

# INTERNATIONAL CODE COUNCIL

## 2009/2010 CODE DEVELOPMENT CYCLE

### PROPOSED CHANGES TO THE 2009 EDITIONS OF THE

*INTERNATIONAL BUILDING CODE®*  
*INTERNATIONAL ENERGY CONSERVATION CODE®*  
*INTERNATIONAL EXISTING BUILDING CODE®*  
*INTERNATIONAL FIRE CODE®*  
*INTERNATIONAL FUEL GAS CODE®*  
*INTERNATIONAL MECHANICAL CODE®*  
*INTERNATIONAL PLUMBING CODE®*  
*INTERNATIONAL PRIVATE SEWAGE DISPOSAL CODE®*  
*INTERNATIONAL PROPERTY MAINTENANCE CODE®*  
*INTERNATIONAL RESIDENTIAL CODE®*  
*INTERNATIONAL WILDLAND-URBAN INTERFACE CODE®*  
*INTERNATIONAL ZONING CODE®*

**October 24 2009 – November 11, 2009**

Hilton Baltimore  
Baltimore, MD



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## INTRODUCTION

The proposed changes published herein have been submitted in accordance with established procedures and are distributed for review. The publication of these changes constitutes neither endorsement nor question of them but is in accordance with established procedures so that any interested individuals may make their views known to the relevant code committee and others similarly interested. In furtherance of this purpose, the committee will hold an open public hearing at the date and place shown below for the purpose of receiving comments and arguments for or against such proposed changes. Those who are interested in testifying on any of the published changes are expected to be represented at these hearings.

This compilation of code change proposals is available in electronic form only. As part of ICC's green initiative, ICC will no longer print and distribute this document. The compilation of code change proposals will be posted on the ICC website, and CD copies will be distributed to all interested parties on our list.

## 2009 ICC CODE DEVELOPMENT HEARINGS

These proposed changes will be discussed in public hearings to be held on October 24, 2009 through October 31, 2009 and November 4-11, 2009 at the Hilton Baltimore, Baltimore, Maryland. The code committees will conduct their public hearings in accordance with the schedule shown on page xxxii.

## REGISTRATION AND VOTING

All members of ICC may vote on any assembly motion on proposed code changes to all International Codes. **For identification purposes, eligible voting members must register, at no cost, in order to vote.** The registration desk will be open in the lobby of the convention center according to the following schedule:

Friday, October 23 <sup>rd</sup>	3:00 pm to 6:00 pm
Saturday, October 24 <sup>th</sup> through Wednesday November 11 <sup>th</sup>	7:30 am to 5:00 pm

*Council Policy #28-Code Development* (page xii) requires that ICC's membership records regarding ICC members reflect the eligible voters 10 days prior to the start of the Code Development Hearings. This process includes new as well as changes to voting status. Section 5.7.4 of CP #28 (page xix) reads as follows:

**5.7.4 Eligible Voters:** All members of ICC in attendance at the public hearing shall be eligible to vote on floor motions. Only one vote authorized for each eligible attendee. Code Development Committee member shall be eligible to vote on floor motions. Application, whether new or updated, for ICC membership must be received by the Code Council ten days prior to the commencement of the first day of the public hearing.

**As such, new membership application as well as renewal applications must be received by ICC's Member Services Department by October 14, 2009. These records will be used to verify eligible voter status for the Code Development Hearings. Members are strongly encouraged to review their membership records for accuracy well in advance of the hearings so that any necessary changes are made prior to the October 14, 2009 deadline. For information on application for new membership and membership renewal, please go to [www.iccsafe.org/membership/join.html](http://www.iccsafe.org/membership/join.html) or call ICC Member Services at 1-888-ICC SAFE (422-7233)**

**It should be noted that a corporate member has a single vote. Only one representative of a corporate member will be issued a voting badge. ICC Staff will be contacting corporate members regarding who the designated voting representative will be.**

## ADVANCED REGISTRATION

You are encouraged to advance register by filling out the registration form available at [www.iccsafe.org/codesforum](http://www.iccsafe.org/codesforum).

## CODE DEVELOPMENT PROCESS CHANGES

As noted in the posted Advisory Statement of February 4, 2009, the revised Code Development Process includes maintaining the current 3-year publication cycle with a single cycle of code development between code editions. The schedule for the 2009/2010 Code Development Cycle is the transitional schedule for the revised code development process. As noted, there will be two Final Action Hearings in 2010—one for the modified Group A, and one for the modified Group B. The codes that will comprise the Group A and Group B hearings will be announced prior to the Code Development Hearings in Baltimore. See the Code Development Process Notes included with the Schedule on page viii.

## PROCEDURES

The procedures for the conduct of the public hearing are published in *Council Policy #28-Code Development (CP#28)* (“Procedures”) on page xii. The attention of interested parties is specifically directed to Section 5.0 of the Procedures. These procedures indicate the conduct of, and opportunity to participate in the ICC Code Development Process. Please review these procedures carefully to familiarize yourself with the process.

There have been a number of revisions to the procedures. Included among these revisions are the following:

- Section 2.3: **Supplements:** ICC will no longer produce a Supplement to each edition of the I-Codes. A new edition of the I-Codes will be based upon activity of a single code change cycle.
- Section 3.3.3: **Multiple code change proposals:** A proponent is not permitted to submit multiple code changes to one section of a code unless the subject matter of each proposal is different.
- Section 4.5.1: **Administrative update of standards:** Updating of standards without a change to code text (administrative update) shall be a code change proposal dealt with by the Administrative Code Development Committee. The updating of standards procedures have also changed. See discussion on updating of standards on page vi.
- Section 4.7: **Code change posting:** All code change proposals are required to be posted on the ICC website 30 days before the code development hearings. Published copies will not be provided.
- Section 5.2.2: **Conflict of interest:** Clarification is added that a committee member who steps down from the dais because of a conflict of interest is allowed to provide testimony from the floor on that code change proposal.
- Section 5.4.6.2: **Proponent rebuttal testimony:** Where the code change proposal is submitted by multiple proponents, only one proponent of the joint submittal to be allotted additional time for rebuttal.
- Section 5.5.2: **Modifications:** The chair rules a modification in or out of order. The chair’s decision is final. No challenge in a point of order is allowed for this ruling.

Section 5.7.3: **Assembly Actions:** Several changes have been made to assembly actions. See explanation page v

Section 7.3.8.2: **Initial motion at final action hearings:** A successful assembly action becomes the initial motion at the final action hearings. See explanation page v.

## **ASSEMBLY ACTION**

The procedures regarding assembly action at the Code Development Hearings have been revised to place more weight on the results of that action (see Section 5.7 of CP #28 on page viii). Some important items to note regarding assembly action are:

- A successful assembly action now requires a 2/3 majority rather than a simple majority.
- After the committee decision on a code change proposal is announced by the moderator, any one in the assembly may make a motion for assembly action.
- After a motion for assembly action is made and seconded, the moderator calls for a floor vote in accordance with Section 5.7.2. *No additional testimony will be permitted.*
- A successful assembly action becomes the initial motion considered at the Final Action Hearings. This also means that the required vote at the Final Action Hearings to uphold the assembly action is a simple majority.

## **MULTIPLE PART CODE CHANGE PROPOSALS**

It is common for ICC to receive code change proposals for more than one code or more than 1 part of a code that is the responsibility of more than one committee. For instance, a code change proposal could be proposing related changes to the text of IBC Chapter 4 (IBC-General), IBC Chapter 7 (IBC-Fire Safety), and the IFC Chapter 27 (IFC). When this occurs, a single committee will now hear all of the parts, unless one of the parts is a change to the IRC, in which case the respective IRC committee will hear that part separately.

## **ADMINISTRATIVE CODE DEVELOPMENT COMMITTEE**

A new committee for the 2009/2010 Code Change Cycle and going forward is the Administrative Code Development Committee. This committee will hear code change proposals to the administrative provisions of the I-Codes (Chapter 1 of each code.) The purpose of this committee is to achieve, inasmuch as possible, uniformity in the administrative provisions of all I-Codes when such uniformity is warranted.

## **ANALYSIS STATEMENTS**

Various proposed changes published herein contain an “analysis” that appears after the proponent’s reason. These comments do not advocate action by the code committees or the voting membership for or against a proposal. The purpose of such comments is to identify pertinent information that is relevant to the consideration of the proposed change by all interested parties, including those testifying, the code committees and the voting membership. Staff analyses customarily identify such things as: conflicts and duplication within a proposed change and with other proposed changes and/or current code text; deficiencies in proposed text and/or substantiation; text problems such as wording defects and vagueness; background information on the development of current text; and staff’s review of proposed reference standards for compliance with the Procedures. Lack of an analysis indicates neither support for, nor opposition to a proposal.

## REFERENCE STANDARDS

Proposed changes that include the addition of a reference to a new standard (i.e. a standard that is not currently referenced in the I-Codes.) will include in the proposal the number, title and edition of the proposed standard. This identifies to all interested parties the precise document that is being proposed and which would be included in the referenced standards chapter of the code if the proposed change is approved. Proponents of code changes which propose a new standard have been directed to forward copies of the standard to the Code Committee and an analysis statement will be posted on the ICC website indicating the status of compliance of the standard with the ICC referenced standards criteria in Section 3.6 of CP #28 (see page xiv). (See the ICC Website page xi) The analysis statements for referenced standards will be posted on or before September 24, 2009. This information will also be published and made available at the hearings.

## REFERENCED STANDARDS UPDATES

At the end of the agenda of the Administrative Code Development Committee is a code change proposal that is an administrative update of the referenced standards contained in the I-Codes. This code change proposal, ADM39-09/10 contains a list of standards for which the respective promulgators have indicated that the standard has been updated. The codes that these standards appear in are indicated beside each listed referenced standard. This update will then apply to every code in which the standard appears.

It should be noted that in accordance with Section 4.5.1 of CP #28 (see page xvi), standards promulgators have until December 1, 2011 to finalize and publish any updates to standards in the administrative update. If the standard is not finalized by December 1, 2011, the code will be revised to reference the previously listed year edition of that standard.

## MODIFICATIONS

Those who are submitting modification for consideration by the respective Code Development Committee are required to submit a Copyright Release in order to have their modifications considered (Section 3.3.4.5 of CP #28). It is preferred that such release be executed in advance – the form is at <http://www.iccsafe.org/cs/codes/publicforms.htm>. Copyright release forms will also be available at the hearings. Please note that an individual need only sign one copyright release for submittals of all code change proposals, modification, and public comments in this code change cycle for which the individual might be responsible. **Please be sure to review Section 5.5.2 of CP #28 for the modification process.** The Chair of the respective code development committee rules a modification in or out of order. That ruling is final, with no challenge allowed. The proponent submitting a modification is required to supply 20 printed copies. The minimum font size must be 12 point.

## CODE CORRELATION COMMITTEE

In every code change cycle, there are code change proposals that are strictly editorial. The Code Correlation Committee approves all proposals deemed editorial. A list of code correlation committee actions will be posted on the ICC website by September 24, 2009.

## 2009/2010 ICC CODE DEVELOPMENT SCHEDULE

STEP IN CODE DEVELOPMENT CYCLE	DATE	
DEADLINE FOR RECEIPT OF APPLICATIONS FOR CODE COMMITTEES	January 2, 2009	
DEADLINE FOR RECEIPT OF CODE CHANGE PROPOSALS	June 1, 2009	
WEB POSTING OF "PROPOSED CHANGES TO THE I-CODES"	August 24, 2009	
DISTRIBUTION DATE OF "PROPOSED CHANGES TO THE I-CODES" (Limited distribution – see notes)	October 3, 2009	
CODE DEVELOPMENT HEARING (CDH)  ALL CODES – see notes	<b>October 24 2009 – November 11, 2009</b> Hilton Baltimore Baltimore, MD	
WEB POSTING OF "REPORT OF THE PUBLIC HEARING"	December 16, 2009	
DISTRIBUTION DATE OF "REPORT OF THE PUBLIC HEARING" (Limited distribution – see notes)	January 11, 2010	
IN ACCORDANCE WITH THE NEW CODE DEVELOPMENT PROCESS (see notes), THE CODES WILL BE SPLIT INTO TWO GROUPS WITH SEPARATE PUBLIC COMMENT DEADLINES AND FINAL ACTION HEARINGS		
	GROUP A (see notes)	GROUP B (see notes)
DEADLINE FOR RECEIPT OF PUBLIC COMMENTS	February 8, 2010	July 1, 2010
WEB POSTING OF PUBLIC COMMENTS "FINAL ACTION AGENDA"	March 15, 2010	August 26, 2010
DISTRIBUTION DATE OF PUBLIC COMMENTS "FINAL ACTION AGENDA" (Limited distribution see notes)	April 16, 2010	September 27, 2010
FINAL ACTION HEARINGS (FAH)	<b>May 14 – 23, 2010</b> Dallas, TX	<b>Oct 28 – Nov 1, 1020</b> Charlotte, NC
ANNUAL CONFERENCES	<p><b><u>October 24 – November 11, 2009</u></b> 2009 ICC Annual Conference and Code Development Hearing Balitmore, MD</p> <p><b><u>October 25 – November 1, 2010</u></b> 2010 ICC Annual Conference and Final Action Hearing Charlotte, NC</p>	
RESULTING PUBLICATION	2012 – I-Codes (available April, 2011)	



### **Code Development Process Notes:**

As noted in the posted Advisory Statement of February 4, 2009, the revised Code Development Process includes maintaining the current 3-year publication cycle with a single cycle of code development between code editions. Implemented as follows:

- Transitional Process – 2009/2010 only
  - Single Code Development Hearing (CDH) for all codes in 2009
  - Two Final Action Hearings (FAH) in 2010 – modified Groups A and B (see below)
  - Public 2012 edition in April, 2011
- New Process – 2012/2013 and going forward
  - Code Committee application deadline (all codes); June 1, 2011
  - Codes split into two groups: Group A and Group B
  - Group A: IBC; IFGC; IMC; IPC; IPSDC
    - Code change deadline: January 3, 2012
    - Code Development Hearing: April/May 2012
    - Final Action Hearing: October/November 2012 (in conjunction with Annual Conference)
  - Group B: Admin (Ch. 1 of I-Codes); IEBC; IECC; IFC; IPerfC; IPMC; IRC; IWUIC; IZC
    - Code change deadline: January 3, 2013
    - Code Development Hearing: April/May 2013
    - Final Action Hearing: October/November 2013 (in conjunction with Annual Conference)
  - Publish 2015 edition in April, 2014
  - Repeat for subsequent editions

### **2009/2010 Cycle Notes:**

- Revised code change deadline of June 1<sup>st</sup> posted on March 19<sup>th</sup>
- Distribution date: Complimentary code development cycle document distribution will be limited to CD's mailed to those who are on ICC's code change document mailing list.
- Code Development Hearings: The Baltimore Code Development Hearings will include 12 I-Codes (no changes to the ICC Performance Code. The hearings will be held in the conventional two track format with the hearings split before and after the Annual Conference during the periods of October 24 – 31 and November 4 – 11. The specific codes and hearing order to be determined based on code change volume.
- Final Action Hearing Groupings: Final Action Hearing logistics dictate that the hearings will not be split along established Group A and B codes (see above) due to hotel commitments which limit the amount of hearing time at the October/2010 FAH versus the May/2010 FAH. Tentatively, the May/2010 FAH will include Group A codes plus certain Group B codes to be determined based on code change volume.

