

CE5-19 Part I

IECC: Part I: Section C101.3

IECC: Part II: Section R101.3(N1101.2)

Proposed Change as Submitted

Proponents: Hope Medina, representing Self (hmedina@coloradocode.net)

THIS IS A 2 PART CODE CHANGE. PART I WILL BE HEARD BY THE IECC- COMMERCIAL COMMITTEE. PART II WILL BE HEARD BY THE IECC-RESIDENTIAL COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THESE COMMITTEES.

2018 International Energy Conservation Code

Revise as follows:

C101.3 Intent. This code shall regulate the design and construction of buildings for life safety along with the effective use and conservation of energy over the useful life of each building. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

Reason: There is a misconception among some end users that the energy code is not a life safety code and this is not correct. The energy code either independently or working in conjunction with the other codes assist with several aspects of what is considered the main stream life safety. It assists with tight construction for fire, moisture diffusion within assemblies, and usability during extreme conditions. The intent should identify that this code is promoting life safety as it is stated in the other I-codes.

Cost Impact: The code change proposal will not increase or decrease the cost of construction
This change just acknowledges the life safety contribution.

CE5-19 Part I

Public Hearing Results

Committee Action:

As Modified

Committee Modification:

C101.3 Intent. This code shall regulate the design and construction of buildings for ~~life safety along with~~ the health, safety, and welfare of the public while regulating the effective use and conservation of energy over the useful life of each building. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

Committee Reason: Regarding the modification, the committee felt that the change better reflected the intent of the proposal through the use of the phrase 'health, safety and welfare'. It eliminates the perceived conflict with codes that are considered to be 'life safety'. The committee's decision was based on the concept that the IECC already does address health, safety and welfare issues through such regulations including lighting, daylighting and air quality. Making this change is important to make sure designers are keeping those topics in mind as they design under the IECC. The energy code is also an element in long term welfare through the reduction of green house gas emissions and the impacts on climate change. An extreme weather event where access to heating and cooling is lost, an IECC compliant building provides the occupants with better protection. It is not the intent to bring into the IECC regulations which are just health, safety and welfare, but don't have an energy conservation element to them. A public comment to clarify that distinction may be needed. (Vote: 10-5)

Assembly Action:

None

CE5-19 Part I

Individual Consideration Agenda

Public Comment 1:

IECC@: C101.3

Proponents:

William Fay, representing Energy-Efficient Codes Coalition (bfay@ase.org); William Prindle, representing EECC (wprindle@icfi.com); Daniel Bresette, representing Alliance to Save Energy (dbresette@ase.org); Maureen Guttman, representing Building Codes Assistance Project (mguttman@bcapcodes.org); Harry Misuriello, American Council for an Energy-Efficient Economy, representing American Council for an Energy-Efficient Economy (misuriello@verizon.net)

requests As Modified by Public Comment

Further modify as follows:

2018 International Energy Conservation Code

C101.3 Intent. This code shall regulate the design and construction of buildings for ~~the health, safety, and welfare of the public while regulating the~~ effective use and conservation of energy over the useful life of each building to protect and promote the public safety, health and general welfare of the public. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

Commenter's Reason: We agree that, like the other I-codes, the IECC is intended to promote the health, safety, and welfare of the public as addressed in CE5p1 as modified by the Committee. However, in our view, CE5 Parts 1 and 2 should be further modified so that the effective use and conservation of energy remains first, since that is the primary objective the IECC.

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction. This public comment is largely a clarification of the original proposal and will not increase costs. The required information is already available to the builder at construction, and the builder will only need to make sure that the information is captured on the certificate.

Public Comment# 1431

Public Comment 2:

Proponents:

Harold Jepsen, representing National Electrical Manufacturers Association (harold.jepsen@legrand.us); Megan Hayes, representing NEMA (megan.hayes@nema.org)

requests Disapprove

Commenter's Reason: This modification not only excessively and confusingly expands the code's scope into areas it is not designed, by attempting to regulate health, safety and public welfare, but this change also contradicts and discredits the language existing and remaining in the very same section it modifies.

This change unnecessarily and dramatically expands the code's scope beyond energy conservation to also REGULATE "health, safety and welfare of the public". This not only creates significant confusion for building and inspecting officials of which code to look for enforcement of these elements but goes against the language still left in the code which states: that its scope "is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances". Which is it? Is it intended to REGULATE all these elements, which are already appropriately found in other codes, or is it intended to NOT ABRIDGE them? Confusing. This places an undue burden on building officials to look across multiple codes to determine compliance and enforcement for the same regulated elements.

We urge the public vote to disapprove this and not make a headache or mess of all other codes work to be clear and distinct on their specific purpose and scope of what they regulate.

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction. No change to code.

Public Comment# 1375

Public Comment 3:

Proponents:

Joel Martell, representing National Association of Home Builders (jmartell@nahb.org)

requests Disapprove

Commenter's Reason: This is redundant language and is not necessary to add into the intent. The IECC is an energy conservation code focused on conserving energy in buildings without compromising the health and safety of the building which is already addressed in the last sentence of this section that reads "This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances".

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction
No change to code.

