



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

*Monday, September 13, 2004
American Society of Civil Engineers
1801 Alexander Bell Drive
Reston, VA*

1. **Call to Order:** Chairman David Frable (U.S. General Services Administration) called the meeting to order at 1:00 p.m. and it was determined that a quorum was present.
 2. **Approve Agenda:** Ron Nickson (National Multi Housing Council) requested that agenda item 14, Date and Location of Next IAC meeting, be addressed after agenda item 4. Jonathan Humble (American Iron and Steel Institute) requested new agenda item 13.3 ICC Hurricane Standard. Jake Pauls (American Public Health Association) requested new agenda item 13.4 Time Limits and new agenda item 13.5 ICC Committee Similar to BCMC. The agenda was accepted with the proposed revisions.
 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 April 26, 2004 IAC Meeting Minutes:** A motion was made and seconded to approve the minutes of the April 26, 2004 IAC meeting held in Washington, DC. The motion carried.
 5. **Report of ICC Chief Operating Officer, Rick Weiland:** ICC COO Rick Weiland introduced himself to the IAC members and thanked them for the valuable contribution they made to the ICC Blueprint to the Future project, the long term planning activity that will produce the ICC's first long term business plan. Rick also related to the IAC the progress that has been made since the consolidation of the ICC legacy organizations in unifying the three former organizations into strong cohesive national organization. Finally, he addressed to issue of ICC's decision to change the ICC 2004-2005 Code Change Proposal Form legal notice from "non-exclusive copyright" to "I hereby grant and assign to ICC all rights in copyright". Rick informed the IAC that the ICC General Counsel found it necessary to make this change in order to protect ICC's intellectual property contained in its code documents.
Several IAC members expressed concern regarding this change to the form and asked what ICC has done with those code changes that were submitted on unsigned forms. It was also indicated by some members that, in many instances, the staff person submitting the form does not have the authority to sign such a statement and asked that their concerns be brought to the attention of the ICC Board.
- ** A **motion** was made and seconded recommending that the ICC Board of Directors remove the exclusive granting of copyrights requirement and go back to the previous policy of non-exclusive copyright which has been ICC's historic use. The motion carried.

6. **Staff Report on ICC Activities:** Staff reported on the following:
- 6.1 **Board Action on IAC Recommendations:** No action required.
- 6.2 **ICC Annual Conference 2004:** A Report was given on the 2004 ICC Annual Conference which will be held in Salt Lake City. The International Code Council's 2004 Codes Forum features a comprehensive education program to develop your code knowledge. Conference highlights also include the Annual Business Meeting, International Code Council Expo, and the opportunity to network with your peers in the building safety and fire prevention fields.
- 6.3 **Ad hoc Committee on Existing Buildings:** Larry Perry (Building Owners and Managers Association) reported on the activities of the ICC Ad hoc Committee on Existing Buildings. The purpose of this ad hoc committee is to review the technical provisions of the IEBC, as well as the underlying concepts that were used in the development of the IEBC. This includes identification of provisions which may be viewed as technically unjustifiable or an obstacle to adoption. The review includes the relationship between the IEBC and the other I-Codes.
- 6.4 **Standards Development Activities:** The status of ICC Standards Development Activities as of May 3, 2004 is included as Attachment B.
- 6.4.1 **How is the proposed new sprinkler standard different from NFPA 13D?:**
 Several IAC members questioned the need for the new proposed sprinkler standard being developed by ICC because they think that the NFPA 13D standard already exists. A **motion** was made and seconded to recommend that the ICC Board of Directors discontinue development of the Residential Multi-purpose Sprinkler Standard. The motion failed by a vote of seven yes and eleven no.
 It was agreed that staff will include, with the minutes, a report from codes and standards development staff on the status of the sprinkler standard.
 STAFF REPORT WAS NOT AVAILABLE IN TIME FOR DISTRIBUTION WITH THESE MINUTES. IT WILL BE SENT TO THE IAC SEPARATELY.
- 6.5 **I-Code Adoptions:** Staff reported on the status of I-Code adoptions and informed the IAC that future updates of the adoption status report will include the edition date of the code that was adopted. More than 75 jurisdictions adopted the I-Codes during the first five months of this year. I-Codes, developed by the International Code Council, now are the choice of public safety officials in 48 states, representing more than 750 cities, counties and other jurisdictions. 44 states use the *International Building Code*, 43 states plus Washington, D.C. use the *International Residential Code*, 37 states & DC use the *International Fire Code*.
- 6.6 **Federal Activities:** Dave Conover summarized the staff report that was distributed with the agenda. The report is included as Attachment C.
 Chairman Frable asked for the status of ICC's effort to get OSHA to recognize the means of egress requirements in the IBC being equivalent to the OSHA workplace egress requirements.
 Dick Kuchnicki responded that, as a follow-up of ICC GR staff's meeting with OSHA staff in March, ICC has submitted a formal request to OSHA to review the IBC means of egress requirements to determine if they provide an equivalent level of safety comparable to the OSHA Exit Route Requirements.
 ** A motion was made and seconded recommending that the ICC Board of Directors to request ICC staff to develop and make available to OSHA, a comparison matrix (highlighting similarities) of the means of egress requirements of the IBC, NFPA 101 and OSHA Exit Route Requirements no later than January, 2005. The motion carried.

6.7 National Activities: A report was made on the following national activities:

- The U.S. Congress passed H.R. 1086, Standards Development Advancement Act of 2004 and President Bush signed it into law on June 22, 2004. The Bill will provide a new degree of limited relief to SDOs under existing antitrust laws. Detailed information on the Bill is available from ANSI.
- HUD Fair Housing Accessibility Guidelines technical staff has reviewed the 2003 IBC to determine whether it provides safe harbor for the HUD Fair Housing Guidelines. HUD's preliminary report on this review was published in the federal register for comments on August 6, 2004. ICC is working closely with HUD Fair Housing staff to resolve any concerns regarding technical consistency of the IBC with the HUD FHAG.
- ATBCB issued the final rule for the new Americans with Disabilities Act Accessibility Guidelines/Architectural Barriers Act Accessibility Guidelines on July 23, 2004.
- H.R. 3980, Wind Hazard Reduction passed the House and has not yet been acted upon by the Senate. The purpose of the bill is to establish an interagency National Windstorm Impact Reduction Program to improve understanding of windstorm impacts, improve windstorm impact assessment, and develop and encourage implementation of mitigation measures to reduce those impacts.