## 2009/2010 STAFF SECRETARIES

<b>IBC-General Chapters 1-6, 12, 13, 27-34</b>	<b>IBC-Fire Safety Chapters 7, 8, 9, 14, 26</b>	<b>IBC-Means of Egress Chapters 10, 11</b>	<b>IBC-Structural Chapters 15-25</b>
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## SCOPING REVISIONS – WITHIN THE IBC

The 2009/2010 Staff Secretaries assignments on page ix indicate which chapters of the International Building Code are generally within the responsibility of each IBC Code Committee. However, within each of these IBC Chapters are subjects that are most appropriately maintained by another IBC Code Committee. For example, the provisions of Section 3008.1 deal with occupant evacuation elevators. Therefore, even though Chapter 30 is within the responsibility of the IBC General Committee, this section would most appropriately be maintained by the IBC Means of Egress Committee. The following table indicates responsibilities by IBC Code Committees other than the main committee for those chapters, for code changes submitted for the 2009/2010 Cycle.

SECTION	CHAPTER MAINTAINED BY	SECTION MAINTAINED BY	CODE CHANGES
403.2.3	IBC-General	IBC-Structural	E5 Part I (Heard by IBC-MOE)
403.5.1	IBC-General	IBC-Structural	E5 Part I (Heard by IBC-MOE)
403.5.2	IBC-General	IBC-Means of Egress	G46
403.5.4	IBC-General	IBC-Structural	E5 Part I (Heard by IBC-MOE)
403.5.4	IBC-General	IBC-Means of Egress	G47
403.6.1	IBC-General	IBC-Means of Egress	G48, G49
408.3.8	IBC-General	IBC-Structural	E5 Part I (Heard by IBC-MOE)
410.5.3.1	IBC-General	IBC-Structural	E5 Part I (Heard by IBC-MOE)
419.3.0	IBC-General	IBC-Means of Egress	G79
1505.1.0	IBC-Structural	IBC-Fire Safety	S10, S11
1505.8.0	IBC-Structural	IBC-Fire Safety	S12, S13
1507.16.0	IBC-Structural	IBC-Fire Safety	S10, S11
1508.1.0	IBC-Structural	IBC-Fire Safety	S24
1508.2.0	IBC-Structural	IBC-Fire Safety	S25
1509.0.0	IBC-Structural	IBC-General	S26, S27
1509.6.(new)	IBC-Structural	IBC-General	S28
1704.15.0	IBC-Structural	IBC-Fire Safety	S126, S127,S128
3007.1.0	IBC-General	IBC-Means of Egress	G48,G157
3007.2.(new)	IBC-General	IBC-Means of Egress	G158, G159
3007.2.0	IBC-General	IBC-Means of Egress	G160
3007.3.(new)	IBC-General	IBC-Means of Egress	G158, G161
3007.4.(new)	IBC-General	IBC-Means of Egress	G162
3007.4.2	IBC-General	IBC-Means of Egress	G163
3007.4.3	IBC-General	IBC-Means of Egress	G176
3007.5.1.(NEW)	IBC-General	IBC-Means of Egress	G164
3007.7.1	IBC-General	IBC-Means of Egress	G165, G166
3007.8.0	IBC-General	IBC-Means of Egress	G167
3008.1.0	IBC-General	IBC-Means of Egress	G168, G170
3008.1.1	IBC-General	IBC-Means of Egress	G169
3008.10.0	IBC-General	IBC-Means of Egress	G174
3008.10.1	IBC-General	IBC-Means of Egress	G175
3008.11.3	IBC-General	IBC-Means of Egress	G176
3008.11.5	IBC-General	IBC-Means of Egress	G177
3008.3.(NEW)	IBC-General	IBC-Means of Egress	G165, G166
3008.4.(NEW)	IBC-General	IBC-Means of Egress	G171
3008.4.0	IBC-General	IBC-Means of Egress	G46
3008.7.0	IBC-General	IBC-Means of Egress	G172
3008.9.0	IBC-General	IBC-Means of Egress	G173
3401.4.0	IBC-General	IBC-Structural	G190
3401.4.1	IBC-General	IBC-Structural	G191
3401.4.3	IBC-General	IBC-Structural	G190
3401.5.(NEW)	IBC-General	IBC-Structural	G192

SECTION	CHAPTER MAINTAINED BY	SECTION MAINTAINED BY	CODE CHANGES
3402.1.0	IBC-General	IBC-Structural	G193
3403.4.1	IBC-General	IBC-Structural	G190
3404.4.1	IBC-General	IBC-Structural	G190
3405.1.1	IBC-General	IBC-Structural	G192
3405.2.0	IBC-General	IBC-Structural	G193, G194
3405.2.1	IBC-General	IBC-Structural	G193, G190
3405.2.2	IBC-General	IBC-Structural	G193
3405.2.3	IBC-General	IBC-Structural	G193, G195
3405.3.0	IBC-General	IBC-Structural	G193
3405.4.0	IBC-General	IBC-Structural	G193, G194
3405.5.0	IBC-General	IBC-Structural	G196
3408.4.0	IBC-General	IBC-Structural	G190, G197
3408.4.0	IBC-General	IBC-Structural	G190
403.2.3	IBC-General	IBC-Structural	E5 Part I (Heard by IBC-MOE)
403.5.1	IBC-General	IBC-Structural	E5 Part I (Heard by IBC-MOE)
403.5.2	IBC-General	IBC-Means of Egress	G46
403.5.4	IBC-General	IBC-Structural	E5 Part I (Heard by IBC-MOE)
403.5.4	IBC-General	IBC-Means of Egress	G47
403.6.1	IBC-General	IBC-Means of Egress	G48, G49
408.3.8	IBC-General	IBC-Structural	E5 Part I (Heard by IBC-MOE)
410.5.3.1	IBC-General	IBC-Structural	E5 Part I (Heard by IBC-MOE)
419.3.0	IBC-General	IBC-Means of Egress	G79

## ICC WEBSITE – [WWW.ICCSAFE.ORG](http://www.iccsafe.org)

While great care has been exercised in the publication of this document, errata to proposed changes may occur. Errata, if any, identified prior to the Code Development Hearings will be posted on the ICC website at <http://www.iccsafe.org>. Users are encouraged to periodically review the ICC Website for updates to errata to the 2009/2010 Code Development Cycle Proposed Changes. Additionally, analysis statements for code changes which propose a new referenced standard will be updated to reflect the staff review of the standard for compliance with Section 3.6 of the Procedures.



## CP# 28-05 CODE DEVELOPMENT

Approved: 9/24/05

Revised: 2/27/09

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CP # 28-05 is an update to *ICC's Code Development Process for the International Codes* dated May 15, 2004.

### 1.0 Introduction

- 1.1 **Purpose:** The purpose of this Council Policy is to prescribe the Rules of Procedure utilized in the continued development and maintenance of the International Codes (Codes).
- 1.2 **Objectives:** The ICC Code Development Process has the following objectives:
  - 1.2.1 The timely evaluation and recognition of technological developments pertaining to construction regulations.
  - 1.2.2 The open discussion of proposals by all parties desiring to participate.
  - 1.2.3 The final determination of Code text by officials representing code enforcement and regulatory agencies and by honorary members.
- 1.3 **Code Publication:** The ICC Board of Directors (ICC Board) shall determine the title and the general purpose and scope of each Code published by the ICC.
  - 1.3.1 **Code Correlation:** The provisions of all Codes shall be consistent with one another so that conflicts between the Codes do not occur. Where a given subject matter or code text could appear in more than one Code, the ICC Board shall determine which Code shall be the primary document, and therefore which code development committee shall be responsible for review and maintenance of the code text. Duplication of content or text between Codes shall be limited to the minimum extent necessary for practical usability of the Codes, as determined in accordance with Section 4.4.
- 1.4 **Process Maintenance:** The review and maintenance of the Code Development Process and these Rules of Procedure shall be by the ICC Board. The manner in which ICC codes are developed embodies core principles of the organization. One of those principles is that the final content of ICC codes is determined by a majority vote of the governmental and honorary members. It is the policy of the Board that there shall be no change to this principle without the affirmation of two-thirds of the governmental and honorary members responding.
- 1.5 **Secretariat:** The Chief Executive Officer shall assign a Secretariat for each of the Codes. All correspondence relating to code change proposals and public comments shall be addressed to the Secretariat.
- 1.6 **Video Taping:** Individuals requesting permission to video tape any meeting, or portion thereof, shall be required to provide the ICC with a release of responsibility disclaimer and shall acknowledge that they have insurance coverage for liability and misuse of video tape materials. Equipment and the process used to video tape shall, in the judgment of the ICC Secretariat, be conducted in a manner that is not disruptive to the meeting. The ICC shall not be responsible for equipment, personnel or any other provision necessary to accomplish the videotaping. An unedited copy of the video tape shall be forwarded to ICC within 30 days of the meeting.

### 2.0 Code Development Cycle

- 2.1 **Intent:** The code development cycle shall consist of the complete consideration of code change proposals in accordance with the procedures herein specified, commencing with the deadline for submission of code change proposals (see Section 3.5) and ending with publication of final action on the code change proposals (see Section 7.6).

- 2.2 **New Editions:** The ICC Board shall determine the schedule for publishing new editions of the Codes. Each new edition shall incorporate the results of the code development activity since the last edition.
- 2.3 **Supplements:** The results of code development activity between editions may be published.
- 2.4 **Emergency Procedures:** In the event that the ICC Board determines that an emergency amendment to any Code is warranted, the same may be adopted by the ICC Board. Such action shall require an affirmative vote of at least two-thirds of the ICC Board.

The ICC membership shall be notified within ten days after the ICC Boards' official action of any emergency amendment. At the next Annual Business Meeting, any emergency amendment shall be presented to the members for ratification by a majority of the ICC Governmental Member Representatives and Honorary Members present and voting.

All code revisions pursuant to these emergency procedures and the reasons for such corrective action shall be published as soon as practicable after ICC Board action. Such revisions shall be identified as an emergency amendment.

Emergency amendments to any Code shall not be considered as a retro-active requirement to the Code. Incorporation of the emergency amendment into the adopted Code shall be subjected to the process established by the adopting authority.

### 3.0 Submittal of Code Change Proposals

- 3.1 **Intent:** Any interested person, persons or group may submit a code change proposal which will be duly considered when in conformance to these Rules of Procedure.
- 3.2 **Withdrawal of Proposal:** A code change proposal may be withdrawn by the proponent (WP) at any time prior to Final Action Consideration of that proposal. A withdrawn code change proposal shall not be subject to a public hearing, motions, or Final Action Consideration.
- 3.3 **Form and Content of Code Change Submittals:** Each code change proposal shall be submitted separately and shall be complete in itself. Each submittal shall contain the following information:
  - 3.3.1 **Proponent:** Each code change proposal shall include the name, title, mailing address, telephone number, and email address of the proponent.
    - 3.3.1.1 If a group, organization or committee submits a code change proposal, an individual with prime responsibility shall be indicated.
    - 3.3.1.2 If a proponent submits a code change on behalf of a client, group, organization or committee, the name and mailing address of the client, group, organization or committee shall be indicated.
  - 3.3.2 **Code Reference:** Each code change proposal shall relate to the applicable code sections(s) in the latest edition of the Code.
    - 3.3.2.1 If more than one section in the Code is affected by a code change proposal, appropriate proposals shall be included for all such affected sections.
    - 3.3.2.2 If more than one Code is affected by a code change proposal, appropriate proposals shall be included for all such affected Codes and appropriate cross referencing shall be included in the supporting information.
  - 3.3.3 **Multiple code change proposals to a code section.** A proponent shall not submit multiple code change proposals to the same code section. When a proponent submits multiple code change proposals to the same section, the proposals shall be considered as incomplete proposals and processed in accordance with Section 4.3. This restriction shall not apply to code change proposals that attempt to address differing subject matter within a code section.
  - 3.3.4 **Text Presentation:** The text proposal shall be presented in the specific wording desired with deletions shown struck out with a single line and additions shown underlined with a single line.

- 3.3.4.1 A charging statement shall indicate the referenced code section(s) and whether the proposal is intended to be an addition, a deletion or a revision to existing Code text.
  - 3.3.4.2 Whenever practical, the existing wording of the text shall be preserved with only such deletions and additions as necessary to accomplish the desired change.
  - 3.3.4.3 Each proposal shall be in proper code format and terminology.
  - 3.3.4.4 Each proposal shall be complete and specific in the text to eliminate unnecessary confusion or misinterpretation.
  - 3.3.4.5 The proposed text shall be in mandatory terms.
- 3.3.5 **Supporting Information:** Each code change proposal shall include sufficient supporting information to indicate how the proposal is intended to affect the intent and application of the Code.
- 3.3.5.1 **Purpose:** The proponent shall clearly state the purpose of the proposed code change (e.g. clarify the Code; revise outdated material; substitute new or revised material for current provisions of the Code; add new requirements to the Code; delete current requirements, etc.)
  - 3.3.5.2 **Reasons:** The proponent shall justify changing the current Code provisions, stating why the proposal is superior to the current provisions of the Code. Proposals which add or delete requirements shall be supported by a logical explanation which clearly shows why the current Code provisions are inadequate or overly restrictive, specifies the shortcomings of the current Code provisions and explains how such proposals will improve the Code.
  - 3.3.5.3 **Substantiation:** The proponent shall substantiate the proposed code change based on technical information and substantiation. Substantiation provided which is reviewed in accordance with Section 4.2 and determined as not germane to the technical issues addressed in the proposed code change shall be identified as such. The proponent shall be notified that the proposal is considered an incomplete proposal in accordance with Section 4.3 and the proposal shall be held until the deficiencies are corrected. The proponent shall have the right to appeal this action in accordance with the policy of the ICC Board. The burden of providing substantiating material lies with the proponent of the code change proposal.
  - 3.3.5.4 **Bibliography:** The proponent shall submit a bibliography of any substantiating material submitted with the code change proposal. The bibliography shall be published with the code change and the proponent shall make the substantiating materials available for review at the appropriate ICC office and during the public hearing.
  - 3.3.5.5 **Copyright Release:** The proponent of code change proposals, floor modifications and public comments shall sign a copyright release reading: "I hereby grant and assign to ICC all rights in copyright I may have in any authorship contributions I make to ICC in connection with any proposal and public comment, in its original form submitted or revised form, including written and verbal modifications submitted in accordance Section 5.5.2. I understand that I will have no rights in any ICC publications that use such contributions in the form submitted by me or another similar form and certify that such contributions are not protected by the copyright of any other person or entity."
  - 3.3.5.6 **Cost Impact:** The proponent shall indicate one of the following regarding the cost impact of the code change proposal: 1) the code change proposal will increase the cost of construction; or 2) the code change proposal will not increase the cost of construction. This information will be included in the published code change proposal.
- 3.4 **Number:** One copy of each code change proposal, two copies of each proposed new referenced standard and one copy of all substantiating information shall be submitted. Additional copies may be requested when determined necessary by the Secretariat to allow such information to be distributed to the code development committee. Where such additional copies are requested, it shall be the responsibility of the proponent to send such copies to the respective code development committee. A copy of the code change proposal in electronic form is preferred.
- 3.5 **Submittal Deadline:** Each code change proposal shall be received at the office of the Secretariat by the posted deadline. Such posting shall occur no later than 120 days prior to the code change deadline. The submitter of a proposed code change is responsible for the proper and timely receipt of all pertinent materials by the Secretariat.
- 3.6 **Referenced Standards:** In order for a standard to be considered for reference or to continue to be referenced by the Codes, a standard shall meet the following criteria:

### **3.6.1 Code References:**

- 3.6.1.1** The standard, including title and date, and the manner in which it is to be utilized shall be specifically referenced in the Code text.
- 3.6.1.2** The need for the standard to be referenced shall be established.

