



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, February 16, 2024

Members in Attendance: Daimon Doyle, Council Chair, Kjell Anderson, Jay Arnold, Todd Beyreuther, Justin Bourgault, Micah Chappell, Tom Handy, Roger Heeringa, Craig Holt, Tye Menser, Ben Omura, Pete Rieke, Katy Sheehan, Senator John Lovick

Members Absent: Matthew Hepner, Lorin Lathrop, Representative Alex Ramel, Representative Suzanne Schmidt, Senator Lynda Wilson

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

Visitors Present: Bryan Ahee, Kurt Aldworth, Sean Angeley, Bruce Bader, Kim Barker, Steve Belzak, Scott Black, Joseph Briscar, Ken Brouillette, Ian Casey, Karen Christensen, Don Cole, Ted Corey, Stacy Criswell, Dozer Day, Michael Dobbs, Kevin Duell, Tyler Farmer, Michael Feerer, Lynn Fitz-Hugh, Angela Garcia, Angela Haupt, Ardel Jala, Ty Jennings, Hoyt Jeter, Gregory Johnson, Jonathan Jones, Brian Kehler, Dave Kokot, Jeremy Larson, Carol Manus, Jordan Neal, Liz Reichart, Dave Renton, Angela San Filippo, Todd Short, Andrea Smith, Brian Smith, Michael Snook, Steve Tapio, Gavin Tenold, Quyen Thai, Jerome Tũaño, Eric Urban, Jim Warner, Steven Wilcox, Bill Will

Agenda Items	Council Actions/Discussion
1. Welcome and Introductions	The meeting was called to order at 10:01 a.m. by Council Chair Daimon Doyle. Roll call was taken, and a quorum was present. Everyone was welcomed and members of the public, who wished to, introduced themselves.
2. Review and Approve Agenda	Motion: Micah Chappell made a motion to move agenda items 5 and 6 to after agenda item 12. No second was made. Micah Chappell then asked to move agenda item 5 to after agenda item 12. Directing Manager, Stoyan Bumbalov noted that agenda items 5 and 6 have shared information and should be kept together.

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>Motion: Kjell Anderson moved to approve the agenda, Craig Holt seconded, the motion passed.</p>
<p>3. Review and Approve Minutes</p> <ul style="list-style-type: none"> January 19, 2024 	<p>Motion: Craig Holt moved to approve the minutes from January 19, 2024, Justin Bourgault seconded, the motion passed.</p>
<p>4. Public Comment on Items Not on the Agenda</p>	<p>Jim Warner the owner of Solid Structures from the Spokane area indicated he is having issues finding answers regarding the use of UC4B and is seeking clarification and also to bring the topic up for awareness.</p> <p>Council members discussed the topic and suggested the EPA website, Code Interpretation, Council Opinion, and the ICC website as a good place to start.</p>
<p>5. Changes to the SBCC Bylaws</p> <ul style="list-style-type: none"> Council Standing Committees Technical Advisory Groups 	<p>Managing Director, Stoyan Bumbalov, shared the proposed changes to the SBCC Bylaws by first addressing the Technical Advisory Groups and noted this was approved by the Council but he wanted to make sure they still wanted the IRC and WUIC as one TAG. Stoyan Bumbalov then shared the Council Standing Committees and noted what changes would need to be made based on the new makeup of the TAGs.</p> <p>Committee names were presented as BFRW (Building, Fire, Residential, and Wildland Urban Interface) and MVPE (Mechanical and Ventilation, Plumbing, Energy).</p> <p>TAGs were presented as IBC, IFC, IRC and WUIC, WSEC-R, WSEC-C, IMC and UPC.</p> <p>Council members discussed the proposed changes to the bylaws, asked clarifying questions, and make some adjustments to the naming conventions.</p> <p>Dave Kokot said he opposed combing the IRC and WUIC.</p> <p>Motion: Kjell Anderson moved to accept the proposed changes to the Bylaws as shown, Todd Beyreuther seconded, the motion passed unanimously.</p>
<p>6. Appointment of Council Members to TAGs and Standing Committees</p>	<p>Managing Director, Stoyan Bumbalov, indicated Council members for each TAG needed to be appointed which would makeup the seats on the Standing Committees. Daimon Doyle recalled the motion from last meeting appointing one council member as Chair and one council member as Vice Chair of each TAG. Daimon Doyle also suggested to have different council members on each TAG to avoid duplication of TAG Chairs. Stoyan Bumbalov shared the TAG members from the 2021 Code Adoption Cycle. It was then mentioned that members are not to serve on a TAG for more than 2 code cycles.</p> <p>The seats on the TAGs were reviewed, and Chair and Vice Chair were appointed.</p> <p>IBC TAG: Chair, Todd Beyreuther and Vice Chair, Roger Heeringa.</p>

IFC TAG: Chair, whoever replaces Tony Doan and Vice Chair, Roger Heeringa.

