Pfeiffer also stated that ICC will try to avoid conflicts between the conference activities and the hearings as much as possible.
        Pfeiffer reported that the First Hearings for the next code change cycle will be held on September 20 – October 1, 2006; the Final Action Hearings will be on May 22 – 25, 2007

and the code change submittal deadline is tentatively set for March 24, 2006.

6.3 **Standards Development Activities:** Ruth advised staff that the IAC would like to have a more detailed report on ICC standards development activities that tells when and where the committees will be meeting, what the scope and purpose of each standard is, and how each activity is proceeding.

Several members expressed concern about the rationale for the Hurricane Standard and why the Board decided to develop this standard.

Some members of the IAC stated that it was still not clear to them why ICC decided to develop a residential sprinkler standard and would like to see a Scope and Purpose statement for this standard.

Pfeiffer stated that the Board gave staff two directives: 1. Propose revisions to the NFPA 13 D Standard. 2. Create a residential sprinkler standard under the ICC consensus process. Pfeiffer also stated that the ICC Standards Council considered public comments, pro and con, on developing a standard for residential sprinklers.

6.4 **I-Codes Adoptions:** Staff reported on the status of I-Code adoptions and informed the IAC that updates of the adoption status continues to be posted on the ICC web site. It was also reported that the California Building Standards Commission is meeting today to consider rescinding its recommendation of 2003 to adopt NFPA 5000 for commercial buildings, so that they can move forward with adoption of the I-codes for all types of construction.

6.5 **Federal Activities:** Dave Conover provided a briefing to the IAC members on efforts ICC is conducting in support of Federal agencies. He noted the large number of agencies that have some interest in or would be affected by building related codes, standards or conformity assessment matters and that ICC had developed and was implementing a plan to most effectively address their needs. The plan recognizes the various needs of the agencies, offices and programs in the federal executive branch and attempts to prioritize ICC's activities with them. Those needs relate to the following:

- The agency, office or program is the building owner and authority having jurisdiction and needs assistance with adoption and implementation of the I-Codes on their buildings
- The agency, office or program has some preemptive regulatory authority over public and/or private sector buildings or their components
- The agency, office or program has regulatory authority that is preemptive only to the degree that entities wanting to participate in the agency programs must satisfy their requirements
- The agency, office or program adopts regulations for buildings that are also covered by private sector (non-federal) regulations
- The agency, office or program has safety, health, energy, or other interest and while not having regulatory authority per se can and should work with and through the ICC in addressing common interests
- The agency, office or program has activities that are impacted in some way by building regulations and/or has information or research of relevance to building safety that can benefit ICC and its members
- The agency, office or program needs support to address issues on which ICC can provide assistance

He indicated that ICC has had one-on-one meetings with many agencies, offices and programs and also sponsors a Federal Forum that meets every 6 months at which time the agencies can share information and discuss common needs that ICC might address. He provided examples of the tasks that ICC had been asked to conduct for the Forum, most notably a comparison of the IBC and OSHA provisions for egress. He also noted that ICC was reviewing the CFR to determine areas related to buildings that needed updating.

6.6 **National Activities:** Dick Kuchnicki reported on the following national activities:

- The U.S. Department of Housing and Urban Development (HUD) has found that the 2003 IBC constitutes a safe harbor for compliance with the FHA's accessibility requirements. ICC will continue to work with HUD through the code development process to ensure that the 2006 edition of the IBC also will comply with the design and construction requirements of the FHA.
- ICC has requested DoJ to review the 2003 edition of the *International Building Code*, provide technical assistance and issue guidance concerning whether, and in what respects, the 2003 edition of the IBC is consistent with the minimum requirements of the Americans with Disabilities Act for the accessibility and usability of places of public accommodation and commercial facilities.
- The United States Standards Strategy (USSS), a revision of the National Standards Strategy for the United States (NSS), is now available for public review and comment (www.ansi.org/usss). The purpose of a standards strategy for the United States is to establish a framework that can be used by all interested parties to further advance trade issues in the global marketplace, enhance consumer health and safety, meet stakeholder needs and, as appropriate, advance U.S. viewpoints in the regional and international arena.