### **3.6.2 Standard Content:**

- 3.6.2.1** A standard or portions of a standard intended to be enforced shall be written in mandatory language.
- 3.6.2.2** The standard shall be appropriate for the subject covered.
- 3.6.2.3** All terms shall be defined when they deviate from an ordinarily accepted meaning or a dictionary definition.
- 3.6.2.4** The scope or application of a standard shall be clearly described.
- 3.6.2.5** The standard shall not have the effect of requiring proprietary materials.
- 3.6.2.6** The standard shall not prescribe a proprietary agency for quality control or testing.
- 3.6.2.7** The test standard shall describe, in detail, preparation of the test sample, sample selection or both.
- 3.6.2.8** The test standard shall prescribe the reporting format for the test results. The format shall identify the key performance criteria for the element(s) tested.
- 3.6.2.9** The measure of performance for which the test is conducted shall be clearly defined in either the test standard or in Code text.
- 3.6.2.10** The standard shall not state that its provisions shall govern whenever the referenced standard is in conflict with the requirements of the referencing Code.
- 3.6.2.11** The preface to the standard shall announce that the standard is promulgated according to a consensus procedure.

### **3.6.3 Standard Promulgation:**

- 3.6.3.1** Code change proposals with corresponding changes to the code text which include a reference to a proposed new standard or a proposed update of an existing referenced shall comply with this section. The standard shall be completed and readily available prior to Final Action Consideration based on the cycle of code development which includes the proposed code change proposal. In order for a new standard to be considered for reference by the Code, such standard shall be submitted in at least a consensus draft form in accordance with Section 3.4. Updating of standards without corresponding code text changes shall be accomplished administratively in accordance with Section 4.5.
- 3.6.3.2** The standard shall be developed and maintained through a consensus process such as ASTM or ANSI.

## **4.0 Processing of Proposals**

- 4.1 Intent:** The processing of code change proposals is intended to ensure that each proposal complies with these Rules of Procedure and that the resulting published proposal accurately reflects that proponent's intent.
- 4.2 Review:** Upon receipt in the Secretariat's office, the code change proposals will be checked for compliance with these Rules of Procedure as to division, separation, number of copies, form, language, terminology, supporting statements and substantiating data. Where a code change proposal consists of multiple parts which fall under the maintenance responsibilities of different code committees, the Secretariat shall determine the code committee responsible for determining the committee action in accordance with Section 5.6.
- 4.3 Incomplete Proposals:** When a code change proposal is submitted with incorrect format, without the required information or judged as not in compliance with these Rules of Procedure, the Secretariat shall notify the proponent of the specific deficiencies and the proposal shall be held until the deficiencies are corrected, with a final date set for receipt of a corrected submittal. If the Secretariat receives the corrected proposal after the final date, the proposal shall be held over until the next code development cycle. Where there are otherwise no deficiencies addressed by this section, a proposal that incorporates a new referenced standard shall be processed with an analysis of referenced standard's compliance with the criteria set forth in Section 3.6.
- 4.4 Editorial:** The Chief Executive Officer shall have the authority at all times to make editorial and format changes to the Code text, or any approved changes, consistent with the intent, provisions and style of the Code. An editorial or format change is a text change that does not affect the scope or application of the code requirements.



## 4.5 Updating Standards:

**4.5.1 Standards referenced in the 2012 Edition of the I-Codes:** The updating of standards referenced by the Codes shall be accomplished administratively by the Administrative code development committee in accordance with these full procedures except that the deadline for availability of the updated standard and receipt by the Secretariat shall be December 1, 2011. The published version of the 2012 Code which references the standard will refer to the updated edition of the standard. If the standard is not available by the deadline, the edition of the standard as referenced by the newly published Code shall revert back to the reference contained in the previous edition and an errata to the Code issued Multiple standards to be updated may be included in a single proposal.

**4.5.2 Standards referenced in the 2015 Edition and following Editions of the I-Codes:** The updating of standards referenced by the Codes shall be accomplished administratively by the Administrative code development committee in accordance with these full procedures except that multiple standards to be updated may be included in a single proposal. The standard shall be completed and readily available prior to Final Action Consideration of the Administrative code change proposal which includes the proposed update.

**4.6 Preparation:** All code change proposals in compliance with these procedures shall be prepared in a standard manner by the Secretariat and be assigned separate, distinct and consecutive numbers. The Secretariat shall coordinate related proposals submitted in accordance with Section 3.3.2 to facilitate the hearing process.

**4.7 Publication:** All code change proposals shall be posted on the ICC website at least 30 days prior to the public hearing on those proposals and shall constitute the agenda for the public hearing. Code change proposals which have not been published shall not be considered.

## 5.0 Public Hearing

**5.1 Intent:** The intent of the public hearing is to permit interested parties to present their views including the cost and benefits on the code change proposals on the published agenda. The code development committee will consider such comments as may be presented in the development of their action on the disposition of such proposals. At the conclusion of the code development committee deliberations, the committee action on each code change proposal shall be placed before the hearing assembly for consideration in accordance with Section 5.7.

**5.2 Committee:** The Code Development Committees shall be appointed by the applicable ICC Council.

**5.2.1 Chairman/Moderator:** The Chairman and Vice-Chairman shall be appointed by the Steering Committee on Councils from the appointed members of the committee. The ICC President shall appoint one or more Moderators who shall act as presiding officer for the public hearing.

**5.2.2 Conflict of Interest:** A committee member shall withdraw from and take no part in those matters with which the committee member has an undisclosed financial, business or property interest. The committee member shall not participate in any committee discussion on the matter or any committee vote. Violation thereof shall result in the immediate removal of the committee member from the committee. A committee member who is a proponent of a proposal shall not participate in any committee discussion on the matter or any committee vote. Such committee member shall be permitted to participate in the floor discussion in accordance with Section 5.5 by stepping down from the dais.

**5.2.3 Representation of Interest:** Committee members shall not represent themselves as official or unofficial representatives of the ICC except at regularly convened meetings of the committee.

**5.2.4 Committee Composition:** The committee may consist of representation from multiple interests. A minimum of thirty-three and one-third percent (33.3%) of the committee members shall be regulators.

**5.3 Date and Location:** The date and location of each public hearing shall be announced not less than 60 days prior to the date of the public hearing.

**5.4 General Procedures:** *The Robert's Rules of Order* shall be the formal procedure for the conduct of the public hearing except as a specific provision of these Rules of Procedure may otherwise dictate. A quorum shall consist of a majority of the voting members of the committee.

- 5.4.1 **Chair Voting:** The Chairman of the committee shall vote only when the vote cast will break a tie vote of the committee.
  - 5.4.2 **Open Meetings:** Public hearings of the Code Development Committees are open meetings. Any interested person may attend and participate in the Floor Discussion and Assembly Consideration portions of the hearing. Only eligible voters (see Section 5.7.4) are permitted to vote on Assembly Considerations. Only Code Development Committee members may participate in the Committee Action portion of the hearings (see Section 5.6).
  - 5.4.3 **Presentation of Material at the Public Hearing:** Information to be provided at the hearing shall be limited to verbal presentations and modifications submitted in accordance with Section 5.5.2. Audio-visual presentations are not permitted. Substantiating material submitted in accordance with Section 3.3.4.4 and other material submitted in response to a code change proposal shall be located in a designated area in the hearing room and shall not be distributed to the code development committee at the public hearing.
  - 5.4.4 **Agenda Order:** The Secretariat shall publish an agenda for each public hearing, placing individual code change proposals in a logical order to facilitate the hearing. Any public hearing attendee may move to revise the agenda order as the first order of business at the public hearing, or at any time during the hearing except while another proposal is being discussed. Preference shall be given to grouping like subjects together, and for moving items back to a later position on the agenda as opposed to moving items forward to an earlier position. A motion to revise the agenda order is subject to a 2/3 vote of those present and voting.
  - 5.4.5 **Reconsideration:** There shall be no reconsideration of a proposed code change after it has been voted on by the committee in accordance with Section 5.6; or, in the case of assembly consideration, there shall be no reconsideration of a proposed code change after it has been voted on by the assembly in accordance with Section 5.7.
  - 5.4.6 **Time Limits:** Time limits shall be established as part of the agenda for testimony on all proposed changes at the beginning of each hearing session. Each person requesting to testify on a change shall be given equal time. In the interest of time and fairness to all hearing participants, the Moderator shall have limited authority to modify time limitations on debate. The Moderator shall have the authority to adjust time limits as necessary in order to complete the hearing agenda.
    - 5.4.6.1 **Time Keeping:** Keeping of time for testimony by an individual shall be by an automatic timing device. Remaining time shall be evident to the person testifying. Interruptions during testimony shall not be tolerated. The Moderator shall maintain appropriate decorum during all testimony.
    - 5.4.6.2 **Proponent Testimony:** The Proponent is permitted to waive an initial statement. The Proponent shall be permitted to have the amount of time that would have been allocated during the initial testimony period plus the amount of time that would be allocated for rebuttal. Where the code change proposal is submitted by multiple proponents, this provision shall permit only one proponent of the joint submittal to be allotted additional time for rebuttal.
  - 5.4.7 **Points of Order:** Any person participating in the public hearing may challenge a procedural ruling of the Moderator or the Chairman. A majority vote of the eligible voters as determined in Section 5.7.4 shall determine the decision.
- 5.5 **Floor Discussion:** The Moderator shall place each code change proposal before the hearing for discussion by identifying the proposal and by regulating discussion as follows:
- 5.5.1 **Discussion Order:**
    1. *Proponents.* The Moderator shall begin by asking the proponent and then others in support of the proposal for their comments.
    2. *Opponents.* After discussion by those in support of a proposal, those opposed hereto, if any, shall have the opportunity to present their views.
    3. *Rebuttal in support.* Proponents shall then have the opportunity to rebut points raised by the opponents.
    4. *Rerebuttal in opposition.* Opponents shall then have the opportunity to respond to the proponent's rebuttal.
  - 5.5.2 **Modifications:** Modifications to proposals may be suggested from the floor by any person participating in the public hearing. The person proposing the modification is deemed to be the proponent of the modification.

**5.5.2.1 Submission and Written Copies.** All modifications must be written, unless determined by the Chairman to be either editorial or minor in nature. The modification proponent shall provide 20 copies to the Secretariat for distribution to the committee.

**5.5.2.2 Criteria.** The Chairman shall rule proposed modifications in or out of order before they are discussed on the floor. A proposed modification shall be ruled out of order if it:

1. is not legible, unless not required to be written in accordance with Section 5.5.2.1; or
2. changes the scope of the original proposal; or
3. is not readily understood to allow a proper assessment of its impact on the original proposal or the code.

The ruling of the Chairman on whether or not the modification is in or out of order shall be final and is not subject to a point of order in accordance with Section 5.4.7.

**5.5.2.3 Testimony.** When a modification is offered from the floor and ruled in order by the Chairman, a specific floor discussion on that modification is to commence in accordance with the procedures listed in Section 5.5.1.

**5.6 Committee Action:** Following the floor discussion of each code change proposal, one of the following motions shall be made and seconded by members of the committee.

1. Approve the code change proposal as submitted (AS) or
2. Approve the code change proposal as modified with specific modifications (AM), or
3. Disapprove the code change proposal (D)

Discussion on this motion shall be limited to Code Development Committee members. If a committee member proposes a modification which had not been proposed during floor discussion, the Chairman shall rule on the modification in accordance with Section 5.5.2.2. If a committee member raises a matter of issue, including a proposed modification, which has not been proposed or discussed during the floor discussion, the Moderator shall suspend the committee discussion and shall reopen the floor discussion for comments on the specific matter or issue. Upon receipt of all comments from the floor, the Moderator shall resume committee discussion.

The Code Development Committee shall vote on each motion with the majority dictating the committee's action. Committee action on each code change proposal shall be completed when one of the motions noted above has been approved. Each committee vote shall be supported by a reason.

The Code Development Committee shall maintain a record of its proceedings including the action on each code change proposal.

**5.7 Assembly Consideration:** At the conclusion of the committee's action on a code change proposal and before the next code change proposal is called to the floor, the Moderator shall ask for a motion from the public hearing attendees who may object to the committee's action. If a motion in accordance with Section 5.7.1 is not brought forward on the committee's action, the results of the public hearing shall be established by the committee's action. If a motion in accordance with Section 5.7.1 is brought forward and

is sustained in accordance with Section 5.7.3, both the committee's action and the assemblies' action shall be reported as the results of the public hearing. Where a motion is sustained in accordance with Section 5.7.3, such action shall be the initial motion considered at Final Action Consideration in accordance with Section 7.3.8.2.

**5.7.1 Floor Motion:** Any attendee may raise an objection to the committee's action in which case the attendee will be able to make a motion to:

1. Approve the code change proposal as submitted from the floor (ASF), or
2. Approve the code change proposal as modified from the floor (AMF) with a specific modification that has been previously offered from the floor and ruled in order by the Chairman during floor discussion (see Section 5.5.2) or has been offered by a member of the Committee and ruled in order by the Chairman during committee discussion (see Section 5.6), or
3. Disapprove the code change proposal from the floor (DF).

- 5.7.2 Discussion:** On receipt of a second to the floor motion, the Moderator shall place the motion before the assembly for a vote. No additional testimony shall be permitted.
- 5.7.3 Assembly Action:** The assembly action shall be in accordance with the following majorities based on the number of votes cast by eligible voters (See 5.7.4).

