



Department of Regulatory and Economic Resources Department

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January 4, 2021

To: President, Greg Wheeler
Vice President, Cindy Davis
Secretary/Treasurer, Mike Wich
Past President, William Bryant
Section F Director, Alan Boswell
Director Mike Boso
Director Shirley Ellis
Director Steve McDaniel
Director Donny Phipps
Director Michael Savage
Director Jim Sayers
Director David Spencer
Director Angie Wiese
Section A Director, Stuart Tom
Section C Director, Tom Peterson
Section D Director, Ron Hampton
Section E Director, Kris Bridges

Subject: Support maintaining current ICC code development process (oppose replacement with an ICC standards process)

Dear Members of the International Code Council Board of Directors:

We are writing to urge the International Code Council Board of Directors to reject eliminating the International Energy Conservation Code and Chapter 11 of the International Residential Code (IRC) by adopting a standards process. Instead the current ICC code development process should be maintained. Regarding this matter, we would like to make the following additional points:

- We want to voice strong support for the current status quo ICC process and procedures which have been developed, disclosed, and followed in robust, open, secure, and equitable process.
- Many building officials throughout Miami-Dade County and the State of Florida have been participating in the ICC code development process for years. While the proposed standard process may include some pathways for local governments to contribute via committees, realistically it will severely limit the ability of local governments to participate. In contrast, the current code development process allows for adequate local governmental participation and is highly beneficial and with great merit, as codes are adopted, implemented, and enforced by local government code officials.

- Moving to a standard process would jeopardize the legitimacy of the ICC and IECC/IRC. The intention of our governmental voting representatives is to support public health, safety, and welfare through robust building codes. A standard would shift final determination of code provisions away from local governmental code professionals to a process more heavily influenced by special interests that may not prioritize public health, welfare and safety. The current process should be maintained, as it provides input opportunities to all stakeholders and does not further diminish the role of qualified government code officials in decision-making.
- ICC's decision-making timeframe is extremely short, even more so considering the truly significant change being proposed. Through our industry networks, we have learned that a significant number of local and state code officials are unaware of the proposed procedural changes. The lack of transparency and the limited opportunity for member input is unprecedented and truly concerning.
- Due to the short timeframe before the upcoming vote, a comprehensive assessment of the multiple and potentially significant procedural, technical, and legal ramifications (negative or positive) of the proposed change has not been conducted and shared with members.
- Miami-Dade County has been a longstanding member of the ICC and has had the opportunity to participate in many IECC votes, both in-person, and electronically. ICC's current process is truly democratic, which increases the validity of the IECC and has made ICC membership even more worthwhile. We would question the relevance of our future membership if the process is changed as proposed.

The intention of our governmental voting representatives is to support public health, safety, and welfare through robust building codes. On behalf of Miami-Dade County, we urge the ICC Board of Directors to reject the use of an ICC standards process and instead support and maintain the current status quo ICC code development process to ensure the health, safety, and welfare of our communities.

Regards,



Jaime D. Gascon, P.E.
Director, Board and Code Administration Division
Regulatory and Economic Resources Department

and



James F. Murley
Chief Resilience Officer, Office of Resilience
Regulatory and Economic Resources Department

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cc: Lourdes M Gomez, AICP, Director, Miami-Dade County Department of Regulatory and Economic Resources
Dominic Sims, CEO, International Code Council Board of Directors

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