



North Central Texas Council of Governments

SUMMARY

Regional Codes Coordinating Committee

Thursday, July 6, 2017

9:30 AM, Regional Forum Room

NCTCOG Offices, CPII

616 Six Flags Drive, Arlington, Texas 76011

Chair: David Kerr, City of Plano

Vice-Chair: Jack Thompson, Town of Westover Hills

1. Welcome and Introductions.

David Kerr, City of Plano and Chair of the Regional Codes Coordinating Committee (RCCC), welcomed everyone to the meeting and asked visitors to introduce themselves.

ACTION ITEMS/PRESENTATIONS

- 2. Summary of the April 24, 2017 Meeting.** The April 24, 2017 meeting summary is available online for your review and consideration.

The RCCC reviewed the April 24, 2017 meeting summary draft (Attachment 1) and approved it as submitted.

- 3. Approval sought for Appointment of RCCC Officers.** David Kerr, City of Plano, is currently serving as the Chair and Jack Thompson, Town of Westover Hills, is serving as Vice-Chair.

Mr. Kerr and Jack Thompson, Vice Chair and Town of Westover Hills, opened up the floor for new nominations for the positions of Chair and Vice Chair. No nominations were presented. Bahman Yazdani, Energy Systems Laboratory, made a motion to reappoint the Chair, David Kerr, and the Vice Chair, Jack Thompson, as the committee's officers for FY2018. Jim Olk, City of Garland, seconded and the motion passed unanimously.

- 4. Approval sought for Reappointment and Appointment of RCCC Members.** RCCC members whose terms are expiring will be considered for another term. Prospective members will also be considered.

Ed Dryden, City of Dallas, made a motion to approve the current RCCC members seeking reappointment for FY2018. Kirk Smith, Town of Highland Park, seconded and the motion passed unanimously.

NCTCOG presented a list of prospective members that were nominated to fill the two private sector vacancies. Mr. Yazdani nominated James Rodriguez, Executive Vice President, Fox Energy Specialists. Mr. Olk reminded the RCCC that ideally, new members of the RCCC have had previous experience on one or more of the Advisory Boards. A paper vote was conducted among the members, and the prospective members with the most votes were Todd Gritch, HKS,

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Inc., and James Rodriguez, Fox Energy Specialists. Mr. Olk made a motion to appoint Mr. Gritch and Mr. Rodriguez to the RCCC. Mr. Yazdani seconded, and the motion passed unanimously.

NCTCOG presented a list of prospective members to fill the public sector vacancy. Phil Crone, Dallas Builders Association, made a motion to appoint Christopher Martinez, City of Dallas, to the RCCC. Mr. Yazdani seconded, and the motion passed unanimously.

5. RCCC Bylaws Update. NCTCOG will present the proposed RCCC bylaws update for approval.

NCTCOG presented the proposed RCCC bylaws update (Attachment 2) for approval. Revising and updating the bylaws requires a positive vote of 2/3 of the RCCC membership. Although a quorum was met, not enough RCCC members were present to meet the 2/3 membership requirement. Mr. Yazdani moved to approve the updated bylaws with an amendment to Section 8 and to submit the RCCC bylaws update electronically to the RCCC members not in attendance at the meeting for a vote in order to meet this requirement. Mr. Crone seconded, and the motion was approved unanimously by the 17 members present.

6. NCTCOG Sampling Protocol for Group R2, R3, and R4 Occupancies (Ed Dryden). The Energy and Green Advisory Board (EGAB) will present the “NCTCOG Sampling Protocol for Group R2, R3, and R4 Occupancies” for approval from the RCCC.

Mr. Dryden presented a memorandum (Attachment 3) summarizing the “NCTCOG Sampling Protocol for Group R2, R3, and R4 Occupancies” (Attachment 4). Mr. Dryden requested the RCCC’s approval of the document. Mr. Crone made a motion to approve the document with the added sentences as recommended in the memorandum. Joe Bass, Hillwood, seconded and the motion passed unanimously.

DISCUSSION

7. HB 3329 (Jim Olk). Mr. Olk will discuss HB 3329 and the possibility of formulating a regional recommendation for a unified approach to its interpretation.

Mr. Olk discussed the impact of HB 3329 to electrical licensing and permitting by municipalities. Mr. Olk presented the interpretation of the Building Officials Association of Texas (BOAT) that cities may still charge building permit fees for electrical work under this legislative bill.

Mr. Olk also discussed HB 3257 which prohibits cities from restricting the use or installation of a specific fuel gas pipe product that is approved for use and installation by the International Fuel Gas Code.

8. Building Code Requirements (Bruce Rachel). Mr. Rachel will discuss requirements for elevators to have two-way communication devices for individuals with temporary and/or permanent disabilities.