7. **Chairman's Report:** Chairman Frable thanked the IAC members and ICC staff for their support during his term as Chairman of the IAC. He also asked that they continue their support and active participation in the ICC Code Development Process in the coming year.
8. **IAC Task Group on Floor Modifications Report:** Task Group Chair, Tom Zaremba's (Wired Glass Manufacturers) task group report was distributed with the agenda and is attached as Attachment D. Zaremba was not present at the meeting due to a schedule conflict.
** A **motion** was made and seconded to table action on the report until the next meeting and that the Task Group should continue its work on Mr. Zaremba's proposal. The motion carried. Although a motion was originally made to table this item, upon further discussion it was agreed that work on the proposed revision to the procedures should continue, and the chair directed the members to address any comments they had on the task groups work to the task group chair, Tom Zaremba, by November 1, and ask that the task group give a report on their progress at the next IAC meeting.
9. **IAC Task Group on Green Building Rating Systems:** The IAC was informed that Task Group Chairman, Bob Elliott (American Plastic Council) is no longer a member of the IAC and he therefore is no longer the Task Group Chair. For this reason, there was no report from the Task Group. Chairman Frable appointed Ken Bland (American Forest & Paper Association) as the Task Group Chair and asked that a report be presented at the next IAC meeting.
10. **IAC Task Group on Five Year Code Cycle:** Task group Chair, Jim Rossberg (American Society of Civil Engineers) summarized the Task Group report that he distributed to the IAC members. A copy of the report is included as Attachment E. Jim stated that, based upon all of the comments that were received, there did not appear to be sufficient support to change the length of the code change cycle. Jim recommended that the Task group be disbanded. Chairman Frable accepted the recommendation to disband the IAC Task Group.

- 11. ICC Standards Guide:** A copy of the *ICC Guide to the Use of Standards in the International Codes*, developed by the IAC in 1999, was distributed for review by the IAC. Staff has requested that the IAC determine if they still consider the Guide a useful document and, if so, does the IAC wish to update the Guide. Chairman Frable appointed a Task group to review the *ICC Guide to the Use of Standards in the International Codes*, and develop comments and proposed revisions. The following volunteered to serve on the Task Group: Michael Gardner (Gypsum Association), Bruce Hunn (ASHRAE), Jonathan Sargeant (Cast Iron and Soil Pipe Institute) and David Tyree (AF&PA). Chairman Frable appointed Michael Gardner as the Task Group Chair and asked that a report be presented at the next IAC meeting.
- 12. IAC Nominations for IRC Development Committees:** Chairman Frable presented the IAC Executive Committee report on Recommendations for the IRC Building and Energy Committee as follows:

J. Daniel Dolan, Washington State University

Background and experience:

IRC-BE-2002, 2003, 2004; IRC Structures Ad Hoc Drafting Committee; Building Seismic Safety Council-1989-Present; Code Resource Support Committee-1998-Present

Jeffrey Feid, State Farm Insurance

Background and experience:

CC-IRC-BE-2001-2004; ICC IBC-Structural-2000; ICC IBC-Occupancy - 1997-1999; 15 years - code enforcement including building inspections, plan examiner and building official. Town of Normal IL; 4 years - loss mitigation/property and casualty insurance

Jim Sealy, Jim Sealy Architect

Background and experience:

ICC/IRC B & E-From Inception; ICC/ICCPC-From Inception; SBCCI/Fire & Life Safety Committee-1976-1994; BOCA/Covered Mall Ad Hoc-1974

IRC Building and Energy Committee Alternates (in order of preference):

Julie Ruth, JRuth Consulting

Background and Experience:

IUWIC-2003-2004; IBC-Structural-2002; IECC-2001; 9 years BOCA staff 1988-1997; 3 years WDMA representative to the model codes - 1997-2000; 3+ years independent consultant representing AAMA to the ICC-2000 till present

Shirley Muns, Energy Systems Laboratory, Texas A&M University

Background and experience:

ICC/IECC-2001-present; SBCCI-SPC-1993-1995; SBCCI-Education-1992-1993

Gary Walker, Walker Engineering Inc.

Background and experience:

IBC-FS-2003; Consensus Committee on HRC-2002; SBCCI Fire & Life Safety Comm-5 years; SBCCI Wind Load Committee-7 years

** A **motion** was made and seconded to nominate the appointments to the Building & Energy Committee of the IRC as recommended by the IAC Executive Committee. A **motion** was made and

seconded to amend by replacing Jim Sealy with Julie Ruth as a primary appointment and list Sealy as an alternate recommendation. Julie Ruth abstained from voting on this motion. The motion carried as amended.

Chairman Frable presented the IAC Executive Committee report on Recommendations for the IRC Plumbing and Mechanical Committee as follows:

William Ivey, Ivey Engineering Inc.

Background and experience:

IMC-2001; IMC-2002; IRC-PM-2003

Gary Koza, Ridgeway Plumbing

Background and experience:

International Plumbing Code Committee-2002, 2003/04; State of Florida Plumbing & Gas TAC-4 years; Palm Beach County Building Code Advisory Board-11 years; Broward County Plumbing Technical Committee-7 years.