Committee Action	Desired Assembly Action		
	ASF	AMF	DF
AS	--	2/3 Majority	2/3 Majority
AM	2/3 Majority	2/3 Majority	2/3 Majority
D	2/3 Majority	2/3 Majority	--

- 5.7.4 Eligible Voters:** All members of ICC in attendance at the public hearing shall be eligible to vote on floor motions. Only one vote authorized for each eligible attendee. Code Development Committee members shall be eligible to vote on floor motions. Application, whether new or updated, for ICC membership must be received by the Code Council ten days prior to the commencement of the first day of the public hearing.

- 5.8 Report of the Public Hearing:** The results of the public hearing, including committee action and successful assembly action, shall be posted on the ICC website not less than 60 days prior to Final Action Consideration except as approved by the ICC Board.

## 6.0 Public Comments

- 6.1 Intent:** The public comment process gives attendees at the Final Action Hearing an opportunity to consider specific objections to the results of the public hearing and more thoughtfully prepare for the discussion for Final Action Consideration. The public comment process expedites the Final Action Consideration at the Final Action Hearing by limiting the items discussed to the following:
- 6.1.1** Consideration of items for which a public comment has been submitted; and
  - 6.1.2** Consideration of items which received a successful assembly action at the public hearing.
- 6.2 Deadline:** The deadline for receipt of a public comment to the results of the public hearing shall be announced at the public hearing but shall not be less than 30 days from the availability of the report of the results of the public hearing (see Section 5.8).
- 6.3 Withdrawal of Public Comment:** A public comment may be withdrawn by the public commenter at any time prior to Final Action Consideration of that comment. A withdrawn public comment shall not be subject to Final Action Consideration. If the only public comment to a code change proposal is withdrawn by the public commenter prior to the vote on the consent agenda in accordance with Section 7.3.4, the proposal shall be considered as part of the consent agenda. If the only public comment to a code change proposal is withdrawn by the public commenter after the vote on the consent agenda in accordance with Section 7.3.4, the proposal shall continue as part of the individual consent agenda in accordance with Section 7.3.5, however the public comment shall not be subject to Final Action Consideration.
- 6.4 Form and Content of Public Comments:** Any interested person, persons, or group may submit a public comment to the results of the public hearing which will be considered when in conformance to these requirements. Each public comment to a code change proposal shall be submitted separately and shall be complete in itself. Each public comment shall contain the following information:
- 6.4.1 Public comment:** Each public comment shall include the name, title, mailing address, telephone number and email address of the public commenter. If group, organization, or committee submits a public comment, an individual with prime responsibility shall be indicated. If a public comment is submitted on behalf a client, group, organization or committee, the name and mailing address of the client, group, organization or committee shall be indicated. The scope of the public comment shall be consistent with the scope of the original code change proposal, committee action or successful assembly action. Public comments which are determined as not within the scope of the code change proposal, committee action or successful assembly action shall be identified as such. The public commenter shall be notified that the public comment is considered an incomplete public comment in accordance with Section 6.5.1 and the public comment shall be held until the deficiencies are corrected. A copyright release in accordance with Section 3.3.4.5 shall be provided with the public comment.

- 6.4.2 Code Reference:** Each public comment shall include the code change proposal number and the results of the public hearing, including successful assembly actions, on the code change proposal to which the public comment is directed.
- 6.4.3 Multiple public comments to a code change proposal.** A proponent shall not submit multiple public comments to the same code change proposal. When a proponent submits multiple public comments to the same code change proposal, the public comments shall be considered as incomplete public comments and processed in accordance with Section 6.5.1. This restriction shall not apply to public comments that attempt to address differing subject matter within a code section.
- 6.4.4 Desired Final Action:** The public comment shall indicate the desired final action as one of the following:
1. Approve the code change proposal as submitted (AS), or
  2. Approve the code change proposal as modified (AM) by one or more specific modifications published in the Results of the Public Hearing or published in a public comment, or
  3. Disapprove the code change proposal (D)
- 6.4.5 Supporting Information:** The public comment shall include in a statement containing a reason and justification for the desired final action on the code change proposal. Reasons and justification which are reviewed in accordance with Section 6.4 and determined as not germane to the technical issues addressed in the code change proposal or committee action shall be identified as such. The public commenter shall be notified that the public comment is considered an incomplete public comment in accordance with Section 6.5.1 and the public comment shall be held until the deficiencies are corrected. The public commenter shall have the right to appeal this action in accordance with the policy of the ICC Board. A bibliography of any substantiating material submitted with a public comment shall be published with the public comment and the substantiating material shall be made available at the Final Action Hearing.
- 6.4.6 Number:** One copy of each public comment and one copy of all substantiating information shall be submitted. Additional copies may be requested when determined necessary by the Secretariat. A copy of the public comment in electronic form is preferred.

**6.5 Review:** The Secretariat shall be responsible for reviewing all submitted public comments from an editorial and technical viewpoint similar to the review of code change proposals (See Section 4.2).

**6.5.1 Incomplete Public Comment:** When a public comment is submitted with incorrect format, without the required information or judged as not in compliance with these Rules of Procedure, the public comment shall not be processed. The Secretariat shall notify the public commenter of the specific deficiencies and the public comment shall be held until the deficiencies are corrected, or the public comment shall be returned to the public commenter with instructions to correct the deficiencies with a final date set for receipt of the corrected public comment.

**6.5.2 Duplications:** On receipt of duplicate or parallel public comments, the Secretariat may consolidate such public comments for Final Action Consideration. Each public commenter shall be notified of this action when it occurs.

**6.5.3 Deadline:** Public comments received by the Secretariat after the deadline set for receipt shall not be published and shall not be considered as part of the Final Action Consideration.

**6.6 Publication:** The public hearing results on code change proposals that have not been public commented and the code change proposals with public commented public hearing results and successful assembly actions shall constitute the Final Action Agenda. The Final Action Agenda shall be posted on the ICC website at least 30 days prior to Final Action consideration.

## 7.0 Final Action Consideration

**7.1 Intent:** The purpose of Final Action Consideration is to make a final determination of all code change proposals which have been considered in a code development cycle by a vote cast by eligible voters (see Section 7.4).

**7.2 Agenda:** The final action consent agenda shall be comprised of proposals which have neither an assembly action nor public comment. The agenda for public testimony and individual consideration shall be comprised of proposals which have a successful assembly action or public comment (see Sections 5.7 and 6.0).

**7.3 Procedure:** *The Robert's Rules of Order* shall be the formal procedure for the conduct of the Final Action Consideration except as these Rules of Procedure may otherwise dictate.

- 7.3.1 Open Meetings:** Public hearings for Final Action Consideration are open meetings. Any interested person may attend and participate in the Floor Discussion.
- 7.3.2 Agenda Order:** The Secretariat shall publish an agenda for Final Action Consideration, placing individual code change proposals and public comments in a logical order to facilitate the hearing. The proponents or opponents of any proposal or public comment may move to revise the agenda order as the first order of business at the public hearing, or at any time during the hearing except while another proposal is being discussed. Preference shall be given to grouping like subjects together and for moving items back to a later position on the agenda as opposed to moving items forward to an earlier position. A motion to revise the agenda order is subject to a 2/3 vote of those present and voting.
- 7.3.3 Presentation of Material at the Public Hearing:** Information to be provided at the hearing shall be limited to verbal presentations. Audio-visual presentations are not permitted. Substantiating material submitted in accordance with Section 6.4.4 and other material submitted in response to a code change proposal or public comment shall be located in a designated area in the hearing room.
- 7.3.4 Final Action Consent Agenda:** The final action consent agenda (see Section 7.2) shall be placed before the assembly with a single motion for final action in accordance with the results of the public hearing. When the motion has been seconded, the vote shall be taken with no testimony being allowed. A simple majority (50% plus one) based on the number of votes cast by eligible voters shall decide the motion.
- 7.3.5 Individual Consideration Agenda:** Upon completion of the final action consent vote, all proposed changes not on the final action consent agenda shall be placed before the assembly for individual consideration of each item (see Section 7.2).
- 7.3.6 Reconsideration:** There shall be no reconsideration of a proposed code change after it has been voted on in accordance with Section 7.3.8.
- 7.3.7 Time Limits:** Time limits shall be established as part of the agenda for testimony on all proposed changes at the beginning of each hearing session. Each person requesting to testify on a change shall be given equal time. In the interest of time and fairness to all hearing participants, the Moderator shall have limited authority to modify time limitations on debate. The Moderator shall have the authority to adjust time limits as necessary in order to complete the hearing agenda.
- 7.3.7.1 Time Keeping:** Keeping of time for testimony by an individual shall be by an automatic timing device. Remaining time shall be evident to the person testifying. Interruptions during testimony shall not be tolerated. The Moderator shall maintain appropriate decorum during all testimony.
- 7.3.8 Discussion and Voting:** Discussion and voting on proposals being individually considered shall be in accordance with the following procedures:
- 7.3.8.1 Allowable Final Action Motions:** The only allowable motions for final action are Approval as Submitted, Approval as Modified by one or more modifications published in the Final Action Agenda, and Disapproval.
- 7.3.8.2 Initial Motion:** The Code Development Committee action shall be the initial motion considered, unless there was a successful assembly action in accordance with Section 5.7.3. If there was a successful assembly action, it shall be the initial motion considered. If the assembly action motion fails, the code development committee action shall become the next motion considered.
- 7.3.8.3 Motions for Modifications:** Whenever a motion under consideration is for Approval as Submitted or Approval as Modified, a subsequent motion and second for a modification published in the Final Action Agenda may be made (see Section 6.4.3). Each subsequent motion for modification, if any, shall be individually discussed and voted before returning to the main motion. A two-thirds majority based on the number of votes cast by eligible voters shall be required for a successful motion on all modifications.
- 7.3.8.4 Voting:** After dispensing with all motions for modifications, if any, and upon completion of discussion on the main motion, the Moderator shall then ask for the vote on the main motion. If the motion fails to receive the majority required in Section 7.5, the Moderator shall ask for a new motion.
- 7.3.8.5 Subsequent Motion:** If the initial motion is unsuccessful, a motion for one of the other allowable final actions shall be made (see Section 7.3.8.1) and dispensed with until a successful final action is achieved. If a successful final action is not achieved, Section 7.5.1 shall apply.

**7.3.9 Proponent testimony:** The Proponent of a public comment is permitted to waive an initial statement. The Proponent of the public comment shall be permitted to have the amount of time that would have been allocated during the initial testimony period plus the amount of time that would be allocated for rebuttal. Where a public comment is submitted by multiple proponents, this provision shall permit only one proponent of the joint submittal to waive an initial statement.

**7.3.10 Points of Order:** Any person participating in the public hearing may challenge a procedural ruling of the Moderator. A majority vote of the eligible voters as determined in Section 5.7.4 shall determine the decision.

**7.4 Eligible voters:** ICC Governmental Member Representatives and Honorary Members in attendance at the Final Action Hearing shall have one vote per eligible attendee on all International Codes. Applications, whether new or updated, for governmental member voting representative status must be received by the Code Council ten days prior to the commencement of the first day of the Final Action Hearing in order for any designated representative to be eligible to vote.

**7.5 Majorities for Final Action:** The required voting majority based on the number of votes cast of eligible voters shall be in accordance with the following table:

Public Hearing Action (see note)	Desired Final Action		
	AS	AM	D
AS	Simple Majority	2/3 Majority	Simple Majority
AM	2/3 Majority	Simple Majority to sustain the Public Hearing Action or; 2/3 Majority on additional modifications and 2/3 on overall AM	Simple Majority
D	2/3 Majority	2/3 Majority	Simple Majority

Note: The Public Hearing Action includes the committee action and successful assembly action.

**7.5.1 Failure to Achieve Majority Vote:** In the event that a code change proposal does not receive any of the required majorities for final action in Section 7.5, final action on the code change proposal in question shall be disapproval.

**7.6 Publication:** The Final action on all proposed code changes shall be published as soon as practicable after the determination of final action. The exact wording of any resulting text modifications shall be made available to any interested party.

## 8.0 Appeals

**8.1 Right to Appeal:** Any person may appeal an action or inaction in accordance with CP-1.

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## 2009/2010 ICC CODE DEVELOPMENT CYCLE CROSS INDEX OF PROPOSED CODE CHANGES

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Some of the proposed code changes include sections that are outside of the scope of the chapters or the code listed in the table of 2009/2010 Staff Secretaries on page ix. This is done in order to facilitate coordination among the International Codes which is one of the fundamental principles of the International Codes.

Listed in this cross index are proposed code changes that include sections of codes or codes other than those listed on page ix. For example, IBC Section 402.16.5 is proposed for revision in Part II of code change F58-09/10, which is to be heard by the IFC Committee. This section of the IBC is typically the responsibility of the IBC General Committee as listed in the table of 2009/2010 Staff Secretaries. It is therefore identified in this cross index. Another example is Section 905.4 of the International Fire Code. The International Fire Code is normally maintained by the IFC Committee, but Section 905.4 will be considered for revision in proposed code change G31-09/10 and will be placed on the IBC General Committee agenda. In some instances, there are other subsections that are revised by an identified code change that is not included in the cross index. For example, numerous sections in Chapter 10 of the International Fire Code would be revised by the proposed changes to Chapter 10 of the IBC. This was done to keep the cross index brief enough for easy reference.

This information is provided to assist users in locating all of the proposed code changes that would affect a certain section or chapter. For example, to find all of the proposed code changes that would affect Chapter 7 of the IBC, review the proposed code changes in the Volume 1 monograph for the IBC Fire Safety Committee (listed with a FS prefix) then review this cross reference for Chapter 7 of the IBC for proposed code changes published in other code change groups. While care has been taken to be accurate, there may be some omissions in this list.

