



STATE OF WASHINGTON

## STATE BUILDING CODE COUNCIL

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## STATE BUILDING CODE COUNCIL SUMMARY MEETING MINUTES

**LOCATION:** DES Building, 1<sup>st</sup> Floor Presentation Room  
1500 Jefferson Street  
Olympia, WA 98501

**MEETING DATE:** October 13, 2017

Agenda Items	Committee Actions/Discussion
1. Welcome and Introductions	<p>Meeting called to order at 10:00 a.m. by Steve Simpson.</p> <p><b><u>Members in Attendance:</u></b> Steve Simpson, Chair; Dave DeWitte, Vice Chair; Al French; Diane Glenn; Robert Graper; Traci Harvey; Duane Jonlin; Phil Lemley; Doug Orth; Kevin Shutty; Jim Tinner; Eric Vander Mey</p> <p><b><u>Members Absent:</u></b> Leanne Guier, Andrew Klein</p> <p><b><u>Staff In Attendance:</u></b> Richard Brown, Managing Director; Tim Nogler, Managing Director; Krista Braaksma; David Hruska; Brian Fowler, Assistant Attorney General</p> <p><b><u>Visitors Present:</u></b> Tim Attebery, Al Audette, Ken Broulette, Jim King, Dave Kokot, Lee Kranz, Tara Jenkins, Roger LeBrun, Annette Meyer, Chuck Murray, Kevin Myre, Jan Rohila, Jed Scheuermann, Matt Siegler, Gabrielle Stilwater, Randy Vissia, Steve Wilcox, Laura Wynn</p>
2. Review & Approve Agenda	<p>The <a href="#">agenda</a> was approved as written.</p> <p>Steve noted today was Tim Nogler's last Council meeting, as Tim is retiring at the end of the month. Steve thanked Tim for his many years of service and the great work he's done. He wished Tim a happy, enjoyable retirement. Tim thanked the Council and said the best part of the job was getting to know the dedicated individuals on the Council.</p>
3. Public Comment on Items not on the Agenda	<p><b>Lee Kranz</b>, City of Bellevue, advised the Council that the city has been dealing with an issue with a potential of becoming an emergency code change request. IBC Table 1604.5 assigns a risk category to certain buildings and structures. The code used to categorize "Buildings and other structures containing elementary school, secondary school or day care facilities with an occupant load greater than 250" as risk category III. In the 2015 code, that language was replaced with "Buildings and other structures containing Group E..." Daycares are now categorized as Group I-4, which is not addressed in the table. They have been seeing some daycares coming in now with high occupancy loads that would not be addressed under the table as it stands now.</p>
4. Review & Approve Minutes	<p>The <a href="#">minutes</a> from the September 15, 2017, meeting were approved as written.</p>
5. Public Hearing	<p>Chair Steve Simpson opened the public hearings on the IBC/IFC emergency voice alarms and van accessible parking spaces.</p>

*Group E/I-4  
emergency voice alarm*

**Lee Kranz**, City of Bellevue, read into the record a letter from the [Bellevue Assistant Fire Marshal](#) Travis Ripley.

**Dave Kokot**, Washington State Association of Fire Marshals: He was one of the individuals who was able to work on the language. The amount of effort put into this...it's hard to show everybody on the Council what was done. We worked very closely with the Puget Sound School Coalition, the National Electrical Manufacturers Association, designers of these types of systems and the school districts in order to come up with the language we have presented and have been able to get into the emergency rule to address the emergency voice evacuation alternative path to the voice alarm requirements for E occupancies. We are very concerned there could be a change at this late date to this consensus language that was put together and presented to the Council. We feel that, although the items that are addressed in the comment have some minimal validity, because we think there is some clarification that could be done through interpretation to make it very clear, the language that was presented in the rule and for the permanent rulemaking is clear enough and adequate to be able to move forward. With the changes that are suggested in the letter from Mr. Ripley, we do think that this would be appropriate to move it forward to the Fire Code TAG which will be meeting very soon and they would be able to be a better forum to evaluate and review the exact changes that should be done to meet the requirements of all those that are affected by this code change. Thank you.