John Wiggins, Underwriters Laboratories

Background and experience:

ICC/IMC-8 years; SBCCI/SMC-6 years(?); North Carolina Professional Engineer #07029

IRC Plumbing and Mechanical Committee Alternates (in order of preference):

Donald Mercer, Donald R. Mercer and Associates LLC

Background and experience:

ICC IPMC/ZC-2 years; ICC IBC/FS Development-Inception to first publication; BOCA Special Occ. Ad-Hoc Committee-5 years; BOCA Construction Interpt. Review Cmte.-2 years

Ronald George, Ron George Plumbing Design & Consulting Services

Background and experience:

ICC/IPC Committee-2000-2001, 2003-2004; BOCA Mechanical Code Interp. Comm.-2000-2001; SE Mich. Code Study & Development Comm.-1993-Present; ASPE Plumbing Education Comm.-1992-2002; ASME various A112 Plbg Stds. Committees-2000-Present; ASSE Various Plumbing

** A **motion** was made and seconded to nominate appointments to the IRC Plumbing and Mechanical Committee as recommended by the IAC Executive Committee. The motion carried.

Ike Casey (Plumbing Heating and Cooling Contractors) stated that, although he supported the nominations to the IRC Plumbing and Mechanical committee, he is recommending that this committee be eliminated because it duplicates the work of the International Plumbing Committee. Chairman Frable stated that Casey's comments were a new issue and ruled that it be addressed under New Business as agenda item 13.6.

13.0 New Business

13.1 **The development of Acceptance Criteria by ICC ES for products which are within the scope of industry standards that are already referenced in the International Codes:**

Julie Ruth (American Architectural Manufacturers Association) summarized a memo that she sent to the IAC which describes her industries concern over the development of Acceptance Criteria by ICC ES for products which are within the scope of industry standards that are already referenced in one or more of the International Codes. This memo is included as Attachment F.

John Nosse, President of ICC ES summarized a memo that he sent to the IAC responding to the JRuth Code Consulting Memo. This memo is included as Attachment G.

After considerable discussion on this issue Chairman Frable appointed a Task Group on the Process of Developing Acceptance Criteria by ICC Evaluation Service. The following individuals volunteered to serve on the Task Group: Julie Ruth, Jonathan Sargeant, Bob Kelly (Vinyl Siding Institute), John Valiusis (International Firestop Council), Dave Roodvoets (SPRI), Howard Hopper (Underwriters Labs), Joe Hetzel (DASMA), Jeff Inks (NAHB), and Jeffrey H. Greenwald (National Concrete Masonry Association). Chairman Frable appointed Julie Ruth as the Task Group Chair and asked that a report be presented at the next IAC meeting.

13.2 **ICC 2004-2005 Code Change Proposal Form (publicproposalform_051504), legal notice change from "non-exclusive copyright" to " I hereby grant and assign to ICC all rights in copyright".** This issue was addressed in agenda item 5.

13.3 **ICC Hurricane Standard:** Jonathan Humble questioned the need for the hurricane standard being developed by ICC which is competing with or extracting from other ICC codes and standards.

Rossberg stated that this standard is a document that will coordinate four documents.

** A **motion** was made and seconded to ask the ICC Board of Directors and Standards Council what is the need and rationale for developing a hurricane standard. The motion carried.

13.4 **Time Limits:** Jake Pauls expressed concern that, at the last ICC code hearings, there was no mechanism established to extend the time limits as recommended by the IAC Time Limits Task group. No action was taken by the IAC members.

13.5 **BCMC Equivalent Committee:** Jake Pauls asked whether ICC has plans to establish a committee similar to BCMC for the purpose of addressing large technical issues.

** A **motion** was made and seconded asking the ICC Board of Directors to inform the IAC what the forum will be to address larger, more complex technical issues similar to the issues that were addressed by BCMC. The motion carried.

13.6 **IRC plumbing and Mechanical Committee:** Ike Casey informed the IAC that his organization does not see the need for the IRC Plumbing and Mechanical Committee because the code provisions in the IPC and the IMC should be incorporated in their entirety into the IRC. Casey proposed a motion to recommend that the ICC Board of Directors eliminate the IRC Plumbing and Mechanical Committee and incorporate the IPC and IMC in their entirety into the IRC. However, the motion failed for a lack of a second to the motion.

14.0 **Election of 2005/2006 Chair and Vice Chair:** Marshall Klein (Automotive Oil Change Association), representing the IAC Nominations Committee, nominated Julie Ruth for appointment as the IAC Chair and Dick Kraus (American Petroleum Institute) as the IAC Vice-Chair for the years 2005/2006.

** A **motion** was made and seconded to approve the recommendations of the Nominations Committee. The motion carried.

15. Date and Location for Next IAC Meeting:

** A motion was made and seconded to hold the next IAC meeting in the Washington, D.C. area on Wednesday, March 16, 2005 at a location to be determined. The motion carried. Although it was agreed that the next meeting would be in Washington, DC, there was also discussion about having the Fall 2005 meeting in a different location, perhaps in conjunction with the ICC ABM meeting. Chairman Frable directed staff to look for an opportunity to schedule time for such a meeting.

16. Adjourn: A **motion** was made, seconded and carried to adjourn the meeting at 4:35 pm Eastern time.

Richard P. Kuchnicki
Richard P. Kuchnicki,
IAC Secretary

September 29, 2004
Date

ATTACHMENT “A”

**Attendance of the
ICC Industry Advisory Committee Meeting
September 13, 2004**

Attendee

Representing

Members

Jonathan Humble
Larry Perry
Dave Frable
Julie Ruth
Chris Jelenewicz
Eric DeVito
Ike Casey
George Straniero
Richard Kraus
Bruce Hunn
Marshall Klein
Kenneth Bland
Elaine Thompson
Mike Studer
Dan Lea
Richard Church
Marty Brett
Timothy J. Moss
Donald E. Rowson
Ron Nickson
Joe Hetzel
R. Donald Murphy
Jake Pants
Howard Hopper
John Valiulis
Jeffrey H. Greenwald

American Iron and Steel Institute
Building Owners and Managers Assoc. Intl.
U.S. General Services Administration
American Architectural Manufacturers Assoc.
Society of Fire Protection Engineers
Responsible Energy Codes Alliance
Plumbing –Heating-Cooling Centers
NACMA
American Petroleum Institute
American Society of Heating, Refrigeration & Air Cond. Engr
Automotive Oil Change Association
American Forest and Paper Association
STI
American Institute of Building Design
C.I.N.A.
PPFA
NEMA
NOMMA
Consumer Specialty Products Association
NMHC
DASMA
Steel Joist Institute
APHA
Underwriters Laboratories
International Firestop Council
National Concrete Masonry Association