Letter prefix: Each proposed change number has a letter prefix that will identify where the proposal is published. The letter designations for proposed changes and the corresponding publications are as follows:

<b>PREFIX</b>	<b>PROPOSED CHANGE GROUP (see monograph table of contents for location)</b>
ADM	Administrative
E	International Building Code - Means of Egress
EB	International Existing Building Code
EC	International Energy Conservation Code
F	International Fire Code
FG	International Fuel Gas Code
FS	International Building Code - Fire Safety
G	International Building Code - General
M	International Mechanical Code
PC	ICC Performance Code
P	International Plumbing Code
PSD	International Private Sewage Disposal Code
PM	International Property Maintenance Code
RB	International Residential Code - Building
RE	International Residential Code - Energy
RM	International Residential Code - Mechanical
RP	International Residential Code - Plumbing
S	International Building Code - Structural
WUIC	International Wildland-Urban Interface Code
Z	International Zoning Code



<b>INTERNATIONAL BUILDING CODE</b>	
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102.4	ADM4 Part I
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105.2	ADM6 Part I
105.2.4	ADM7 Part I
106.1	S55-09/10
107.2	ADM9 Part I
107.2.2	ADM10
107.2.3	ADM11
107.2.6	ADM12
108.1	ADM13
109.3.10.1	ADM14 Part I
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110.3.6	ADM23 Part I (Heard by IBC-FS Committee)
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403.2.3.1	E5 – Part I
403.2.3.2	E5 – Part I
403.3.1.1 (IFC 914.3.1.1.1)	E5 – Part II
403.5.1	E5 – Part I
403.5.4	E5 – Part I
406.2.2	E151 Part I
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406.6.6.1.1 (New)	F178
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415.8.4.6.2 (IFC 1803.12.1.2)	E5 – Part II
415.8.11.2	F161
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505.3	E6
505.4	E6

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707.3.2	E5 – Part I
707.3.3 (New)	E5 – Part I
707.3.10 new	G81
707.3.10 (New)	E132
707.4	E5 – Part I
707.5.1	G178
707.5.1	E5 – Part I
707.6	E5 – Part I
707.7.1	E5 – Part I
708.1	E5 – Part I
708.2	E5 – Part I
708.3 (New)	E5 – Part I
708.6	E5 – Part I
708.14.1	G44 Part I
709.1	G82
709.3	G81
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710.5	G15, G21
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715.4.4	E5 – Part I
715.4.6.1	E5 – Part I
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716.5.1	F162, Part II
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Table 803.9	E5 – Part I
804.4	E5 – Part I
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909.5 (IFC 909.5, IMC 513.5)	E5 – Part II
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110.3	ADM8 Part I
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R606.12.1	S171-09/10, Part II
R606.12.3.1	S171-09/10, Part II
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R703.11.2.1	FS156 Part II
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R802.1.3	S201-09/10, Part II
R802.1.3.1	S201-09/10, Part II
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R806.2	G145 Part II
R903.2.2	S3-09/10, Part II
R903.4	S2-09/10, Part III (heard by IRC Plumbing)
R903.4.1	S2-09/10, Part III (heard by IRC Plumbing)
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R905.4.3.2 (New)	S15-09/10, Part II
R905.4.5.1 (New)	S17-09/10, Part II
R905.5.3.2 (New)	S15-09/10, Part II
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N1102.3.3 (New)	EC72 Part II
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<b>INT. WILDLAND-URBAN INTERFACE CODE</b>	
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101.3	ADM3
102.4	ADM4
115 (New)	ADM16 Part I
Chapter 15	ADM39
<b>INTERNATIONAL ZONING CODE</b>	
Chapter 1	ADM1 Part XI
101.2	ADM3
112 (New)	ADM16 Part I
Chapter 14	ADM39



# 2009/2010 ICC CODE DEVELOPMENT HEARING SCHEDULE

## October 24 – November 11, 2009

### Hilton Baltimore

Unless noted by “Start no earlier than X am/pm,” each Code Committee will begin immediately upon completion of the hearings for the prior Committee. Thus the actual start times for the various Code Committees are tentative. The hearing volume is higher than previous cycles. The schedule anticipates that the hearings will finish by the times noted as “Finish” for each track and each week.

#### CODE DEVELOPMENT HEARINGS: OCTOBER 24 - 31

	Saturday October 24	Sunday October 25	Monday October 26	Tuesday October 27	Wednesday October 28	Thursday October 29	Friday October 30	Saturday October 31
TRACK 1	Start 8 am IWUIC IFC End 8 pm	Start 10 am IFC End 8 pm	Start 8 am IFC IRC-Energy (Start no earlier than 1 pm) End 8 pm	Start 8 am IRC – Energy End 8 pm	Start 8 am IRC-Building (Start no earlier than 8 am) End 8 pm	Start 8 am IRC- Building End 8 pm	Start 8 am IRC – Building Admin (Start no earlier than 3 pm) End 8 pm	Start 8 am Admin Finish 3 pm
	Start 8 am IBC- Structural End 8 pm	Start 10 am IBC- Structural End 8 pm	Start 8 am IBC- Structural End 8 pm	Start 8 am IBC- Structural End 8 pm	Start 8 am IECC (Start no earlier than 8 am) End 8 pm	Start 8 am IECC End 8 pm	Start 8 am IECC End 8 pm	Start 8 am IECC Finish 8 pm

#### ANNUAL CONFERENCE: NOVEMBER 1 - 4

#### CODE DEVELOPMENT HEARINGS: NOVEMBER 4 - 11

	Wednesday November 4	Thursday November 5	Friday November 6	Saturday November 7	Sunday November 8	Monday November 9	Tuesday November 10	Wednesday November 11
TRACK 1	Start 8 am IPM/ZC IEBC IBC-Fire Safety End 5 pm	Start 8 am IBC-Fire Safety End 8 pm	Start 8 am IBC – Fire Safety IBC – General (Start no earlier than 3 pm) End 8 pm	Start 8 am IBC - General End 8 pm	Start 10 am IBC – General IBC – Egress (Start no earlier than 3 pm) End 8 pm	Start 8 am IBC - Egress End 8 pm	Start 8 am IBC - Egress End 8 pm	Start 8 am IBC - Egress Finish 12 pm
	Start 8 am IPC/IPSDC End 5 pm	Start 8 am IPC/IPSDC End 9 pm	Start 8 am IMC (Start no earlier than 8 am) End 9 pm	Start 8 am IMC IRC- Plumbing/ Mechanical (Start no earlier than 1 pm) End 9 pm	Start 10 am IRC – Plumbing/ Mechanical End 9 pm	Start 8 am IRC – Plumbing/ Mechanical IFGC (Start no earlier than 8 am) Finish 9 pm	NO HEARINGS TRACK 2 COMPLETED	

**Notes:**

- Hearing times may be modified at the discretion of the Chairman. Breaks will be announced.
- Proposed code changes submitted to the International Wildland-Urban Interface Code (IWUIC) to be heard by the IFC Committee.
- Proposed code changes submitted to the International Zoning (Z) and Property Maintenance (PM) Codes to be heard by the IPM/Z Committee.
- “Admin” is a new code committee who will hear changes that affect coordination of Chapter 1 of all the I-Codes, except the IRC, and referenced standards updates.

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## 2009/2010 PROPOSED CHANGES TO THE INTERNATIONAL CODES

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CODE	PAGE
Administrative Provisions (All Codes) .....	ADM1
<b>International Building Code</b>	
Fire Safety .....	IBC-FS1
General .....	IBC-G1
Means of Egress .....	IBC-E1
Structural .....	IBC-S1
International Energy Conservation Code.....	EC1
International Existing Building Code .....	EB1
International Fuel Gas Code.....	FG1
International Fire Code .....	F1
International Mechanical Code .....	M1
International Plumbing Code .....	P1
International Private Sewage Disposal Code .....	PSD1
International Property Maintenance Code .....	PM1
<b>International Residential Code</b>	
Building/Energy .....	IRC-RB1
Plumbing .....	IRC-RP1
Mechanical .....	IRC-RM1
International Wildland-Urban Interface Code (To be heard by the IFC Committee).....	WUIC1
International Zoning Code (To be heard by the IPM/IZC Committee) .....	Z1



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Hearings: October 24–31 and November 4–11  
Hilton Baltimore  
Conference: November 1–4  
Baltimore Convention Center

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### NORTH CAROLINA

- Code Officials Qualification Board  
Requires Driver's License # \_\_\_\_\_  
ID Number \_\_\_\_\_

### OHIO

- Ohio Department of Commerce, Board of Building Standards  
ID Number \_\_\_\_\_
- Ohio Department of Commerce, Division of Industrial Compliance, Plumbing Section  
ID Number \_\_\_\_\_

### OKLAHOMA

- Construction Industries Board, Inspector Examining Committee  
ID Number \_\_\_\_\_

### PENNSYLVANIA

- Department of Labor and Industry  
ID Number \_\_\_\_\_

### RHODE ISLAND

- State Building Code Commission  
ID Number \_\_\_\_\_

### SOUTH CAROLINA

- Department of Labor, Licensing and Regulation Board of Building Codes Council  
ID Number \_\_\_\_\_

### TENNESSEE

- Commerce and Insurance, Fire Prevention Division (aka State Fire Marshal's Office)  
ID Number \_\_\_\_\_

### TEXAS

- Department of Licensing and Regulation, Electrical Safety and Licensing Advisory Board  
ID Number \_\_\_\_\_

### UTAH

- Division of Occupational and Professional Licensing, Contractor Licensing  
ID Number \_\_\_\_\_

### WISCONSIN

- Safety and Buildings Division  
ID Number \_\_\_\_\_

**AMERICAN INSTITUTE OF ARCHITECTS**

ID Number \_\_\_\_\_

**AMERICAN SOCIETY OF HOME INSPECTORS**

ID Number \_\_\_\_\_

**INTERNATIONAL CODE COUNCIL**

ID Number \_\_\_\_\_

**OTHER**

ID Number \_\_\_\_\_

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**2009/2010 PROPOSED CHANGES TO THE  
INTERNATIONAL PROPERTY MAINTENANCE/ZONING CODE COMMITTEE**

***PROPERTY MAINTENANCE/ ZONING CODE COMMITTEE***

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Code Administrator  
City of Wauseon, Ohio  
Wauseon, OH

**Richard Lambert – Vice Chair**

Building Inspector  
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**Jeffrey Tennill**

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Officer  
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Shelbyville, KY

**Staff Secretariat:**

**Ed Wirtschoreck, LA**

Manager, Standards  
International Code Council

# TENTATIVE ORDER OF DISCUSSION

## 2009/2010 PROPOSED CHANGES TO THE INTERNATIONAL PROPERTY MAINTENANCE/ZONING CODE

The following is the tentative order in which the proposed changes to the code will be discussed at the public hearings. Proposed changes which impact the same subject have been grouped to permit consideration in consecutive changes.

Proposed change numbers that are indented are those which are being heard out of numerical order. Indentation does **not** necessarily indicate that one change is related to another. Proposed changes may be grouped for purposes of discussion at the hearing at the discretion of the chair.

### **IPMC**

ADM38-09/10  
PM1-09/10  
PM2-09/10  
PM3-09/10  
PM4-09/10  
PM5-09/10  
PM6-09/10  
PM7-09/10  
PM8-09/10  
PM9-09/10  
PM10-09/10  
PM11-09/10  
PM14-09/10  
PM15-09/10  
PM16-09/10  
PM17-09/10  
PM18-09/10

### **ZONING**

Z1-09/10  
Z2-09/10

# PM1–09/10

## 201.3

**Proponent:** Bob Eugene, Underwriters Laboratories, Inc.

**Revise as follows:**

**201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in the *International Building Code, International Fire Code, International Residential Code, International Fuel Gas Code, International Zoning Code, International Plumbing Code, International Mechanical Code* or NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes.

**Reason:** The *International Property Maintenance Code* covers installations also addressed by the *International Residential Code* and the *International Fuel Gas Code*.

**Cost Impact:** The code change proposal will not increase the cost of construction.

Public Hearing:	Committee:	AS	AM	D
	Assembly:	ASF	AMF	DF

ICCFILENAME: EUGENE-PM1-201.3.DOC

# PM2–09/10

## 202, 302.10, Chapter 8

**Proponent:** Mike Ennis, Single Ply Roofing Industry (SPRI), representing the Single Ply Roofing Industry (SPRI)

**1. Add new text as follows:**

### SECTION 202 DEFINITIONS

**VEGETATIVE ROOF SYSTEM:** A Vegetative Roof System consists of vegetation, growth media, drainage system, and waterproofing over a roof deck.

**302.10 Vegetative roof system maintenance.** Vegetative Roof Systems shall be maintained to:

1. Provide vegetation that nominally covers the visible surface of the growth media as described in ANSI/SPRI RP-14;
2. Sustain the system keeping vegetative roof plants healthy; and
3. Keep dry foliage to a minimum.

Such maintenance includes, but is not limited to irrigation, fertilization, and weeding. Excess biomass shall be removed at regular intervals not less than two times per year. Provision shall be made to provide access to water for permanent or temporary irrigation. When wind scour occurs to an existing vegetative roof system and the scour is less than 50 square feet, the growth media and plants shall be replaced. For scour areas greater than 50 square feet, the vegetative roof design shall be upgraded a minimum of one system design level in accordance with Section 4.0 of ANSI/SPRI RP-14.

**2. Add new standard to Chapter 8 as follows:**

### ANSI/SPRI

RP-14- 2009

Wind Design Standard for Vegetative Roofing Systems

**Reason:** The International Building Code added requirements (Section 1507.16) that include fire and wind resistance for vegetative roof systems. Proper maintenance of vegetative roof systems is important to ensure acceptable fire and wind performance of these systems. For this reason maintenance requirements for these systems are being proposed for addition to the IPMC. To support these requirements a definition for a vegetative roof system is being proposed.

Further, the International Building Code added a new section (Section 1507.16) that mandates performance requirements for vegetative roof systems, including fire and wind performance. The maintenance of the vegetation on these roofs is an important factor for the long-term wind and fire performance of these systems. Properly maintained vegetative roof systems have a long history of excellent performance with respect to fire and wind resistance. Keeping the plants alive and healthy and removing dead foliage will ensure the acceptable fire performance of these roof systems.

Healthy plants are also an important factor with respect to wind resistance because the root system of the plants acts to bind the system together preventing damage during high wind events. Another important key to maintaining the wind resistance of these systems is to inspect the roof periodically for signs of wind scour. If found these areas need to be corrected per the requirements of ANSI/SPRI RP-14.

**Cost Impact:** The code change proposal will not increase the cost of construction.

**Analysis:** A review of the standard(s) proposed for inclusion in the code, ANSI/SPRI RP-14-2009, for compliance with ICC criteria for referenced standards given in Section 3.6 of Council Policy #CP 28 will be posted on the ICC website on or before September 24, 2009.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

ICCFILENAME: ENNIS-PM1 PM2-202 302.10.DOC

## PM3-09/10 302.7

**Proponent:** Joseph R. Hetzel, Thomas Associates, Inc., representing the Door & Access Systems Manufacturers Association (DASMA)

**Revise as follows:**

**302.7 Accessory structures.** All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair. Doors and gates, including operator systems if provided, shall be maintained in proper operating condition.

**Reason:** The purpose of the proposed code change is to address maintenance of operational aspects of accessory structures not made clear in the first sentence under Section 302.7, to draw attention to such operational aspects such that they could continue to perform their intended functions while checking on the presence of any automated door/gate safety functions and whether they are working.

The current provisions are inadequate because they do not consider the increased positive effect on public safety by effectively maintaining large moving objects, i.e. doors and gates, versus stationary objects, i.e. garages, fences, walls. The proposed language fills this need, with code and legislative precedence for automated doors and gates helping define an effective evaluation for maintenance purposes. Automated garage doors are required to comply with UL 325 per the IBC, the IRC, and (for residential) Federal law. Automated vehicular gates are required to comply with UL 325 and ASTM F2200 per the IBC and the IFC, and a proposed code change has been submitted to incorporate provisions into the IRC.