**Todd Short**, City of Redmond Fire Department: I would like to echo what David said in terms of working this through the TAG. In the Redmond area we operate in a suburban area of Seattle on the east side. We actually convene a group that meets with the fire alarm industry on a quarterly basis. We've also had interactions with the school districts from time to time on issues that would pertain to not only fire alarm but other issues of the code. I think we would be willing and able to participate in some further discussion on the code language as it's proposed. Travis Ripley would be one of the members who participates in what we call our Fire Alarm Advisory Board. We are concerned about the misinterpretation of what it means to be in compliance with NFPA 72 on the option 2 systems. I think, at a minimum, I would recommend that an interpretation be provided so that there is no confusion, or at least to reduce the confusion. But I would echo the comments from Mr. Kokot about convening the Fire TAG and working further on this language. I think we can pull in more people that are directly involved with the impact—the school districts and the fire alarm contractors—that would be providing some of these types of systems, as well as more AHJs. I do have concerns that the formatting is not correct and I think that could potentially be an administrative change. Also echoing Mr. Ripley's comments about what does that mean, to be in accordance with NFPA 72. I think it would be beneficial to the end users if that is clarified, at a minimum, in an interpretation. Thank you.

*Van accessible parking space*

No testimony was offered on the van accessible parking space proposed rule.  
The public hearings were closed.

6. Committee Reports  
*BFP Committee*

Jim Tinner, Chair of the Building, Fire and Plumbing Codes Committee, deferred to Tim for the Committee Report.  
Tim reported the Committee approved four interpretations—two that were referred from the Council at their September meeting and two new interpretation requests. All four were approved as they written and posted on the website for the October meeting materials. Tim noted the Council had previously approved the two earlier interpretation requests and the Committee concurred with those actions. Duane Jonlin felt there should

<p><i>Public comment</i></p> <p><i>Executive Committee</i></p>	<p>be some further clarification on the issue of a habitable attic, possibly requiring a code change.</p> <p>There was no public comment offered.</p> <p>Steve Simpson reported the Executive Committee discussed the role of the Council in legislative proceedings. He noted that while Leanne Guier, Legislative Committee Chair, was unable to attend today she expressed strong support for the recommendation from the Executive Committee.</p> <p>Tim Nogler reported the Committee addressed the issue of lobbying and whether the Council could take a position on legislation and/or testify on bills. Brian Faller, the Council’s AAG, advised that the Council could advocate but needed clear approval and direction from the Council. There should be a designated spokesperson and a clear rationale of the position taken.</p> <p>Jim Tinner asked if the resolution required a public hearing. Brian Faller responded that it would depend on the Council’s Bylaws, but didn’t think it was necessary. Public comment should be taken, however.</p> <p>Steve felt that not being able to engage with the legislature has hindered the work of the Council. Doug Orth felt it was critical to give voice on issues affecting the Council and the codes. To be silent is not serving the public.</p> <p>Al French suggested that the designated individual could have the authority to respond to an issue within that stated rationale without needing to go back to the Council at each junction. Brian said the delegation of authority comes with restrictions and can’t include a general “do as you think best” direction. Jim asked if each issue would require a separate resolution. Brian said there could be a single resolution that covered a number of issues.</p> <p>Dave DeWitte felt it would be useful to have a written AAG opinion. He also felt Representative Buys should be advised of the opinion, as he had stated concerns previously.</p> <p>Representative Chapman said the advocacy that is brought to the legislature is important. The more information legislators have, the better they can do their jobs. He felt it was an important role of the managing director. Constituents ask questions legislators may not be able to answer without input from staff or Council members. It’s more an issue of information gathering.</p> <p>Steve noted he had been invited to discuss potential legislation. That will not be possible unless the Council takes some action on the issue.</p> <p>Doug Orth and Al French felt there was no restriction in the Bylaws against such action.</p>
<p><i>Public comment</i></p>	<p>Al Audette asked for clarification of the Council was a stand-alone agency or if this action was on behalf of DES. Brian Faller replied that the Council is an autonomous agency on the basis of rulemaking.</p> <p>Dave Kokot felt participation with the legislature was critical for many legislators to discuss particular issues and legislation. That is basically what the Council was established to do.</p>
<p><i>Motion:</i></p>	<p>Al French moved to authorize the Council Chair and Managing Director to engage with legislative members or staff to discuss the financial resources of the Council. Doug Orth seconded the motion.</p>