Alternates

Denise Beach
Ralph Vasami
Jonathan Sargeant
Ray McGowan
Pat McLaughlin
John Schulte
Lee Jones
Kevin Kelly
Jeff Inks

National Propane Gas Assoc.
Builders Hardware Mfg. Assn.
Cast Iron Soil Pipe Institute
National Fenestration Rating Council
SIA
Plumbing, Heating & Cooling Contractors Natl. Assoc
Gypsum Association
NFSA
NAHB

Staff

Richard Kuchnicki

Rick Weiland

Dave Conover

ICC Staff

ICC Staff

ICC Staff

ICC-ES Staff

John Nosse

ICC-ES Staff

ATTACHMENT “B”

ICC Standards Development Progress Report

As of: 9/17/2004

Standard	Expected Completion	Last Action	Remarks	
Log Building	December 2004	Meeting March 4	See meeting minutes posted.	
Storm Shelter	January 2006	Meeting April 5, 6	Minutes posted for February meeting. See draft of parts posted by the task groups.	
Hurricane Resistant Construction	Summer 2006	Received comments on STD 10 Schedule Meeting 1	First meeting is July 12 in Atlanta. Location TBD	
Amusement Park	TBD			
Manufactured Housing	TBD	Extended public comment period to Nov. 15, 2004		

Other activities: Filed PINS for Residential Combination Sprinkler Standard. Presently considering the comments received.

Summary Report
ICC Activities with Federal Executive Branch Agencies

September 13, 2004

The following is a sampling of the initiatives ICC is undertaking with the executive branch agencies. These initiatives recognize that the federal agencies are an ICC customer, have unique needs and responsibilities and that ICC needs to be more proactive in reaching out to the agencies on an individual and collective basis to address their needs.

- A Federal Agency Codes and Standards Forum was established in early 2004 to provide a focal point for the federal agencies on activities related to building codes and standards. ICC has hosted two meetings of the Forum with attendance from over 40 individuals from over 20 agencies and dedicated a portion of the ICC government relations web site to addressing their needs.
- ICC has been providing the agencies, individually and collectively, information about and encouraging their increased participation in the code development process.
- ICC has been stepping up its efforts to facilitate agency access to ICC products and services and to enhance their understanding and use of the codes. For instance ICC recently presented a four hour overview of the IMC, IPC, IFC and IECC via satellite to all U.S. facilities of one of the agencies.
- Agencies have expressed an interest in the adoption rate of the codes and ICC has provided information to address that issue. ICC has also been active in working with the relevant agencies, offices and programs on their adoption of the ICC Codes and the updating of their policies and regulations that currently refer to the legacy organizations.
- To facilitate increased agency involvement, the ICC is working to facilitate membership in ICC by agencies and their staff. In addition ICC is working with some agencies to more effectively link their staff at the regional, state and local level with ICC Chapters and members.
- Agencies have requested interpretations and raised various technical issues and ICC has identified technical staff to address the needs of the agency.

ATTACHMENT “D”

Dear Dick, Dave and Task Group Members: I apologize for not getting this to you sooner. At the last IAC meeting on April 26, 2004, proposed changes to ICC Rule 5.5.2 were subjected to extensive discussion and several straw votes as recorded in the minutes of the meeting. I have incorporated the results of the straw votes into the proposed rule change. Attached are two copies of the final product, one red-lined to show changes from the draft presented at the April 26, 2004, meeting and a clean version. I sincerely apologize for not being able to attend the Sept. 13, 2004 meeting, but I will be at an ICC hearing in Chicago. Very truly yours, Thomas S. Zaremba

IAC TASK GROUP

PROPOSED MODIFICATIONS TO ICC FLOOR MODIFICATION PROCEDURES

5.5.2 Modifications: Modifications to proposals may be suggested from the floor by any person participating in the public hearing. The person proposing the modification is deemed to be the proponent of the modification.

1.Submission and Written Copies. All modifications must be timely submitted to the Committee Chair in writing, accompanied by an overhead and at least fifty (50) copies of the proposed modification. .

2.Criteria. The Chair shall rule proposed modifications in or out of order before they are discussed on the floor. A proposed modification shall be ruled out of order if it:

- (i) changes the scope or intent of the original proposal;
- (ii) contains too much content or is too complex to allow a proper assessment of its impact on the original proposal or the code; or,
- (iii) proposes substantive changes to any sections of the code that would not be changed by the original proposal.

3.Testimony. When a modification is offered from the floor and accepted by the Chairman, a specific floor discussion on that modification is to commence in accordance with the procedures listed in Section 5.5.1.

ATTACHMENT “E”

Report to the International Code Council’s Industry Advisory Committee

Subject: Status of IAC Ad Hoc Committee on 5-year Code Revision Cycle

Date: September 10, 2004

Prepared by: Jim Rossberg

At the April 26, 2004 meeting of the IAC, an Ad Hoc Committee was appointed by IAC Chair Dave Frable to discuss and document the pro's and con's of a 5-year development cycle. My concern, which led to my suggestion of considering a 5-year cycle, are that we at SEI/ASCE are hearing on a routine basis from structural engineers around the country on the difficulties that they're facing in keeping up with the pace of the changes - by the time they get trained, get their computer programs changed, etc. they're faced with more changes. Internal to our organization, the individuals working on the codes and standards are, in reality, making changes to documents which haven't been used in practice to any degree so they're not getting any real feedback from the profession. This pace of change also leads to an increased liability for structural engineers and increased losses - not due to actual failures of structures, but due to failure to keep up with national documents.

After initiating the ad hoc committee, another ICC stakeholder, the Wood Truss Council of America indicated by e-mail that their industry is so dependent on software to design structural building components, the quicker the code changes the more challenging are the program demands – to the point where it is virtually impossible to stay current and be in compliance with the code, if the cycle is going to continue to be every three years.

