



STATE OF WASHINGTON

STATE BUILDING CODE COUNCIL

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STATE BUILDING CODE COUNCIL SUMMARY MEETING MINUTES

LOCATION: The meeting was held at
Center Place Regional Event Center-Room 109
2426 N Discovery Place, Spokane Valley, WA, 99216
with Zoom and teleconference options

MEETING DATE: Friday, September 15, 2023

Members in Attendance: Chair Tony Doan, Kjell Anderson, Jay Arnold, Todd Beyreuther, Justin Bourgault, Micah Chappell, Daimon Doyle, Tom Handy, Roger Heeringa, Craig Holt, Tye Menser, Ben Omura, Pete Rieke, Katy Sheehan, Representative Keith Goehner, Lorin Lathrop, Senator John Lovick, Representative Alex Ramel, Senator Lynda Wilson

Members Absent: Matthew Hepner

Staff In Attendance: Managing Director Stoyan Bumbalov, Assistant Attorney General Dierk Meierbachtol, Krista Braaksma, Dustin Curb, Kris Irelan, Rozanna Ghanie, Annette Haworth

Visitors Present: Ann Larson, Bryan Ahee, Kurt Aldworth, Corina Allen, Ray Allshouse, Stuart Anderson, Sean Angeley, Tim Ayers, Judy Bardin, Kim Barker, Katya Bautista, Miranda Beagley, Erik Bedell, Roper Benitez, Tricia Bennon, Jerry Bessett, June BlueSpruce, Brad Bowman, Joseph Briscar, Abby Brockway, Ken Brouillette, Kate Brouns, Ken Brown, Andi Burnham, Barb Carey, Mark Carlos, Jake Carter, Ian Casey, Patty Charnas, Jasmine Chiu, Paul Clark, Ray Cockerham, Ryan Collins, Brett Conway, Ted Corey, Jerry Cornfield, Lance Dahl, Aimee de Ney, Tom DiChristopher, Lauren DiPalma, Patrick Donnelly, Kevin Duell, Sherri Dysart, Jen Eliuk, Daniel Eungard, Michael Feerer, Haylee Ferguson, Lynn Fitz-Hugh, Ellison Folk, Mike Fowler, John Frankel, Miller Freeman, Angela Garcia, Logan Garrels, Jenifer Gilliland, Casey Grant, Erin Greenlee, Janelle Guthrie, Jerry Harrington, Mike Harris, Pat Harris, Angela Haup, Nora Hawkins, Natasha Hays, Gary Heikkinen, Jair Hight, Jerry Hight, Dave Hill, Paul Hinty, Mark Hofman, Blake Holmes, Kevin Howes, Morgan Jackson, Ardel Jala, Tara Jenkins, Ty Jennings, Erik Jensen, Jasen Johns, Gregory Johnson, Shawn Johnson, Kevin Kaul, Christian Knight, Crystal Kolke, Rachel Koller, Lee Kranz, Renee Kruger, Jason Krum, Eric Lacey, Scott Lang, Jeremy Larson, Dan Leckman, Lukasz Lisowski, Tyler Litzenberger, Noelle Lovern, Larry Luton, Elizabeth Manning, Tansy Massey-Green, Teil Massie, Ted McCammant, Jeanette McKague, Colin Mercer, Jacob Morgan, Dermott Murphy, Jenny Nickerson, Shane Nilles, Lisa Parshley, Tamra Patterson, Scott Peterson, Kathleen Petrie, Dylan Plummer, David Reddy, Russ Redinger, Kevin Reed, Liz Reichart, Claire Richards, Michael Richardson, Mike Richardson, Chris Ricketts, Jason Riipinen, Joëlle Robinson, Kevin Rose, Lisa Rosenow, Reed Rushing, John Ryan, Bill Sampson, Jordan Sanchez, Brian Scholl, Sam Shastany, Jon Siu, Deepa Sivarajan, Dylan Sluder, Andrea Smith, Brian Smith, Michael Snook, Lia Sommer, David Spencer, Gale Stanley, Poppy Storm, Scott Swantek, David Swasey, Steve Tapio, Jennifer Thomas, Kelly Thomas, Patricia Thompson,

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Nate Tilson, Marianne Tompkins, Eric Urban, Eric Vander Mey, Matthew Veloz, Richard Voget, Nick Waggood, Rachel Walker, Jack Wellman, Amy Wheelless, Betsy Wilkerson, Bill Will, Justin Wood, Ron Wright, Jamie Yengel, Armstrong
In Person Visitors: Larry Andrews, Anne Anderson, Karen Skoog, Dave Kokot, Jim Breidenbach, Jon Fifield, G. Scheuermann, John Goldsmith, Justin Cravalho, Suzanne Schmidt, Diana Wilhite, Molly Severns, Leonard Christina