	<p>Duane Jonlin asked for a friendly amendment to include briefing the Council members on the outcome of any such meetings. The amendment was accepted by both the maker of the motion and the second.</p> <p>Jim Tinner asked for a friendly amendment to allow the Chair to appoint a representative in his stead if necessary. The amendment was accepted by both the maker of the motion and the second.</p> <p>The final, amended motion reads: To authorize the Council Chair and/or Managing Director (or a representative) to engage with legislators or staff to discuss the financial resources of the Council and communicate those actions to the Council. AI noted this only applies to the financial resources of the Council and providing input to the legislators, not specific to any piece of legislation.</p> <p>The motion carried unanimously by roll call vote.</p>
<p>7. Technical Advisory Groups</p> <p style="padding-left: 40px;"><i>Membership</i></p> <p style="padding-left: 40px;"><i>Motion:</i></p> <p style="padding-left: 40px;"><i>Timeline</i></p> <p style="padding-left: 40px;"><i>Public Comment</i></p> <p style="padding-left: 40px;"><i>Motion:</i></p> <p style="padding-left: 40px;"><i>Meetings</i></p>	<p>Tim noted staff has begun <a href="#">outreach for positions</a> on the Group 1 TAG groups. The Building Code TAG has a ten unfilled positions. There is one remaining opening on the Fire Code TAG, with several interested candidates. There are also several critical openings under the Energy Code TAG. Staff will continue to recruit for these positions. With the Council’s approval, staff will contact the applicants as <a href="#">noted in the listings</a>. Then the TAGs can begin the review.</p> <p>Jim Tinner moved to approve the list of current applicants. Diane Glenn seconded the motion. The motion carried unanimously.</p> <p>Tim said the new procedures for code adoption, the Council has 60 days from the public availability of the new code edition to set a timeline for the cycle. We don’t yet have the International Energy Conservation Code, but the International Building and Fire Codes have been received and are available for purchase.</p> <p>The first step of the process is to look at the changes in the model code and how the existing state amendments apply. After that review, the Council opens the submittal period of at least 60 days. Tim felt that should result in a deadline around March 15. The TAGs would need to report out recommendations on any code change proposals by June, at which time the Council would then approve or overturn the TAG recommendations and staff would file the proposed rules. The Group 2 codes would begin their review after the Group 1 process. It is anticipated the effective date of the 2018 codes will be July 1, 2020.</p> <p>Lee Kranz, representing WABO Technical Code Development Committee and Board, presented a <a href="#">request</a> that the Council postpone the effective date by six months—from July 1, 2020 to January 1, 2021. The extra time would allow for ICC to publish a set of Washington-specific codes that include the state amendments and have that publication available in time for the WABO Codes Institute training on the 2018 codes in March.</p> <p>The Council debated the request and whether ICC would need to wait until the codes were formally adopted at the end of the process. It was suggested that they could begin on the Group 1 codes while the Group 2 process was going on. It was suggested that WABO go back to ICC and see if they can begin the process but not finalize anything until after adoption.</p> <p>Jim Tinner moved to approve the <a href="#">timeline</a> as presented by staff. Duane Jonlin seconded the motion. The motion carried unanimously.</p> <p>Tim said staff will move forward with setting up initial TAG meetings for the Fire Code TAG, since the majority of the TAG has now been appointed.</p>

