

CE9-19 Part II

IECC@: R102.1

Proposed Change as Submitted

Proponents: William Fay, Energy-Efficient Codes Coalition, representing Energy-Efficient Codes Coalition (bfay@ase.org)

2018 International Energy Conservation Code

Revise as follows:

R102.1 General. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code. The *code official* shall have the authority to approve an alternative material, design or method of construction upon application of the owner or the owner's authorized agent. The code official shall first find that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code for strength, effectiveness, fire resistance, durability, energy conservation and safety. Where the alternative material, design or method of construction is not *approved*, the *code official* shall respond to the applicant, in writing, stating the reasons why the alternative was not *approved*.

Reason: The purpose of this code change proposal is to help ensure that energy conservation will be considered in any request for approval of alternative materials, designs, or methods of construction. Although the current language of section R102.1/C102.1 requires alternatives to be "not less than the equivalent" of the code requirement for quality, strength, effectiveness, fire resistance, durability, and safety, it is important that the energy conservation impact be considered as well – particularly in the International Energy Conservation Code.

Cost Impact: The code change proposal will not increase or decrease the cost of construction
The proposal merely clarifies that energy conservation must be considered in assessing alternatives to IECC requirements.

Staff Analysis: There is not a coordinate section in IRC Chapter 11, however IRC Section R104.11 covers the subject matter.

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Public Hearing Results

Committee Action:

Disapproved

Committee Reason: Initially there was concern that inserting energy conservation in this sentence was simply redundant, but upon further consideration, the committee sees this particular sentence as addressing other topics beyond energy conservation and therefore adding the phrase to the sentence is inappropriate. (Vote: 11-0)

Assembly Action:

None

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Individual Consideration Agenda

Public Comment 1:

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 Submitted

Commenter's Reason: This proposal should be approved because it recognizes the obvious – that a material or method must be equivalent in terms of energy conservation if it is to be accepted as an alternative under the energy conservation code. This is consistent with the action of the IECC-Commercial Committee, which approved CE9 Part 1 because the "added text assures that energy conservation is on equal footing in an alternate analysis."

When a code official is considering approval of alternative methods to comply with the energy conservation code, the code official clearly should consider whether the alternative provides adequate/equivalent energy conservation. However, as Section R102.1 is currently written, it is not entirely clear that energy conservation is a part of that consideration at all. With the proposed language, a building code official still has full discretion as to whether the proposed alternative material or design is equivalent in terms of energy conservation, just as the code official must determine whether the alternative is equivalent to the code's requirements for "strength, effectiveness, fire resistance, durability, and safety." But we believe (and the IECC-Commercial Committee agreed) that energy conservation must be included among the list of considerations for the building code official.

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction. As stated in the original proposal, this proposal merely clarifies that energy conservation must be considered in assessing alternatives to IECC requirements.

Public Comment# 1443

NOTE: CE9-19 PART I DID NOT RECEIVE A PUBLIC COMMENT AND IS REPRODUCED FOR INFORMATIONAL PURPOSES ONLY

CE9-19 Part I

IECC: Part I: Section C102.1

IECC: Part II: Section R102.1

Proposed Change as Submitted

Proponents: William Fay, Energy-Efficient Codes Coalition, representing Energy-Efficient Codes Coalition (bfay@ase.org)

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:

C102.1 General. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, *fire resistance*, durability, energy conservation and safety. Where the alternative material, design or method of construction is not *approved*, the *code official* shall respond in writing, stating the reasons why the alternative was not *approved*.

Reason: The purpose of this code change proposal is to help ensure that energy conservation will be considered in any request for approval of alternative materials, designs, or methods of construction. Although the current language of section R102.1/C102.1 requires alternatives to be "not less than the equivalent" of the code requirement for quality, strength, effectiveness, fire resistance, durability, and safety, it is important that the energy conservation impact be considered as well – particularly in the International Energy Conservation Code.

Cost Impact: The code change proposal will not increase or decrease the cost of construction
The proposal merely clarifies that energy conservation must be considered in assessing alternatives to IECC requirements.

CE9-19 Part I

Public Hearing Results

Committee Action:

As Submitted

Committee Reason: Approval of alternative methods should determine energy conservation equivalency as well as the other things on this list. The added text assures that energy conservation is on equal footing in an alternate analysis. A public comment to further revise for further consistency with the approved revisions to the Intent statement should be considered. (Vote: 8-7)

Assembly Action:

None

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