



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
 CONSTRUCTION CODES COORDINATING BOARD

MINUTES OF REGULAR MEETING  
 Tuesday, November 10, 2015  
 1100 4<sup>th</sup> Street, S.W. – 4<sup>th</sup> 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)	Armando Lourenco	LaShawn Dickey (DCRA)	Kirsten Bowden, AOBA (by conference call)
Rabbiah Sabbakhan	David Epley		Robert Looper
Jatinder Khokhar			Tony Falwell (FEMS)
Marc Fetterman			Paul Waters (DCRA)
Kellie Farster			Max Tondro (DCRA)
Jason Wright			Derek Hora (DCRA)
Ethan Landis (by conference call)			
Bill Updike			

**1. Preliminary Matters**

(i) Call to Order

The meeting was called to order by Jill Stern, Chair, at 10:08 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 Robbie Sabbakhan.

(iii) Review & Approval of Meeting Minutes

Board members discussed and unanimously approved the meeting minutes for Thursday, October 15, 2015, upon motion made by Bill Updike and duly seconded by Jason Wright.

**2. Consideration of Previously Introduced Code Change Proposals**

The Board took the following actions upon motions made and duly seconded. Motions were unanimously approved unless otherwise stated.



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<b>Building Code</b>	<b>Sections</b>	<b>Introduced</b>	<b>Procedural History</b>	<b>CCCB Action</b>
BC-CCCB-1-3-2014	105.4.1 & 3301.3	4.23.15	referred to IP TAG 4.23.15; deferred at 8.20.15, 9.17.15 and 10.15.15 meetings	Withdrawn 11.10.15
BC-CCCB-1-4-2014	116	6.18.15	Referred to IP TAG 6.18.15; approved by CCCB 7.16.15	Approved with further revisions 11.10.15 Updike (M) Sabbakhan (S)
BC-CCCB-1-6-2014	106.6.2 and 705.8.7.6	9.17.15	Referred to IP TAG 10.15.15	Deferred for further consideration
BC-CCCB-1-7-2014	105.1.6	10.15.15	Referred to IP TAG 10.15.15	Deferred for further consideration
BC-CCCB-18-1-2014	1811 (NEW)	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meeting 7.23.15; deferred at 8.20.15 meeting; Structural TAG meeting 9.15.15; deferred at 9.17.15 10.15.15 CCCB meeting	Withdrawn 11.10.15
BC-CCCB-33-1-2014	3307	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; deferred at 8.20.15 meeting; Structural TAG meeting 9.15.15; deferred at 9.17.15 10.15.15 meeting	Withdrawn 11.10.15
<b>Residential Code</b>	<b>Sections</b>	<b>Introduced</b>	<b>Status</b>	<b>CCCB Action</b>
RC-CCCB-3-1-2014	R324 & R409 (NEW)	6.18.15	Referred by Chair to Residential TAG 6.18.15 (companion proposal to BC-CCCB-18-1-2014); deferred at 8.20.15 meeting; Structural TAG meeting 9.15.15; deferred at 9.17.15 and 10.15.15 meeting	Withdrawn 11.10.15



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<b>Property Maintenance Code</b>	<b>Sections</b>	<b>Introduced</b>	<b>Status</b>	<b>CCCB Action</b>
PMC-1-1-2014	109	8.20.15	referred to PMC TAG on 8.20.15 for consideration; deferred at 9.17.15 and 10.15.15 CCCB meeting. Approved by PMC TAG on 10/28/15.	Approved w/revisions 11.10.15 Updike (M) Sabbakhan (S)
<b>Fire Code</b>	<b>Sections</b>	<b>Introduced</b>	<b>Status</b>	<b>CCCB Action</b>
FC-CCCB-1-1-2014	111 (parallel change to BC-CCCB-1-4-2014)	7.16.15	referred to Fire TAG (7.16.15); deferred at 8.20.15 meeting for Fire TAG consideration; deferred at 9.17.15 and 10.15.15 CCCB meetings. Approved by Fire TAG at 11.09.15 meeting	Approved w/revisions 11.10.15 Wright (M) Fetterman (S)
FC-CCCB-3-1-2014	319 & Appendix K	5.21.15	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); deferred at 8.20.15 meeting for Fire TAG consideration; deferred at 9.17.15 and 10.15.15 CCCB meetings; Approved by Fire TAG at 11.09.15 meeting as revised	Approved 11.10.15 Wright (M) Fetterman (S)

