



STATE OF WASHINGTON

STATE BUILDING CODE COUNCIL

1500 Jefferson Street SE • P.O. Box 41449 • Olympia, Washington 98504
(360) 407-9277 • e-mail sbcc@des.wa.gov • www.sbcc.wa.gov

STATE BUILDING CODE COUNCIL SUMMARY MEETING MINUTES

LOCATION: The meeting was held at
DES Building – Room 1213
1500 Jefferson St SE, Olympia, WA 98504
with Zoom and teleconference options

MEETING DATE: Friday, October 20, 2023

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

Members Absent: Roger Heeringa, Matthew Hepner, Lorin Lathrop

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

Visitors Present: Ann Larson, Bryan Ahee, Donna Albert, Corina Allen, Todd Allred, Iris Antman, Tim Attebery, Kim Barker, Ken Brouillette, Elliott Brown, Andi Burnham, Ian Casey, Karen Christensen, Ellen Dennis, Michael Dobbs, Kevin Duell, Daniel Eungard, Tyler Farmer, Michael Feerer, Mike Fowler, Miller Freeman, Logan Garrels, Anjali Grant, Patrick Hanks, Angela Haupt, Daniel Hembree, Maureen Henning, Luke Howard, Rhonda Hunter, Ardel Jala, Ty Jennings, Jonathan Jones, Brian Kehler, Scott Lang, Jeremy Larson, Carolyn Logue, Robert Mathis, Jeanette McKague, Brad Medrud, Shawn Mullins, Heather Pens, Tena Risley, Kevin Rose, Lisa Rosenow, Chris Russell, Jon Siu, Andrea Smith, Michael Snook, Lacey Stanage, Nick Waggood, Chris Young, Tom Young

In Person Visitors: Lynn Fitzhugh, Charlotte Persons

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 members of the public, who wished to, introduced themselves.
2. Review and Approve Agenda	Daimon Doyle moved to approve the Agenda, Micah Chappell seconded, the motion passed.

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.

<p>3. Review and Approve Minutes</p> <ul style="list-style-type: none"> September 15, 2023 October 9, 2023 	<p>Kjell Anderson moved to approve the September 15 minutes, Craig Holt seconded, the motion passed.</p> <p>Kjell Anderson moved to approve the October 9 minutes, Daimon Doyle seconded, the motion passed.</p>
<p>4. Public Comment on Items Not on the Agenda</p>	<p>No public comment was heard on items not on the agenda.</p>
<p>5. Local Amendments</p> <ul style="list-style-type: none"> Grant County Pre-Proposal Amendment: Adoption of IRC Appendix V (Fire Sprinklers) 	<p>Chris Young presented an updated document, with recommendations made at the last Council meeting.</p> <p>Council asked some clarifying questions.</p> <p>Motion: Micah Chappell moved to approve the Grant County Pre-Proposal Amendment as presented, Daimon Doyle seconded, the motion passed.</p>
<p>6. Discuss Potential Changes to the SBCC Bylaws, Policies and Procedures</p> <ul style="list-style-type: none"> Determine the most appropriate time period for code adoption and amendments to the adopted codes. Pros and cons for combining TAGs and limiting the number of TAG members. Pros and cons for Group 1/Group 2 adoption. Importance of BFP and MVE committees. WA custom codes vs. insert pages. Adoption by reference vs. adoption of technical provisions in WAC 51. Approve the preliminary schedule for the 2024 code adoption cycle. 	<p>Stoyan Bumbalov, Managing Director, noted the documents for this agenda item were sent to the Council and posted on the SBCC website for review. Stoyan Bumbalov then shared a presentation called “State building code adoption around the country” which showed many State’s information regarding the building code process for each.</p> <p>There was Council and Staff discussion held regarding Washington State’s information, as it wasn’t in the presentation, and how staffing and funding should be increased. Representative Alex Ramel offered to assist the SBCC with budget issues.</p> <p>Stoyan Bumbalov reviewed the number and type of filings that were processed during the 2021, 2018 and 2015 code adoption cycles. During 2021, 124 filings. In 2018, 71 filings. In 2015, 105 filings, which it was noted there were multiple filings for the same issues.</p> <p>Stoyan Bumbalov briefly went over the items the Workgroup had discussed and was looking for direction from the Council on how to proceed for the next code cycle. He mentioned combining the TAGs and reducing the number of members to 11 or 15. He reviewed the draft schedule for Group 1 and Group 2 and also showed a schedule if going with only one group. The timelines and processes were discussed for both schedules. Stoyan Bumbalov also indicated that staff would not be able to both publish the codes and create insert pages.</p> <p>There was Council and Staff discussion about which option (Group1/Group2 or one group) would work better for staff and SBCC being understaffed and underpaid. Stoyan Bumbalov indicated either option could be obtained as long as an option and effective date were decided on and stuck to. Council members provided their preferences on several of the topics. Some were in favor of limiting the number of TAG members to a maximum of 15. Some were in favor of the One Group code adoption cycle. It was noted that skipping a cycle would not be beneficial. Most council members were in favor of a published Washington Custom codes .</p>

