

**State Building Code Council
Executive Committee Meeting
July 19, 2016**

The meeting was called to order at 1:00 p.m. A quorum is present.

Executive Committee Members: Steve Simpson, Eric Vander Mey, Dave DeWitte, Leanne Guier
Executive committee member absent: Jim Tinner
Council members: Doug Orth, Duane Jonlin, Traci Harvey,

Guests: Dave Kokot, Al Audette, Jerry Vanderwood, Jeanette McKague, Kraig Stevenson, Fred Volkers, Dwight Perkins, David Hanson, Toni Usibelli, Lisa Rosenow, Maureen Traxler

Agenda approved as written.

Steve noted this is an important meeting; we are working to have a transparent process. We are excited to start down this path today. We had comments from several stakeholders.

WAC 51-04-020 Policies for Consideration of Statewide Amendments – March 1 deadline; not in line with model code organizations; we have requirements to respond in 60 days.

WAC 51-04-025 – Procedures for Submittal of Proposed Statewide Amendments – Steve reviewed the WAC sections, and the issues and comments discussed at the June 10 meeting. He opened up the discussion for Executive Board members. Tim explained the specifics of the various WAC sections and By-laws; we will look at the By-Laws in September. We are now specifically looking at the adoption of the model code new editions and how amendments to that are considered.

Dave D. Commented that it would be useful to start with a conversation about the relationship between the timing requirements in the WAC: March 1 deadline, Dec. 1 deadline; 60-day requirement after the arrival of new model codes. Are these dates linked? It seems not. How are the timeframes related?

Tim N noted the Council 'shall enter rulemaking within 60 days', refers to filing a notice of intent; the rule making would continue for a longer period beyond the 60 days. Dec 1 deadline is when the rules must be filed. The additional step is unique to SBCC. There were comments about what the 60 day limit really means. It should be the first thing you read, per the building industry. March 1 is an annual deadline, an opportunity to propose state amendments.

Dave D asked for clarification. Steve S noted once the model code is received the TAGs begin to meet to analyze the changes, and compare to current state amendments, then look at new proposed amendments.

Eric VM noted we might receive the code early, and begin to review it with the TAG. The Dec. 1 deadline in statute is related to legislative session. The Council has options at that time. BIAW wants that listed first.

Steve S explained March 1 deadline is an annual event, vs. the three year cycle adoption of new codes. What happens once the new codes are received, i.e., TAGs begin the process to review all existing amendments; they look further at the code for other changes.

Eric VM notes we may review the codes early, when they are received, but don't begin a review of amendments until later.

Doug Orth notes it may be difficult to meet the March 1 deadline, depending on when the codes are obtained. He notes the 12/1 deadline is set in concrete, it is a legislative requirement.

Tim N explained the history of how the Council does business. 1989/90 was the beginning of the process.

Eric VM notes there are differences for the state Energy code.

Kraig S discussed the letter he wrote; it is posted on the webpage. 2018 code will be available by mid-2017; this changes the ability of the groups to review longer timeframe; he suggested SBCC may want to look at a longer review period as many other states do noting Washington is one of the earliest adopters.

Dwight Perkins/IAPMO noted the UPC is adopted in WA. The process at ICC has evolved; IAPMO uses the American National Standards cycle. It should be considered, and there should not be a "competitive edge" allowed for ICC in the adoption process.

Eric VM agreed the deadline is March 1, but should be stipulated that the date can be changed if the code has not been received in a timely manner; he believes having a deadline is important.

Steve S suggested we could have different deadlines.

Tim N notes that the realtors had suggested not having a deadline.

Jeanette Mck noted the complexity of the codes; asked whether the process allows them enough time to vet all the issues around the proposed and existing amendments; are there any policy questions that need to be addressed? Those should be addressed early in the process.

Steve S noted that he has reviewed the comments; he feels there does need to be some kind of a deadline, as without a deadline it is possible amendments would be submitted 'willynilly.'

Doug Orth notes we need to look at the timeframe, nine months is too long - except for the energy code.

Dave D asked what the benefit is for longer timeframes.

Doug asked what is in the public interest, what serves the public the best?

Steve S asked the staff to address the issues around staff time, if there is no deadline.

Tim N replied that staff is under a great deal of pressure to get a large volume of work done in a very compressed time frame; it is very demanding, sometimes it causes errors. He referred the group to data staff put together on this a couple of years ago.

Steve S asked for a summary of the impact on staff of multiple TAG meetings. He asked if the nine month timeframe is reasonable. The meetings get too long;

Tim discussed criteria, need to adopt fewer state amendments. We don't want to duplicate model code amendments at the state level. We need to establish policy first.

