



City of Grand Rapids, Michigan

OFFICE OF THE MAYOR

ROSALYNN C. BLISS
MAYOR

January 11, 2021

To: International Code Council Board of Directors

The City of Grand Rapids, Michigan is proud to have participated with more than 1,000 government representatives across the U.S. in voting to improve the 2021 International Energy Conservation Code (IECC) by 10%. The IECC serves as the basis for Michigan's building energy code as it does for nearly every state and because buildings account for nearly 40% of U.S. energy consumption and climate emissions, this vote was extremely important to us. In our Strategic Plan, which was passed in April 2019, we committed to reducing carbon emissions and increasing climate resiliency by reducing the carbon footprint of City operations, working to achieve our 100% renewable energy goal for municipal facilities, and creating and supporting programs and policies to reduce carbon emissions from the building sector throughout the community.

The approved 2021 improvements have the opportunity to reduce millions of tons of carbon while reducing energy bills for tenants, homeowners, local governments and business owners. The City of Grand Rapids is especially interested in the first-ever, ready-made optional appendices that can be adopted by state or local jurisdictions that want to achieve zero energy buildings sooner.

One of our key action steps to achieve our desired outcomes was to fully participate in the IECC voting process. As Mayor, I personally voted, and our Office of Sustainability coordinated very closely with our Building Inspections to ensure all eligible voting members were fully informed on the voting process and issues. The Office of Sustainability evaluated all of the proposed energy efficiency and renewable energy revisions and provided a full overview report of their recommendations to all twelve of our IECC voting members.

During the November meeting, the LTCDP voted to recommend the elimination of the International Energy Conservation Code and that it be replaced with a standard. We are deeply concerned that the International Code Council (ICC) Board of Directors is considering this, and we strongly urge the Board to reject this change. This action would be a major change with 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, likely shifting to a process more heavily influenced by industry professionals with a vested interest in the content of the standard. The ICC code development process appropriately provides input

opportunities to these stakeholders while putting final decisions in the hands of qualified governmental professionals whose jurisdictions must ultimately adopt and enforce the code.

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 such as our team. We are the individuals and entities that will be most impacted by the change. This change that has been proposed and is under consideration was a surprise. We were dismayed at not having heard about this directly from the ICC with an opportunity to consider and comment. We are concerned this decision may be rushed without governmental members having a chance to express their opinions or the ICC being able to conduct its own research on the implications of the change. There has been limited notice and minimal feedback to date even within the venues in which moving from a code to a standard has been discussed.

We are also concerned that this potential change may create negative long-term impacts on the value of the model code and the ICC. There has not been a public exploration and recognition of all the potential ramifications. In our local and state code development processes, the current ICC committee process is viewed more favorably than standards. Our concerns about our ability to continue to work with the IECC in light of this development is because we would feel the need to conduct a significant amount of additional vetting before leveraging a standard in the way that we do the model code. One of the purposes of being a governmental member of the ICC is to reduce these burdens. In addition, ANSI standards committees are difficult for local governments to participate in because of the competing time commitment. While an ICC standards process may outline participatory pathways for local governments via committees, practically, we are concerned about our ability to participate.

Based on the above, we recommend that this change be rejected outright. Failing that, we request that a public announcement be made regarding the proposal that allows that Governmental Members to weigh in on such a momentous decision via a formal comment period of at least 60 days. Sufficient time is needed to understand the technical, legal and practical implications of this decision. 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. Should the ICC move forward with this dramatic elimination of the IECC, we request that the ICC Board publish the result of its vote, including how each board member has voted, and document its reasons for making this change. This would provide needed transparency to governmental members about the process and decision-making.

The IECC is important to our City's policies, impacting the affordability, resilience, sustainability, and safety of our buildings. We see and are working to address the impacts of the energy codes daily. ICC's online voting process allows us to participate more fully in I-Codes and have all of our voices and votes counted in a manner that does not take away from our daily responsibilities.

In support of City of Grand Rapids leadership and transformation efforts, sustainability is a keystone value in all our efforts, especially supporting code changes that support energy conservation in the built environment. We also support ICC leaders, members, and code officials' efforts toward improving codes that affect owners, developers and occupants within the built environment in accordance with currently approved ICC by-laws. We encourage ICC leadership and appeals process to function in accordance with

ICC by-laws and for code development to be for the betterment of humanity. We believe the code is stronger because of the breadth of participants in the process and we look forward to continuing to take part.

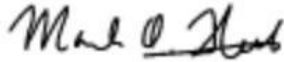
Sincerely,



Rosalynn Bliss
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Alison Waske Sutter
Sustainability and Performance Management Officer
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Mark Fleet
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