



STATE OF WASHINGTON

## STATE BUILDING CODE COUNCIL

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## STATE BUILDING CODE COUNCIL SUMMARY MEETING MINUTES

**LOCATION:** The meeting was held at 1500 Jefferson St SE, Olympia, WA; Room 1213, with Zoom and teleconference options.

**MEETING DATE:** Friday, November 18, 2022

**Members in Attendance:** Council Vice Chair Daimon Doyle; Kjell Anderson; Jay Arnold; Todd Beyreuther; Micah Chappell; Bob Hamlin; Roger Heeringa; Matthew Hepner; Craig Holt; Pete Rieke; Katy Sheehan; Caroline Traube; Corey Wilker; Representative Larry Hoff; Representative Alex Ramel; Senator Lynda Wilson; Lorin Lathrop

**Members Absent:** Council Chair, Tony Doan; Al French; Senator John Lovick

**Staff In Attendance:** Stoyan Bumbalov, Managing Director; Dierk Meierbachtol, Assistant Attorney General; Krista Braaksma; Dustin Curb

**Visitors Present:** Jack Applegate, Kim Barker, Terry Beals, Ken Brouillette, Ian Casey, Paul Clark, Kinley Deller, Noelani Derrickson, Kevin Duell, Brian Emanuels, Angeleena Francis, Ted Guastello, Cathy Hathaway, Nora Hawkins, Jarret Helmes, Seth Henderson, Mary Hull-Drury, Ardel Jala, Ty Jennings, Jonathan Jones, Mark Jung, Jonny Kocher, Eric Lacey, Gary Lampella, Ann Larson, Matt Logue, Jeanette McKague, Leah Missik, Dave Nakagawara, Evan Neustater, Matthew Paiss, Scott Peterson, Kathleen Petrie, Liz Reichart, Sandra Richartz, Tena Risley, Day Robins, Greg Rogers, Kevin Rose, Jed Scheuermann, Steve Simpson, Jon Siu, Andrea Smith, Al Spaulding, Kerry Sutton, John Woestman, Tom Young

Agenda Items	Committee Actions/Discussion
1. Welcome and Introductions	The meeting was called to order at 10:00 a.m. by Council Vice Chair, Daimon Doyle. Everyone was welcomed and roll was called. A quorum was present.
2. Review and Approve Agenda	Motion: Kjell Anderson moved to approve the Agenda, Craig Holt seconded, the motion passed.
3. Review and Approve Minutes from 10/21 Minutes from 11/4 not available	<b>Motion:</b> Craig Holt moved to approve the minutes from October 21 as presented, Bob Hamlin seconded, the motion passed. Stoyan Bumbalov noted the minutes from November 4 would be provided to Council for review when completed.

This material in alternative formats including braille, large print, and audio recording is available on request by emailing the SBCC at [sbcc@des.wa.gov](mailto:sbcc@des.wa.gov).

4. Public Comment on Items Not on the Agenda

Ken Brouillette submitted two proposals for Emergency Rule consideration, but they were not received until Thursday and weren't added to the agenda for review. He then introduced his proposals and the reason for the proposals.

Fire Code – Chapter 12 was modified but didn't address energy storage systems as a whole. Webinar provided by Washington State Department of Commerce, attended by other fire departments and Pacific Northwest National Laboratory (PNNL), enlighten how far behind Washington State is with our codes and energy storage systems.

2018 WA State Fire Code Chapter 12– Energy Systems, Reference Standards; NFPA 855-23

2021 WA State Fire Code, Chapter 12, update with the 2024 language.

Stoyan Bumbalov clarified the process by stating the request would be for Off-Cycle Rulemaking if the Council deems this necessary. He also stated that receiving the request on Wednesday wasn't enough time for consideration and Council had previously asked for at least a month to evaluate and consider requests. He then stated this topic will be added to the agenda for the January Council meeting with Staff's input on the request.

Kjell Anderson asked a clarifying question about the scope of Ken Brouillette's request which was answered by Ken Brouillette.

Micah Chappell agreed with the request for the 2018 Code update and Off-Cycle Rulemaking.

Stoyan Bumbalov noted he hasn't had enough time to evaluate the requests. Based on his brief review, the requests don't meet the criteria for an emergency rule. He asked Council to take the time to properly review and evaluate the emergency rule request, before making a decision. He noted that with all emergency and off-cycle rules, it appears that the Council adopts new rules every month. He suggested modifications to the Council's policies and procedures to allow rulemaking every 18 or 12 months as opposed to every month.