**3. Review and Approval of Notice of Proposed Rulemaking**

The Board next considered the Notice of Proposed Rulemaking (NPR) to amend the 2013 District of Columbia Construction Codes (12 DCMR). Jill Stern explained that the NPR contained all of the code change proposals adopted by the CCCB, and was the same version circulated at the Board’s September 2015 meeting with the addition of the code change proposals adopted by the Board at or after the September meeting, specifically the emergency measures provisions in the Building, Property Maintenance and Fire Codes, and the Fire Code proposals relating to child development homes. The NPR was revised to correct grammatical errors in the three code change proposals revising the emergency measures provisions in the three codes, and the underlying code change proposals were simultaneously corrected and the revised code change proposals were approved by the Board at the subject meeting (FC-CCCB-1-1-2014; BC-CCCB-1-4-2014; PMC-1-1-2014).

The NPR was unanimously approved as revised upon motion made by Bill Updike and duly seconded by Ethan Landis. Jill Stern indicated that the NPR would be forwarded for legal sufficiency review with the objective of publishing the NPR for public comment, possibly in late December 2015.

**4. Introduction of New Code Change Proposals**



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A new code change proposal to revise Appendix N of the Building Code, section 101.1, was submitted by a member of the public and introduced to the Board (BC-CCCB-Appendix N-1-2014). Jill Stern explained that the proposal seeks to add language to the sign regulations in Appendix N that had been adopted on an emergency basis in 2011 but had expired before adoption of the 2013 Construction Codes; specifically, the requirement that interior signs more than 18 inches from a window obtain a sign permit from DCRA. The Board discussed the status of the ongoing Title 13 Rulemaking and the expectation that Title 13 would have been adopted before the 2015 Construction Code cycle. Jill Stern told the Board that she had received advice from the Office of the Attorney General recommending that the CCCB not move forward with amending Appendix N of the Building Code, and defer instead to the comprehensive sign regulation approach that is reflected in the proposed Title 13. In light of this advice, she recommended that the Board consider at the next meeting whether the code change proposal should be withdrawn.

**5. Election of New Board Officers**

The Board unanimously elected Marc Fetterman as Vice Chair, upon motion made by Bill Updike and duly seconded by Jatinder Khokhar.

**6. 2015 Code Development Cycle**

(i) Timeline for New Code Development Cycle.

Jill Stern advised the Board that several milestones on the code development timeline had been accomplished since the last Board meeting, including DC Register and DCRA website publication of public notices announcing a new code development cycle, and soliciting code change proposals and TAG membership application.

With respect to the revised timeline circulated with the Board materials, she advised the Board that, while a strong desire had been expressed at the last Board meeting to adopt the 2015 codes by March 2017, she did not believe that this was a realistic date given the need to build-in a 12-month period of time to complete the rulemaking process and obtain Council approval. For this reason, she proposed October 2017 as an ambitious but more feasible goal. She pointed out that Virginia will begin the legislative process to update to the 2015 ICC Codes in January 2016, with the expectation that the 2015 Codes will likely be effective in early 2018.

On the issue of whether the 2015 Codes will be adopted, or whether the 2013 Codes will be amended to include significant changes from the 2015 Codes, she recommended that the Board take up this issue again after reviewing the 2015 Codes.

(ii) Presentation on 2015 Significant Changes

Jill Stern noted that the ICC had provided her with summaries of the 2015 changes, and she planned to have Gary Englebert of DCRA provide the Board members with a briefing on the changes. The consensus was that the briefing should occur after the TAGs are organized so that TAG members can benefit from the presentation.