<i>Code Change forms</i>	Eric Vander Mey had one suggested change for the full energy code change form—adding a link to the lifecycle cost analysis page. Steve noted that would be added.
8. Energy Code Goals	<p>Eric Vander Mey introduced a position statement document revised from the 2015 goals letter. The items in red are changes to that letter. The first change is adding in a general statement of the goal for the 70% reduction in energy use from RCW 19.27A.020(2)(a). Eric noted the Council is still under an executive order to achieve the statutory goals early. In certain sections, the Council is interpreting what the RCW means. Part of the reason this position statement was developed is to clarify those grey areas. There was a lot of cost vs benefit discussion, and in 2015 the Council worked with the Energy Office to develop a definition for “cost effectiveness” from RCW 39.35. It is important to note the requirement for cost effectiveness definition only applies to nonresidential buildings in the statute although the Council has extended out that definition to include residential.</p> <p>The Council also adopted the OFM Life Cycle Cost Tool to evaluate cost effectiveness. That methodology looks at specific measures; a different methodology is used to evaluate the entire code and determine the incremental changes achieved/necessary towards meeting the goal.</p> <p>Item 5 was modified to be more specific about what is included in a residential building. One thing that is not well defined in the RCW is what is included under a residential building. The Council did adopt a definition of what is considered a residential building and what is covered under the commercial energy code; it’s more along the lines of how the IECC and ASHRAE 90.1 are set up. It is an important distinction as, per the statute, residential energy code provisions cannot be amended by local jurisdiction.</p> <p>Eric also added a recap of the 2015 code process, taken out of the Council’s report to the legislature. The Council was unable to fund a study to determine the incremental savings of the 2015 code. He suggested it may be beneficial to more clearly indicate there are still no funds to complete the report. He noted the chart on page three was not included in the 2015 report to the legislature because that report was not done.</p> <p>Eric described the process of modeling building energy use and savings using multiple prototypical building types and systems. As the code becomes more complex so do the qualitative and quantitative reports.</p> <p>Eric noted he also included links to the Commerce Strategic Plans for 2014 and 2011. He asked Chuck Murray to comment on the process for the 2017 report in progress.</p> <p>Jim Tinner commented that the statute doesn’t address how residential accessory are treated under the code. That should be clarified in the future.</p> <p><i>Public Comment</i> Chuck Murray, Department of Commerce, noted Ecotope, for the final hearing, provided an assessment of the impacts of the code changes on residential structures and came up with a percent saved since the 2006 code. He believes that assessment is reliable and can be used as a bases for the residential section. The data for the commercial section usually comes from Bonneville, who does that work as part of their distribution planning needs. They are scheduled to do that assessment this spring. Mike Kennedy is working on a section by section comparison with ASHRAE 90.1-2016.</p> <p>Chuck also noted the strategic report is scheduled to be completed before the end of the year.</p> <p>Doug Orth questioned the usefulness of the Life Cycle Cost Benefit Tool. The Council debated the analysis process and if there was a method to improve it.</p>

<i>Motion:</i>	<p>Jim Tinner moved to accept Eric Vander Mey’s <a href="#">draft document</a> as a guideline. Duane Jonlin seconded the motion.</p> <p>Al French moved to defer discussion until the next Council meeting. Doug Orth seconded the motion. The motion carried.</p>
9. E-mail Protocol	<p>Tim noted the IT group is still working on preparing information for the Council. There should be some instructions to review at the next meeting.</p>
10. Staff Report	<p>Tim introduced David Hruska, the new staff member starting next week.</p> <p>Tim also reported he attended a meeting discussing seismic safety and how it applies to existing buildings. He noted there may be some requests coming in the future related to that.</p> <p>He also noted there are some issues related to the local adoption of the Wildland Urban Interface Code that may lead to some future work in that arena.</p>
11. Other Business	<p>Steve once again thanked Tim for all his work with the Council and presented him with a card signed by Council members, staff and stakeholders.</p>
12. Adjourn	<p>The meeting was adjourned at 12:30 p.m.</p>