Mr. Rachel discussed Section 1009.8 of the International Building Code (Attachment 5) and its requirement for elevators to have two-way communication devices. Mr. Kerr recommended that the Selso Mata, City of Plano and Chair of the Building and Residential Advisory Board (BRAB) and Bob Morgan, City of Fort Worth and Chair of the Fire Advisory Board (FAB) consider this matter in the upcoming 2018 code review cycle.



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- 9. Standards for Electronic Plan Submittal** (Jim Olk). The RCCC will discuss whether or not to establish a subcommittee to review and make a recommendation regarding standards for electronic plan submittal.

Mr. Olk suggested that a subcommittee be formed to draft recommendations for standardizing the electronic plan submittal process to promote consistent practices in the North Central Texas region.

- 10. Code Adoption Survey Update.** NCTCOG will present an online map that details the results of the 2017 Code Adoption Survey. The map can be accessed via the NCTCOG website at <http://nctcog.org/envir/SEEDevEx/codes/CodeAdoptionSurveys.asp>.

NCTCOG presented an online map that details the results of the 2017 Code Adoption Survey. The RCCC discussed the map and its findings and made recommendations for improvements to the map.

OTHER BUSINESS AND ROUNDTABLE DISCUSSION

- 11. Future Agenda Items.** The committee can request future agenda items.

Bob Torbin, Omega Flex, will present on CSST issues.

- 12. Roundtable Topics/Other Business.** RCCC members and NCTCOG may share additional items of interest as time allows.

Mr. Kerr stated that the 2018 code review process will begin in late August or early September and set a target completion date of January 2018.

Mr. Crone shared the industry's labor shortage concerns. He shared the Dallas Builders Association's effort to connect with vocational schools and underprivileged areas to encourage the younger generation to enter the trades fields. Mr. Crone shared that the Dallas Builders Show occur on Thursday, October 12, 2017 and offered free spots for municipal entities to be represented. Mr. Olk shared that BOAT will also have a booth at the show and offered spots for volunteers to help man the booth.

Mr. Yazdani expressed his desire to recognize NCTCOG staff for their work in supporting the activities of the RCCC by naming them to the Executive Board. Mr. Yazdani also shared that the Department of Energy will be holding the National Energy Codes Conference from July 17 - 20 in Pittsburgh, Pennsylvania. Mr. Yazdani also shared that the 2017 Texas Energy Summit will be held November 13 – 15 at the Dallas/Plano Marriott at Legacy Town Center in Plano.

Mr. Mata shared that the BOAT Annual Conference will be held from August 8 - 11 in Rockwall.

Cassidy Campbell, NCTCOG, informed the group that the 2017 National Electrical Code Regional Recommended Amendments notification letter and the RCCC Work Program letter will be sent to cities soon and will be followed by emails to the appropriate parties. Ms. Campbell requested that

RCCC members help circulate the information regarding the Work Program to those interested, especially within the private sector.

Mr. Rachel shared that he will be giving a seminar on special inspections on July 18 at the American Institute of Architects Dallas.

13. Schedule for the Next RCCC Meeting. The next meeting date is tentatively scheduled for Tuesday, October 17, 2017.

14. Adjournment.

If you have any questions regarding the meeting or agenda items, please contact Cassidy Campbell by phone at (817) 608-2368, or by email at ccampbell@nctcog.org.

If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please contact Crysta Guzman by phone at (817) 695-9231 or by email at cguzman@nctcog.org, 72 hours in advance of the meeting. Reasonable accommodations will be made to assist your needs.



SUMMARY

Regional Codes Coordinating Committee

Monday, April 24, 2017

9:30 AM, Regional Forum Room

NCTCOG Offices, CPII

616 Six Flags Drive, Arlington, Texas 76011

Chair: David Kerr, City of Plano

Vice-Chair: Jack Thompson, Town of Westover Hills

1. Welcome and Introductions.

David Kerr, City of Plano and Chair of the Regional Codes Coordinating Committee (RCCC), welcomed everyone to the meeting and asked new members and visitors to introduce themselves.

ACTION ITEMS

- 2. Summary of the January 31, 2017 Meeting.** The January 31, 2017 draft meeting summary is available online for your review and consideration.

The RCCC reviewed the January 31, 2017 meeting summary draft and approved it as submitted.

- 3. Approval of the 2017 National Electrical Code Regional Recommended Amendments** (Gary Jones). The Electrical Advisory Board (EAB) has completed the review of the 2017 National Electrical Code and has developed regional recommended amendments for which the EAB will be seeking approval from the Regional Codes Coordinating Committee (RCCC).

