



STATE OF WASHINGTON

## STATE BUILDING CODE COUNCIL

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### **WAC 51-04-020 Policies for the consideration of proposed statewide amendments.**

1(b) The adoption period of new model codes commences when new editions of the model codes are available to the public. Within sixty days, the council shall publish a timeline to include a report of significant model code amendments and applicability of existing state amendments, followed by a submission period for new proposed statewide amendments.

- (i) The council shall review Group 1 codes and approve a report on significant changes and applicability of existing state amendments. The Group 1 report shall be posted on the council web site and a submission period of at least two months shall be allowed for new proposed statewide amendments.

As of September 25, 2017, the 2018 edition of the International Building Code (IBC) and International Fire Code (IFC) were available to the public. The following timeline is to establish the submission period for proposed state amendments to the Group 1 codes:

September 2017	2018 model Codes available (Group 1)
October 13, 2017	SBCC regular meeting. TAGs member appointments confirmed. Group 1 code review timeline adopted.
October through December 15.	Group 1 TAGs meet. The objective is to review significant changes to model codes and existing state amendments. Schedule three meetings for each TAG over an eight week period. Assign chapter review to TAG members. TAG report shows recommendations to maintain or delete existing state amendments, and flags significant changes to model codes needing further review.
January 2018	SBCC regular meeting. Council reviews TAG reports, establishes a submission period for new statewide amendments to the 2018 codes. (January 15-March 15)
March 15 2018	Submission deadline, pending SBCC approval.
April 2018	SBCC regular meeting. The SBCC can accept proposals for the public hearings, deny proposals or refer proposals to the appropriate TAG.
April through June 2018	Group 1 TAGS meet to review proposed statewide amendments to the 2018 model code and make recommendations to the SBCC. TAGs recommend amendments be approved, denied or modified.
June 2018	Regular SBCC meeting. The SBCC can accept TAG recommendations, or overturn TAG recommendations, or refer proposals back to the TAG. Approved or modified proposals are filed for public hearings in the fall.
August 2018	Proposed rules adopting 2018 Group 1 codes filed for public hearings.
September & October 2018	Regular SBCC meetings. Public Hearing, and work session to review testimony.
November	Regular SBCC meeting. Final adoption of 2018 Group 1 codes.

## Technical Advisory Groups

1. Technical Advisory Groups may be established by the Council or Standing Committee Chairs, to assist the Council and Standing Committees in the discharge of their responsibilities.
2. The Technical Advisory Groups (TAG) shall be constituted using a list of subject matter experts and other interested parties as designated by the Council and managed by Council staff. TAG meetings will be held on an as needed basis. A tally of membership and constituent groups present at TAG meetings shall be included in the meeting minutes.
3. Technical Advisory Groups shall be composed of at least one voting member of the Council (other Council members may participate but may not vote unless they are an appointed a TAG member), and one voting member representing each constituent group designated by the Council and appointed by the Council or Standing Committee Chair. The Council may appoint one alternate for each designated constituent group, who may vote only in the event the Primary Member is not present. Applications for TAG positions will be accepted at the end of each code cycle term for appointment.

The Chair of the Technical Advisory Group shall be a voting member of the Council, as appointed by the Council or standing codes committee Chair.

4. Technical Advisory Groups may conduct research into code related matters, review proposed amendments to the codes, and identify and define issues related to the codes, as requested by the Council or Standing Committee. Proponents and opponents of proposed amendments to the codes shall follow guidelines for testimony established by the Council. TAG meetings are open to the public and public input is welcome.
5. Recommendations from a Technical Advisory Group to the Council or Standing Codes Committee shall be made by consensus of the voting members of the Technical Advisory Group, whenever possible. Lacking a consensus, a recommendation shall be made by a majority vote of a quorum of voting TAG members. Consensus recommendations shall include a brief summary of the rationale for the recommendation. Recommendations to approve, modify or disapprove state amendments to the codes shall be based on the criteria established by the Council. Disputed recommendations shall be presented to Standing Codes Committees in the form of an issue paper, outlining all issues related to the subject.