	<p>There was a discussion regarding making changes to the Group 1/Group 2 rule and how it would need to go through the rulemaking process. It was mentioned state, local, and national groups align with the ICC process. There was then further discussion on the Group 1/Group 2 vs the One Group schedule and dates associated with the code adoption process.</p> <p>Public comment was heard in favor of keeping the Group 1/Group 2 to align with ICC, for this code cycle, and discussing the One Group option later for the 2027 code cycle. Comments were made in favor of changing the effective date, if done at the beginning, and also if the extra time was used for publishing the codes. Further comments were made in favor of a more robust review of the codes and limiting emergency rules throughout the code cycle.</p> <p>There was Council and Staff discussion held on a Code Correlation TAG vs the MVE and BFP Committees. Also, a concern was raised with Council members representation on each TAG and their voting capacity. It was suggested no more than 2 voting Council members per TAG. Discussion then ensued on combing TAGs or leaving them as is. There was a concern about voting on this agenda item as it says "discussion". Assistant Attorney General, Dierk Meierbachtol indicated there were no legal concerns if the Council were to take a vote on agenda item 6.</p> <p>Public comment was heard with concern over combing the TAGs and also limiting the number of members. But comments in favor of a Code Correlation TAG, were heard with lots of questions of who the Code Correlation TAG would exist of and what their authority would be. Council members and Staff provided information about the current process and members of both TAGs and Committees.</p> <p>Motion: Craig Holt moved to adopt Option 1 proposed for the number of TAGs, with the addition of a Code Correlation TAG, Micah Chappell seconded, the motion passed.</p> <p>Motion: Micah Chappell moved to limit the TAG members to up to 15 per TAG with the TAG seats defined at a later date, Daimon Doyle seconded, the motion passed.</p> <p>Stoyan Bumbalov said he would post the DRAFT 2024 Code Review and Adoption Cycle schedule on the SBCC website.</p>
<p>7. Provisions for the Family Home Childcare in IRC, IBC and IFC: TAG approved Draft for Consideration to move to CR-102 and public comment period.</p>	<p>Dustin Curb, SBCC staff, introduced DCYF and Childcare Provisions. Tyler Farmer and Karen Christensen from DCYF provided background information for Family Home Childcare provisions. Ardel Jala presented the Childcare provisions and what the TAG approved which included an increase of occupancy from 12 to 16 children in a Family Home Childcare and language was provided for Exit doors, residential sprinkler system, new construction smoke alarms, heat detectors, and additional light sources. Anjali Grant explained the difficulties that may occur for some Family Home Childcare facilities if extreme home modifications are required as they may not be affordable and/or</p>

