



GOVERNMENT OF THE DISTRICT OF COLUMBIA
 CONSTRUCTION CODES COORDINATING BOARD

MINUTES OF REGULAR MEETING
 Thursday, October 15, 2015
 1100 4th Street, S.W. – 4th Floor- Conference Room E4302
 10:00 am – 12:00 pm

Members Present	Board Members Not Present	Board Staff Present	Other Persons Present
Jill Stern (Chair)	Ethan Landis	LaShawn Dickey (DCRA)	Kirsten Bowden, AOBA (by conference call)
Rabbiah Sabbakhan			Eric Jones, Associated Builders and Contractors, Inc., Metro Washington Chapter (by conference call)
Jatinder Khokhar			Gary Englebert (DCRA)
Marc Fetterman			Robert Looper
Kellie Farster			
Jason Wright			
Armando Lourenco			
David Epley			
Bill Updike			

1. Preliminary Matters

(i) Call to Order

The meeting was called to order by Jill Stern, Chair, at 10:06 a.m. with a roll call of members and other persons present.

(ii) Adoption of Meeting Agenda

The meeting agenda was unanimously approved by the Board upon motion made by Bill Updike and duly seconded by Armando Lourenco.

(iii) Review & Approval of Meeting Minutes

Board members discussed and unanimously approved as revised the meeting minutes for Thursday, September 17, 2015, upon motion made by Bill Updike and duly seconded by Jatinder Khokhar.

2. Remarks by Melinda Bolling, DCRA Director.

DCRA Director Melinda Bolling and Deputy Director Lori Parris briefly attend the Board meeting to introduce themselves to the Board. Director Bolling expressed appreciation for the hard work and dedication of the Board members in code development work, and thanked them for their efforts as the Board begins a new code cycle.

3. Previously Introduced and New Code Change Proposals

The Board turned next to consideration of new and pending code change proposals.



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(i) New Code Change Proposals

- a. BC-CCCB-1-7-2014. A new code change proposal, BC-CCCB-1-7-2014, was introduced by the Chair to revise Section 105.1.6 of the 2013 Building Code to require elevator work to be performed by a DC-licensed elevator mechanic.
- b. BC-CCCB-33-2-2014. A new code change proposal was introduced by the Chair to revise provisions in Section 3307 relating to adjoining property notification and access procedures where the work involves structural stability or support of an adjoining premises. The code change proposal followed up on suggestions by the Structural TAG, and CCCB discussions at the September meeting, that changes to the adjoining property notification rules be addressed in a separate code change proposal apart from changes to the technical requirements for underpinning, since the notification issues, particularly DCRA's involvement in these issues, needed to be addressed expeditiously, while the technical concerns about underpinning could be addressed in an administrative bulletin. The proposal was referred to the IP TAG and the Building TAG for consideration and recommendation.

(ii) Previously Introduced Code Change Proposals

a. Building Code

Code change proposal BC-CCCB-1-6-2014, was introduced at the September 17, 2015 meeting by the Chair to correct a conflict between Sections 106.6.2 and 705.8.7.6 of the 2013 District of Columbia Building Code relating to covenants for openings on or near lot lines. Jill Stern indicated that some minor revisions had been made to the code change proposal for clarification purposes. Gary Englebert, DCRA Structural Supervisor, explained his concerns about Section 106.6.2 which currently allows covenants to be submitted before issuance of a certificate of occupancy; he believes the better practice is reflected in Section 705.8.7.6 which requires submission of the covenant before building permit issuance.

Marc Fetterman indicated his agreement with the contrary position as expressed by David Briggs of Holland & Knight, which had been circulated prior to the Board meeting. He shares the view that the covenant is non-substantive, and does not allow a modification of the fire separation requirements but puts subsequent owners on notice of "at risk" openings. Gary Englebert indicated that this is not an infrequent issue, and he estimates that he sees as many as 15 applications per week that require covenants. A concern was expressed about enforcement of the covenant requirement, since it is easier to flag at the building permit stage. However, Marc Fetterman pointed out that frequently lot line openings may change or be added during the construction stage, so it makes more sense to determine these before the final inspection. Based on the discussion, Jill Stern decided to refer the proposal to the IP TAG and Building TAG for further discussion and recommendation.

b. Fire Code

Jason Wright advised the Board that he had followed up and circulated the two pending Fire Code proposals (FC-CCCB-1-1-2014 and FC-CCCB-3-1-2014) to the Fire TAG for consideration, given Herb Taylor's retirement and the current FEMS vacancy on the Board. He indicated that he would provide the Fire TAG's recommendations by the November Board meeting.

(iii) No code change proposals were adopted at the meeting, but actions taken are summarized below.



