

February 1, 2024

David Spencer, CBO, ACO  
2024 IECC Appeals Board Chair  
ICC Board of Directors  
Operations Manager  
Adams County, Washington

**Subject: Southeast Sustainability Directors Network Comments re 2024 IECC Appeals**

Dear Mr. Spencer:

I am writing to you, in your capacity as the Chair of the 2024 International Energy Conservation Code (IECC) Appeals Board, to share some of the concerns of our members related to the appeals to the 2024 IECC.

The Southeast Sustainability Directors Network (SSDN) is a community of sustainability and resilience practitioners from over 115 local governments across the Southeast that work collaboratively to develop sound policy solutions to the region's unique and complex sustainability challenges. SSDN facilitates the exchange of ideas and capacity building amongst colleagues from diverse areas to strengthen sustainability and resilience initiatives and develop innovative strategies to meet their communities' needs. SSDN works with communities across Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia to implement and scale sustainability and resilience best practices.

Our members recognize that building codes are a necessary component to achieving public interest goals related to resilience, sustainability, affordability, and public health, including indoor and outdoor air quality. As a result, our members have engaged in discussions regarding not just their local codes, but also state-level codes and related policies. The IECC model code is a critical component to modernizing codes to meet the needs of communities, today and into the future. The model code elevates the quality of local and state-level codes, provides consistency across jurisdictions, allows local and state officials flexibility, and provides additional consensus-based best practices through the appendices. In practice, the appendices often provide the added benefit of providing a framework for incentive-based policies and programs, both at the local level as well as in collaboration with energy utilities.

The fact that diverse subject matter experts work within the process to arrive at consensus-based requirements and standards is foundational to why the IECC model codes are so successful at supporting code updates at the local and state levels where similar extensive expert-based stakeholder engagement is simply not possible. Of course, local and state officials recognize that they must consider the model code within a larger regulatory and legal framework, just as they consider these factors when adopting any other ordinance, regulation, or policy.

The portions of the IECC being appealed are of particular importance to our members. A transition to clean energy for buildings and transportation is necessary to achieve sustainability and resilience objectives. Readiness codes, whether for electric vehicles or renewable energy, are important and cost-effective strategies for supporting a transition to a clean energy future. Similarly, energy efficiency requirements provide benefits relative to resilience, affordability, air pollutant emissions, and other public health and safety concerns. In both cases, it is far more cost-effective to implement these measures at the time of construction or major renovation than at any other time.

Further, SSDN believes that the “Subject Specific Issues” contained in the appeals are technical matters that have already been properly addressed through the consensus-based process of the International Code Council (ICC), specifically the IECC Commercial Consensus Committee and IECC Residential Consensus Committee. In its current form, the 2024 IECC reflects the consensus of a diverse set of expert stakeholders. These engaged stakeholders achieved a 2/3 supermajority on a wide range of code elements—thoughtfully making some mandatory and others optional. At the same time, the Appeals Board is not permitted to review or comment on these technical matters per CP#1-03, Section 6.3.7: “Review by the Appeals Board shall be limited to matters of process and procedure. The Board of Appeals shall not render decisions on the relative merits of technical matters.”

In summary, SSDN urges the Appeals Board to leave the 2024 IECC model code as approved by the Commercial and Residential Consensus Committees and reject the requests contained in the appeals.

Please feel free to contact me at [meg@southeastsdn.org](mailto:meg@southeastsdn.org) or 423-416-0839 with any questions.

Sincerely,



Meg Jamison  
Executive Director | Southeast Sustainability Directors Network

CC:  
Dominic Sims  
Chief Executive Officer  
International Code Council  
200 Massachusetts Ave NW  
Washington, DC 20001