Conversely, I also spoke with representatives from other members of the IAC that they would be strongly opposed to a 5-year cycle as it would delay the introduction of new technology, new products, and the correction of perceived problems with the model codes.

As there were clearly strong concerns on both sides of the suggestion an e-mail solicitation of the entire membership of the IAC was conducted to attempt to document the various “pros and cons” of the suggestion. The remainder of this status report presents the comments which I received. These comments are presented in their unedited form and have not been considered collectively by the ad hoc committee. My apologies to the members of the ad hoc committee for not assembling these comments sooner and organizing a conference call for them to develop a recommendation to the IAC – I simply have not had the time to do so.

Initial ICC Comment Solicitation E-mail:

To: ICC Industry Advisory Committee Members

Subject: IAC Task Group on Five Year Cycle

At the April 26, 2004 meeting of the ICC Industry Advisory Committee the IAC Chairman, Dave Frable, appointed a Task Group to study a proposal from ASCE and other IAC members to ask ICC to consider

changing to a five year code change cycle. The Chairman of the Task Group is Jim Rossberg, ASCE. ASCE's concern is that they are "hearing on a routine basis from structural engineers around the country on the difficulties that they're facing in keeping up with the pace of the changes - by the time they get trained, get their computer programs changed, etc. they're faced with more changes. Internally, the folks working on the codes and standards are, in reality, making changes to documents which haven't really been used in practice so they're not getting any real feedback from the profession. All of this ultimately also leads to an increased liability for structurals and increased losses - not due to actual failures of structures, but due to failure to keep up with national documents."

Another ICC stakeholder, the Wood Truss Council of America states, "our industry is so dependent on software to design structural building components, the quicker the code changes the more challenging are the program demands – to the point where it is virtually impossible to stay current and be in compliance with the code, if the cycle is going to continue to be every three years."

Any IAC member who is interested in participating on the Task Group should contact:

James A. Rossberg, P.E., M.SEI
Director
Structural Engineering Institute of ASCE
1801 Alexander Bell Drive
Reston, VA 20191
P: 800-548-2723 ext. 6196
Direct: 703-295-6196
Fax: 703-295-6361
Cell: 703-851-2166

Richard Kuchnicki
Federal Program Manager
International Code Council
(703) 931-4533 ext. 246
rkuchnicki@iccsafe.org

Initial E-mail to Members of the IAC Ad Hoc Committee:

(When other IAC members responded to the e-mail above indicating that they wished to participate on the Ad Hoc Committee I replied with essentially this same e-mail)

Hi everyone,

As you'll recall, at the April 26th meeting of the IAC an ad hoc committee was appointed to discuss and document the pro's and con's of a 5-year development cycle. Before organizing a conference call or possibly an in-person meeting (if that makes sense) what I'd like to do is have everyone put some thoughts down in an e-mail about the Pros and Cons of a 5-year cycle.

So, if you wouldn't mind doing that in the next few days I'd appreciate it - **with one ground rule - please try not to "debate" someone's point in your e-mail** - all I want to accomplish by e-mail is simply documenting the various perspectives, there will be plenty of time for debating later I promise.

I'll kick things off.....

The reason I brought up this issue is that I'm hearing on a routine basis from structural engineers around the country on the difficulties that they're facing in keeping up with the pace of the changes to both codes and standards - by the time they get trained, get their computer programs changed, etc. they're faced with more changes. Internally, the folks working on the codes and standards are, in reality, making changes to documents which haven't really been used in practice so they're not getting any real feedback from the profession. All of this ultimately also leads to an increased liability for structurals and increased losses - not due to actual failures of structures, but due to failure to keep up with national documents.

Pros:

- more time for a more thorough review of the proposed changes
- more stability for the design profession
- more time to correct an error before it affects practice
- chance to get feedback from actual practice
- greater likelihood that each edition will be adopted by states

Cons:

- longer time frame to get new materials/methods into practice
- longer time between reconsideration of important issues

Please add to one or both of these lists!

Thanks for taking the time to kick this issue around,

Jim

RESPONSES

Jim:

Thank you for including my comments in the discourse. I would make one assumption in offering the following and that is that your proposed 5-year cycle would incorporate the creation of only one supplement edition between full editions of the code - i.e. we currently operate on a 3-year/ 18-month interim cycle; you would have a 5-year/30-month interim cycle.

I'd offer the following additional pros:

- Less travel for code officials - i.e. reduced cost to municipalities.
- Additional time for editorial review of produced editions. Should reduce errata.

Now some cons:

- Might lead to situation where code winds up referencing standards that are up to nine years out of date.
- Many ASTM/ANSI standards are revised every year or two. Five-year cycle is too slow a pace for them. Reduced revenue to ICC from reduced book sales.
- Loss of natural code-production momentum. Loss of institutional knowledge from participants.
- NFPA 5000 is on 3-year cycle. Might make it more "cutting edge" than ICC documents.
- Current 3-year/18-month cycle is new. Needs time to see how it works.

Thanks,

Michael A. Gardner
Gypsum Association

I have also had complaints from building officials. They just complete training on a version of the code and have to start all over again with a new updated code.

Sounds like a good idea that should get support from everyone.

Ron Nickson

In Response to Nickson's comment:

I would also agree. Dealing with fire marshals and building inspectors who all are using difference versions of the code is frustrating for all. I would be interested in participating on the task group.

Best regards,

Tom Hammerberg, SET, CFPS
President/Executive Director – AFAA

Jim,

Before I read your list, I started my own. It looked very similar to yours. The only additions I would make are as follows:

Pro:

Any proposed change regarding newer technology could be thoroughly researched to verify its credibility. Additional research can be performed to verify a proposed change.
Round-robin testing could be done before final acceptance of new material.

Cons:

New technology could be 7 years old before it gains acceptance.
Failure to gain approval in a 5 year cycle will delay acceptance another 5 years, hence, technology could be 12 years old before gaining acceptance. (I am accounting for the typical adoption of the code once it is published.)
Referenced standards will be out of date in the code.
There is a major commitment for code officials on committees to be involved for a longer cycle.
Inability to respond to an emergency situation whereby a major correction is needed in the code.
Errors in the code last for a longer period of time.