WSEC-C TAG: Chair, Kjell Anderson and Vice Chair, Craig Holt.

WSEC-R TAG: Chair, Kjell Anderson and Vice Chair, Daimon Doyle.

IRC and WUIC TAG: Chair, Micah Chappell until he is replaced due to his term expiring and Vice Chair, Pete Rieke.

There was a discussion on the Code Coordination Committee and Stoyan Bumbalov noted the decision was made to have the Standing Committees do the coordination.

MVP TAG: Chair, Ben Omura and Vice Chair, Justin Bourgault.

The seats on the Standing Committees were reviewed and the available seats were filled.

BFRW Committee is made up of the Council Chair-Daimon Doyle, IBC TAG Chair Todd Beyreuther, IFC TAG Chair (Tony Doan's replacement), and IRC and WUIC TAG Chair Micah Chappell until replaced, due to his term expiring. Roger Heeringa was elected as Chair of the Standing Committee and both Craig Holt and Tom Handy were elected as council members to serve on the Standing Committee.

MVPE Committee is made up of the Council Chair Daimon Doyle, MVP TAG Chair Ben Omura, WSEC-R and WSEC-C TAG Chair Kjell Anderson. Jay Arnold was elected as Chair of the Standing Committee and Justin Bourgault, Pete Rieke and Katy Sheehan were elected as council members to serve on the Standing Committee.

The Legislative Committee is made up of the Council Chair Daimon Doyle, Council Vice Chair and Chair of the Committee Todd Beyreuther, BFRW Chair Roger Heeringa, MVPE Chair and Vice Chair of the Committee Tom Handy, along with council members Kjell Anderson, Jay Arnold, and Matthew Hepner. It was agreed that Tom Handy would replace Todd Beyreuther after the 2024 Legislative Session.

The Executive Committee is made up of the Council Chair Daimon Doyle; Council Vice Chair Todd Beyreuther; Chair of the MVPE Committee Jay Arnold; Chair of the BFRW Committee Roger Heeringa, and the Vice Chair of the Legislative Committee Tom Handy.

The Workgroup on Economic Impact is made up of the Council Chair Daimon Doyle, IFC TAG Chair (Tony Doan's replacement, IBC TAG Chair Todd Beyreuther, IRC and WUIC TAG Chair Micah Chappell (and then his replacement), WSEC TAG Chair Kjell Anderson, and MVP TAG Chair Ben Omura.

Motion: Criag Holt moved to approve the appointments of seats for both the TAG Chairs, Vice Chairs and Standing Committee seats, Tom Handy seconded, the motion passed.

<p>7. Revisions to the 2024 Code Adoption Schedule</p> <ul style="list-style-type: none"> • Move the 2024 WUI Code to Group 2 	<p>Managing Director, Stoyan Bumbalov, recapped Group 1 and Group 2 and asked the Council to move the WUIC from Group 1 to Group 2 to allow staff more time to work on the WUIC.</p> <p>Micah Chappell indicated he was in support of moving the WUIC but wanted SBCC to align with ICC where WUIC is in Group A.</p> <p>Motion: Micah Chappell moved to move the WUIC code to Group 2, Craig Holt seconded. After discussion, the motion was withdrawn.</p> <p>Public comment was heard in favor of changing the schedule to meet the timelines provided in the 2024 Code Adoption Schedule.</p> <p>Stoyan Bumbalov withdrew his request to move the WUIC to Group 2 and address further at the March 15 Council meeting.</p> <p>Micah Chappell withdrew his previous motion.</p> <p>Motion: Micah Chappell moved to table this item until the next Council meeting, Craig Holt seconded, the motion passed.</p> <p>Discussion was held on the ICC Groups and concern with delaying work on the Codes.</p>
<p>8. Petition to Repeal an Existing Rule</p> <ul style="list-style-type: none"> • Changes to provisions for family home childcare WAC 51-51-0202 and WAC 51-51-0331 	<p>Dustin Curb provided an introduction to the petition.</p> <p>Public comments were heard in favor of repealing the existing rule for changes to provision for family home childcare due to life and fire safety issues. It was also mentioned that public comment was not taken at the last meeting due to the topic being a work session after a public hearing where written and verbal testimony was allowed, and the public comment period was closed.</p> <p>Discussion continued with the language in the CR-103 which indicated an automated sprinkler systems are required except where exceptions are allowed in each jurisdiction. It was suggested to maintain this language as previously approved by the Council.</p> <p>Motion: Kjell Anderson moved to deny the petition, Katy Sheehan seconded, the motion passed.</p> <p>After returning from a break, Tye Menser noted he would have to leave between 2 and 2:30pm.</p> <p>Daimon Doyle reconvened the meeting, roll was taken, and a quorum was present.</p>
<p>9. Amendments to the 2021 WUI Code, Chapters 3 and 6</p> <ul style="list-style-type: none"> • Work Session – Deliberations on Public Testimony 	<p>Dust Curb provided the Council with testimony summary from the Public Hearing on Amendments to the 2021 WUIC, Chapters 3 and 6. Stoyan Bumbalov noted this was work session for the Council and due to HB 6120 pending and no action is required by the Council today. Legislative Session ends on March 7, so the Council can take action at the March 15 Council meeting.</p> <p>Dustin Curb pointed out that many people are very concerned with how to even apply the WUIC in their area.</p>

