

OFFICE OF CLIMATE CHANGE, SUSTAINABILITY AND RESILIENCY
CITY AND COUNTY OF HONOLULU

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January 11, 2021

Mr. Greg Wheeler, CBO President
International Code Council
and Members
International Code Council Board of Directors
500 New Jersey Avenue NW, 6th Floor
Washington, DC 20001

Dear Mr. Wheeler and Members of the Board of Directors:

SUBJECT: Potential Change to the ICC Code Development Process

After learning of recent developments at the Long Term Code Development Process (LTCDP) Committee meeting, where the LTCDP Committee voted to recommend that the International Energy Conservation Code (IECC) be eliminated and replaced with a standard, I feel compelled to write to you on behalf of the City and County of Honolulu (City) Office of Climate Change, Sustainability and Resiliency (Resilience Office).

We are deeply concerned that the International Code Council Board of Directors is considering this change, and write to express our opposition to this decision.

With 35% of O'ahu's greenhouse gas emissions generated from energy and electricity consumption in buildings, the City prioritizes energy efficiency, conservation, and renewable energy development as critical elements of its comprehensive resilience strategy and climate action plan. The City has been updating and modernizing its own energy conservation code to support these efforts, and relies upon the IECC, and the transparent and democratic process by which it is developed, as the basis for its own energy code development

We are also seriously concerned about the recommendation to eliminate the IECC codes process altogether and change it to a standard. Public participation helps to ensure that the code is efficient, but also equitable, and it is not clear how the general public will be able to weigh in on decisions on a regular and timely basis.

This action would be a major change with potentially significant implications. It would remove a direct mode of participation from local governments who have participated in code development processes for years. The process of developing a standard would

remove the final determination of code provisions from the hands of the building safety, code, and qualified governmental professionals who are tasked with implementing its decisions daily, risking an unbalanced process in the determination of the content of the standard.

In addition, the timing and mode of this conversation is highly concerning. To date, it has been considered with no notification to, or consultation with, the Governmental Members and Governmental Member Voting Representatives, the individuals and entities that will be most impacted by the change. We are concerned this decision may be rushed without having a chance to express our opinions or the ICC being able to conduct its own research on the implications of the change.

We are also concerned that this potential change may create negative long-term impacts on the value of the model code and the ICC. Based on conversations with other members, we view the current ICC committee process more favorably than standards, and are concerned that this change would greatly increase the needed resource and time commitment. While an ICC standards process may outline participatory pathways for local governments via committees, practically, it may not be possible to participate in a meaningful way.

Based on the above, we recommend this change be rejected outright. Failing that, we recommend that Governmental Members be given more time to vet and weigh in on the decision, as well as, the recently published Consensus Procedures, via a formal comment period of at least 60 days. The ICC should outline the technical basis for the standard, the anticipated revision cycle, if the standard will be based on the 2021 IECC, and the criteria for the makeup of the committee that will be advancing the standard before any comment period.

We thank you for the opportunity to comment and we look forward to future code development cycles which are based on shared principles of fairness, transparency, accountability, participation, and integrity.

Sincerely,

Matthew Gonser
Executive Director and
Chief Resilience Office