Julius Ballanco, P.E.
Vice President, Legislative
American Society of Plumbing Engineers

As a representative of a SDO, I have to express our view that we are opposed to this proposal. At the present time we are rushing to complete the update of one of our standards by August so that we can get it

referenced in the 2006 IBC and IRC. If the editions were switched to a 5 year cycle that means a standard that is approved in 2005 could not be referenced in the IBC and IRC until 2011. Clearly the lag time between approval of a standard and its potential reference in the International Codes is already a concern. I don't think we should act in away that further aggravates that.

Sincerely,

Julie Ruth

I have not weighed in on this yet but I have to agree with Julie. Given the delay time between a standard getting accepted by the industry, fitting into the Code cycle and finally getting printed it can be 5-6 years before it finally gets seen by the code community and maybe that long again before it is actually used. Look at the 1997 UBC right now. That is how out of date the IBC would be before it was updated. What about manufacturers, do they ignore the newest standards for 6 years? If the adoption of the newest standards is to bring the manufacturer into compliance with international standards they have to produce to two sets of standards for 5-6 years??

Don't even get me going on correcting errors existing in the current code! Without a code change process you can't even fix them. (I have been trying to fix a very big error in the 97 UBC since 97. ICBO admits it is wrong but there is no WAY to fix it! And being bureaucrats...

I agree with Julie!

Respectfully;

Ed Keith, P.E.
Senior Engineer
APA - The Engineered Wood Association

The ICC should go to a 5-year cycle. ANSI is on a 5-year cycle. No standard or code will ever be completely up to date.

It's completely unnecessary to have a complete change every other year. If there is a catastrophic clause that needs to be corrected, an Addendum can handle it.

Give the users time to understand and evaluate before changing. Changes will be more meaningful if they result from usage rather than someone's untested idea or promotion.

Standards writing organizations can readily tie in with the 5-year cycle.

Edward R Estes, Jr, PE
NAAMM Technical Consultant

If there is no more to it than a simple change to a 5 year cycle, I would have to say that I am initially opposed. I am assuming that you would envision 2 2 1/2 year cycles just as we do things now. If you are exploring the option of a single change every 5 years, I am adamantly opposed to that scenario.

However, if there were some other mechanisms for developing forums for different types of hearings during a 4-5 year process similar to the old BCMC process, I would be more interested in exploring the options.

Vickie Lovell

Dear Jim: I am interested in participating on this task group. I must also join the ranks of my colleagues

that oppose indiscriminately sentencing all code change proposals to a 5-year development cycle. Consolidating the 3 regional model code groups to a single national code has intensified the significance of the I codes for all interested parties. Those that might only have had an interest in a single region of the United States are all now brought together in a single code change development process. Consequently, the number of code change proposals submitted could only be expected to increase. (Given the relative success of the I codes over the "other" model building code, I'm having some trouble seeing why the I codes would want to borrow a 5-year procedure from the "other" model code.) There has to be a better way to assess proposed changes to resolve the burden caused by "too many changes." Perhaps some proposals could easily go to a 5-year track with no loss in quality to the I codes. Others proposals, however, may deserve consideration far sooner than twice a decade. Again, I am interested in participating in this task group. Very truly yours, Thomas S. Zaremba, RALaw

Jim,

I too would like to be on any Task Group that is studying the code development cycle. While I understand the difficulty of "keeping up" with changes, it is typically engineering groups and industry that is pushing for major technical changes. Delaying the process of incorporating the "latest" design tools and the "latest" in design materials for two more years will only leave the code to fall farther and farther behind. Designers are left with the chore of persuading code officials to accept the latest design as an equivalent rather than having it as part of a package of design and regulation.

I don't agree that the change to a single code has generated significantly more changes to the codes. I think the single code has improved the changes to the code and by going to the 18 month cycle within the 3 year publishing dates we are now afforded the time to study the code and implement many of the changes. While I do not expose going to an even longer cycle that is used by NFPA (the reality is that the NFPA committees are manipulated into doing mid cycle changes that equate to an 18 month cycle), I do think there is a great deal that ICC can learn from NFPA's committee structure and the ability to more effectively manage code changes by an extended committee process.

David S. Collins, FAIA
The American Institute of Architects
Code Advocacy Program Consultant

Jim,

Thank you for the opportunity to participate in this discussion about lengthening the code change cycle. I would have to come down on the side of shortening the cycle, rather than lengthening it.

The obvious CON for a standards developer has already been stated in that many of the standards would be extremely out of date in 5 years. Another CON is that there may be legal ramifications for the ICC if a standard were improved for safety or quality issues, for example, and the code did not reference it!

I would suggest that the ICC move towards more of a "living document" whereby important changes could be made more easily. Then put a process in place to keep users informed of significant changes. For example, ASTM International has recently made "red-line" documents available that outline revisions made since the last published version of a standard to facilitate communication of the changes from one version to the next.

If the cycle is ever extended, we would strongly urge that a mechanism be put in place to update the standard references at least annually.

Regards,

James P. Olshefsky
ASTM International
Director, Committee Services
Phone:610-832-9714
Fax:610-832-9666

Eunice,

Thank you for providing the IAC meeting minutes. I'm sorry I didn't attend the last meeting due to a schedule conflict. I did take note of Mr. Rossberg's recommendation from ASCE about increasing the frequency of ICC Code updates to 5 years. I was fortunate to be able to attend a meeting in February convened at the Air Force Civil Engineering Support Agency at Tyndall AFB where the DoD senior structural engineers met to discuss & review common concerns. The challenges for DoD to respond in adopting the latest ICC Code Changes have stretched our resources well beyond our normal capabilities. We are managing, but I don't see we can continue to hold out.

I really believe there is merit in Mr. Rossman's suggestion to extend the time period between updates to 5 years. DoD by default has conformed to a more extended time frame between applying the new Code requirements.

