



STATE OF WASHINGTON

STATE BUILDING CODE COUNCIL

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2021 Group 1 Timeline and TAG Background Information.

The following timeline is to establish the submission period for proposed state amendments to the Group 1 codes. *As of October 12, 2020, the 2021 edition of the International Fire Code (IFC) is not available to the public.*

June 12, 2020 SBCC approved the 2021 TAG membership makeup.

Unknown Date 2021 model Codes are available (Group 1) (For the 2018 Codes this was in September)

November 10, 2020 First IFC TAG Meeting

Assuming ICC releases the IFC soon:

December 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 2021 SBCC regular meeting. Council reviews TAG reports, establishes a submission period for new statewide amendments to the 2021 codes. (January 15-March 15)

Tentative

March 15 2021 Submission deadline, pending SBCC approval.

April 2021 SBCC regular meeting. The SBCC can accept proposals for the public hearings, deny proposals or refer proposals to the appropriate TAG.

April through

June 2021 Group 1 TAGS meet to review proposed statewide amendments to the 2021 model code and make recommendations to the SBCC. TAGs recommend amendments be approved, denied or modified.

June 2021 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 2021 Proposed rules adopting 2021 Group 1 codes filed for public hearings.

September &

October 2021 Regular SBCC meetings. Public Hearing, and work session to review testimony.

November Regular SBCC meeting. Final adoption of 2021 Group 1 codes.

Technical Advisory Groups {From SBCC Bylaws}

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.

Please note that the following text for WAC 51-04-020 is in rulemaking. Public testimony for the changes noted will close October 14, 2020.

WAC 51-04-020 ((Policies)) Rules for the consideration of proposed statewide amendments. (1) All petitions for statewide amendments to the building code must be compliant with the requirements set forth in WAC 51-04-025.

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

(3) The council will accept and consider ((~~all~~)) compliant petitions for statewide amendments that ((~~meet the complete application requirements as set by the council~~)) are submitted within the time periods the council posts for petitions relating to Group 1 and Group 2 amendments to be made 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 as follows, unless otherwise directed by the council:

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

(ii) Group 2: International Residential Code (IRC); International Mechanical Code (IMC); International Fuel Gas Code (IFGC); standards 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 model codes and approve a report on significant changes and applicability of existing state amendments. The Group 1 report shall be posted on the council website and a submission period of at least sixty calendar days shall be allowed for new proposed statewide amendments.~~

~~(ii) Upon completion of the Group 1, public meetings, council actions and posting of the actions on the state building code council's website 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 significant changes and applicability of existing state amendments. The Group 2 report shall be posted on the state building code council's website and a submission period of at least sixty calendar days shall be allowed for new proposed statewide amendments~~

(2)) During August of the year before the year of the model code edition, the council will post a timeline for Group 1 and Group 2 code update processes, including providing separate periods of at least sixty days for the submission of petitions for statewide amendments for each group the council reserves the right to modify its timeline as it determines necessary and appropriate.

(c) The timeline shall include deadlines for committee transmittal to council of separate reports for Group 1 and Group 2 that identify:

(i) The significant changes contained in the new model codes from the prior model codes;

(ii) The existing state amendments to prior model codes that are proposed to be modified or eliminated; and

(iii) All committee proposed amendments to the new model codes. The reports shall be posted on the council website.

(d) The council shall direct council staff to submit a CR-102 to the code reviser's office containing any proposed rules that the council has approved and shall conduct at least two public hearings for each group (one in western Washington and one in eastern Washington) following the filing of the proposed rules with the code reviser's office.

(e) Upon completion of the council's review of Group 1 amendments (not including Group 1 amendments the council directs be kept open for consideration during the Group 2 period), the council will commence review of Group 2 amendments following the timeline.

(4) The council will accept and consider compliant petitions for all other statewide amendments to the state building code if one or more of the following criteria are met:

(a) The amendment is directed by the legislature;

(b) The amendment is necessary for code correlation, correction of errors, language clarification, or section update; or

(c) The council determines that the amendment would serve a critical public interest and requires immediate/accelerated action.

(5) 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 (one in western Washington and one in eastern Washington) following the filing of the proposed rules with the code reviser's office.~~

~~(4) Amendments to Group 1 codes during the Group 2 adoption shall be limited to legislative direction, code correlation, correction of errors, language clarification and updated section references.~~

~~(5)) (6) The code development 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.~~

~~(6)) Provided, the December 1st deadline shall not apply to emergency rules or expedited adoption of rules under the Administrative Procedure Act, chapter 34.05 RCW.~~

~~(7) 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](#).

Applications for proposed statewide amendments shall be complete, include a detailed economic analysis of impacts of the proposed statewide amendment and 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 laws and 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:
 - (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 laws and regulations.
 - (d) The amendment corrects errors and omissions.
 - (e) The amendment eliminates an obsolete, conflicting, duplicating or unnecessary regulation.
- 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.