	<p>Kjell Anderson asked if the work session was a good use of time due to unknowns with the HB 6120. Stoyan Bumbalov said it could be tabled until the March meeting to see if the bill has passed or not but would affect staff and Council as the effective date is the same as the next council meeting. It was mentioned a Special Council meeting could be held as needed after Legislative Session ends and the outcome of the Bill is known.</p> <p>Discussion was then held on the public testimony concerns and some background was provided. Rulemaking process, if needed, was discussed. HB 6120 was reviewed, and changes were pointed out. Further discussion was held on whether the WUIC should be amended or withdraw the entire WUIC and start over after the Department of Natural Resources develop new maps, as required in SB 6120. Several council members suggested limiting the time spent on this agenda item. It was stated that if SB 6120 passes it will set a precedent and could then affect all Codes, moving forward. These changes were highlighted and reviewed further. Discussion ensued on the DNR Mapping requirements and local jurisdiction flexibility with the mapping. The Chapter 3, Option 1 and Option 2 were reviewed and discussed the guidance and understanding in each option.</p> <p>Motion: Jay Arnold moved to direct staff to bring forward for consideration at subsequent or special meeting the WUIC amendments that include Option 2, Pete Rieke seconded, the motion failed 9 to 3.</p> <p>Discussion was held on the motion with several Council members expressing the opposition to the motion and instead work on Code language, amendments, clarification, and guidance for Option 1.</p> <p>Discussion was held on modifications to the exceptions for Defensible Space and modifications to Table 603.2. The document being reviewed is a WABO proposal, so staff was unable to make the changes at the time they were being made.</p> <p>Motion: Kjell Anderson moved to direct staff to make the changes suggested by Micah Chappell and WABO, proposal, in Chapter 6 and present the document for discussion at the next Council meeting, Roger Heeringa seconded, the motion passed.</p>
<p>10. Legislative Committee Report</p>	<p>Stoyan Bumbalov shared the 2024 Session Cutoff Calendar and pointed out important dates and showed the Bills affecting the SBCC and are high priority.</p> <p>Todd Beyreuther, Legislative Committee Chair, summarized the discussion held on E2SHB 1899, Wildfire reconstructions, at the Committee meeting. Katy Sheehan added that Section 3 (1) provides vague information. Daimon Doyle noted that this section is limited for buildings damaged between July 1, 2023, and September 1, 2023. There was discussion on rebuilds and the WSEC credits.</p> <p>Todd Beyreuther briefly described the contents of 2SHB 2071, Residential Housing, and then noted that Section 1 is an ask of the</p>

SBCC with a deadline of November 1, 2026, which aligns with the code adoption cycle, but it is unclear on the TAG as it crosses between the IRC and IBC. The changes in the Bill were reviewed and discussed further and public comment was heard in opposition to the Bill.

Stoyan Bumbalov provided background of ESSB 5657, Kit home permitting, noting it died last year and has been reintroduced this year. He reviewed the language of the New Section 3, and changes to the definition of Kit Home in Section 4 (a) and (b), and indicated there is some confusion in the language and requirements. Discussion was held on the Bill and after review there are more questions than answers on exemption for permitting of structures.

Motion: Micah Chappell moved that the SBCC provide opposition to Legislation on this Bill, Kjell Anderson seconded, the motion passed.

Daimon Doyle briefly reviewed ESB 6120, WUIC, noting areas of concern of the SBCC and asked if a message should be sent to Legislature. Micah Chappell provided further information by stating this Bill would tie the hands of the SBCC on making amendments to the WUIC and he suggested the SBCC oppose the Bill. Further discussion was held with suggestion to deliver specific changes.

Motion: Kjell Anderson moved to make it clear to Legislature, in writing and by providing in person testimony, SBCC opposes the Bill for specific reasons (removal of authority to modify the WUIC at the SBCC level), but if those were removed, SBCC would not oppose the Bill and to select a representative to provide the testimony, Justin Bourgault seconded, the motion passed.

Discussion was held on who would prepare the letter and who would provide in person testimony on Tuesday, February 20 at 10:30am. Stoyan Bumbalov will draft the letter for review by the Legislative Committee on Monday and Todd Beyreuther will provide in person testimony.