Death and injury statistics are well established for individuals that have been entrapped by automated garage doors and automated vehicular gates not in compliance with the UL 325 and ASTM F2200 safety standards. The new provisions will be a preventive measure toward a reduction of death and injuries by encouraging regular inspecting of the door and gate systems particularly those that are automated.

**Cost Impact:** The code change proposal will not increase the cost of construction.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

ICCFILENAME: HETZEL-PM1-302.7.DOC

## PM4-09/10 304.15

**Proponent:** Joseph R. Hetzel, Thomas Associates, Inc., representing the Door & Access Systems Manufacturers Association (DASMA)

**Revise as follows:**

**304.15 Doors.** All exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

**Reason:** The purpose of the proposed code change is to address maintenance of automated aspects of doors not made clear in the first sentence under Section 304.15. The phrase "operator systems if provided" draws attention to automated doors, for checking on the performance to their intended functions while checking on the presence of any automated door safety functions and whether they are working.

The current provisions are inadequate because they do not consider the increased positive effect on public safety by effectively maintaining automated door systems. The proposed language fills this need, with code and legislative precedence for automated doors helping define an effective evaluation for maintenance purposes. As an example, automated garage doors are required to comply with UL 325 per the IBC, the IRC, and (for residential) Federal law.

Death and injury statistics are well established for individuals that have been entrapped by automated garage doors not in compliance with the UL 325 safety standard. The new language will be a preventive measure toward a reduction of death and injuries by requiring regular inspecting of automated door systems including automated garage doors.

**Cost Impact:** The code change proposal will not increase the cost of construction.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

ICCFILENAME: HETZEL-PM1-302.7.DOC



## PM5–09/10

### 304.19 (New)

**Proponent:** Joseph R. Hetzel, Thomas Associates, Inc., representing the Door & Access Systems Manufacturers Association (DASMA)

**Add new text as follows:**

**304.19 Gates.** All exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances shall tightly secure the gates.

**Reason:** The purpose of the proposed code change is to address maintenance aspects of gates, and is patterned after Section 304.15. The phrase “operator systems if provided” draws attention to automated gates, for checking on the performance to their intended functions while checking on the presence of any automated gate safety functions and whether they are working.

The current provisions are inadequate because they do not consider the increased positive effect on public safety by effectively maintaining automated gate systems. The proposed language fills this need, with code precedence for automated gates helping define an effective evaluation for maintenance purposes. As an example, automated gates are required to comply with UL 325 and ASTM F 2200 per the IBC and the IFC.

Death and injury statistics are well established for individuals that have been entrapped by automated gates not in compliance with the UL 325 and ASTM F2200 safety standards. The new provisions will be a preventive measure toward a reduction of death and injuries by encouraging regular inspecting of automated gate systems.

**Cost Impact:** The code change proposal will not increase the cost of construction.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

ICCFILENAME: HETZEL-PM3-304.19.DOC

## PM6–09/10

### 305.3

**Proponent:** Thomas P. Mahar, New York State Department of State – Codes Division

**Revise as follows:**

**305.3 Interior surfaces.** All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Deteriorated lead-based paint shall be controlled using approved lead-safe working practices. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

**Reason:** The basic IPMC document, in Section 305.3, devoted one sentence to “peeling, chipping, flaking or abraded paint shall be repaired, removed or covered.” This section does not mention lead-based paint; however, the accompanying IPMC Commentary devotes well over a half-page of text on the hazards of lead-based paint. Because the commentary is not the official code text and also because many code officials do not obtain a copy of this document, they may not be aware of the significant threats posed by lead-based paint. The purpose of this code change is to add language which alerts the code official of the danger and also direct the code official to other areas where additional assistance is available.

The proposal is superior to the current provision because it provides some helpful information while the current code provision offers no information on the dangers associated with lead-based paint. The reason for including the helpful information here in this particular code section is that lead-based paint is and continues to be the most significant source of high-lead exposure for children in the United States. While the highest risk is for pre-1946 housing, there is continued high risk for all housing built before the federal ban on high-lead paint in 1977. Nationally, tens of millions of existing housing units were built prior to the ban and many of these units are in increasingly dilapidated condition. Exposure to lead is associated with a range of serious health effects on children, including detrimental effects on cognitive and behavioral development with serious personal and social consequences that may persist throughout their lifetime. Lead poisoning is a completely preventable condition. The proposed addition to this code section will alter the code official that older housing stock is a big potential source of lead and to educate the code official in considering effective solutions by coordinating efforts with other agencies.

**Cost Impact:** The code change proposal will not increase the cost of construction.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

ICCFILENAME: MAHAR-PM1-305.3.DOC

# PM7-09/10

308

**Proponent:** Robert F. Hale, Jr., Town of Warrenton, VA, representing Virginia Building Code Officials Association

**1. Revise section title as follows:**

**SECTION 308**  
**RUBBISH AND GARBAGE AND OTHER MATERIALS**

**2. Add new text as follows:**

**308.4 Accumulation of other materials.** Materials of any type shall not be accumulated within a structure so as to impede upon the safe occupancy or egress from the space or significantly alter its intended use.

When materials of any type are gathered together within a room or space so as to limit the space within the room anywhere between 2' and 6' above the finished floor to less than the required square footage specified in Section 404 of this code, then the room or space in question shall then be considered a storage area as defined in Section 311.2 or 311.3 of the *International Building Code* and subsequently a change of occupancy as specified in Section 3408 of the *International Building Code*.

If the materials stored within a room or space exceed the permitted floor loading, then the room or space in question shall then be considered a storage area as defined in Section 311.2 or 311.3 of the *International Building Code* and subsequently a change of occupancy as specified in Section 3408 of the *International Building Code*.

**Reason:** The accumulation of materials within dwelling units and other spaces is an unsafe practice that leads to blocked egress, super-imposed loads, non-functional spaces as well as being a potentially deadly fire hazard. This proposed code section permits the code official enforcement option where none existed before to deal with conversions of use to storage.

**Cost Impact:** The code change proposal will not increase the cost of construction.

Public Hearing:	Committee:	AS	AM	D
	Assembly:	ASF	AMF	DF

ICCFILENAME: HALE-PM1-308

# PM8-09/10

404

**Proponent:** Jeffrey N. Gentile, PE, Upper Darby Township, representing Pennsylvania Association of Building Code Officials, Inc.

**1. Revise as follows:**

**~~404.4 Bedroom and living room requirements.~~** Every ~~bedroom and living room~~ shall comply with the requirements of Sections 404.4.1 through 404.4.5.

**~~404.4.1 Room area. Area~~** ~~Every living room shall contain at least 120 square feet (11.2m<sup>2</sup>) and every bedroom shall contain at least 70 square feet (6.5m<sup>2</sup>).~~

**404.4.1 Area for sleeping purposes.** Every bedroom occupied by one person shall contain at least 70 square feet (6.5m<sup>2</sup>) of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet (4.6m<sup>2</sup>) of floor area for each occupant thereof.

**~~404.5 Overcrowding.~~** ~~The number of persons occupying a *dwelling unit* shall not create conditions that, in the opinion of the *code official*, endanger the life, health, safety or welfare of the *occupants*. Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.~~

**2. Add new text as follows:**

**404.5.1 Sleeping area.** The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4.

**404.5.2 Combined spaces.** Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

**TABLE 404.5  
MINIMUM AREA REQUIREMENTS**

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more Occupants
Living room <sup>a,b</sup>	No requirements	120	150
Dining room <sup>a,b</sup>	No requirements	80	100
Bedrooms	Shall comply with Section 404.4		

For SI: 1 square foot = 0.929 m<sup>2</sup>

- a. See Section 404.5.2 for combined living room/dining room spaces.
- b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

**Reason:** This change puts specific occupancy numbers back into the property maintenance code as were outlined in the 2003 IPMC. These requirements were eliminated in the 2006 IPMC and this proposal puts them back in. The current wording puts too much onus on the code official to prove overcrowding and leaves the determination wide open to interpretation. Being able to determine specific occupancy limits makes it easier for the code official to determine whether a dwelling unit violates the overcrowding provisions of the code.

**Cost Impact:** The code change proposal will not increase the cost of construction.

**Analysis:** Code change proposals PM8, PM9 and PM10 deal with minimum room area requirements. PM10 proposes placing minimum area requirements in an appendix. The committee needs to make its intent clear with respect to the location of these requirements, if approved.

Public Hearing: Committee: AS AM D  
Assembly: ASF AMF DF

ICCFILENAME: GENTILE-PM1-404.4.DOC

## PM9–09/10

### 404.4.1, 404.5, Table 404.5 (New), 404.5.1 (New), 404.5.2 (New)

**Proponent:** Sean P. Farrell, Prince William County Virginia, representing Virginia Building and Code Officials Association

#### 1. Revise as follows:

**404.4.1 Room area.** Every living room shall contain at least 120 square feet (11.2 m<sup>2</sup>) and every bedroom shall contain at least 70 square feet (6.5 m<sup>2</sup>) and every bedroom occupied by more than one person shall contain at least 50 square feet (4.6 m<sup>2</sup>) of floor area for each occupant thereof.

**404.5 Overcrowding.** ~~The number of persons occupying a dwelling unit shall not create conditions that, in the opinion of the code official, endanger the life, health, safety or welfare of the occupants. Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.~~

#### 2. Add new table and text as follows:

**TABLE 404.5  
MINIMUM AREA REQUIREMENTS**

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room <sup>a,b</sup>	120	120	150
Dining room <sup>a,b</sup>	No requirement	80	100
Bedrooms	Shall comply with Section 404.4.1		

For SI: 1 square foot = 0.093 m<sup>2</sup>

- a. See Section 404.5.2 for combined living room/dining room spaces.
- b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

**404.5.1 Sleeping area.** The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4.

**404.5.2 Combined spaces.** Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

**Reason:** Code officials need objective criteria in which to draw conclusions and make educated and calculated decisions. The current code language "in the opinion of" is as subjective as language and text can be. By adding the square footage table back into the code, the official has objective criteria based upon reasonable and normal household conditions that account for live and dead loading. In most cases, the numbers in the table are very liberal but are effective at dealing with true overcrowded rooms and structures. The reason the language was stricken from the code several years ago was to allow for a couple and their small child(ren) to occupy a single room less than 150 square feet. This option is still afforded to the code official by way of code modification. Additionally, a strict interpretation of the current language does not allow for individual overcrowded room situations, the code official must take the entire unit into consideration even when the occupants may not have rights to the entire unit. We feel that is an unnecessary limitation imposed on the code official trying to ensure the safety of the occupants.

**Cost Impact:** The code change proposal will not increase the cost of construction.

**Analysis:** Code change proposals PM8, PM9 and PM10 deal with minimum room area requirements. PM10 proposes placing minimum area requirements in an appendix. The committee needs to make its intent clear with respect to the location of these requirements, if approved.

Public Hearing: Committee: AS AM D  
 Assembly: ASF AMF DF

ICCFILENAME: FARRELL-PM1-404.4.1.DOC

## PM10–09/10 Appendix B (New)

**Proponent:** John Morgan, City of Frontenac, MO, representing Missouri Association of Building Officials and Inspectors

**Add new appendix as follows:**

### APPENDIX B DWELLING UNIT OVERCROWDING

#### SECTION B101 OVERCROWDING

**B101.1 Overcrowding.** Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table B101.1:

**TABLE B101.1**  
**MINIMUM AREA REQUIREMENTS**

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
<u>Living rooms<sup>a</sup></u>	No requirements	120	150
<u>Dining rooms<sup>a</sup></u>	No requirements	80	100
Bedrooms	<u>Every bedroom occupied by one person shall contain at least 70 square feet (6.5 m<sup>2</sup>) of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet (4.6 m<sup>2</sup>) of floor area for each occupant thereof.</u>		

a. Combined spaces: A dining room and living room may be combined if so designed to function as a combination space and if the total area is the combined area for the separate rooms from the above table.

**Reason:** The property maintenance code was changed in 2003 to remove an overcrowding requirement with relation to bedroom sizes. This has been a long standing requirement in at least one of the legacy property maintenance codes. The current wording is very subjective. A code official or fire official can determine if there is a structural hazard or fire hazard but how does one arbitrarily determine that there are too many people occupying a dwelling unit. In fact, section 404.6 of the code seems to contradict the very reasoning of section 404.5. How is it that an efficiency unit requires minimum occupancy requirements but other dwelling units do not? One could argue that the fuel load in an efficiency unit is less than that in other dwelling units and that there is safer egress from an efficiency unit. With regard to dwelling units; is a bedroom that is 15 feet by 10 feet with six bunk beds sufficient or is it overcrowding? Also, if a dwelling was constructed to an adopted code and the bedrooms meet the egress requirements and notification requirements of that code, based on the current wording of the property maintenance code a large number of people could technically sleep in the bedroom and there can be little to no legal argument otherwise. Is that what the maintenance code was intended to do? Some officials may want to take on that kind of liability, however we believe there needs to be some guidance for the code official and therefore we are recommending that an appendix A be added to the IPMC utilizing a long standing and well tested method of determining the occupant load for a single family dwelling. This way a jurisdiction could adopt the appendix or decide to make arbitrary decisions on occupancy limits as allowed in section 404.5. This appendix will provide the code official with the intent of preventing overcrowding utilizing a standard measurement.

After talking with the fair housing investigation unit in St. Louis, Missouri it was concluded that an arbitrary decision by a code official could in fact be considered discrimination in certain cases and that some type of standard measure is needed and that when discrimination cases have been investigated the bedroom square footage limits were considered reasonable, this is based partially on the Keating (HUD general counsel) memo of 1991 and subsequent court cases.

**Cost Impact:** The code change proposal will not increase the cost of construction.

**Analysis:** Code change proposals PM8, PM9 and PM10 deal with minimum room area requirements. PM10 proposes placing minimum area requirements in an appendix. The committee needs to make its intent clear with respect to the location of these requirements, if approved.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

ICCFILENAME: MORGAN-PM1-APPENDIX B.DOC

## PM11–09/10

### 404.6

**Proponent:** Charles B. Campbell, Faulkner University, Jones School of Law, representing self

**Add as follows:**

**404.6 Efficiency unit.** Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than one occupant shall have a clear floor area of not less than 120 square feet (11.2 m<sup>2</sup>). A unit occupied by not more than two occupants shall have a clear floor area of not less than 220 square feet (20.4 m<sup>2</sup>). A unit occupied by three occupants shall have a clear floor area of not less than 320 square feet (29.7 m<sup>2</sup>). These required areas shall be exclusive of the areas required by Items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and *ventilation* conforming to this code shall be provided.
3. The unit shall be provided with a separate *bathroom* containing a water closet, lavatory and bathtub or shower.
4. The maximum number of *occupants* shall be three.