Steve S notes there had been discussion of putting the WSEC onto a separate cycle from the other codes.

Dave D is interested in either that approach or a two-year cycle, i.e., take two years to go through the adoption process rather than one year.

Duane J. noted that would be difficult as a BO, because all the codes are co-related, and it would be hard on the industry.

Jeanette McK. notes that is an idea, variations on a theme; she believes two years would be more manageable. She understands those in the industry may have some confusion, but they manage a certain section of the project. She has reviewed projects, you know what the codes are that need to be looked at. Whether it is 2-year or 1-year effort to push out energy, the key is to get the process to work better. Perhaps bring in the energy code after the others are completely finished.

Al Audette notes he agrees with her. They would like the two year cycle, it allows more time to understand the codes.

Kraig S notes staff levels are lower than in years past, and it may take longer with fewer staff. Other states take a longer period, some states allow open submission for state amendments, might allow process to be more manageable for staff. A specific/published timeline for what is next is essential. See state of Virginia for a model: www.va.cdpaccess.com.

Steve S notes the Executive Committee has heard the challenges from stakeholders. How will this work with the March 1 deadlines? How does it match with the state amendments? It sounds like the problem is the model code adoption period.

Leanne G. asked whether a timeframe of two years would work more efficiently for staff; we don't want to rush things through.

The group reviewed a proposed 2018 Code Adoption diagram for an expanded process. There would be separation of the Energy Code from other code process;

Eric VM noted that changing the cycle spreads out work for TAG members and staff;

Tim N explained that some decisions are made at the last Council meeting due to the testimony received.

Kraig S asked that we make note of the WABO proposal to change the timeframe, it is a good concept. See if this would meet the stakeholder concerns.

Steve S notes we need to have two public hearings during the process, east and west.

Dave D notes we would not be adding hearings, it would be the same.

Steve S reminded the group that our goal is to make this a more transparent process. It should be accessible to anyone even those not in the building industry, could they make it work for them? Can it make linear sense; does it protect the public/life safety function.

Eric notes we must spread out the deadlines.

Leeann asked if we earlier had a timeline?

Dwight Perkins noted that CA does have an 18-month process; he shared this with staff. They call them the 2016 California codes. The last six months are for the locals to disseminate their ordinances, etc. It goes into effect Jan of the next year.

Dave D asked about the longer vs. shorter gaps causes problems;

Kraig S noted WA is one of the earliest adopters of the code. It is more common that adoption happens later than WA; we could take more time to review, more time to implement. More time allows the builders and others to get the changes integrated into their business needs.

Dave D asked if there are any downsides.

Duane J commented that the process is already interminable; it is a relief when the work is finished. The agency is almost all volunteer run, now if the timeline is extended, it would take longer for the results to be integrated. We may need a little more time for editing, etc.

Eric VM notes there would just be different milestones. He wants to stretch it out so that members are not pressed to three meetings a week, etc.

Steve S notes we all agree that changes are needed, we do the best with what we have; we manage a workload that is very impressive, and the job is well done.

Eric VM states starting earlier and finishing at the same time is his goal.

Duane J noted that starting early for commercial energy would be useful. The impact is felt when projects are set to the new code, that is when questions arise. Changing the timeline does not change the fact that we don't have professionally trained staff.

Eric VM notes we don't have TAG meetings scheduled early, could start to review the existing codes along with proposed rules earlier in the process.

Tim N notes we also need to focus on the criteria, the purpose of amendments, we have comments that it is not working. He notes the bulk of the issues come out of the model code organizations; we should be participating more at the national level. We need to look at revisions to the WAC and bring that back to the group for consideration.

Steve S notes the timeline should be addressed.

Eric VM added we need to consider how the process will change; he asked whether we need to go beyond the 18-month timeframe to make it work.

Steve S asked we put together a timeline that is easier to track. Get that out to the website for comments, which will be helpful to Council staff.

Doug O asked for this to be in a different format: Gant chart? The current model is confusing, it needs to be clear.

Steve S notes we need a meeting sooner rather than later.

Tim N notes we are not bound by the Dec. 1 deadline for these administrative changes. IN order to have a hearing in 2016, we need to file a proposed rule by first week of October. The goal for the next meeting is to get something more refined.

The next meeting time: Tues, Aug 9 from 1 to 3 p.m. Steve S reviewed the committee positions on The Executive Comm. Staff will check to ensure we have a quorum, and we will work on a mark-up of the WAC. Eric VM notes that the groups may overlap in their timelines, would want to allow for review of model codes.

Staff report: Additional comments to be submitted through the month. Comments re: local ordinances and timeframe on adoption have been received. We will have a couple of those on the agenda at our next Council meeting.

Meeting adjourned at 2:35 p.m.