

HOUSE BILL REPORT

SHB 1734

As Amended by the Senate

Title: An act relating to state building codes.

Brief Description: Updating the state building code.

Sponsors: By House Committee on Local Government (originally sponsored by Representatives Romero, Hinkle, Moeller, Delvin, Grant, Jarrett and Flannigan; by request of Department of Community, Trade, and Economic Development).

Brief History:

Committee Activity:

Local Government: 2/19/03, 2/27/03 [DPS].

Floor Activity:

Passed House: 3/14/03, 82-12.

Senate Amended.

Passed Senate: 4/17/03, 41-8.

Brief Summary of Substitute Bill
<ul style="list-style-type: none">Revises the state building code by replacing uniform building, mechanical, and fire codes and standards published by the International Conference of Building Officials with the international building, residential, mechanical, and fire codes published by the International Code Council, Inc.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Romero, Chair; Uptegrove, Vice Chair; Schindler, Ranking Minority Member; Jarrett, Assistant Ranking Minority Member; Ahern, Berkey, Clibborn, Edwards, Ericksen, Mielke and Moeller.

Staff: Amy Wood (786-7127).

Background:

The state building code consists of a series of national model codes and standards that regulate the construction and reconstruction of residential, commercial, and industrial

buildings and structures. The current state building code consists of the Uniform Building Code and the Uniform Building Code Standards; the Uniform Mechanical Code; the Uniform Fire Code and the Uniform Fire Code Standards; and the Uniform Plumbing Code and the Uniform Plumbing Code Standards.

The Uniform Building Code and the Uniform Mechanical Code were published by the International Conference of Building Officials (ICBO); the Uniform Fire Code was published by the International Fire Code Institute; and the Uniform Plumbing Code and Plumbing Code Standards were published by the International Association of Plumbing and Mechanical Officials (IAPMO).

The State Building Code Council (SBCC) is responsible for the adoption and maintenance of the uniform model codes that comprise the state building code. The SBCC is required to regularly review updated versions of the uniform model codes and amend the uniform model codes as appropriate. All decisions to adopt or amend the uniform model codes must be made prior to December 1 of any year and do not take effect before the end of the regular legislative session the next year.

The International Code Council (ICC) was established in 1994 as a nonprofit organization that develops a single set of comprehensive and coordinated national model construction codes. The founding organizations of the ICC are the International Conference of Building Officials (ICBO), the Building Officials and Code Administrators International, Inc. (BOCA), and the Southern Building Code Congress International, Inc. (SBCCI). These organizations represent the three major model code writing organizations and have developed the model codes used throughout a majority of the country.

Summary of Substitute Bill:

The Washington State Building Code is revised to replace specific codes and standards published by the International Conference of Building Officials with codes and standards published by the International Code Council, Incorporated.

- The Uniform Building Code is replaced by the International Building Code and International Residential Code.
- The Uniform Mechanical Code is replaced by the International Mechanical Code, except that the standards for liquified petroleum gas installations shall be the NFPA 58 and ANSI 2223.1/NFPA 54.
- The Uniform Fire Code and Uniform Fire Code Standards are replaced by the International Fire Code, including standards of the National Fire Protection Association.

Language is added to provide that the International Residential Code shall not take precedent over provisions regulating the electrical code, the plumbing code, nor the energy code.

The State Building Code Council is directed to review all nationally recognized standards and to incorporate minimum safety requirement into the code.

Language requiring each county to administer and enforce fire code standards in unincorporated areas of the county is revised to include the International Fire Code. This revision also applies to administration and enforcement by any fire protection district or political subdivision that assumes responsibility for fire protection activities.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment adds a new requirement that the State Building Code Council must consider and review building code provisions related to improving affordable housing. The amendment also specifies that the National Fire Protection Association standards that are included in the adoption of the International Fire Code are those standards that are "specifically referenced in the International Fire Code."

Appropriation: None.

Fiscal Note: Available (preliminary).