For purposes of determining whether a quorum is present at TAG meetings, a quorum is defined as consisting of one more than half of the appointed TAG members (or their designated alternates, in the event the primary member is absent). When a TAG meeting lacks a quorum of appointed TAG members or their designated alternates, the Council will notify members who were absent and their constituent organization where applicable that repeated absence are grounds to designate their member status to ex-officio, nonvoting members, until active membership is secured or a reappointment is made. Ex-officio members do not count when determining a quorum.

6. In the event a quorum of TAG members are not present, a report shall be generated summarizing the pros and cons as identified by those participating. That report will then be brought forward on the agenda at the subsequent TAG meeting. The report may be deliberated for a reasonable time period as established by the TAG Chair. Where a quorum is again not present, the item may be tabled for a future TAG meeting and the report will be forwarded to the Standing Committee and the SBCC. If the Council has moved forward with a decision on an active or tabled TAG item, that TAG item will then remain in report form as further deliberations will be moot.
7. When reviewing proposed amendments to the codes, Technical Advisory Groups shall use a standardized, accepted methodology to consider economic impact on small businesses, housing affordability, construction costs, life-cycle costs, and the cost of code enforcement and shall report those findings to the Workgroup on Economic Impact.

## **51-04-020**

### **Policies for the consideration of proposed statewide amendments.**

(1) The council will accept and consider petitions for emergency statewide amendments to the building code at any time, in accordance with RCW [19.27.074](#) and chapter [34.05](#) RCW.

The council will accept and consider all petitions for statewide amendments in conjunction with the state building code update cycle, in accordance with RCW [19.27.074](#) and chapter [34.05](#) RCW, and WAC [51-04-015](#) and [51-04-020](#) as follows:

(a) For the purpose of review and adoption of new model code editions and statewide amendment submission, the state building code shall be divided into two groups:

(i) Group 1: International Building Code (IBC); International Existing Building Code (IEBC); International Fire Code (IFC); Washington state energy code-commercial (WSEC-C).

(ii) Group 2: International Residential Code (IRC); International Mechanical Code (IMC); International Fuel Gas Code (IFGC); standards for liquefied petroleum gas are National Fire Protection Association (NFPA) standards 58 and 54; Uniform Plumbing Code (UPC); Washington state energy code-residential (WSEC-R).

(b) The adoption period of new model codes commences when new editions of the model codes are available to the public. Within sixty days, the council shall publish a timeline to include a report of significant model code amendments and applicability of existing state amendments, followed by a submission period for new proposed statewide amendments.

(i) The council shall review Group 1 codes and approve a report on significant changes and applicability of existing state amendments. The Group 1 report shall be posted on the council web site and a submission period of at least two months shall be allowed for new proposed statewide amendments.

(ii) Upon completion and posting of the Group 1 report, and provided new editions of Group 2 model codes are available to the public, the council shall review the Group 2 codes and approve a report on the significant changes and applicability of existing state amendments. The Group 2 report shall be posted on the council website and a submission period of at least two months shall be allowed for new proposed statewide amendments.

(2) The council shall review proposed new statewide amendments, and approve those meeting the appropriate criteria to file as proposed rules in accordance with chapter [34.05](#) RCW. The proposed rules filing shall include a small business economic impact statement in accordance with chapter [19.85](#) RCW.

(3) The council shall conduct at least two public hearings for each group.

(4) The code adoption period shall conclude with formal adoption of the state building code as amended by the council. As required by RCW [19.27.074](#), all decisions to adopt or amend the state building code shall be made prior to December 1st and shall not take effect before the end of the regular legislative session in the next year. Group 1 and 2 codes shall be filed with the code reviser at the same time. Amendments to Group 1 codes during the Group 2 adoption shall be limited to code correlation, errors, language clarification and updated section references.

(5) State amendments as approved by the Council shall be submitted to the appropriate model code organization, at the direction of the council, except those adopted for consistency with state statutes or regulation and held for further review during the adoption period of those model codes by the council. The effective date of any statewide amendments shall be the same as the effective date of the new edition of the model codes, except for emergency amendments adopted in accordance with chapter [34.05](#) RCW and deemed appropriate by the council.

## **WAC 51-04-025**

### **Procedure for submittal of proposed statewide amendments.**

(1) Statewide and emergency statewide amendments to the state building code shall conform to the purposes, objectives, and standards prescribed in RCW [19.27.020](#).