I have Cc'd DoD's senior structural engineers, in case I have misquoted them, to give them an opportunity to express their concerns about Code cycle update.

Vincent Donnally
Navy

Attn: Richard Kuchnicki:

I just received an email from WTCA concerning the possibility of changing from a 3 year to a 5 year code cycle. I say "It's about time".

We provide engineering services to all the Western U.S. states and absolutely can't keep up with the code changes. We still deal with some building departments using the UBC-97, some use IBC-2000, some use IBC-2003, and some sound like their not sure what to use. I have on my desk copies of IBC-2000, 2001 Supplement to the IBC, 2002 Supplement to the IBC, IBC-2003, IRC-2003, ASCE 7-98, and the latest NDS-2001 for allowable stress design of wood. This pile of books is over 10" high and beyond my imagination as to how I could possibly read all of it in sufficient detail to be proficient in structural design. I gave up trying to study the IBC-2000 and went straight for the IBC-2003, but if it's revised in 2006 I'll be right back where I started.

Keep in mind it isn't just the Codes that need to be read by engineers, but also the many trade magazines, NER Reports, and technical association newsletters that have to be absorbed to stay competent.....changing to a five year code cycle gives us practicing engineers a little more time to absorb the changes.....It also would give everyone a little time for "the dust to settle" with the changes from UBC-97 to IBC.

FYI, in Las Vegas, Nevada area we have jobs being built under three different building codes, where the units are across the street from each other! Everyone needs to slow down a little to sort out what really IS the proper building code. And, God forbid we ever have to use the NFPA 5000.....another code with another code change cycle.....way too much to keep up with.

Thanks for your time.....

Aaron M. Reed, PE, MBA
President
Deadlines Engineering, Inc.

TO: Eunice Lee
DATE: 05/24/04

Please be advised that National Fire Sprinkler Association would recommend that we **do not** go to a five year cycle. It would be nice to see that the codes changes have a chance to be in place for a while before making changes, but based on the technology changes that occur in many industries, I would think that the five year cycle would be detrimental to technology that can benefit the consumer, industry, contractors and designer professionals. The revised 18 month cycle should be further studied to see if any enhancements can be made. I also think that the floor modification issue must be addressed, especially due to the split sessions and multiple hearings. I think this is the big issue and last minute floor modifications should be very limited and only allowed based upon a well defined bylaw requirement.

Robert B. Treiber / NFSA

Mr. Kuchnicki,

Boise manufactures wood I-Joists, Laminated Veneer Lumber and Glued-Laminated Wood Beams. We write software for the users of our products that allow them to produce a lay out drawing and analyze the structural members very quickly. Obviously, the faster that they can perform this function, the more product we have the ability to sell. The software is such an important part of our business that sometimes I feel that we are a software company that sells engineered wood products on the side. The simplest change in a building code can cause monumental changes to the software code. We strongly support going to a 5 year code cycle. It would allow us to spend more of our programming time working on enhancements to our software rather than writing code to assure compliance with the code changes.

I would appreciate it if you would pass along my feelings on this subject to anyone with the ability to influence a change.

Thanks,

W. Gary Dunn, P.E.
Senior Engineering Manager
Boise Engineered Wood Products

Dear Jim:

Thank you for leading this discussion and providing an opportunity for input. Our interests relate primarily to plumbing code.

For what it's worth, our organization sponsors the National Standard Plumbing Code (NSPC). We follow an annual code change cycle. We do not follow a consensus process, but rather a representative process.

We have a committee with engineers, inspectors, contractors, and administrators.

Given that the annual cycle has worked well for our group, our preference is for a shorter cycle. Our constituents want to be able to implement the latest technology and best practices as soon as plausible. I expect that standards will continue to be developed at a rapid rate.

I believe you have done a good job of summarizing the advantages and disadvantages of lengthening the code adoption cycle. I look forward to discussing the issue.

Best regards,
John

John Schulte
Technical/Apprenticeship Director
PHCC - National Association

PHCC is not in favor of the five year cycle, because there are too many changes taking place in this industry to put off changes to every five years. The National Standard Plumbing Code uses a supplement in the years in which there is no code, therefore ICC could use a supplement every year and then incorporate the major changes every five years, but just doing code changes every five years will not work in the ever-changing construction environment.

D. L. "Ike" Casey,
Executive Vice President
PHCC--National Association

ATTACHMENT "F"

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E-mail: julruth@aol.com

**JRuth Code
Consulting**

Memo



To: Richard Kuchnicki
Dave Frable, Chair, ICC IAC
Members of the ICC IAC

From: Julie Ruth

CC: Members of the ICC IAC
Rich Walker, AAMA
Carl Wagus, AAMA
Mike Fischer, WDMA
Jeff Lowinski, WDMA

Date: 9/30/2004

Re: New Business Item for the IAC Meeting of September 13, 2004

Dear Dick and Dave,

Thank you for allowing this item to be placed on the agenda for the September 13, 2004 meeting of the ICC Industry Advisory Council. I don't know how widespread the problem may be for members of the ICC IAC, but I do know it has caused concern to the association I represent, American Architectural Manufacturers Association (AAMA), to the members of the Window and Door Manufacturers Association (WDMA), and for at least one other member of the ICC IAC who urged me to bring the matter forward to the ICC IAC. The problem has to do with the development of Acceptance Criteria by the ICC Evaluation Services for products that are already addressed in industry standards that are referenced in one or more of the International Codes.