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: The International Codes published by the International Code Council (I-Codes) are the successor to the current uniform codes the state uses, published by the International Conference of Building Officials (ICBO). As the ICBO is no longer in existence, there is a need to adopt a new code. The Legislature created the State Building Code Council (SBCC) to adopt and maintain a statewide set of building codes. The SBCC has done the work of analyzing the various codes and standards, held numerous public hearings, and have come to a near consensus recommendation (14-1) to adopt the I-Codes.

Adopting the I-Codes is the best course of action because the criteria used will maintain life, health, and safety standards; offer consistency with the old codes; and offer familiarity for users. The ICC bill represents a compromise bill and offers the best approach.

The process the SBCC goes through is thorough and technical. Adopting the I-Codes will allow for a smooth transition from the old codes, balance overall safety concerns,

and maintain reasonable costs to the builders. The I-Codes also allow for green building to occur.

The National Fire Protection Association (NFPA) codes are cumbersome to use and do not provide for product evaluation like the I-Codes provide. Twenty-one states have adopted the I-Codes because it will create uniformity throughout the country.

The Washington State Association of Fire Marshals conducted an eight-month comparative study of the current codes, the I-Codes, and the NFPA codes, including reviewing technical code content and the development process. The fire marshals overwhelmingly approved the I-Codes as the safest code for the citizens of Washington. While both are similar in technical content, the process is vastly different. The ICC hears from all constituents and stakeholders, but a board of disinterested members makes the final decision. The NFPA, by contrast, allows for the final decision to be made by stakeholders, leaving the ultimate decision to whoever packs the room. This is not a good process.

Employee safety is a prime motive to endorse the I-Codes. The ICC offers a concise and complete document that is affordable. The NFPA, by contrast, contains 20 pages of references to other documents that are needed. The NFPA codes are costly to purchase and are not conclusive. Training would be an overwhelming task. The I-Codes are a continuation of the uniform codes. The government entity process is far superior, with a fair hearing and comment period.

The I-Codes are in the best interest of the built environment and the citizens of Washington. They offer a high level of safety standards, and are cleaner and easier for contractors and installers to use on site. All complex structural and technical processes are approved by American National Standards Institute (ANSI).

Testimony Against: There is no valid reason to adopt new codes; there is a better compromise solution. Adopting a modern code does not equate to safer buildings. During tough economic times, it is too expensive to make a change. Adoption of the I-Codes would amount to an unfunded mandate. The types of codes we need to adopt are those created by a consensus method and approved by ANSI. How can the processes be bad if the products, technically, are similar. We need a code adopted by consensus, not building code officials. The NFPA does not have a bias as the ICC does toward building officials. There have not been enough in-depth studies of the various codes. The international codes are also more restrictive than the current codes. There are major code conflicts in the international codes with the state's energy and electrical codes.

Testified: (In support) Tom McBride, Department of Community, Trade and Economic Development; Stan Price and Steve Mullett, State Building Code Council; Kathleen Collins, Sheet Metal and Air Conditioning Contractors' National Association Western Washington; Mel Sorensen, Northwest Propane Gas Association; Mike Brennan, City of

Bellevue and Washington Association of Building Officials; John McDonald, Washington State Association of Fire Marshals; Duane Malo, Washington State Association of Fire Chiefs; Mike Smith, American Institute of Architects Washington Council; John Crull, The Boeing Company; Rod Kauffman, Building Owners and Managers Association; Charles Mulcany, Sheet Metal Workers Association Local 66; and John Loscheider, Structural Engineers Association of Washington.

(Opposed) Larry Andrews; Mike Brown and Wayne Senter, Kitsap Fire District 7; Charles Mitchell, Plumbing, Heating, Cooling Contractors of Washington State; Joe Brewer, National Fire Protection Association and International Association of Plumbing and Mechanical Officials; Dan Sexton, Washington State Association of Plumbers and Pipefitters; and Larry Stevens, Mechanical Contractors Association and National Electrical Contractors Association.