Todd Beyreuther said his concern with ESSB 6291, SBCC, is having clarity on the language on Largest Trade Associations and how it is defined and is it across all 15 TAG seats. Stoyan Bumbalov noted the hearing is today, during this Council meeting. He mentioned he provided technical support to the sponsor. Sections of the Bill were reviewed to provide additional clarification on rulemaking and 2/3 vote requirement.

Roger Heeringa noted he needed to leave the meeting at 3:07pm.

Micah Chappell noted he needed to leave the meeting at 3:50pm.

Micah Chappell asked if the adopted and amended 2021 WUIC would apply if the current legislation that is being proposed goes into effect. Assistant Attorney General, Dierk Meierbachtol, responded that if SB 6120 passes, the 2021 WUIC would not apply.

<p>11. Council Opinion</p> <ul style="list-style-type: none"> Does the Washington State Building Code apply to manufactured homes? 	<p>Stoyan Bumbalov indicated this is not really an opinion but a request to provide a message on the SBCC website. Dierk Meierbachtol noted he provided an analysis to Stoyan Bumbalov and the Council members at Stoyan’s request, and the information provided is confidential. The conclusion from the analysis is certainly fair to make public on the website or however the Council deems appropriate. Micah Chappell asked Dierk Meierbachtol to expand on how the specific bill that was going to exempt manufactured homes from the WUIC would affect individual jurisdictions. Dierk Meierbachtol elaborated on the Bill that would expressly exempt manufactured home from the WUIC and questions arose from those who thought this was already the case as they are regulated under a national building code, HUD Standards, which are adopted under federal stature. The precise question was “Can the SBCC write statewide codes that have the effect of dictating different safety standards or construction standards for factory built, manufactured homes sold in Washington State, and the answer is no. To address Micah Chappell’s question about the authority of local jurisdictions, Dierk Meierbachtol answered that under State law, local jurisdictions do have additional authority to regulate manufactured homes, in certain respects.</p> <p>Stoyan Bumbalov indicated he would work with Dierk Meierbachtol on a message to add to the website with agreement of the Council. No opposition was expressed.</p>
<p>12. Council Opinion</p> <ul style="list-style-type: none"> Update to opinion 23-05, IRC 330.7 	<p>Dustin Curb provided background on the Council Opinion that was issued in 2023 and shared the draft answer he prepared in conjunction with the jurisdiction asking the question, City of Auburn. The draft is to supersede Opinion 23-05. He reviewed the questions and answers from staff. Kjell Anderson asked a clarifying question which was answered by Dustin Curb. Micah Chappell expressed some concern and perhaps some language would need to be made. Kjell Anderson suggested to modify the language in Answer 2 to read “Yes, International Residential Code Section 330.7 applies to all adult family home uses <u>under the IRC.</u>”</p> <p>Motion: Kjell Anderson moved to accept the Council Opinion, as amended, above, Craig Holt seconded, the motion passed.</p>
<p>13. TAG Seats for the 2024 Code Adoption Cycle</p> <ul style="list-style-type: none"> Residential Energy Code TAG Residential and WUI Codes TAG 	<p>Stoyan Bumbalov request this item be tabled until the March 15 Council meeting.</p> <p>Motion: Craig Holt moved to table this item until the March meeting, as requested by Staff, Justin Bourgault seconded, the motion passed.</p>
<p>14. Other Business</p>	<p>Motion: Kjell Anderson moved to extend the due date of the TAG Applications to March 8, 2024, Craig Holt seconded, the motion passed.</p>

	<p>Daimon Doyle suggested making 3 in person Council meetings mandatory and asked for Council opinion. Kjell Anderson said he was in favor if all Council members were going to be present. Pete Rieke spoke in opposition due to hardship but indicated one meeting would be possible. Micah Chappell said he would not recommend making it mandatory. Daimon Doyle said he would propose 3 meetings, not mandatory, and try to get one in the Tri Cities so Pete could attend more easily.</p> <p>Daimon Doyle suggested having a Timed Agenda to make the process more efficient. He will bring this to the next agenda.</p> <p>Daimon Doyle suggested having a parliamentary procedure and then discussion ensued on Robert's Rules and perhaps some basic training on Robert's Rules and use of cheat sheets seem to work well for several Council members.</p> <p>Micah Chappell addressed the suggestion of a Timed Agenda by expressing his concern with who sets the time. Stoyan Bumbalov noted he would like to post the agenda 7 to 10 days prior to the meeting and needs feedback from Council members prior the meeting.</p> <p>Jay Arnold addressed the parliamentary procedure, Robert's Rules, and said training is highly recommended. He suggested Jurassic Parliamentary.</p>
15. Staff Report	Tabled until March meeting.
16. Adjourn	Meeting was adjourned at 3:56 p.m.