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Building Code	Sections	Status	Action Taken at 10.15.15 CCCB Meeting
BC-CCCB-1-3-2014	105.4.1 & 3301.3	Submitted to Chair 4.23.15; referred to IP TAG 4.23.15	Deferred
BC-CCCB-1-6-2014	106.6.2, 705.8.7.6	Introduced 9.17.15	Referred to the IP & Building TAGs
BC-CCCB-1-7-2014	105.1.6		Introduced 10.15.15 and Referred to the IP TAG
BC-CCCB-18-1-2014	1811 (NEW)	Submitted to Chair 6.18.15; Referred by Chair to Building and Structural TAGs 6.18.15 (companion proposal to RC-CCCB-3-1-2014); Building TAG meeting 7.8.15; Structural TAG meeting 7.23.15 and 9.15.15	Deferred; awaiting further Structural TAG consideration
BC-CCCB-33-1-2014	3307	Submitted to Chair 6.18.15; Referred by Chair to Building and Structural TAGs 6.18.15; Building TAG Meeting 7.8.15; Structural TAG meeting 7.23.15 and 9.15.15	Deferred; awaiting further Structural TAG consideration
BC-CCCB-33-2-2014	3307.1, 3307.2, 3307.3, 3307.6 & 3307.7		Introduced 10.15.15 and Referred to the IP & Building TAGs
Residential Code	Sections	Status	Action Taken
RC-CCCB-3-1-2014	R324 & R409 (NEW)	Submitted to Chair 6.18.15; Referred by Chair to Residential TAG	Deferred; awaiting further Structural TAG consideration



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		6.18.15 (companion proposal to BC- CCCB-18-1-2014)	
Property Maintenance Code	Sections	Status	Action Taken
PMC-1-1-2014	109	Submitted to Chair 8.17.15; introduced at 8.20.15 CCCB meeting. Referred to PMC TAG for consideration.	Deferred, awaiting PMC TAG consideration
Fire Code	Sections	Status	Action Taken
FC-CCCB-1-1-2014	111 (parallel change to BC-CCCB-1-4-2014)	Submitted to Chair 7.16.15; referred to Fire TAG (7.16.15).	Jason Wright circulated to Fire TAG members in light of Herb Taylor's retirement
FC-CCCB-3-1-2014	319 & Appendix K	Submitted to Chair 4.29.15; Referred to Fire TAG 5.21.15; approved by Fire TAG with revisions (6.17.15); CCCB Deferred for further consideration by Fire TAG (6.18.15).	Jason Wright circulated to Fire TAG members in light of Herb Taylor's retirement

4. Status Updates and Administrative Matters

- (i) Rulemaking and Legislative Proceedings.

Jill Stern advised the Board that the Committee on Business, Consumer and Regulatory Affairs, chaired by CM Orange, held a hearing on October 5, 2015 for the Construction Codes Harmonization Act of 2014 to bring the D.C. Code into conformance with the new Construction Codes. A mark-up of the bill is expected on October 23, 2015, with revisions to address DCBIA comments at the hearing.



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(ii) Update on Board Recruitment and Timing of New Code Development Cycle

Jill Stern welcomed the two new Board members, Jason Wright and Kellie Farster, and indicated that Herb Taylor had retired and would likely be replaced by Chief Tony Falwell. She introduced Robert Looper who she indicated has applied for the private citizen seat on the Board, and wanted to sit in on a Board meeting.

Jill Stern asked the Board for comments on the draft code development schedule she had circulated. The consensus of the Board members was that the Board should work towards a March 2017 effective date of the new code, since this would be a 3-year code development cycle. A discussion ensued on whether the Board should consider adoption of the 2015 ICC Codes, or focus on amending the 2013 Construction Codes to add provisions of the 2015 ICC Codes where significant changes have been made. Several members expressed the desirability of moving to the 2015 Codes to be in conformance with the surrounding jurisdictions. Jill Stern indicated that this was contrary to the understanding she had of the Board's plans, based on discussions earlier in the year by the Board, which indicated the plan would be to amend the 2013 Codes as appropriate. She advised the Board that DCRA has been reporting to Council and the stakeholders that the 2013 Codes would be amended not replaced, because of concerns expressed about the disruption and costs of transitioning to the 2015 codes in such a short period of time.

She indicated that, pending resolution of this issue, it was still important to move forward quickly to form the TAGs, appoint TAG Chairs and start review of the 2015 ICC Codes to determine scope of changes between the 2012 and 2015 model codes. She indicated that she was working on and would circulate proposed TAG chairs before the next meeting. She asked current TAG Chairs to send out the TAG application to existing members so that they could determine whether any of the members want to be reappointed.

(iii) Other Matters

- a. Jill Stern asked to reschedule the tentative November 12 meeting date to Tuesday, November 10 in light of the Veteran's Day holiday, and there was no objection although Dave Epley indicated that he would not be available on November 10th.
- b. Jill Stern advised that the two draft Administrative Bulletins had been circulated to DCBIA, AOBA, ABC and NARI. She indicated that DCBIA had provided helpful revisions. Kirsten Bowden and Eric Jones on behalf of AOBA and ABC, respectively, indicated that their organizations had no comments on the draft bulletins.
- c. Jill Stern said that she is still working with IT staff on a calendar of CCCB and TAG meetings on the DCRA website, and indicated that she is moving forward on achieving this goal.

4. Comments by Members of the Public

Kirsten Bowden of AOBA asked for confirmation on the date of carbon monoxide detectors, and asked whether this requirement applies to existing buildings. Marc Fetterman indicated that the date for compliance is 36 months after the effective date of the 2013 Codes which would be March 28, 2017.



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5. Adjournment

The meeting was adjourned at 12:00 pm upon motion made by Bill Updike and duly seconded by Jason Wright. The next Board meeting is scheduled for November 10, 2015.