**Reason:** The proposal would add a new sentence to IPMC § 404.6(1) relating to single-resident occupancy (SRO) in efficiency units. Current IPMC § 404.6(1) defines minimum square footage in efficiency units based upon an occupancy limit of either two or three. As such, the minimum clear floor area is based on an occupancy limit of two and requires 220 square feet (20.4 m<sup>2</sup>). The section does not explicitly provide for single-resident occupancy, which should require less space.

Moreover, the 220-square-foot minimum (which excludes the kitchen and bath areas in § 404.6(2) & (3)) exceeds the 150-square-foot minimum gross floor area recommended for SROs by the *APHA-CDC Recommended Minimum Housing Standards*. If the kitchen and bath areas occupy only another 100 square feet, IPMC § 404.6 effectively requires a minimum of 320 square feet for single-resident occupancy.

A minimum of 120 square feet in § 404.6(1), plus the kitchen and bath areas, would ensure that SROs exceed the 150 square feet of gross floor area recommended by the APHA and CDC. Given the negative impact excessive minimum square footage requirements can have on affordable housing, IPMC § 404.6(1) should be amended to permit a smaller clear floor area for SROs.

#### **Bibliography:**

Eric W. Mood ed., *Housing and Health: APHA-CDC Recommended Minimum Housing Standards* § 9.02.01 (1986).  
Cal. Health & Safety Code § 17958.1 (West 2006) (“a city or county may, by ordinance, permit efficiency units for occupancy by no more than two persons which have a minimum floor area of 150 square feet”).

**Cost Impact:** The code change proposal will not increase the cost of construction.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

ICCFILENAME: CAMPBELL-PM1-404.6.DOC

## PM12 –09/10

### 504.3, 504.4 (New)

**Proponent:** Ronald L. George, Ron George Design & Consulting Services, representing self

**THIS PROPOSAL IS ON THE AGENDA OF THE IPC CODE DEVELOPMENT COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THE IPC CODE DEVELOPMENT COMMITTEE.**

**Revise as follows:**

**504.3 Plumbing system hazards.** Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, backsiphonage, improper installation, scald hazard, deterioration or damage or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

**504.4 Scalding hazards.** Every shower, bathtub or combination tub/shower shall be equipped with a temperature or pressure compensation shower valve conforming to ASSE 1016 or CSA B-125.1 with a maximum temperature limit stop adjustable to limit hot water temperatures to a maximum of 120 degrees F.

#### Exceptions:

1. A compensating type shower valve is not required if a properly sized master thermostatic mixing valve is installed at the hot water source conforming to ASSE 1017 or ASME A112.18.1/CSA B-125.1 and set to limit the hot water distribution temperature to a maximum of 120 degrees F.
2. A compensating type shower valve is not required if a properly sized thermostatic mixing valve conforming to ASSE 1070 or CSA B-125.3 is installed near the fixtures and set to limit the hot water distribution temperature to a maximum of 120 degrees F.
3. A compensating type shower valve is not required if a temperature actuated flow reduction device conforming to ASSE 1062 is installed on the shower arm and the tub fill spout.

**Reason:** Currently there is not any specific language guiding inspectors for safety hazards associated with plumbing and scalding hazards in older buildings. Scalding hazards are one of the most painful and most common injuries in older apartments, and rental properties with two-handled non-compensating type shower valves.

The proposed language is intended to address these life altering and very painful injuries which commonly occur in older buildings and apartments. The property maintenance code allows inspectors to correct hazardous conditions but does not specifically address one of the biggest hazards in a home, scalding.

**Cost Impact:** The code change proposal will cause a minimal cost increase.

**Analysis:** All standards referenced in this proposal are currently referenced in other I-Codes.

Public Hearing:	Committee:	AS	AM	D
	Assembly:	ASF	AMF	DF

ICCFILENAME: GEORGE-PM1-504.4.DOC

## PM13–09/10

### 506.3

**Proponent:** Sean P. Farrell, Prince William County Virginia, representing Virginia Building and Code Officials Association

**THIS PROPOSAL IS ON THE AGENDA OF THE IPC CODE DEVELOPMENT COMMITTEE. SEE THE TENTATIVE HEARING ORDER FOR THE IPC CODE DEVELOPMENT COMMITTEE.**

**Revise as follows:**

**506.3 Grease interceptors.** ~~Where it has been determined that a grease interceptor is not being maintained and serviced as intended by this code and the manufacturer's instructions, an *approved* interceptor monitoring system shall be provided or a maintenance program shall be established with documentation submitted to the *code official*.~~ Grease interceptors, grease traps and automatic grease removal devices shall be maintained in accordance with this code and the manufacturer's installation instructions. Grease interceptors, grease traps and automatic grease removal devices

shall be regularly serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes. All records of maintenance, cleaning and repairs shall be available for inspection by the code official.

**Reason:** The 2009 IPMC only requires a routine maintenance program after the code official determines that the grease interceptor is not being maintained. The revised text clarifies that grease interceptors, grease traps and automatic grease removal devices require on-going routine maintenance in order to perform their intended function. Any such maintenance should be in accord with the manufacturer's maintenance criteria. The proposed language is coordinated with the provisions of Section 1003.1 of the IPC which establishes when these devices are required to be installed. Failure to maintain these devices results in public health risks via sanitary sewer overflows into buildings, roads and streams and premature deterioration and failure of public and private sewage systems.

**Cost Impact:** The code change proposal will not increase the cost of construction

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

ICCFILENAME: FARRELL-PM2-506.3.DOC

## PM14-09/10

### 603.7 (New)

**Proponent:** Mona Casey, United Parents to Restrict Open Access to Refrigerant

**Add new text as follows:**

**603.7 Existing HVAC systems. Refrigerant circuit access ports located outdoors shall be provided with locking-type tamper-resistant caps whenever the system is modified, serviced, or repaired.**

**Reason:** The purpose of this code modification is to add new requirements to the Code. The existing code does not address the issue of accessibility to refrigerant by unauthorized individuals. Refrigerant is extremely dangerous and potentially lethal.

**Facts:**

- Refrigerant "can cause death without warning".
- Refrigerant is considered a gateway drug because users often progress from refrigerant use to drug and alcohol abuse.
- Refrigerant is not a cumulative substance where chances of dying from it increase as the dosage and number of use increases. It can kill on the 1<sup>st</sup>, 10<sup>th</sup>, 100<sup>th</sup>, or any other time. 33 percent of deaths resulting from refrigerant huffing occurred on the 1<sup>st</sup> use.
- Refrigerant, like other poisons, must be kept out of reach of children.
- Refrigerant theft is increasing.
- According to Mike Opitz, Certification Manager, LEED for Existing Buildings, U.S. Green Building Council, chlorine in CFCs and HCFCs destroy the ozone and depletes the Earth's natural shield for incoming ultraviolet radiation and absorb outgoing infrared radiation from the earth, functioning as potent greenhouse gases.

**National Statistics:**

- The National Institute on Drug Abuse reports that one in five American teens have used Inhalants to get high.
- According to Stephen J. Pasierb, President and CEO of The Partnership for Drug-Free America, 22% of 6th and 8th graders admitted abusing inhalants and only 3% of parents think their child has ever abused inhalants.
- An analysis of 144 Texas death certificates by the Texas Commission on Alcohol and Drug Abuse involving misuse of inhalants found that the most frequently mentioned inhalant (35%) was Freon (51 deaths). Of the Freon deaths, 42 percent were students or youth with a mean age of 16.4 years.
- Suffocation, inhaling fluid or vomit into the lungs, and accidents each cause about 15% of deaths linked to inhalant abuse.
- National Institute on Drug Abuse's 'Monitoring the Future' study reveals that inhalant abuse among 8th graders is up 7.7% since 2002.
- 55% of deaths linked to inhalant abuse are caused by "Sudden Sniffing Death Syndrome." SSDS can occur on the first use or any use.

Inhalant causes the heart to beat rapidly and erratically, resulting in cardiac arrest.

- 22% of inhalant abusers who died of SSDS had no history of previous inhalant abuse. In other words, they were first-time users.

**Collier County, FL Statistics:**

- The use of inhalants in middle schools has doubled in two years
- The average age a child starts using drugs or alcohol is just 12½
- Every third day a child is taken to the hospital because of a drug overdose
- 85 percent of all juvenile criminal cases are substance related
- Deaths due solely to drug toxicity increased 76% between 1998 and 2005
- The modification of this code will have an immense positive impact on the safety and health of our citizens, especially our youth. It will reduce the number of deaths associated with Inhalant abuse and the number of injuries associated with Freon accidents and leaks.

**Cost Impact:** The code change proposal will increase the cost of construction by \$25-\$30.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

ICCFILENAME: CASEY-PM1-603.7.DOC

# PM15–09/10

## 604.3.1.1

**Proponent:** Bob Eugene, Underwriters Laboratories, Inc.

**Revise as follows:**

**604.3.1.1 Electrical equipment.** Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground-fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, water heaters, appliances, electronic equipment, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the *International Building Code*.

**Exception:** The following equipment shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement:

1. Enclosed switches, rated 600 volts or less;
2. Busway, rated 600 volts or less;
3. Panelboards, rated 600 volts or less;
4. Switchboards, rated 600 volts or less;
5. Fire pump controllers, rated 600 volts or less;
6. Manual and magnetic motor controllers;
7. Motor control centers;
8. Alternating current high-voltage circuit breakers;
9. Low-voltage power circuit breakers;
10. Protective relays, meters and current transformers;
11. Low- and medium-voltage switchgear;
12. Liquid-filled transformers;
13. Cast-resin transformers;
14. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water;
15. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water;
16. Luminaires that are listed as submersible;
17. Motors;
18. Electronic control, signaling and communication equipment.

**Reason:** These additional items need to be replaced when exposed to water. Floodwater contaminants can create serious fire hazards if electrical wiring and equipment have been submerged in water. Even with professional cleaning and drying, sediments and toxins are difficult to remove. Corrosion and insulation damage can occur when water and silt get inside electrical devices and products. Water can also damage the motors in electrical appliances.

**Cost Impact:** The code change proposal will not increase the cost of construction.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

ICCFILENAME: EUGENE-PM2-604.3.1.1.DOC

# PM16–09/10

## 605.2, 605.3, 605.4 (New)

**Proponent:** Bob Eugene, Underwriters Laboratories, Inc.

**Revise as follows:**

**605.2 Receptacles.** Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.



**605.3 Luminaires.** Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric luminaire. Pool and spa luminaries over 15 V shall have ground fault circuit interrupter protection.

**605.4 Wiring.** Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings.

**Reason:** Missing or broken receptacle outlet covers should be replaced to prevent inadvertent contact with live parts within the outlet. Flexible cords are not evaluated for use as permanent wiring in a building and are not allowed by the IFC. GFCI protection of pool and spa luminaires is critical for the safety of the users.

**Cost Impact:** The code change proposal will not increase the cost of construction.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

ICCFILENAME: EUGENE-PM3-605.2.DOC

## **PM17–09/10**

### **702 (New)**

**Proponent:** Gregory J. Cahanin, Cahanin Fire & Code Consulting, representing the Michael Minger Foundation

#### **1. Revise as follows:**

Reorder the Sections in Chapter 7 to the same order found in the IFC for requirements covered.

Section 701 General  
Section 702 Emergency Planning and Preparedness (New)  
Section 703 Fire Resistance Ratings  
Section 704 Fire Protection Systems  
Section 705 Means of Egress

#### **2. Add new section as follows:**

### **SECTION 702** **EMERGENCY PLANNING AND PREPAREDNESS**

**702.1 Fire safety and evacuation plans.** Fire safety and evacuation plans shall comply with the provisions of Sections 702.1.1 through 702.1.4.

**702.1.1 Where required.** An approved fire safety and evacuation plan shall be prepared and maintained for the following occupancies and buildings.

1. Group A, other than Group A occupancies used exclusively for purposes of religious worship that have an occupant load less than 2,000.
2. Group B buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.
3. Group E.
4. Group F buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.
5. Group H.
6. Group I.
7. Group R-1.
8. Group R-2 college and university buildings.
9. Group R-4.
10. High-rise buildings.
11. Group M buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.
12. Covered malls exceeding 50,000 square feet (4645 m<sup>2</sup>) in aggregate floor area.
13. Underground buildings.
14. Buildings with an atrium and having an occupancy in Group A, E or M.

**702.1.2 Contents.** Fire safety and evacuation plan contents shall be in accordance with Sections 702.1.2.1 and 702.1.2.2.

**702.1.2.1 Fire evacuation plans.** Fire evacuation plans shall include the following:

1. Emergency egress or escape routes and whether evacuation of the building is to be complete or, where approved, by selected floors or areas only.
2. Procedures for employees who must remain to operate critical equipment before evacuating.
3. Procedures for assisted rescue for persons unable to use the general means of egress unassisted.
4. Procedures for accounting for employees and occupants after evacuation has been completed.
5. Identification and assignment of personnel responsible for rescue or emergency medical aid.
6. The preferred and any alternative means of notifying occupants of a fire or emergency.
7. The preferred and any alternative means of reporting fires and other emergencies to the fire department or designated emergency response organization.
8. Identification and assignment of personnel who can be contacted for further information or explanation of duties under the plan.
9. A description of the emergency voice/alarm communication system alert tone and preprogrammed voice messages, where provided.

**702.1.2.2 Fire safety plans.** Fire safety plans shall include the following:

1. The procedure for reporting a fire or other emergency.
2. The life safety strategy and procedures for notifying, relocating, or evacuating occupants, including occupants who need assistance.
3. Site plans indicating the following:
  - 3.1. The occupancy assembly point.
  - 3.2. The locations of fire hydrants.
  - 3.3. The normal routes of fire department vehicle access.
4. Floor plans identifying the locations of the following:
  - 4.1. Exits.
  - 4.2. Primary evacuation routes.
  - 4.3. Secondary evacuation routes.
  - 4.4. Accessible egress routes.
  - 4.5. Areas of refuge.
  - 4.6. Exterior areas of assisted rescue.
  - 4.7. Manual fire alarm boxes.
  - 4.8. Portable fire extinguishers.
  - 4.9. Occupant-use hose stations.
  - 4.10. Fire alarm annunciators and controls.
5. A list of major fire hazards associated with the normal use and occupancy of the premises, including maintenance and housekeeping procedures.
6. Identification and assignment of personnel responsible for maintenance of systems and equipment installed to prevent or control fires.
7. Identification and assignment of personnel responsible for maintenance, housekeeping and controlling fuel hazard sources.

**702.1.3 Availability.** Fire safety and evacuation plans shall be available in the workplace for reference and review by employees, and copies shall be furnished to the fire code official for review upon request.

