

MEETING OF THE ICC INDUSTRY ADVISORY  
COMMITTEECOMMITTEE



DRAFT AGENDA

September 30, 2007  
Grand Sierra Resort  
2500 East 2<sup>nd</sup> Street  
Reno, NV 89595

September 30<sup>th</sup> : 8:00 am – 12:00 pm

1. **Call to Order- Chair Kraus**

The meeting was called to order at approximately 8:00 am on September 30, 2007. Chair Krause noted that today was the first day of the 2007 ICC Annual Conference.

2. **Self Introductions**

2.1 **Identify new members**

Staff noted that the Associated Builders and Contractors is a new IAC member, represented by John Rave, 4<sup>th</sup> Dimension Design, Inc.

Staff present: Mike Pfeiffer, Tom Frost, Lauren Crane

2.2 **Establish quorum (20 minimum)**

A quorum was established. A list of attendees is on Attachment A.

3. **Approve Agenda**

Approved with a modification to add a new business item under 12.0 to discuss the order and format of testimony at ICC hearings.

4. **Approval of February 27, 2007 IAC Meeting Minutes**

Approved.

5. **Chair's Report**

Chair Kraus thanked the staff and the IAC Task Groups for their efforts.

6. **IAC Activities**

6.1 **Task Group Report - Representation and Funding**

Jeff Shapiro provided history on this issue in the form of citing a part time plan checker who was identified as a Governmental Member Representative and also served as a code consultant who represented clients – this was not disclosed at the hearings. The report dated September 25, 2007 (posted on website) was discussed. To date the task group has not reached consensus on this issue. The task group decided to have the IAC review and provide comment. Discussion/Issues:

- Is disclosure of client interest required even if code change not submitted on behalf of a client?
- "Associations" are often noted in testimony but there is often not a clear indication of representation and funding.
- It was further noted that associations and other entities often receive funding from many sources and it may not be feasible or practical to identify funding sources.
- Is it reasonable to have staff read into the hearing record the statement filed with ICC which describe the funding sources?
- Some of the information described in the report may be viewed as confidential.
- If someone is currently concealing their representation and funding, will such a disclosure statement compel them to reveal their representation and funding?

Staff was directed to send the report to the full IAC for comments, with a deadline date of November 11, 2007, with comments to be sent directly to Jeff.. (*Staff note: sent to IAC under email of 10/8/07*)

6.2 **Task Group report - IAC Membership**

Julie Ruth presented the history on the issue of IAC membership and the relationship of CP #6 to the IAC

operational procedures which are posted. The TG report dated August 31, 2007 (posted on the website) was discussed. Discussion/issues:

- The focus is to coordinate CP 6 with the IAC procedures, noting that a change to CP 6 requires action by the ICC Board
- The term “not-for-profit” was added to address trade associations.
- If the IAC was opened up to individual companies versus an association that represented the individual companies, the IAC membership would increase significantly, possibly resulting in inefficiencies.

The IAC made the following additional revisions - delete the phrase “not-for-profit” in 3.4 of CP #6 and in Article II, Section 1.

Staff was directed to make the revisions and place the updated drafts on the next meeting agenda.

### **6.3 IAC Rules – Past IAC Chair as member of IAC Executive Committee**

The IAC approved the following revision to Article V Section 1:

“The IAC’s executive committee shall be the officers of the IAC, the preceding chair of the IAC, and six other members appointed by the IAC Chairman and confirmed by a majority vote of the IAC.”

Staff was directed to make the revisions and place the updated drafts on the next meeting agenda.

## **7. ICC Codes & Standards Activities**

### **7.1 2007 Final Action Hearings**

Staff recapped 2007 FAH in Rochester, noting:

- Approximately 1590 registrations
- Approximately 1150 total eligible voting members registered
- Typical hearing attendance 250 – 300. High attendance for a single hearing was around 400. Over 1200 in attendance for RB 114-06/07 (IRC sprinklers)
- Approximately 60 hours of hearings and 631 code change items considered.
- Electronic voting debut – used when the moderator could not call the vote from the dais. Very favorable response from attendees. Staff estimated it saved 3 – 5 hours of time by eliminating the 4-5 minutes spent per code change by staff performing hand counts.

### **7.2 2007/2008 Cycle**

#### **a. 2008 Code Development Hearings, February 18 – March 2, 2008, Palm Springs, CA**

The schedule for the hearings will be the reverse of the 2006 Orlando Code Development Hearings.

Track 1: Starts with IRC B/E and ends with IFC

Track 2: Starts with IEBC and ends with IBC-Structural

Staff noted that IAC IRC BE nominee Gary Walker was recommended by the ICC Councils to be appointed to the IBC- Structural committee.

#### **b. Electronic voting**

Electronic voting will not be used for assembly motions in Palm Springs but will be used for voting at the 2008 Final Action Hearings as recommended by the ICC Task Force on Hearings.

