

**IDAHO BUILDING CODE BOARD
SPECIAL VIDEOCONFERENCE MEETING**

Thursday – April 26, 2012 – 9:30 a.m. (MT)

**Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian, Idaho
1250 Ironwood Drive, Suite 220, Coeur d'Alene, Idaho
2055 Garrett Way, Building 1, Suite 4, Pocatello, Idaho**

NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting,
but is intended to record the significant features of those discussions.

Chairman Andrew Bick called the meeting to order at 9:36 a.m. (MT).

Board Members Present:

Andrew Bick, Chairman
Carol Alexander, Vice-Chairman
Chuck Bleth
Scott Buck
Michael Arrington
Dan Hunter
Dennis Schaffner
Jeff Garro

DBS Staff Members Present:

C. Kelly Pearce, Administrator
Steve Keys, Deputy Administrator, Operations
Janice Foster, Deputy Administrator, Administration
Patrick Grace, Deputy Attorney General
Rod Freligh, Regional Manager, Region 1
Chris Jensen, Regional Manager, Region 3
Dave Decker, Financial Specialist
Renee Bryant, Administrative Assistant 2/Board Secretary

Board Members Absent:

Jan Welch
Mike Tracy

This meeting was scheduled with the intention the Board decide whether to amend the existing 2009 codes, adopt the 2012 international codes (administrative rule), adopt an Idaho building code in lieu of the International Building Code (statute), or amend the 2009 codes should the 2012 codes fail to move forward.

◆ **Contemplate the Amendment of the Existing 2009 Codes**

Amendments to the existing 2009 codes are currently being reviewed by the Board through the negotiated rulemaking process. The first public meeting was held April 10, 2012, and the required second meeting is scheduled for June 12, 2012.

◆ **Contemplate the Adoption of the 2012 International Codes (Administrative Rule)**

Carol Alexander addressed modifications and clarifications to the 2012 International Residential Code (IRC) and the 2012 International Building Code (IBC).

With regard to the energy code, Idaho's climate zones are five and six. Illinois, Pennsylvania, and Utah are also zoned five and six. For comparison purposes, information from the 2012 International Energy Conservation Code (IECC) on the above-mentioned states is located on the Division's website: <http://dbs.idaho.gov/boards/rulemaking.html>.

◆ **Contemplate the Adoption of Idaho Building Codes in Lieu of the International Building Code (Statutory)**

The question was brought forth whether the Board wants to stay with the IBC; moving forward with the 2012 edition, OR create an Idaho state code based on the 2012 IBC.

Kraig Stevenson, International Code Council, stated many states choose to either go with a model code or create a custom code based upon the philosophy on how they want to deliver service and information to the building public and code administrators.

The 2012 International Code is a model code. It was suggested by Carol Alexander that should the Board choose to move forward with an Idaho-based code to customize the 2012 International Code; promoting it as the Idaho Building Code.

IDABO President Ed Wagner expressed that IDABO would be in full support of adopting the 2012 codes, as well as supportive of Ms. Alexander's proposal for an Idaho Building Code.

◆ **Contemplate the Amendment of the 2009 Codes Should the 2012 Codes Not Go Anywhere**

A pending rule to amend the section of the 2009 International Fire Code (IFC) with the verbiage reflected in the proposed change to IBC section 903.2.7 and the 2012 IFC, passed the 2012 legislature. The rule, submitted by State Fire Marshal Mark Larson, will become effective upon adjournment of the legislature. The Board is in the rulemaking process with revisions to the 2009 IBC. For consistency with the fire code, Chairman Bick expressed the continuation of a second public meeting.

MOTION: Dan Hunter made a motion to poll each board member on their preference of code. Scott Buck seconded. Motion failed for lack of a vote.

Upon advisement from legal counsel, the Board did not vote. However, the majority of board members communicated the need to move forward with the 2012 codes.

Unable to attend the meeting, Kent Solberg with CH²M Hill read a letter from board member Jan Welch. The letter, dated April 23, 2012, and addressed to Chairman Bick, Vice-Chairman Alexander, and Idaho Building Code Board, stated in part, "...I would strongly recommend the adoption of the 2012 International code documents with the goal of using this issue of the International Code documents as the template for the development of the Idaho Building Codes."

Industry and city/county officials in attendance expressed support for the adoption of the 2012 codes.

MOTION: Carol Alexander made a motion for the Board to move forward with the negotiated rulemaking process; hold two public meetings to discuss the proposed amendments to the 2012 International codes, and the revised codes to be known as the "Idaho Building Codes". Dan Hunter seconded.

The verbiage in rule must coincide with the language in statute. The current statute requires the International codes. To rename the codes specific to Idaho, the change must first be made in statute. Carol Alexander amended her motion.

AMENDED MOTION: Carol Alexander amended her motion by removing the verbiage “known as the Idaho Building Codes” and suggesting the Board consider statutory language to reflect an Idaho based code at a future meeting. Dan Hunter amended his second.

Upon further discussion, Carol Alexander withdrew her amended motion; making the following motion:

MOTION: Carol Alexander made a motion that the Board move forward with the rulemaking process to adopt the 2012 codes; to review the amendments, make a decision after two hearings, and abandon the 2009 amendments already submitted as they are incorporated into the 2012 codes. Motion failed for lack of a second.

RESTATED MOTION: Carol Alexander made a motion for the Board to move forward with the adoption of the 2012 codes; reviewing each of following codes and amendments on an individual basis with concurrent hearings: 2012 IBC, 2012 IRC, 2012 IECC, and 2012 International Existing Building Code (IEBC). Andrew Bick seconded. Vote taken, six ayes and one nay, motion passed.

Negotiated Rulemaking Meeting Dates

As part of the negotiated rulemaking process, the Idaho Building Code Board must hold two public meetings 60-days apart. The suggested dates to discuss the 2012 codes are: June 18, 2012 and August 20, 2012.

MOTION: Andrew Bick made a motion for the Board to conduct two public meetings, June 18th and August 20th at 9:30 a.m. (MT), to discuss the 2012 International codes. Carol Alexander seconded. All in favor, motion carried.

MOTION: Scott Buck made a motion to adjourn the meeting. Chairman Bick seconded. The meeting adjourned at 12:30 p.m. (MT).

ANDREW BICK, CHAIRMAN
IDAHO BUILDING CODE BOARD

C. KELLY PEARCE, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE

05/30/12rb