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(iii) New TAGs and TAG Chairs

The Board unanimously approved the following Technical Advisory Groups upon motion made by Bill Updike and duly seconded by Kellie Farster. Jill Stern appointed the respective TAG Chairs listed below, hearing no objections to the proposed appointments.

<b>TECHNICAL ADVISORY GROUP</b>	<b>CHAIR</b>
<b>Administration and Enforcement</b>	Khokhar
<b>Fire &amp; Life Safety</b>	FEMS Delegate
<b>Accessibility</b>	Wright
<b>Structural &amp; Special Inspections</b>	Farster
<b>Electrical</b>	Khokhar
<b>Residential</b>	Epley
<b>Mechanical</b>	Lourenco
<b>Elevator</b>	Fetterman
<b>Energy-Residential</b>	Epley
<b>Existing Buildings</b>	Landis
<b>Property Maintenance</b>	Khokhar
<b>Commercial-Green Construction &amp; Energy</b>	Updike
<b>Building (except for BC chapters delegated to other TAGs)</b>	Sabbakhan
<b>Swimming Pool</b>	TBD
<b>Legislation</b>	Fetterman

While the Board members considered a Climate Adaptation TAG, the consensus was that a separate TAG was not needed since an independent advisory group on climate adaptation exists and is already considering the



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needed Construction Code changes to address these climate adaptation and resiliency issues. The Board members agreed that the advisory group's report and recommendations, anticipated to be released in January 2016, could be presented to the Board at that time.

Following a discussion about a separate TAG to consider flood hazard issues, and the potential adoption of Appendix G of the Building Code, the Board consensus was that establishment of a TAG to address flood hazard issues should be deferred until the agencies involved (DCRA and DOEE) could discuss the desirability and ramifications of adopting Building Code Appendix G.

(iv) TAG Applications

Jill Stern indicated that TAG applications are already being submitted and that LaShawn Dickey is putting together a spreadsheet of applicants that will be circulated to the Board after the November 20, 2015 application deadline. In response to a question from Kirsten Bowden of AOBA about the application deadline, Jill Stern indicated that the November 20 deadline was needed to make sure that the TAGs could be organized as quickly as possible, but that additional TAG applications might be solicited after November 20 by TAG Chairs if they needed persons with specific qualifications to make sure that the TAG membership represented diverse stakeholders.

(v) Online Posting of Code Change Proposals

Jill Stern noted that Google Docs will be used during this review cycle to share information.

(vi) Bylaw Revision

Jill Stern advised the Board that, in light of the new code cycle, revisions to the CCCB Bylaws and enabling regulations (1 DCMR) were advisable. She let the Board know that she had asked Traci Hughes of BEGA to review the CCCB Bylaws and recommend revisions to comply with the Open Meetings Act. In addition, she asked the Board members to think about desirable procedures for TAG meetings so that these can be incorporated into the bylaws, since TAGs are not covered by the Open Meetings Act. Further discussion about bylaw and Title 1 DCMR revisions will be continued at the December 3 Board meeting.

## **7. Status Updates**

(i) Update on Board Recruitment

It is anticipated that Chief Falwell of DC Fire will be appointed as the FEMS representative on the CCCB, and that Robert Looper will be appointed as the private citizen on the Board. Jill Stern said she is awaiting further confirmation from the Mayor's Office of Talent and Appointments on these appointments.

(ii) Rulemaking and Legislative Proceedings



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Updates on rulemaking and legislative proceedings were circulated to the Board. Noteworthy developments included the publication of the Third Notice in the Title 14 rulemaking in the November 6, 2015 DC Register, proposing, among other things, to conform the Housing Code with the 2013 Property Maintenance Code.

(iii) CCCB Website

Jill Stern announced that, thanks to LaShawn Dickey's efforts, the DCRA website now includes a CCCB calendar where notices of CCCB and TAG meetings can be posted.

**8. Comments by Members of the Public**

Kirsten Bowden raised an issued noted in 6(iv), above. No additional comments were made by members of the public.

**9. Adjournment**

The meeting was adjourned at 12:00 pm upon motion made by Bill Updike and duly seconded by Jatinder Khokhar. The next Board meeting is scheduled for December 3, 2015.