Our specific concern stems from the development of AC 16 *Plastic Skylights*, AC 17 *Glass Glazed Unit Skylights and Sloped Glass Glazing* and AC 244 *Exterior Doors and Windows* by the ICC ES. Section 1714.5.1 of the 2003 *International Building Code* and Section R613.3 of the 2003 *International Residential Code* require exterior windows and glass doors to be tested and labeled in compliance with AAMA/NWWDA 101/I.S.2-97 *Voluntary Specifications for Aluminum, Vinyl (PVC) and Wood Windows and Glass Doors* or ANSI/AAMA/WDMA 101/I.S.2/NAFS-02 *Voluntary Performance Specification for Windows, Skylights and Glass Doors*. Section 2405.5 of the 2003 *International Building Code* and Section R308.6.9 of the 2003 *International Residential Code* require unit skylights to be tested and labeled in accordance with ANSI/AAMA/WDMA 101/I.S.2/NAFS-02 *Voluntary Performance Specification for Windows, Skylights and Glass Doors*. In spite of this, two of the Acceptance Criteria mentioned above, AC 17 and AC 244, do not require full compliance with the referenced standard although they do reference it for some tests,

and the remaining Acceptance Criteria - AC 16, does not even mention ANSI/AAMA/WDMA 101/I.S.2/NAFS-02.

The members of AAMA and I have a concern that the need to fully comply with the joint AAMA and WDMA standard has not been recognized by the ICC ES. It is our view that only through testing a product line fully for compliance to one of these standards can any level of assurance be provided that the fenestration product will perform adequately over an extended period of time.

Prior to their approval of AC 244 in February 2004 I sent the ICC ES a letter on behalf of AAMA that described in detail 15 specific items in AC 244 that fell short of the AAMA/WDMA 101/I.S.2/NAFS-02 standard and offered possible revisions to address each of these concerns. Few of those items were incorporated into the final, approved version of AC 244.

As a long time participant in the model code agencies, and a member of the ICC I have an additional concern that AC 16, AC17 and AC 244 do not represent the expected standard of care for those products, based on the reference to our standard in documents published by the ICC. It is my understanding from discussions with various legal counsels that promulgating specifications for a product that fall short of the expected standard of care, based on accepted industry standards, can expose the promulgating party to liability should that product fail while in service.

As I mentioned in the opening of this memo, I do not know if this is a concern beyond the three ICC IAC members I am aware of. If not then we will need to deal with this on our own. If it is a concern to other members of the IAC perhaps we should try to address the policy of the ICC ES to develop Acceptance Criteria for products that are already covered by industry standards that are referenced in the International Codes.

Thank you for the opportunity to bring this matter to your attention.

Julie Ruth, P.E.

JRuth Code Consulting

Representative for AAMA to the ICC

Select text you would like to replace, and type your memo. Use styles such as Heading 1-3 and Body Text in the Style control on the Formatting toolbar. To save changes to this template for future use, choose Save As from the File menu. In the Save As Type box, choose Document Template. Next time you want to use it, choose New from the File menu, and then double-click your template.

ATTACHMENT “G”

To:	Dave Frable, IAC Chairman	
From:	John Nosse, ICC-ES	
Date:	September 9, 2004	
Subject:	JRuth Code Consulting Memo	MEMO

This is in response to a memo to the ICC Industry Advisory Council members from JRuth Code Consulting, dated September 3, 2004, raising concerns regarding the development of acceptance criteria by ICC Evaluation Service, Inc. (ICC-ES) for products addressed in industry standards that are referenced in one or more of the International Codes.

The memo raises three issues:

1. Three acceptance criteria, AC16 (Plastic Skylights), AC17 (Glass Skylights) and AC244 (Exterior Doors and Windows), have been recently approved by the ICC-ES Evaluation Committee that either do not acknowledge a code-referenced standard or do not require compliance with all aspects of the code-referenced standard.
2. In the development of AC244, the 15 specific items of concern raised by AAMA and WDMA were not adequately addressed prior to adoption of AC244.
3. AC16, AC17 and AC244 do not represent the standard of care noted in the code referenced standard for the products covered by those criteria.

Our response to the three noted issues is as follows:

1. ICC-ES acceptance criteria are approved in public hearings by the ICC-ES Evaluation Committee, which is composed of appointed code officials. The stated purpose of the Committee is, among other things, to evaluate and approve acceptance criteria on which certain ICC-ES evaluation reports are based. Acceptance criteria are developed by ICC-ES for the limited purpose of establishing a basis for issuing ICC-ES evaluation reports and should not be construed as being nationally recognized standards. The ICC-ES process specifies the development of acceptance criteria when the requirements of the code or the code-referenced standard are not clear and explicit in giving evaluation report applicants direction for the conduct of testing and the data that must be provided. The acceptance criteria establish code compliance, provide direction in evaluating data and provide uniformity and fairness to applicants with similar products.

In developing the above-noted acceptance criteria, ICC-ES staff based the criteria on the requirements of the code, including the code-referenced standards. The basis for following procedures other than the code-referenced standards was identified at the public hearing to both the Committee and the hearing attendees.

At the hearing, the Evaluation Committee considered all comments raised in written correspondence and in verbal testimony before voting approval of the acceptance criteria. All attendees at the meetings were afforded the opportunity to speak and be heard before the Committee made its decision. No comments were provided by AAMA or WDMA prior to or at the Evaluation Committee hearings for AC16 and AC17, nor has AAMA or WDMA identified the aspects of the code-referenced standard that are not addressed by AC16 or AC17.

All interested parties have the opportunity to comment on an approved acceptance criteria and to propose revisions. No proposals for revision of the adopted criteria have been received as of this date.

2. During the public hearing on AC244, the Evaluation Committee heard testimony regarding the 15 items of concern raised by AAMA and WDMA. The Committee considered all written correspondence as well as the testimony provided on behalf of AAMA and WDMA in assessing the proposed criteria. After considering all testimony and correspondence, the Evaluation Committee approved the criteria currently available on the ICC-ES web site.
3. In approving the three above-noted acceptance criteria, the Evaluation Committee heard testimony from both sides of the issue and made their decision based on their stated purpose of establishing requirements that meet the minimum requirements of the applicable code. While the code does identify a standard by which windows, doors and skylights can be evaluated, the code also provides for alternate means to meet the intent of the code. This was the basis used by the Evaluation Committee in approving the acceptance criteria.

ICC-ES has extended an invitation to AAMA and WDMA to discuss the differences between the acceptance criteria and the code-referenced standards and to work with those organizations in resolving the concerns in establishing code compliance for windows, door and skylights.

cc: Richard Kuchnicki
Julie Ruth