Matthew Paiss, PNNL technical advisor, spoke in support of both of Ken Brouillette proposals.

Greg Rogers, Spokane Valley Fire Department, spoke in support of Ken Brouillette proposals.

Stoyan Bumbalov said he would email Ken Brouillette's proposals to the Council members for review and further discussion would occur at the January Council meeting.

Kathleen Petrie, King County, spoke in support of requiring a dedicated branch circuit for EV charging in Section R 309.62 but not in support of the exception.

Stoyan Bumbalov noted Kathleen Petrie's comments were related to Agenda item 6 and the Council shouldn't be accepting public

	<p>comments unless Council members have questions or need additional clarification pertaining to changes to the CR-102.</p>
<p>5. Request for Opinion</p> <ul style="list-style-type: none"> <li>Considering the Use of R-4 occupancy as Alternate Approval</li> </ul> <p><a href="#">Draft Council Opinion - Nov. 4 Recommendation</a></p> <p><a href="#">Council Opinion Draft-Micah Chappell Proposal</a></p>	<p>Stoyan Bumbalov noted there were two different opinions posted to the SBCC website with the first being developed by Council Staff based on comments from the last Council meeting and the second one developed by Micah Chappell, taking a different direction, and pointing to a different section.</p> <p>Both opinions were reviewed.</p> <p>Angeleena Francis spoke in favor of moving forward with the request for opinion.</p> <p>Al Spaulding, proponent of the request for opinion, said he was in favor of either of the opinions, as they were presented.</p> <p>Ted Guastello spoke to the emergency nature of this request and the importance of moving forward with this request.</p> <p>Micah Chappell spoke to his version of the opinion.</p> <p><b>Motion:</b> Micah Chappell moved to approve the Council Opinion Draft-Micah Chappell Proposal, Jay Arnold seconded, the motion passed unanimously.</p> <p>Council held discussion regarding the two opinions presented.</p>
<p>6. Deliberations on Rulemaking Decisions</p> <ul style="list-style-type: none"> <li>Adoption of the 2021 IBC (Structural)</li> <li>Adoption of the 2021 IEBC</li> </ul>	<p>Stoyan Bumbalov pointed out the modifications proposed for the CR-102 and stated these changes were posted on the SBCC website, for all codes under deliberation for adoption.</p> <p><b>Motion:</b> Todd Beyreuther moved to adopt the IBC proposed modifications from the CR-102 to the CR-103, Roger Heeringa seconded, and the motion passed.</p> <p><b>Motion:</b> Todd Beyreuther moved to adopt the IEBC proposed modifications from the CR-102 to the CR-103, including 306.7.1 Option 2 and striking 306.7.1 Options 1 and 3, Kjell Anderson seconded, and the motion passed as amended to include Option 3 instead of Option 2.</p> <p>Todd Beyreuther spoke to his motion and Council held discussion on the motion and the three options.</p> <p><b>Amendment to the Motion:</b> Roger Heeringa moved to amend to original motion to include Option 3 as opposed to Option 2, Corey Wilker seconded, and the motion passed.</p> <p>Stoyan Bumbalov reviewed the exception added for the electric vehicle charging section and modifications to the exception that were submitted, this morning, by Kjell Anderson.</p> <p>Kjell Anderson spoke to the modifications he submitted for the exception to the electric vehicle charging section.</p>

- Adoption of the 2021 IRC

**Motion:** Micah Chappell moved to adopt the IRC proposed modifications from the CR-102 to the CR-103, without the exception added in Section R309.6.2, Jay Arnold seconded, and the motion passed.

Jay Arnold spoke to the motion and Representative Alex Ramel, Corey Wilker and Micah Chappell spoke in favor of the motion.

**Amendment 1 to the Motion:** Roger Heeringa moved to add “for vehicle charging” to the end of the first paragraph in Section R309.6.2, Kjell Anderson seconded, and the motion failed.

Micah Chappell spoke against the amendment to the motion.

Senator Lynda Wilson indicated there is no authority by the Legislature to move forward with this proposal for requiring electrical vehicle charging.