### **7.3 Codes and Standards Committee Activities**

Ad Hoc Terrorism Resistant Buildings (TRB): The 2007 FAH wrapped up consideration of the 14 TRB proposals. Notable changes that were successful: exit path markings (E84); fire proofing bond strength (G68); elevators for fire fighter use (G63); and an additional stair for high rises (G71).

Ad Hoc Wall Bracing: The AHWB did not submit code change as the committee was not constituted at the time of the code change deadline, however the committee was very active and successful in submitting modifications at the Orlando hearings and public comments at the Rochester hearings.

Ad Hoc 13 committee: The committee completed their work relative to the last cycle of NFPA 13D

and the committee was disbanded by the ICC Board.

Code Technology Committee: The CTC submitted 5 code changes in the 2006/2007 cycle for three areas of study: climbable guards; NIST WTC recommendations; day care. In the 2007/2008 cycle, CTC will be submitting 5 proposals – climbable guards (1); NIST WTC recommendations (3); and child window safety. Next CTC meeting follows the 2007 Annual Conference.

Log standard: First edition approved by ANSI on 2/8/07.

Bleacher standard: Update to 2007 edition approved by ANSI on 1/29/07.

Storm shelter standard: Two drafts have been issued to date. Third draft anticipated in October/2007. Standard should be available well in advance of the 2008 Final Action Hearings.

Hurricane standard: Two drafts have been issued to date. Third draft anticipated in October/2007. Standard should be available well in advance of the 2008 Final Action Hearings.

Accessibility standard: The committee met in April/2007 to consider committee proposals submitted as part of the update to the 2008 edition. Public comment draft to be posted later this year.

Green building standard: Two meetings of the ICC/NAHB jointly sponsored standard have been held with the committee starting with the Working Draft developed by NAHB. The third meeting is slated for late October/2007 with a target schedule of completion in the spring of 2008.

#### **7.4 Code Technology Committee Procedures (CP #5)**

Julie Ruth noted a concern voiced by Rick Thornberry that CP #5 has been revised by the ICC Board to no longer require a “public hearing” prior to CTC taking a position on an area of study issue. It was noted that while there is no longer a formal public hearing, the process is conducted in open meetings, both CTC meetings and CTC study group discussions, with the agenda posted and sent to those who express an interest in participating. It was asked if the IAC has any concerns about the changes to CP #5. No concerns were noted.

#### **7.5 Department of Energy/ASHRAE: 30% increase in building energy efficiency standards**

A press release was issued by ASHRAE noting that ASHRAE and DOE have formed an agreement to increase energy standards by 30% over 2004 standards by 2010. It was also noted that HR 3221 is a proposed House bill that requires a 30% increase in energy efficiency by 2010 and 50% increase by 2020. This bill has not gone to committee yet. There is also a similar bill, HR6 in the Senate. If applied to the IECC code development process, this bill has the potential of directing how the code changes should be reviewed and evaluated by the code change committee and the membership of ICC relative to disposition of the code change. It was noted that those in the legislature may not understand the ICC code development process.

Staff noted that the Governmental Relations department has been following the legislation and has weighed in on the details of the ICC process, voluntary standards and state/local authority.

### **8. ICC Governmental Relation Activities**

#### **8.1 National**

Mark Dineen in the ICC GR department briefed the IAC on Building Safety Week held in May. Members of the ICC Board, Governmental Relations Advisory Committee and members of ICC chapters participated in over 90 meetings with their respective congressmen.

#### **8.2 Federal**

Mark Dineen briefed the IAC on the following:

- Building Code Administration Grant. Draft legislation has both a House and Senate sponsor. The bill involves federal grant money to be used by local jurisdictions for activities like training. There will be criteria and competitive proposals to determine who would be awarded the grant money.
- HHS/CMS. ICC has proposed to HHS/CMS recognition of the I-codes as an acceptable alternate to the Life Safety Code (LSC) for regulating occupancies such as existing nursing

- homes.
- OSHA. ICC has submitted documentation to OSHA to have the IBC and IFC recognized as equivalent to the LSC.
- HUD. HUD has recognized the 2006 with the 2002 edition of A117.1 as providing Safe Harbor relative to accessibility.

### 8.3 Interoperability

Staff relayed to the IAC the following information provided by Dave Conover in the GR department:

- An enhanced demo has been launched at [www.smartcodes.org](http://www.smartcodes.org) of auto code checking and manual search for portions of the IECC
- Current efforts are focused on creating a dictionary of needed definitions and model views as the foundation for other codes
- Work has started on federal amendments to the I-codes
- Presentations on Smartcodes will be later in the week in Reno at the Annual Conference

## 9. ICC-ES Activities

### 9.1 ES Advisory Committee (ESAC)

Staff relayed to the IAC information provided by ESAC member Mike Gardner with GA:

- ESAC has created a technical appeal process for ES. This needs to go to the ES Board for review and approval.
- Next meeting of the ESAC is October 2<sup>nd</sup> at the Annual Conference.
- ESAC has the following task groups:
  - Acceptance Criteria (AC) public comment process
  - Creating a checklist for new AC proposals
  - Creating a process for achieving consistency in reports which utilize the same AC
  -

### 9.2 ES Review Committee

Julie Ruth reported that the ES review committee report was submitted to the ICC Board. In this report, the committee notes to the Board that the committee believes it has executed its assigned task. Staff to investigate status of Board action.