6.7 **Code Technology Committee:** Pfeiffer reported that a call for committee members for the Code Technology Committee was posted on the ICC web site last year and the first meeting of the committee will be on April 14, 2005 near Chicago O'Hare airport. The agenda items approved by the Board are also posted on the web site. A scope, objectives and work plan for each agenda item will be developed at the April 14 meeting.
Jake Pauls (American Public Health Association) stated that he is extremely frustrated because, last year, he asked the ICC Board to add an agenda item on stair geometry but this item is not on the agenda for the CTC.

7. **IAC Task Group on Floor Modifications Report:** Chairman Ruth reported that, due to scheduling conflicts, the current Task Group Chair, Tom Zaremba (Wired Glass Industry) is unable to be here today and is no longer able to serve as Chair of the task group. Ruth appointed David Frable as the new task group Chair and welcomed new volunteers to join the Task Group. The task group was asked to have specific recommendations ready to pass on to the ICC BOD by August, 2005. The IAC has scheduled its next meeting on August 9th specifically so that this work can be reviewed by the IAC, finalized and forwarded to the ICC BOD for consideration at their meeting in September, 2005. Indications are that this will be the last chance to have these recommendations considered for the 2006/2007 ICC Code Change Cycle.

8. **IAC Task Group on Green Building Rating Systems Report:** Task group Chair, Ken Bland (American Forest & Paper Association), summarize the task group report that was distributed to the attendees. A copy of the report is included as Attachment B to the minutes. Bland then called on task group member, Bruce Hunn (American Society of Heating, Refrigerating and Air Conditioning Engineers), to report on current green building rating systems in the U.S. and who is driving these systems. A copy of Hunn's report was distributed to the attendees and is included as Attachment C to the minutes. Bland next asked Vicki Worden (Green Building Initiative) to report on her organization's Green Globes program, a green building technical assessment tool that is widely used in Canada. A copy of Worden's report was distributed to the attendees and is included as Attachment D to the minutes.
Bland summarized by stating that the task group is not yet ready to make recommendations to the IAC and will continue its work and report back at the next IAC meeting.

9. **IAC Task Group on ICC ES Acceptance Criteria:** Ruth indicated that she had appointed John Taecker of UL to replace her as chair of this task group. The task group report was made by Howard Hopper (Underwriters Laboratories)who was substituting for the task Group Chair, John

Taecker (Underwriters Laboratories) who was unable to attend. The task group held two meetings on January 5, 2005 and March 9, 2005. The task group report is included in the notes from the January 5 meeting and was distributed to the meeting attendees. The report is included as Attachment E to the minutes. Hopper asked that IAC members submit their comments on the report to the task group Chair, John Taecker, John.K.Taecker@us.ul.com no later than March 31,2005.

10. **ICC Standards Guide Task Group Report:** Task group Chair, Jonathan Humble (American Iron and Steel Institute) reported that the task group has completed its assignment to review the *ICC Guide to the Use of Standards in the International Codes*, and develop comments and proposed revisions. The task group report was not available for the meeting due to a communications problem. It was agreed that the report would be emailed to the IAC members with a ballot to determine if there is agreement with the task group recommendations.

11. **Comments re: February hearings in Cincinnati**
    11.1   Hearings Web-cast: for Mac computer users; audio streaming only: Pauls informed the IAC that the web cast for the code development hearings was not available to Mac computer users. Pfeiffer stated that he will bring this matter to the attention of the IT staff.
    Several IAC members expressed their appreciation to ICC for continuing to web cast the code development hearings.
     **   A **motion** was made and seconded to applaud the ICC Board of Directors for providing the web cast of the code development hearings and strongly urge the Board to continue the web cast for future hearings. The motion carried.
    11.2   Wireless feed of concurrent hearing: Ron Nickson (National Multi Housing Council) commended ICC for providing the wireless feed of the concurrent code hearings in Cincinnati and urged that this service be provided at future hearings. Nickson also stated that many industry associations would probably be willing to pay a fee for this service if it became necessary.
    11.3   Commercialization of Hearings: Several IAC members expressed displeasure with sponsors of code changes banners, name tag straps etc. in the code hearing room and on the web cast. It was agreed that outside the hearing rooms it was okay to have such banners, but that they should not be displayed in the hearing room, or on the web cast.

