



WEST PALM BEACH

Development Services

January 7, 2021

Board of Directors
International Code Council
500 New Jersey Avenue NW, 6th Floor
Washington
DC 20001

Via mail and via email to memberinput@iccsafe.org

Dear International Code Council Board of Directors,

The City of West Palm Beach, is one of Florida's largest cities. We have total property values in excess of \$13 billion according to the county property appraiser, and each year on average, we issue 13,000 building permits, perform 25,000 plan reviews, and perform 42,000 inspections.

We note that, at the November 2020 meeting, the Board Committee on the Long-Term Code Development Process (LTCDP) voted to recommend updating the commercial and residential energy provisions in the International Energy Conservation Code (IECC) and Chapter 11 of the International Residential Code via the Code Council's Consensus Procedures rather than the governmental consensus process. That proposed change would eliminate the IECC and replace it with a standard. It is our understanding that the content of the standard would be decided by a committee whose composition will be determined solely by the International Code Council instead of the content being decided by voters representing the governmental jurisdictions that adopt and use the code as is the case now.

We are very concerned that the International Code Council Board of Directors is considering this change, and we strongly urge the Board to reject the proposed change.

The proposed change would remove the direct mode of participation by local governments who are tasked with implementing the code daily thus going against the model that has provided the highest level of safety in the world for more than 90 years and meets the National Standards Strategy of 2000, the OMB Circular A-119, Federal Participation in the Development of Use and Voluntary Consensus Standards and in Conformity Assessment Activities (1998). The benefit of the governmental consensus process recognized by the International Code Council is that it leaves the final determination of code provisions in the hands of the public safety officials, who, with no vested financial interest, can legitimately represent the public interest. The proposed change would leave the final determination in the hands of industry professionals with a biased financial interest in the content of the standard. Such a shift from the bottom-up model of government jurisdiction stakeholder participation is a shift away from the democratic process that has given us all a trusted and uniform code.

It is our observation that due to rapid technological advances in this field, the energy conservation code is the fastest evolving of all of the International Building Code volumes. Rejecting the proposed change will keep the governmental representatives from cities and counties fully engaged in the development of the code that they must adopt and enforce.

To date, the proposed change has been considered without notification to or consultation with the Governmental Member Voting Representatives. These are the stakeholders who will be most impacted on a daily basis by the proposed change.

We urge the Board to reject the proposed change. Failing that, we ask that a public announcement be issued regarding the proposal with a formal comment period of not less than 60 days so that Governmental Members may have input on such a critical decision that will impact the work that they perform daily.

We value the transparency that has been afforded by the International Code Council process for code development, and we look forward to ongoing participation in the future IECC development cycles.

Respectfully,

A handwritten signature in blue ink, appearing to read "Robert Brown", with a large, sweeping flourish underneath.

Robert Brown, CBO
Building Official