

January 5, 2021

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

Dear Board of Directors,

Thank you for the opportunity to provide comments on considerations for updating the International Energy Conservation Code (IECC) and Ch. 11 of the International Residential Code (IRC) using the standards process.

I have been involved with the code development process for the past 7 code cycles and have taken great pride in representing our great state of Colorado as well as code officials and communities everywhere. I have attended every single code hearing for every code in the ICC family of I-Codes since 2005. I served on interpretation committees, the IECC Commercial Energy Code Development Committee, and the Code Correlation Committee, so I have had extensive involvement with the current governmental consensus process.

While I am a code consultant, I am also a code official, serving as an inspector and plans examiner for various jurisdictions and as a contracted plans examiner and governmental voting member for the City of Westminster, Colorado. For decades, we code officials have had the opportunity to get involved in writing and fighting for the codes that we must enforce for our communities. We have fought countless battles, on and off the hearing floors, for what we believed to be in the best interest of the communities we serve. We were always grateful to have a voice at the table. We put in thousands of volunteer hours towards the development of better codes through our work on chapter committees, national committees, hosting national collaboration meetings, assisting each other with our code adoptions, writing local and state amendments packages, and teaching each other on the code language.

I write this letter now to express my concern with what I feel is a decision to take the voice away from code officials and turn it over to a very small committee. While the committee will be knowledgeable and represent a wide variety of stakeholders, only a small portion will be code officials. The committee will likely be forced to create smaller sub-committees or working groups to handle the large case load of writing new energy codes that are ever changing. Creating numerous working groups makes it even more likely that code officials will not be able to be involved in the process. We have tried to be involved in processes such as ASHRAE 90.1, but you must be a paid consultant who does only code work to be able to sit on multiple committees like that. There is no way to be a full time code official and be expected to sit on multiple code committees and still get your work done and have full support of your jurisdiction. Yes, there are rare exceptions, usually in very large jurisdictions or jurisdictions with above code goals that support their staff being involved in these types of endeavors, but they are the exception, not the rule. Basically, you would have a few code officials on committees speaking for all code officials globally.

It feels as if the code official is losing the code to those who are paid to write code language instead of those who write code language because they must use it. We are not paid to write the code; we write it because we believe in it and we must use it. We must answer to our communities. We must answer to our builders and designers and City Councils. Our vested interest is not financial, it is safety and passion for what we do and who we do it for.

The current ICC Consensus process is not perfect, I get that. When it comes to energy codes, ICC must change the policies and rules each cycle because someone out there manipulates the process and finds

the loopholes. We are all frustrated with that. I have recently voiced my frustration at this past code cycle and the many hours of hard work that were put in on the energy code, only to have it be gamed and manipulated. I even asked not to be put on an Energy Code Committee again because it is too much work to put in only to have it all gamed like that. But that was all a problem with the people involved in the process, not the actual process. Does the process need tweaked again? Yes. And you already have a committee specifically set up to look at that. Let them make their recommendations and let's make the tweaks, fill in the holes, clarify the policies some more and keep moving forward. What kind of precedence are we setting if we pull this code away from the others? Which one will be next? Everyone that talks to me about this asks me the same thing, which code will we lose next.

If people keep going 80mph in a 55mph zone, you do not take away everyone's driving privileges and say no more driving for anyone. You ramp up enforcement and catch as many of the offenders as you can. Do not take away all the code official's driving privileges because of the few bad offenders out there. Ramp up your enforcement, increase your fines, whatever you must do, but let us all keep driving!

I understand the thought process behind going to the standards process. I have been on the fence a bit between both for a couple of weeks really. I think that it probably would cut down on some of the gaming that takes place. I also realize that the IECC already recognizes this process by its reference to ASHRAE 90.1. However, I too realize that I cannot participate in 90.1 as a whole. I could sit on one commissioning committee or one lighting committee or one hot water heating committee, but I could never be involved in writing the full document like I can right now with the current IECC. I have a voice right now that I will lose because I have a full time job and am not paid to participate solely in code development. Code Officials only do it for the love of our jobs and our communities, not for a paycheck.

I am also concerned that removing the IECC from the current consensus process will remove it from the oversight of the ICC Code Correlation Committee as well. The IECC touches every part of a building. There must be correlation and someone paying attention to the big picture. No other code is affected by every other code in the family of I-Codes as this one.

We have seen what a standard's type of process has done to our voice in things such as the NEC and ANSI A117.1. Similarly, with moving to the standards process for the IECC, I hear our voices being muted. I respectfully ask that the ICC Board of Directors act in the best interest of its members and their communities, and keep the IECC in the consensus process that it is currently in.

Thank you for your consideration.

Respectfully,

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