12. **New Business:** Pauls stated that he has heard that there is an ICC/NAHB task group but he has been unable to find anything on the ICC web site regarding this task group.

13. **Date and Location for Next IAC Meeting:** It was agreed that the next IAC meeting will be held on August 9, 2005 in the Chicago area.

14. **Adjourn:** A **motion** was made, seconded and carried to adjourn the meeting at 5:10 pm Eastern time.

_____   _____
Richard P. Kuchnicki,   Date
IAC Secretary

Attachment A

Attendee	**Representing**

Members

Jim Delahay	NCSEA
Dan Lea	C.I.M.A.
Ron Nickson	National Multi Housing Council
Mike Caldwell	AITC
Ken Bland	AFPA
Michael Gardner	Gypsum Association
Bruce Hunn	ASHRAE
Jim Messersmith	PCA
Jim Ranfone	AGA
Marshall Klein	AOCA
Jeff Inks	NAHB
Larry Perry	BOMA
Dave Frable	GSA
Jake Pauls	APHA
Ike Casey	PHCC
Jonathan Humble	AISI
Bob Kelly	VSI
Tom Hammerberg	Automatic Fire Alarm Assoc.
David Harris	NIBS
Mike Studor	American Institute of Building Design
Gene Fisher	US EPA
George Straniero	National Armored Cable Manufacturing Assoc.
Robert Hackworth	Steel Joist Institute
Howard Hopper	UL
Denise Beach	NPGA
Peyton Collie	SMACNA
Kevin Kelly	NFSA
Steve Ferguson	ASHRAE
Steve Szoke	PCA
Eric Lacey	RECA

Non-Members

Vicki Worden	Green Building Initiative
Dana Bres	HUD
Pat McLaughlin	SIA

Staff/ICC

Mike Pfeiffer	ICC Staff
Lauren Crane	ICC Staff
Richard Kuchnicki	ICC Staff
Dave Conover	ICC Staff
Bill Dupler	ICC Board Member

Attachment C

USGBC AND LEED
(3/16/05)

Purpose of USGBC: Is coalition of building industry to promote buildings that are environmentally responsible, profitable and healthy places to live and work. Aim is to transform the market for green building.

LEED Products and Greenbuild Conferences

Programs are committee-based, member-driven, and consensus-focused

21 member BOD, 45+ chapters with several others organizing

Organizational Committees
- Chapter Steering
- Education
- State and Local Government
- Greening the Codes

LEED: A green building rating system on Leadership in Energy and Environmental Design for designing, constructing, and certifying green buildings. Includes
- Training
- Professional accreditation
- Resource support
- Third-party certification of building designs

LEED Product Committees:
- Steering Committee
- New Construction
- Commercial Interiors
- Core and Shell
- Existing Buildings
- Homes
- Multiple Buildings
- Neighborhood Developments

LEED TAGS:
- Sustainable Sites
- Water Efficiency
- Energy and Atmosphere
- Materials and Resources
- IEQ
- Technical and Scientific Advisory Committee

Attachment E

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ICC IAC Task Group on ICC ES
January 5, 2005 Meeting Report

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The Task Group's first meeting was a telephone conference call on January 5, 2005. The following people were on the call:

> Task Group Members:
> > John Taecker (chair), Underwriters Laboratories Inc.
> > Joe Hetzel, DASMA
> > Bob Kelly, Vinyl Siding Institute
> > Dave Roodvoets, SPRI
> > Julie Ruth, AAMA
> > John Valiulis, International Firestop Council
>
> Staff:
> > Dick Kuchnicki

What was the reason for establishing the Task Group?

In order to clearly establish the scope of the Task Group, there was a discussion on the background leading up to its formation.

The impetus for the formation of the Group was the development by ICC ES of an Acceptance Criteria (AC) for a standard currently referenced in the IBC. The AC consisted of selected parts of the referenced standard and introduced other requirements. The standard development organization (SDO) for the standard participated in the ICC ES Committee public hearing for the development of the AC. Fifteen revisions were proposed to the draft AC. The Committee approved the draft AC with two revisions. The result of this action is to continue to allow a Legacy report without the product complying with the new standards as specified in the IBC.