**702.1.4 Posting of evacuation plan.** A posted evacuation plan consisting of an actual floor plan layout identifying the available evacuation routes with room and space identifications such as areas of rescue assistance shall be provided within the hotel guest room or a resident room in dormitories in the proximity of the room entrance door.

**702.3 Emergency evacuation drills.** Emergency evacuation drills complying with the provisions of this section shall be conducted at least annually in the occupancies listed in Section 702.1.1 or when required by the fire code official. Drills shall be designed in cooperation with the local authorities.

**702.3.1 Frequency.** Required emergency evacuation drills shall be held at the intervals specified in Table 702.3.1 or more frequently where necessary to familiarize all occupants with the drill procedure.

**TABLE 702.3.1  
FIRE AND EVACUATION DRILL FREQUENCY AND PARTICIPATION**

<u>GROUP OR OCCUPANCY</u>	<u>FREQUENCY</u>	<u>PARTICIPATION</u>
Group A	Quarterly	Employees
Group B <sup>c</sup>	Annually	Employees
Group E	Monthly <sup>a</sup>	All occupants
Group F	Annually	Employees
Group I	Quarterly on each shift	Employees <sup>b</sup>
Group R-1	Quarterly on each shift	Employees
Group R-2 <sup>d</sup>	Four annually	All occupants
Group R-4	Quarterly on each shift	Employees <sup>b</sup>
High-rise buildings	Annually	Employees

- a. The frequency shall be allowed to be modified in accordance with Section 702.3.1.
- b. Fire and evacuation drills in residential care assisted living facilities shall include complete evacuation of the premises to a selected assembly point. Where occupants receive habitation or rehabilitation training, fire prevention and fire safety practices shall be included as part of the training program.
- c. Group B buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.
- d. Applicable to Group R-2 college and university buildings in accordance with Section 702.1.

**702.3.2 Time.** Drills shall be held at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of fire.

**702.4 Employee training and response procedures.** Employees in the occupancies listed in Section 702.1 shall be trained in the fire emergency procedures described in their fire evacuation and fire safety plans. Training shall be based on these plans and as described in Section 702.1.2.1.

**702.4.1 Frequency.** Employees shall receive training in the contents of fire safety and evacuation plans and their duties as part of new employee orientation and at least annually thereafter. Records shall be kept and made available to the fire code official upon request.

**702.4.2 Evacuation training.** Employees shall be familiarized with the fire alarm and evacuation signals, their assigned duties in the event of an alarm or emergency, evacuation routes, areas of refuge, exterior assembly areas, and procedures for evacuation.

**702.4.3 Maintenance.** Fire safety and evacuation plans shall be reviewed or updated annually or as necessitated by changes in staff assignments, occupancy, or the physical arrangement of the building.

**702.5 Use and occupancy-related requirements.** Sections 702.5.1 through 702.5.2.3 shall apply to the specific occupancies contained therein.

**702.5.1 General.** An approved fire safety and evacuation plan shall be prepared and maintained for Group R-2 college and university buildings as noted in 702.1.2.1 and 702.1.2.2.

**702.5.2 Group R-2.** Group R-2 college and university buildings shall comply with the requirements of Sections 702.5.2.1 and 702.5.2.3.

**702.5.2.1 Time of day.** Emergency evacuation drills shall be conducted at different hours of the day or evening, during the changing of classes, when the school is at assembly, during the recess or gymnastic periods, or during other times to avoid distinction between drills and actual fires. In Group R-2 college and university buildings, one required drill shall be held during hours after sunset or before sunrise.

**702.5.2.2 Emergency guide.** A fire emergency guide shall be provided which describes the location, function and use of fire protection equipment and appliances accessible to residents, including fire alarm systems, smoke alarms, and portable fire extinguishers. The guide shall also include an emergency evacuation plan for each dwelling unit or sleeping unit.

**702.5.2.3 Distribution.** A copy of the emergency guide shall be given to each tenant prior to initial occupancy.

**Reason:** The initial change is to reorder the Chapter 7 Sections in the same order as the Chapter order in the International Fire Code (IFC) where most of the material is derived.

A new Section 702.1.4 on posting an evacuation plan near dorm room entrance doors is to be coordinated with an identical IFC proposal. The posting of a plan in a room will assist all occupants in an emergency, but in may be of particular assistance to individuals with special cognitive needs in determining alternative egress paths in an emergency.

The new text proposed is extracted from the IFC (404.3.1, 404.3.2, 404.4, and 408) is proposed for inclusion in the IPMC in concert with the IPMC scope and intent. It is recognized that the provisions found within the IPMC are extracts from other international codes. The scope of the IPMC notes that these provisions shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties. The intent of the IPMC is construed to secure its expressed intent, which is to ensure public health, safety and welfare in so far as they are affected by the continued occupancy and maintenance of structures and premises.

The IPMC when adopted by a community becomes a handbook of sorts for property owners in defining requirements they must adhere to for the safety of residents or occupants. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein. The proposed extracted text from the IFC addresses emergency planning and response requirements for occupants in the event of an emergency to ensure their safety. This inclusion in the IPMC document provides for additional means to define for the general population and building owner's requirements associated with occupants egress involved with fire evacuation plans and fire safety plans.

The submittal of this proposal and several others with the ICC is part of the work of the Michael H. Minger Foundation, as a result of a Department of Homeland Security Fire Prevention and Safety Grant to study how colleges and universities respond to and provide for students with physical and learning disabilities in a fire event. The study identified model practices being used by campuses regarding fire safety, housing and evacuation policies and procedures. The proposed changes to the IPMC lay the foundation for uniform fire safety planning in the campus environment in a nationally recognized document while also establishing a clear base for egress planning and performance in all types of occupancies.

The Michael H. Minger Foundation was established in 2005. The purpose of the Foundation is to improve fire safety standards and enhance fire safety systems on college and university campuses and to educate parents and students and raise awareness of the reality and risk of campus fires. This non-profit organization was founded to honor the life of Michael H. Minger, an outstanding young man, who lost his life in a college dormitory fire. The Michael Minger Act in Kentucky established a requirement for fire sprinklers in college housing. A governor's task force focusing on campus safety in Kentucky was lead by Gail Minger, the director of the Michael H. Minger Foundation.

**Cost Impact:** The code change proposal will not increase the cost of construction.

**Analysis:** The maintenance of the technical content of proposed Section 702 will be the responsibility of the International Fire Code Development Committee. The need for and suitability of having the new section within the IPMC is a matter to be determined by the International Property Maintenance Code Development Committee.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

ICCFILENAME: CAHANIN-PM1-702.DOC

## **PM18–09/10**

### **Chapter 8 (New)**

**Proponent:** Howard Asch, City of East Lansing, representing Michigan Association of Housing Officials

**Add new chapter as follows:**

#### **CHAPTER 8**

#### **HEALTH**

#### **801**

#### **GENERAL**

**801.1 Scope.** The provisions of this chapter shall govern the minimum conditions and standards for the health of persons at a premises.

**801.2 Responsibility.** The owner of the premises shall maintain the premises in compliance with these requirements, except as provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy or allow the public to use any premises which does not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit or persons in control of any space are responsible for keeping the areas they occupy or control free from hazards to health.

**801.3 Approved agency.** An approved agency is an established and recognized agency regularly engaged in conducting tests or furnishing inspections services, when such agency has been approved by the code official. The code official shall accept a report from an approved agency as basis upon which to determine compliance in accordance with this chapter.

**801.4 Testing.** The code official is authorized to require the owner or occupant responsible for maintenance to provide findings from an approved agency when, in the opinion of the code official, it is likely that there exists a hazard to health in violation of the requirements of this chapter. The report of an approved agency shall be deemed sufficient to establish whether a premise is in compliance with the requirements of this chapter. The building owner or occupant responsible as set forth in section 801.2 shall pay the cost of inspection and testing by an approved agency.

**801. Vacating.** When an area is required to be vacated by this chapter, occupancy shall be prohibited except by persons actively engaged in removing a hazard to health. The code official shall order the area to be vacated in accordance with section 108 of this code.

## **802 EXCREMENT**

**802.1 Exterior accumulations.** Excrement shall not accumulate in any yard area and shall be contained and disposed of in a safe and sanitary manner so as to control insects, vermin, odor and the spread of disease.

**Exception:** Waste from animals raised for commercial purposes that is contained and safely disposed of in a manner consistent with general agricultural practices shall not be regulated.

**802.2 Interior accumulation.** Excrement shall not be allowed to accumulate in any dwelling unit except in an approved device which is properly maintained to contain excrement and control odor.

## **803 FRIABLE HAZARDOUS MATERIALS**

**803.1 Maintenance.** Materials containing friable hazardous particles including but not limited to asbestos, lead, arsenic or crystalline silica shall be maintained in such a manner as to prevent friable particles from becoming airborne or ingestible.

**803.2 Abatement.** When exposed friable particles are determined by an approved agency to be present in hazardous quantities, the condition causing the material to become friable shall be abated and the exposed area shall be cleared of hazardous particles. The code official is authorized to order occupancy of the affected space to be prohibited until the contaminated area has been certified by an approved agency as safe for normal occupancy, and the cause of the material becoming friable has been abated or the friable material has been removed.

## **804 HAZARDOUS GASEOUS MATERIALS**

**804.1 Allowable levels.** The following gaseous hazardous substances shall not exceed allowable specified levels within a dwelling unit:

Carbon monoxide--35 PPM 8 hour time weighted average; 200 PPM maximum concentration  
Formaldehyde-- 0.5 PPM based on a 30 minute sampling period  
Radon-- 4 picocuries/liter

When another adopted standard conflicts with these allowable levels, the more restrictive shall apply.

**804.2 Abatement.** Gaseous hazardous substances determined by an approved testing agency to exceed the levels provided in section 804.1 shall be abated. The code official is authorized to order the affected area to be vacated until testing by an approved agency finds the area to be in compliance with section 804.1.

## **805 PESTICIDES**

**805.1 Storage.** Pesticides shall be stored in the manner prescribed by the manufacturer and shall be used in areas and at concentrations in compliance with the labeling of the manufacturer.

**805.2 Abatement.** When a pesticide is determined by an approved agency to be in a location or at a concentration dangerous to human health and/or contrary to manufacturer labeling the code official is authorized to order the area containing such pesticide to be vacated until the hazard has been abated.

**806**  
**CHEMICAL CONTAMINATION**

**806.1 Vacating.** When determined by an approved agency that a dwelling unit is contaminated by a chemical at a concentration and in such a condition as to be hazardous to human health after short term exposure the code official is authorized to order the dwelling unit to be vacated and remain vacated until the hazard has been abated.

**806.2 Illegal Methamphetamine manufacturing sites.** A dwelling unit declared by a law enforcement agency or health official to be a site of illegal Methamphetamine manufacture shall be vacated and shall not be occupied until certified by an approved agency as safe from hazardous materials related to the Methamphetamine manufacturing process.

**807**  
**BIOLOGICAL HAZARDS**

**807.1 Waterborne organisms.** When determined by testing of an approved agency that the domestic water supply of a dwelling unit is contaminated with toxin producing bacteria, human parasite, or other organism deemed by an approved agency as dangerous to human health, the water supply shall be made safe. The code official is authorized to order the dwelling unit to be vacated until such time as the water supply is safe as determined by an approved agency. The code official is authorized to permit use of a water purification system capable of removing organisms or use of an alternative water supply on a temporary basis provided the water so supplied is safe for drinking and bathing.

**807.2 Airborne organisms.** Heating, air conditioning and ventilation systems shall be kept clean and maintained so as to prevent the growth of harmful organisms within the system.

**808**  
**AIR-BORNE CONTAMINATES**

**808.1 Air-borne contaminants.** Spaces in which air borne contaminants are generated shall comply with the International Mechanical Code requirements for hazardous exhaust systems. Contaminated air shall not be circulated between tenant spaces or dwelling units. Tobacco smoke shall be considered a hazardous contaminate for purposes of this section. Air may be circulated between tenant spaces or dwelling units when properly installed and maintained equipment first removes any contaminate.

**809**  
**SANITARY CLEANUP**

**809.1 Sanitary cleanup.** When an event occurs that makes occupancy of a space unsafe or unhealthful, the space shall not be occupied unless the unsafe conditions are removed in accordance with this section. Sewage spills and flooding shall be considered to make a space unsafe.

**809.2 Approved agency.** The code official may accept a report from an approved agency that certifies an unsafe or unhealthful condition has been eliminated as a basis for approving occupancy of a space.

**809.3 Prescriptive methods.** When the prescriptive methods contained in section 809.3.1 through 809.3.2 are used the hazard shall be deemed to have been abated.

**809.3.1 Sewage spills.** All water containing sewage and all sewage solids shall be removed and disposed of in a safe and sanitary manner. Every absorbent material in contact with sewage or water which contains sewage shall be removed. Every non-absorbent material in contact with sewage or water which contains sewage shall be cleaned with detergent and disinfected with a 10% solution of household bleach in water.

**809.3.2 Flood damage.** Any material that has been damaged or weakened by water shall be removed. Material saturated by water, such as insulation or gypsum board, shall be removed. All surfaces that support mold growth which have come in contact with water shall be removed or thoroughly dried and treated with a fungicide. All materials and systems required by this code and the International Building Code or the International Residential Code shall be replaced or restored to a dry condition and capable of performing the intended purpose. When flood water is known to be contaminated with harmful chemical compounds, the contamination shall be removed and the area shall be tested and found safe by an approved agency in addition to the other requirements of this section.

**810**  
**FOOD PREPARATION AREAS**

**810.1 Responsibility.** The occupant of each space with a food preparation or storage area shall be responsible to maintain that area in accordance with this section.

**810.2 Food preparation areas.** Food preparation areas shall be maintained free of spoiled or rotting foodstuffs. Grease shall not be allowed to accumulate on surfaces in food preparation areas, including counters, walls, floors, ceilings, appliances and storage areas.

**Reason:** The code does not presently address health related concerns very well. The proposal clearly enumerates various health issues and describes minimum standards to enable the code official to have a more solid legal standing to address those issues.

There are no universally accepted standards for carbon monoxide, formaldehyde or radon in a dwelling unit. Standards have been proposed for work places and the proposed standards for exposure to these gasses are taken from NIOSH HSM 73-11000 for carbon monoxide, NIOSH DHEW 77-126 for formaldehyde, and the U. S. Environmental Protection Agency for radon. The code official is authorized to accept documentation from an approved agency to establish compliance with other hazards where technical knowledge is required, much in the fashion an engineer's report would be accepted for a structural concern in a building. A clear basis for a decision strengthens the code official's position when challenged on appeal or in court.

**Cost Impact:** The code change proposal will not increase the cost of construction.

Public Hearing:	Committee:	AS	AM	D
	Assembly:	ASF	AMF	DF

ICCFILENAME: ASCH-PM1-CH 8 NEW