Agenda Items	Council Actions/Discussion
1. Welcome and Introductions	The meeting was called to order at 10:00 a.m. by Council Chair Tony Doan. Roll was called and a quorum was present. Everyone was welcomed and Ben Omura was introduced as the newest Council member.
2. Review and Approve Agenda	Kjell Anderson moved to approve the Agenda, Craig Holt seconded, the motion passed.
3. Executive Session	The Council recessed into executive session at 10:05 a.m. The meeting was called back to order at 11:41 a.m. and a short recess was taken. Council Chair Tony Doan reconvened the meeting at 11:53 a.m.
4. Review and Approve Minutes <ul style="list-style-type: none"> • April 21, 2023 • May 19, 2023 • May 24, 2023 	Tom Handy moved to approve the April 21 minutes, Micah Chappell seconded, the motion passed. Craig Holt moved to approve the May 19 minutes, Pete Rieke seconded, the motion passed. Pete Rieke moved to approve the May 24 minutes, Micah Chappell seconded, the motion passed.
5. Public Comment on Items Not on the Agenda	Multiple individuals from the public spoke in favor of delaying the WUIC (Wildland Urban Interface Code) in order to resolve conflicts and make the code less confusing to those who will be using and enforcing the code. Specific areas of concern were with the removal of mature trees and the intersect with climate change by the amount of carbon emissions caused, the role trees play in urban water systems, reduction of tree cover and the effect on the health, welfare, and safety of the people in Washington State. It was noted the DNR Map is inconsistent when compared to the Wildfire Risk Map and work should be completed with DNR to rewrite the definitions and designations on interface and intermix areas. It was said the WUIC conflicts with the Washington State Urban Forest Management Plan – RCW 76.15.005, related to tree canopy benefits. It was suggested to take a more balanced approach which considers the risks as well as the benefits of trees while taking into consideration the health benefits, pollution, shade, water run-off and flooding. It was also said that Washington State sets precedence, so what is decided with the WUIC will lead the way and unintended consequences should be avoided by working

	<p>closely with experts in their fields to rewrite and rework the existing WUIC.</p> <p>Larry Andrews asked the Council to consider moving the Executive Session to a day different than the regular Council meeting. He also spoke about the Spokane fire, homes that were destroyed, and how these homes should be allowed to reconstruct under the building codes they were originally built as opposed to using the current building codes due to the cost differential.</p> <p>Ann Anderson spoke about the Energy Code R values and U values, insulation mandates, cost increases related to each and how the changes in values for the R and U values from the 2018 to 2021 codes shouldn't have occurred.</p>
<p>6. Local Amendments</p> <ul style="list-style-type: none"> • Grant County Pre-Proposal Amendment: Adoption of IRC Appendix V (Fire Sprinklers) 	<p>Stoyan Bumbalov clarified this is not a final adoption but a pre-approval due to Grant Counties' local ordinance not being approved yet.</p> <p>Maureen Henning introduced the pre-proposal and Stoyan Bumbalov provided further clarification that the proposed local amendment to the code is less restrictive than what the Washington code allows, if Appendix V is adopted. Questions were asked about the language and the Grant County Fire Marshall responded to the questions. Further discussion was held on the language and the process for Council to follow. It was agreed upon by several council members that the language needed to be modified before moving forward. Micah Chappell offered to assist in the modification process.</p> <p>Motion: Micah Chappell moved to disapprove the Grant County Pre-Proposal Amendment as presented, Daimon Doyle seconded, the motion passed.</p>
<p>7. Off-Cycle Rule Related to Energy Storage Systems - 2021 IFC/Chapter 12</p> <ul style="list-style-type: none"> • Work Session • CR-103 Vote (Final Adoption) 	<p>Stoyan Bumbalov explained the process that has been followed to this point and noted that comments in support of the Off-Cycle Rule have been received. Ken Brouillette, proponent, pointed out some typographical errors in the proposal, that were missed. Discussion was held on the process in relation to Off-Cycle and Emergency Rules and the current effective date of the delayed codes. Clarifying questions were asked and answered about the proposal.</p> <p>Motion: Kjell Anderson moved to adopt the Off-Cycle Rule Related to Energy Storage Systems for the 2021 IFC/Chapter 12 into the CR-103 process for permanent rulemaking with the caveat that Staff works with the Code Revisors Office on the timing of set adoption, Roger Heeringa seconded, the motion passed.</p> <p>Public comment was heard in support of the adoption.</p> <p>Discussion was held about the 2018 Emergency Rule expiration date and staff provided the expiration date and it was noted Council can address this issue at the October 20 Council meeting.</p>