All proposed statewide amendments shall be submitted in writing to the council, on the form provided by the council. The amendment must address existing model code language; a change in the model codes since a previous edition; or an existing state or local amendment to the model code; or a portion of the state code other than the model code. The state building code council shall consider the action of the model code organizations in their consideration of these proposals.

Statewide and emergency statewide amendments to the state building code shall be based on one of the following criteria:

- (a) The amendment is needed to address a critical life/safety need.
- (b) The amendment clarifies the intent or application of the code.
- (c) The amendment is necessary for consistency with state or federal regulations.
- (d) The amendment corrects errors and omissions.
- (e) The amendment eliminates an obsolete, conflicting, duplicating or unnecessary regulation.

(2) Petitions for statewide amendments to the building code shall be submitted to the council during the submission period and the adoption period in accordance with WAC [51-04-020](#). Minimum requirements specified on the form for submittals must be included. Incomplete submittals will be held for thirty days and the proponent will be notified with a request for more information. If after thirty days, the

applicant has not provided requested information for a complete application, the proponent's proposal will be deemed incomplete and shall not move forward.

(3) Petitions for emergency statewide amendments to the building code may be submitted at any time, in accordance with RCW [19.27.074](#) and chapter [34.05](#) RCW, and WAC [51-04-015](#) and [51-04-020](#).

The council may refer a proposed statewide amendment to one of the council standing committees for review and comment prior to council action in accordance with chapter [34.05](#) RCW.

(4) The council shall consider and take action on all proposed statewide amendments within the time frames required by chapter [19.27](#) RCW, RCW [34.05.330](#), and all other deadlines established by statute.

## **TAG OPERATION**

- Meeting locations and dates will be determined after TAGs are formed. At their organizational meeting, each TAG will adopt a meeting schedule, including a time-frame for completion.
- Any interested individual can request to be on the mailing list and participate at TAG meetings.
- Sub-committees of the TAG may be appointed by the TAG Chair to address specific issues to be brought back to the TAG for action.
- TAGs will operate on a consensus basis. "Consensus" means that all of the members have agreed to a position on an issue. The TAG Chair shall determine if consensus has been reached, and whether any issue may be revisited.
- Consensus recommendations shall include a brief summary of the rationale for the recommendation
- If consensus cannot be reached, options will be proposed and an issue paper prepared by the TAG.

## **PROCESS FOR CODE REVIEW**

- Statewide code change proposals are forwarded as deemed necessary by Standing Committees to the appropriate Technical Advisory Group (TAG). The Council or Standing Committee may request that a TAG conduct research into a code related matter.
- The TAG reviews and evaluates national code changes for consistency/conflict with existing state regulations.
- The TAG reviews and evaluates statewide amendment proposals based on one or more of the criteria found in WAC 51-04-025:
  - (1) The amendment is needed to address a critical life/safety need.
  - (2) The amendment is needed to address a specific state policy or statute.
  - (3) The amendment is needed for consistency with state or federal regulations.
  - (4) The amendment is needed to address a unique character of the state.
  - (5) The amendment corrects errors and omissions.

- The TAG shall also review and evaluate statewide amendment proposals based on the objectives found in RCW 19.27.020:
  - (A) To require minimum performance standards and requirements for construction and construction materials, consistent with accepted standards of engineering, fire and life safety.
  - (B) To require standards and requirements in terms of performance and nationally accepted standards.
  - (C) To permit the use of modern technical methods, devices and improvements.
  - (D) To eliminate restrictive, obsolete, conflicting, duplicating and unnecessary regulations and requirements which could unnecessarily increase construction costs or retard the use of new materials and methods of installation or provide unwarranted preferential treatment to types or classes of materials or products or methods of construction.
  - (E) To provide for standards and specifications for making buildings and facilities accessible to and usable by physically disabled persons.
  - (F) To consolidate within each authorized enforcement jurisdiction, the administration and enforcement of building codes.
- The TAG identifies possible economic impacts to forward to the Economic, Enforcement, Correlation and Construction (EECC) Committee along with a rationale.
- The TAG reports its recommendations to the Standing Committee, including proposed options and issue papers for items where consensus was not achieved.