



INTERNATIONAL
CODE
COUNCIL®

2024 IECC Appeals

Notice of Hearing



January 23, 2024
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Notice of Hearing

To: Appellants and potential interested parties regarding 2024 IECC Appeals

This notice is being issued in accordance with Section 6.1 of [Council Policy 1 - Appeals \(CP-01\)](#) and includes information concerning the dates of the Appeals Board hearings, hearing procedures, and associated deadlines. For more information about the Appeals Board, [click here](#).

Background

The International Code Council has received appeals from the following appellants:

1. Air-Conditioning, Heating, and Refrigeration Institute (AHRI) (1 appeal)
2. American Gas Association (AGA) (1 appeal)
3. American Public Gas Association (APGA) (1 appeal)
4. Building Owners and Managers Association International (BOMA) and National Multifamily Housing Council (NMHC) (4 appeals)
5. ICC Northeastern Region Coalition (Region VI) (2 appeals)

The appeals were submitted in response to the 2024 International Energy Conservation Code (IECC) Committees (Commercial & Residential) Final Ballots. All appeals were posted on the Code Council [2024 IECC Appeals web page](#) on January 11, 2024. See the individual appeals for more detailed information. The appeals web page will serve as the notification vehicle and repository for all documents related to the appeals.

To date, the following links are included on the web page:

1. Submitted appeals.
2. Applicable Council Policies and bylaws, including CP-01.
3. Link to the ICC Energy page (www.iccsafe.org/energy), which includes:
 - a. Links to the IECC Commercial and Residential Committee pages.
 - b. Pertinent energy strategy documents, including FAQs, IECC development news, and energy.cdpACCESS.com | Energy Archives.

NOTE: The IECC Committee pages include historical meeting agendas, meeting minutes, committee rosters, public comment drafts changes, and monograph documents and subcommittee documents.

Hearings

The Appeals Board hearings will be conducted virtually. Interested parties, or their representatives, are hereby invited to respond to the appeal(s) by submitting their comments in writing for consideration by the ICC Appeals Board and/or participating in and presenting information at the Appeals Board hearings pursuant to CP-01. Written comments and a notice of attendance must be submitted by all interested participants, including appellants, at least 15 days prior to the Appeals Board hearing by filling out the online form "[Appeals Viewpoint and Notice of Attendance](#)."

Deadline: 11:59 pm Pacific Time (PT) February 5, 2024 for submission of intent to speak and written viewpoints.

Interested parties not wishing to present can view the Appeals Board hearings live online without registering for the event. The links to watch the Appeals Board hearings live will be posted on the [2024 IECC Appeals web page](#).

Appeals Hearing Schedule

<i>Appeal Basis</i>	<i>Hearing Date/Time</i>	<i>Category Related Issues</i>
Scope and Intent	<i>[Day 1]</i> February 21 at 7 am Pacific Time	<ol style="list-style-type: none">1. Whether the IECC residential and commercial scope and intent statements permit provisions aimed at encouraging decarbonization of buildings or greenhouse gas reduction to be placed in the main code text or require such provisions to be placed in appendices2. Whether specific code changes fall within scope based on definition of terms “building,” “occupant,” or “occupancy”
Consensus Building Approaches	<i>[Day 2 Part A]</i> February 22 at 7 am Pacific Time	Whether the consensus building approach utilized by the IECC residential consensus committee was consistent with ICC’s policies
Procedural Specific Issues	<i>[Day 2 Part B]</i> February 22 following the completion of Day 2 Part A.	<ol style="list-style-type: none">1. Committee balance / membership2. Calling of votes (Robert’s Rules)3. Cost analysis approach4. Commenting (substantive change procedures)
Subject Specific Issues	<i>[Day 3]</i> February 23 at 7 am Pacific Time	<ol style="list-style-type: none">1. Cost effectiveness2. Increasing efficiency3. Principle of not prioritizing any fuel sources4. Consistency with other codes, including the IBC5. Feasibility of implementation6. Any other subject specific issues

NOTE: Issues of preemption are legal issues and are addressed under Council Policy 49 ([CP-49](#)), which provides a separate set of procedures for addressing federal preemption matters with respect to ICC codes and standards. Appeals or sections of appeals filed pursuant to CP-01 that relate to federal preemption concerns will therefore not be considered by the Appeals Board.

Although similar issues from various appeals will be presented together during the hearings, the Appeals Board will ultimately formulate a recommendation with regard to each appeal separately. The recommendations of the Appeals Board will be posted on the appeals webpage. The report of the Chair of the Appeals Board, along with the Appeals Board’s recommendations, will be submitted to the CEO for submission to the Code Council Board of Directors for review and action in accordance with Section 7.0 of CP-01 Hearing Procedure (see Sections 6.2 and 6.3 of CP-01).

Hearing Procedures

The hearings will be conducted virtually. The following are the general guidelines by which we anticipate conducting the Appeals Board hearings. The Appeals Board has discretion with respect to a number of issues that relate to the conduct of the hearings, including to determine what information is relevant to the appeal and the order of presentations.

The proceeding before the Appeals Board will be an informal inquiry conducted in accordance with CP-01 and will not be conducted in strict accordance with rules of evidence. The appellants have a right to be represented by legal counsel.

The appellants' presentations on each issue will be first, followed by those in support of the appeal. The Code Council staff's presentation will be next, followed by the presentations of those in opposition to the appeal. Each appellant and the Code Council staff will have 20 minutes to make their presentations. All other participants will have 2 minutes, subject to the discretion of the Appeals Board in the event that the number of participants requires a reduction in time to complete the hearing. All participants will then have an opportunity for rebuttal.

Presentations may utilize PowerPoint slides. All presentations must be submitted to the Code Council a minimum of five days before the scheduled hearing. The presentations will be forwarded to the Appeals Board for review and incorporated into the virtual meeting event system. The quality/format of presentations is especially important for internet streaming considerations. Document requirements are provided on the appeals website.

Deadline: 11:59 pm Pacific Time (PT) February 15, 2024 for submission of presentations.

Presentations must be submitted using the online form "[Appeals Viewpoint and Notice of Attendance.](#)"

If you have any questions, please contact Dr. Russ Manning, Senior Vice President of Technical Services for the International Code Council, at rmanning@iccsafe.org.