## 10. ICC Board Activities

### 10.1 Task Force on Hearings (TFoH)

The IAC focused on the TFoH recommendation to hold the 2009 Annual Conference (AC) in the middle of the time frame when the 2009 Code Development Hearings will be held. Specifically, the hearings will occur for a period of approximately 8 days prior to Annual Conference activities and then resume for approximately 8 days after the AC activities.

A motion was made, seconded and passed to inform the TFoH that the IAC is not in favor of such a schedule. The vote was not unanimous. Not all IAC members were in favor as some felt that such a schedule for the regulators to attend more of the hearings and also the AC as well. IAC members Julie Ruth and Dave Frable are on the TFoH and will report the IAC position.

### 10.2 ICC Membership Ad Hoc Committee

It was reported that the committee was established at the Orlando AC in 2006. Four working groups have been created: Products and Publications; Technical Services; Member Services; Member Benefits. A members forum is planned for October 2 at the Annual Conference to discuss the status of the effort.

## 11. Old Business

### 11.1 Request to revisit IAC conference call capabilities (Item 12.1, IAC meeting on 7/20/06)

It was recognized that conference call capabilities with call-ins participating in the discussion would be considerably cumbersome and may lead to inefficiencies in conducting the meeting. The IAC requested that for future meetings, the meeting host provide a speakerphone for which interested parties can call-in using ICC conference call services (if requested) to listen to the discussion but not participate – call ins will be able to listen only.

## 12. New Business

## 12.1 Order and testimony at ICC hearings

Jeff Shapiro presented a proposal dated September 30, 2007 (projected on the screen for viewing) dealing with recommended revisions to CP 28 to address limiting blocks of testimony. The proposed revision to CP 28 is as follows:

Blocks of proponent and opponent testimony shall be limited to 7 speakers before switching to the opposing side when one or more individuals are waiting to present opposing testimony. Once all individuals desiring to present initial testimony have done so, the discussion shall change to the rebuttal phase. Each individual shall be limited to one statement in the initial testimony phase and one statement during the rebuttal phase.

Discussion:

- The proposal is intended to address the testimony format for code changes and public comments which see a large number of testifiers. This may cause a fragmentation in the proceedings as the time lapse between support/opposition and rebuttal/re rebuttal may be significant and the context of the testimony may be lost.
- A proposed limitation of blocks of 7 individuals be considered – the first 7 to the microphone
- May lead to overly complex and confusing proceedings which impact the flow of the hearings, placing a strong reliance on the moderators to keep track of the testimony
- Could blur the line between rebuttal and re rebuttal

A straw vote was taken to decide if the issue should be pursued by the IAC. The vote was on the order of 4 to 8 to not proceed. A follow-up motion to create a task force failed.

The IAC agreed to have staff distribute the memo to the full IAC with comments to be directed back to Jeff. (*Staff note: sent to IAC under email of 10/8/07*)

## 13. Next IAC Meeting/Draft Agenda Items

### 13.1 Next meeting: TBD

Ron Burton and BOMA offered to host the next meeting. The meeting will occur in early April/2008.

### 13.2 Draft Agenda Items

Standard IAC agenda items plus follow up to agenda items 6.1, 6.2, and 6.3 noted above.

## 14. Adjourn

The meeting was adjourned at approximately 11:30 am on September 30<sup>th</sup>.

**Website:** <http://www.iccsafe.org/cs/cc/iac/>

## Attachment A

### September 30, 2007 Meeting Attendees

<b>IAC Member</b>	<b>Name</b>
American Petroleum Institute	Richard Kraus
American Forest and Paper Assn.	Sam Francis
American Architectural Manufacturers Association	Julie Ruth
American Iron and Steel Institute	Jonathan Humble
Automatic Fire Alarm Association	Ron Hamburger
Automatic Fire Alarm Association	Shane Clary
Automotive Oil Change Association	Marshall Klein
Building Owners and Managers Assoc. Intl	Ron Burton
Cast Iron Soil Pipe Institute	Bill LeVan
Cellulose Insulation Manufacturers Association	Daniel Lea
Copper Development Association	Dennie Feehan
Federal Emergency Management Assoc.	Mike Mahoney
Glass Association of North America	Stan Smith
Gypsum Association	Lee Jones
International Code Consultants	Jeff Shapiro
International Hurricane Protection Association	Thomas Johnston
National Association of Home Builders	Ed Sutton
Owens Corning	David Hare
Plastic Pipe and Fittings Association	Dick Church
Semiconductor Industry Association	Pat McLaughlin
Society of Fire Protection Engineers	Ray Grill
Society of Fire Protection Engineers	Chris Jelenewicz
Underwriters Laboratories Inc.	John Taecker
U.S. General Services Administration	Dave Frable
U.S. Green Building Council	Chip Henderson