At the September IAC meeting, John Nosse explained the policy and process for development of any AC. This raised many concerns and questions from the IAC members. The IAC voted to form a task group to review and provide comments on the policy and process.

What are industry's concerns?

The following are observations and perceptions the industry has:

- **The development of AC appear to be charged with a sense of urgency, which results in a feeling of being rushed through the process.**

- To change an existing AC, another manufacturer has to submit for an Evaluation Report.

- Sometimes Committee members appear to be hesitant in objecting to staff recommendations (a comment was made in one hearing by a Committee member that they "hate to overrule staff").

- ICC ES sets the requirements exceedingly high, well beyond the minimum code requirements.

- ICC ES creates ACs for where standards are already referenced thus increasing the number of compliance requirements

- ICC ES provides Evaluation Reports on products already certified to standards referenced in the International codes. This encourages code officials to require this additional expense for the manufacturers.

- There is a concern in the responsiveness and timeliness in the issuance of an Evaluation Report. Many reports can take up to a year to be completed.

What does industry want from ICC ES?

The industry hears from ICC ES that the product they develop is for the code official. Additional stakeholders should also be considered, including the public, the designers, the installers, and the manufacturers.

Acceptance Criteria should be developed for an alternate material or method, or when the code does not specify a standard. If the code specifies a standard for the material or system, then an AC should not be developed.

All stakeholders should participate in the development of AC, and the process needs to be clear. All stakeholders should be notified when an AC is under development. There needs to be a process to review and revise existing AC.

Code officials need to be clearly informed of ICC ES' mission and the purpose of AC.

The process for the issuance of Evaluation Reports needs to be clear. Evaluation Reports need to be issued in a timely manner.

Setting the scope of the Task Group

Based on the concerns and needs raised, the Task Group decided to set their scope of work to review and provide comments on the overall ICC ES process. The tasks are outlined as follows:

- Acceptance Criteria
  - Philosophy (including establishing need, scope, and equivalency with the code)
  - Process and Practice (including notification, participation, and processes for developing new AC and revising existing AC)
- Evaluation Reports
  - Process and Practice (including application, processing, and communication)
- Communication and Documentation (including information provided regarding ICC ES in articles, the website, and email notification)

Next meeting date and time

The next meeting of the Task Group was established for March 9th, 9-11 am PST. The meeting will be to review current ICC ES philosophy, process, and practices.

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ICC IAC Task Group on ICC ES
March 7, 2005 Meeting Report

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The Task Group's second meeting was a telephone conference call on March 7, 2005. The following people participated:

> Task Group Members:
> > John Taecker (chair), Underwriters Laboratories Inc.
> > Dave Roodvoets, SPRI
> > Julie Ruth, AAMA
> > John Valiulis, International Firestop Council
>
> Staff:
> > Tom Frost
> > Dick Kuchnicki
>
> Guest:
> > Howard Hopper, Underwriters Laboratories Inc.

The draft report for the January 5, 2005 meeting was reviewed and amended. The report was approved as modified by the members.
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The Task Group decided to seek feedback on the report from the IAC at the upcoming March 16th meeting, to make sure all concerns of the IAC would be considered. The Task Group's progress will be discussed at the March 16th IAC meeting, and comments on the report should be sent to John Taecker (John.K.Taecker@us.ul.com) by March 31st.

Using the concerns identified in the Task Group's January 5th report, and the subsequent feedback from the IAC, the Task Group plans to establish specific objectives, with recommended actions for accomplishing the objectives.

The Task Group discussed developing recommended objectives written in performance style, with specific recommended actions in a prescriptive style, as appropriate. An example discussed was as follows:

> Objective: The ICC model code development process should drive product standards, and ICC ES should cover those products not covered by such standards.
>
> Recommended Action: Acceptance Criteria shall not duplicate requirements for a product currently covered by model code requirements, including those in a referenced standard.
>
> Recommended Action: If the ICC codes adopt a standard for a product, the Acceptance Criteria developed for that product shall be eliminated after a suitable sunset period.

The Task Group plans on completing its task by August 15th, so that the IAC will have sufficient time to review the report prior to the next IAC meeting in September.

The next meeting of the Task Group will be via conference call on Wednesday, April 13th, 12-2 pm, PST. The meeting will be to develop the specific objectives.