Public Comment# 1446

Public Comment 4:

Proponents:

Tim Ryan, International Association of Building Officials, representing IABO

requests Disapprove

Commenter's Reason: One of the primary reasons given for this proposed change is due to the lack of adoptions of the energy code based on the view that that the energy provisions are not considered to be related to life safety. There are many factors that impact the adoption of the codes by local and state politicians, i.e., benefit cost ratios, initial costs of construction versus the immediacy of life threatening conditions, etc. We do not believe that merely changing this language will influence local and state politicians to adopt the IECC. To the contrary, it may impact the credibility of the code that will impede adoptions. The proponents gave very little testimony on where life safety is impacted by energy provisions. In fact, the proponent stated in her testimony that the IECC is limited in life safety provisions. Further, the issue of life safety is adequately addressed in the last sentence of Section C101.3. IABO full supports the current intent and adoption of the our energy codes however, we do not subscribe to the thought that energy provisions within the IECC should be elevated to the same level as the life safety requirements within our other codes.

By adding the proposed language it makes the section confusing and substantially changes the scope of the code without supporting testimony. By including this language, it will create confusion within the code development process as to what discipline will be responsible for hearing such changes in the future and eventually create confusion for the enforcement of the code. For these reasons we recommend disapproval of CE5-19.

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction
No change to code.

Public Comment# 1775

CE5-19 Part II

IECC: R101.3 (IRC N1101.2)

Proposed Change as Submitted

Proponents: Hope Medina, representing Self (hmedina@coloradocode.net)

2018 International Energy Conservation Code

Revise as follows:

R101.3 (IRC N1101.2) Intent. This code shall regulate the design and construction of *buildings* for life safety along with the effective use and conservation of energy over the useful life of each building. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

Reason: There is a misconception among some end users that the energy code is not a life safety code and this is not correct. The energy code either independently or working in conjunction with the other codes assist with several aspects of what is considered the main stream life safety. It assists with tight construction for fire, moisture diffusion within assemblies, and usability during extreme conditions. The intent should identify that this code is promoting life safety as it is stated in the other I-codes.

Cost Impact: The code change proposal will not increase or decrease the cost of construction. This change just acknowledges the life safety contribution.

CE5-19 Part II

Public Hearing Results

Committee Action:

Disapproved

Committee Reason: The revision would could have unforeseen consequences in the evaluation of future proposed changes to the IECC. (Vote: 9-2)

Assembly Action:

None

CE5-19 Part II

Individual Consideration Agenda

Public Comment 1:

IECC@: R101.3 (IRC N1101.2)

Proponents:

William Fay, representing Energy-Efficient Codes Coalition (bfay@ase.org); William Prindle, representing EECC (wprindle@icfi.com); Daniel Bresette, representing Alliance to Save Energy (dbresette@ase.org); Maureen Guttman, representing Building Codes Assistance Project (mguttman@bcapcodes.org); Harry Misuriello, American Council for an Energy-Efficient Economy, representing American Council for an Energy-Efficient Economy (misuriello@verizon.net)

requests As Modified by Public Comment

Modify as follows:

2018 International Energy Conservation Code

R101.3 (IRC N1101.2) Intent. This code shall regulate the design and construction of *buildings* for ~~life safety along with~~ the effective use and conservation of energy over the useful life of each building to protect and promote the public safety, health and general welfare of the public. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

Commenter's Reason: We agree with the proponent and the Commercial IECC Committee that, like the other I-codes, the IECC is intended to promote the health, safety, and welfare of the public. However, in our view, CE5 Parts 1 and 2 should be further modified so that the effective use and conservation of energy remains first, since that is the primary specific objective the IECC.

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction. As this public comment only clarifies the intent statement and clarifications do not affect material or labor costs, the net effect of both the public comment and the proposal has no impact the cost of construction.

Public Comment# 1428

Public Comment 2:

IECC®: R101.3 (IRC N1101.2)

Proponents:

Hope Medina, representing Self (hmedina@coloradocode.net)

requests As Modified by Public Comment

Further modify as follows:

2018 International Energy Conservation Code

R101.3 (IRC N1101.2) Intent. This code shall regulate the design and construction of *buildings* ~~for life safety along with~~ the health, safety, and welfare of the public while regulating the effective use and conservation of energy over the useful life of each building. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

Commenter's Reason: It is important to recognize the IECC as a part of the I-codes family that contain provisions to ensure safety of the occupants.

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction. There is no cost effect associated with the recognition of the energy code.

Public Comment# 1206

Public Comment 3:

Proponents:

Harold Jepsen, representing National Electrical Manufacturers Association (harold.jepsen@legrand.us); Megan Hayes, representing NEMA (megan.hayes@nema.org)

requests Disapprove

Commenter's Reason: This modification not only excessively and confusingly expands the code's scope into areas it is not designed, (by attempting to regulate health, safety and public welfare) but this change also contradicts and discredits the remaining language in the very same section it modifies.

This change unnecessarily and dramatically expands the code's scope beyond energy conservation to also REGULATE "health, safety and welfare of the public". This not only creates significant confusion for building and inspecting officials of which code to look for enforcement of these elements, but goes against the language still left in the code which states: that its scope "is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances". Which is it? Is it intended to REGULATE all these elements, which are already appropriately found in other codes, or is it intended to NOT ABRIDGE them? Confusing. This places an undue burden on building officials to look across multiple codes to determine compliance and enforcement for the same regulated elements.

We urge the public vote to disapprove this and not make a headache or mess of all other code's work to be clear and distinct on their specific purpose and scope of what they regulate.

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction. No change to code.