	<p>achievable. Dustin presented Dave Kokot's letter. Ardel Jala and DCYF staff also agree that sprinklers can be waived when certain safety requirements are met. But this would also be subject to the code official performing the inspection. DCYF Staff thanked the Council and explained that DCYF is comfortable with the Sprinkler option but also cautioned that this could lead to children going to unlicensed homes where they cannot be monitored.</p> <p>Pete Rieke asked what do commercial childcare facilities have vs residential facilities. Ardel Jala explained that the current residential facility language is modeled off the commercial.</p> <p>Tony Doan expressed concern of emergency vehicle access to which Ardel Jala explained that it should be the local jurisdiction/building code officials to determine emergency vehicle accessibility requirements.</p> <p>Motion: Micah Chappell moved to approve the Family Home Childcare Provisions proposal into the CR-102 process and includes public comment #1 and option of public comment #2 option which includes the exception in R331, Todd Beyreuther second, the motion passed.</p> <p>Tye Menser asked for clarification to occupancy and ratio of children to childcare staff and Ardel Jala provided the ratios.</p>
<p>8. Request for new emergency rule</p> <ul style="list-style-type: none"> Ken Brouillette – 2018 IFC, Chapters 12 and 80 	<p>Ken Brouillette, proponent of the proposal, explained his proposal and noted his request is correlating the off-cycle rule and emergency rule that were previously approved by the Council. There was much discussion on how to proceed with the request for an emergency rule on the 2018 code when the 2021 code was adopted but not effective yet. Stoyan Bumbalov, Managing Director, indicated he has reached out to the Washington State Code Revisor's Office on if or how to proceed with the filing.</p> <p>Motion: Micah Chappell moved to approve the request for emergency rule as submitted, Justin Bourgault seconded, the motion passed 8 to 5 with the Council Chair voting yes.</p> <p>Justin Bourgault spoke to the motion and indicated this is a hot topic. Jay Arnold indicated he would be voting against the motion due to the administrative issues, the timeframe before the 2021 code is effective and the many requests from staff to process fewer emergency rules.</p> <p>There was discussion on the completeness of the document and the proponent indicated he was aware and work with SBCC staff before filing, if approved. Stoyan Bumbalov indicated the request may not meet the criteria for an emergency rule and there was Council discussion on the Finding of Emergency procedure.</p>
<p>9. Discuss public concerns with the 2021 WUI Code.</p>	<p>Public comments were made in favor of removing the defensible space requirements from the WUIC and/or delaying the code until the next code cycle. This would allow for aligning with other state goals, policies, and programs; time to consider, further, the climate</p>

	<p>impacts; and allow for a fuel-based map, not DNR’s WUI map, to be applied to the code.</p> <p>Motion: Kjell Anderson moved to extend the Council meeting until 4:30pm, Craig Holt seconded, the motion passed.</p> <p>Council members discussed the public comments and the letter from AWC. Several Council members were also confused by the WUIC and the DNR map and agreed the issue needed further discussion at the November Council meeting. It was suggested to have a representative from DNR present for questions and perhaps a representative from the Department of Commerce’s Growth Management Act division present.</p> <p>Motion: Jay Arnold moved to add to the November Council meeting a topic on changing the applicability of the WUIC and providing options other than Findings of Fact and the DNR map for when the Code applies or doesn’t apply, Pete Rieke seconded, the motion passed.</p> <p>Pete Rieke spoke to the motion and being in favor of further discussion and review and perhaps delaying until the next code cycle. Tom Handy spoke in favor of reviewing the DNR map and addressing issues and inconsistencies.</p> <p>Motion: Katy Sheehan moved to extend the meeting another 5 minutes until 4:35, Justin Bourgault seconded, the motion passed.</p> <p>Stoyan Bumbalov asked for clarification on direction for the November meeting.</p> <ul style="list-style-type: none"> • Any Emergency Rule proposals received by SBCC staff at least 2 weeks prior to the November 17 Council meeting. • Request a representative from both DNR and Legislature to attend the meeting for questions.
<p>10. Energy Code Amendments – Staff Report</p>	<p>Krista Braaksma said the CR-102s had been filed for the changes to the Energy Code based on EPCA concerns and there will be a Public Hearing held on November 21 at Yakima City Hall and one on November 22 in Olympia, along with a Special Council meeting held on November 28 to make the final determination on the proposals.</p>
<p>11. Other Business</p>	<p>None</p>
<p>12. Staff Report</p> <ul style="list-style-type: none"> • SBCC Budget • Public Record Requests • Training Opportunities for Council Members. 	<p>Stoyan Bumbalov asked Council members to forward any Public Record Requests or information pertaining to a PRR to the SBCC Inbox.</p> <p>Motion: Craig Holt moved to postpone remaining agenda items to the November Council meeting, Jay Arnold seconded, the motion passed.</p>
<p>13. Adjourn</p>	<p>Meeting was adjourned at 4:36 p.m.</p>