<p>8. Off-Cycle Rule Related to the Adoption of R-4 Occupancy Group - 2021 IBC</p> <ul style="list-style-type: none"> • Work Session • CR-103 Vote (Final Adoption) 	<p>Stoyan Bumbalov provided background of the process and noted public comment and testimony was received in support of the proposal. It was also noted that a CR-105 would be filed to make sure the IFC language was consistent with the IBC language.</p> <p>Public comment was heard in support of adoption of the R-4 Occupancy Group.</p> <p>Motion: Kjell Anderson moved to adopt the Off-Cycle Rule Related to the Adoption of the R-4 Occupancy Group for the 2021 IBC into the CR-103 process for permanent rulemaking with the caveat that Staff works with the Code Revisors Office on the timing of set adoption, Justin Bourgault seconded, the motion passed.</p>
<p>9. MVE Committee Reports:</p> <ul style="list-style-type: none"> • Amendments to the 2021 WSEC-Residential • Amendments to the 2021 WSEC-Commercial • Interpretation Requests • ERI Report 	<p>Kjell Anderson, MVE Committee Chair, provided a general overview of the process that was followed to include multiple TAG meetings, public comments received and reviewed, and the MVE Committee meeting held to review the proposals and consider the prescriptive path, performance path, fuel normalization table and credits, site vs source, EPCA requirements, and Legislative mandates. It was also noted there was a typo in Table R405.2.5.</p> <p>Council members discussed further the legislative mandate, EPCA requirements, the fuel normalization table, and the cost benefit analyses for the proposals.</p> <p>Krista Braaksma provided a PowerPoint presentation “Timeline/Filing Procedure for Energy EPCA amendments”, outlining the required steps and processes and the timelines and deadlines associated.</p> <p>Council held discussion on the timelines and deadlines and the possibility of completing the process before the end of the year or before the Legislative Session in 2024. Discussion was also held on costs of equipment and installation related to the Cost Benefit Analysis which is based on the lifecycle of the building.</p> <p>Motion: Representative Alex Ramel moved to approve both the Residential and Commercial amendments to the CR-102 process and include the CBA, Kjell Anderson seconded.</p> <p>Stoyan Bumbalov provided additional information on the preliminary Cost Benefit Analysis and noted staff’s involvement is to put together data provided by proponents’ and comments received that are related to the CBA for the CR-102.</p> <p>It was noted, through public comment, that the Commercial code amendments were not presented, and it wasn’t clear which proposals were being voted on to move forward. Public comment was heard in support of moving forward with the proposed amendments and also from those opposed to moving the amendments forward. One comment was made in reference to the Council’s knowledge of the amount of taxpayers funding being paid for attorney fees.</p>

	<p>Daimon Doyle asked several clarifying questions on the proposals, process and EPCA requirements which were answered by Kjell Anderson.</p> <p>Amended Motion: Daimon Doyle moved to amend the motion with updated language in Table 405.4.2(1), page 7, for both “Heating systems” and “Service water heating”, as shown on the screen, Craig Holt seconded, the motion failed 4 to 9.</p> <p>Council discussed the amendment with some in favor and some against the updated language. Discussion was then held on the main motion.</p> <p>Kjell Anderson, MVE Committee Chair, then provided a high-level review of proposal 037–Jonny Kocher and 038-Duane Jonlin and noted the Committee members preferred proposal 038-Duane Jonlin. Kjell Anderson also noted Area Waiting was added and he reviewed Eric Vander Mey’s comments that were submitted.</p> <p>Friendly amendment: Kjell Anderson asked to include Eric Vander Mey’s comments (on screen) in the motion. Representative Alex Ramel accepted the amendment.</p> <p>Motion: Kjell Anderson moved to extend the meeting until 4:45pm, Tony Doan seconded, the motion passed with one opposed. Craig Holt wasn’t able to stay past 4pm.</p> <p>Council held further discussion on the motion.</p> <p>A motion was made by Tom Handy to strike C403.1.6 from the motion, no second was made and the motion dies.</p> <p>Main Motion w/amendment restated: Representative Alex Ramel moved to approve both the Residential and Commercial amendments forward to the CR-102 process along with three additional changes to the Commercial Energy Code, shown on screen, and specifically have to do with Sections C401.2.2; C401.3.1, item 2; and C403.4.1.1, Kjell Anderson seconded, the motion passed 10 to 2.</p> <p>Daimon Doyle noted there wasn’t an ERI report, at this time.</p>
<p>10. Requests to Delay the Effective Date of Washington State Codes</p>	<p>Stoyan Bumbalov noted that many requests to delay the effective date of the Washington State Codes were received and some are posted on the SBCC website.</p> <p>Public comments were heard in opposition of delaying the codes any further and in favor of delaying the codes until July 1, 2024.</p> <p>Council members discussed the requests to delay the effective date of the codes. It was suggested that all codes have the same effective date, and the 2021 Codes should not be skipped to move on to the 2024 Codes. Some were in favor of the July 1, 2024, some were in favor of no further delay, and some were unsure of what date would work best with the timelines that were discussed previously.</p>

	Motion: Kjell Anderson moved to delay the effective date of all codes until March 15, 2024, Jay Arnold seconded, the motion passed 11 to 1.
11. Discuss Potential Changes to the SBCC Bylaws, Policies and Procedures	Daimon Doyle moved to table Agenda items 11, 12 and 13 until the next Council meeting, Micah Chappell seconded, the motion passed.
12. Other Business	Daimon Doyle moved to table Agenda items 11, 12 and 13 until the next Council meeting, Micah Chappell seconded, the motion passed.
13. Staff Report	Daimon Doyle moved to table Agenda items 11, 12 and 13 until the next Council meeting, Micah Chappell seconded, the motion passed.
14. Adjourn	Meeting was adjourned at 4:44 p.m.