**Amendment 2 to the Motion:** Senator Lynda Wilson moved to strike Section R309.6.2, Corey Wilker seconded.

Kjell Anderson spoke against the amendment from Senator Wilson.

Representative Alex Ramel spoke to the SBCC’s authority to move forward on the proposal.

Representative Larry Hoff spoke to Legislative intent. And stated there is no legislative directive to install EV charging stations.

There was discussion held on voting on the amendments to the motion. It was noted the first amendment would be voted on and then the second amendment was out of order.

Discussion ensued on Amendment 1, by Council members, and the vote failed.

**Amendment 3 to the Motion:** Corey Wilker moved to add the exception language to Section R309.6.2, Craig Holt seconded, and the motion failed 3 to 9.

Kjell Anderson asked Corey Wilker if he was amendable to including the modified language, submitted by Kjell, in the exception and Corey Wilker said he wasn’t favorable to including the modified language submitted by Kjell.

Micah Chappell spoke against Amendment 3 to the Motion.

Discussion ensued on Amendment 3, by Council members, and the vote failed.

**Amendment 4 to the Motion:** Corey Wilker moved to strike Section R309, in its entirety, Craig Holt seconded, and the motion failed 2 to 9 with 1 abstention.

Kjell Anderson and Jay Arnold spoke against the motion and further discussion was held on the motion made by Corey Wilker to strike Section R309.

<ul style="list-style-type: none"><li>• Adoption of the 2021 UPC</li><li>• Adoption of the 2021 WUIC</li></ul>	<p>Dierk Meierbachtol reviewed the Council's statute authority to adopt rules and maintain the codes.</p> <p>Council held further discussion on the motion and the vote failed.</p> <p><b>Amendment 5 to the Motion:</b> Todd Beyreuther moved to strike the word "attached" in Section R309.6.1, Roger Heeringa seconded, and the motion failed.</p> <p>Todd Beyreuther spoke to his motion. Council held discussion on Todd's motion and the vote failed.</p> <p>The original motion made by Micah Chappell was restated and discussion was held.</p> <p>Stoyan Bumbalov noted that in Section R4502.2.2, staff added Seismic Design Category E back to the proposal as it was stricken in Micah Chappell's proposal, as staff believes it is necessary. Discussion was held on the subject, and it was decided that Micah's original proposal, without Seismic Design Category E, would be accepted. The original vote was then passed.</p> <p><b>Motion:</b> Corey Wilker moved to remove Section 913 from the UPC CR-102, Micah Chappell seconded, and the motion passed.</p> <p>Discussion was held on the motion, by Council members and Corey Wilker called the question.</p> <p>Corey Wilker spoke to UPC 609.11, specifically to correcting sections that were referenced incorrectly and provided the correct Section and Table to be referenced.</p> <p><b>Motion:</b> Corey Wilker moved to adopt the UPC proposed modifications from the CR-102 to the CR-103, as presented with Section 913 removed, Craig Holt seconded, and the motion passed.</p> <p><b>Motion:</b> Micah Chappell moved to adopt the WUIC proposed modifications from the CR-102 to the CR-103, as presented, Bob Hamlin seconded, and the motion passed.</p> <p>Micah Chappell spoke to his motion.</p>
<p>7. Other Business</p>	<p>Daimon Doyle introduced his proposal of the SBCC ERI Working Group, and he indicated he would be willing to chair an informal workgroup. Stoyan Bumbalov said staff and Daimon Doyle would start with brainstorming the outline of the process and bring it to the MVE Committee and then to the Council at the January meeting.</p> <p>Stoyan Bumbalov introduced the draft 2023 SBCC Meeting Schedule and reviewed the Bylaws related to the requirements for filing the meeting schedule with the Code Revisers Office.</p>

	<p><b>Motion:</b> Kjell Anderson moved to approve the preliminary 2023 SBCC Meeting Schedule, Micah Chappell seconded, and the motion passed.</p> <p>Stoyan Bumbalov said he has ideas on how to modify the Bylaws, Policies and Procedures and WAC 51.04 and indicated he would like to involve Council members and Dierk Meierbachtol in the process. He also noted that election of Chair and Vice-Chair will be held in January.</p> <p>Corey Wilker stated he has applied for a second term on the Council and thanked everyone for the opportunity to serve on the Council.</p>
8. Adjourn	Meeting was adjourned at 1:55 p.m.

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