Gary Jones, International Association of Electrical Inspectors and Chair of the Electrical Advisory Board (EAB), presented the EAB's proposed regional recommended amendments to the 2017 National Electrical Code (NEC). The RCCC discussed the recommendations, specifically Article 240.91 and the potential impacts to industry as well as Article 230.71 (A) and how this article improves the quality of installation and safety. Jim Olk, City of Garland, made a motion to approve the amendments as submitted with the exception of removing the recommendation to delete Article 240.91. Selso Mata, City of Plano, seconded the motion, and the motion passed unanimously.

- 4. Presentation by Jerry Daniel, Chief Electrical Inspector, Texas Department of Licensing and Regulations.** Mr. Daniel will be presenting the State of Texas' position on the 2017 National Electrical Code (NEC).

Jerry Daniel, Texas Department of Licensing and Regulations (TDLR), gave a presentation on the State of Texas' position on the 2017 NEC. He informed the group that cities have authority to amend the state adopted electrical code, which is the NEC. If cities choose to amend their code, they must pass an ordinance that includes the desired amendments. TDLR will hold

contractors to the state adopted code. Mr. Daniel recommended two possible amendments to the 2017 NEC: requiring continuous supervision of contractors and requiring subcontractors to permit their work. Mr. Daniel mentioned a free upcoming training for authorities having jurisdiction (AHJs) to be held in Irving on July 18, 2017.

- 5. Guidance for Air Leakage Protocol** (Ed Dryden) - The Energy and Green Advisory Board (EGAB) will present the “NCTCOG Approved Methodology for Establishing Code Compliant Multifamily Residences Based on Measured Total Air Leakage Results Guidance for Code Officials, Raters, and Builders” (Guidance) for approval from the RCCC.

Ed Dryden, City of Dallas and Chair of the EGAB, explained the reasoning behind the development of the Guidance. Stan Folsom, Systemhouse, made a motion to approve the document. Phil Crone, Dallas Builders Association and voting alternate for David Lehde, seconded the motion, and the motion passed unanimously.

- 6. RCCC Work Program Update and Code Adoption Survey Results** – NCTCOG will present the proposed Work Program to the RCCC for approval. The results of the code adoption survey will also be presented for discussion related to the priorities included in the proposed Work Program.

Cassidy Campbell, NCTCOG, and Mr. Kerr presented an overview of the proposed RCCC Work Program and explained the results of the 2017 code adoption survey as they relate to the Work Program priorities. Mr. Olk proposed a rearrangement and consolidation of the priorities listed in Appendix B. Bahman Yazdani, Texas A&M Energy Systems Laboratory, made a motion to approve the Work Program with two amendments: 1) amending the priorities list to match Mr. Olk’s proposal and 2) including a cap of \$7,500 per entity on private sector contributions. Mr. Olk seconded the motion, and the motion passed unanimously.

- 7. Approval of Advisory Board Members for Appointment** (Ed Dryden) - The Energy and Green Advisory Board (EGAB) will seek approval for the appointment of Steven McPherson, Senior Plans Examiner, City of Mansfield.

Mr. Dryden briefed the RCCC on the qualifications of Steven McPherson, Senior Plans Examiner, City of Mansfield. Mr. Olk made a motion to approve the appointment of Mr. McPherson to the EGAB. Mr. Yazdani seconded the motion, and the motion passed unanimously.

DISCUSSION

- 8. Building Code Requirements** (Bruce Rachel) – Mr. Rachel will discuss requirements for elevators to have two-way communication devices for individuals with temporary and/or permanent disabilities.

Bruce Rachel, Hensley Lamkin Rachel, Inc., briefly discussed the requirements for elevators to have two-way communication devices for individuals with temporary and/or permanent disabilities. Mr. Rachel will be emailing RCCC members a document summarizing the issue, and this item will be discussed at the next meeting.

- 9. Standards for Electronic Plan Submittal** (Jim Olk) – The RCCC will discuss whether or not to establish a subcommittee to review and make a recommendation regarding standards for electronic plan submittal.

This item was tabled until the next meeting.



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- 10. 2015 International Residential Code (IRC) Section 313** (Bob Morgan) – Mr. Morgan will discuss the deletion of Section 313 from the 2015 IRC as recommended by the 2015 NCTCOG amendments to the IRC and the possibility of replacing it in the 2018 code review.

This item was tabled until the next meeting.

- 11. FY2018 RCCC Reappointments and Appointments.** In May, committee members with expiring terms will receive notification that his/her term is expiring and will be provided with reappointment/nomination forms. NCTCOG will also request nominations for Chair and Vice Chair. The individuals nominated for appointment and reappointment will be brought to the RCCC for approval at the July 19, 2017 meeting.

Ms. Campbell briefly discussed the upcoming RCCC reappointment and appointment process.

- 12. Legislative Update** – NCTCOG will provide a matrix of bills relevant to building codes filed in the current legislative session.

Ms. Campbell briefly discussed the matrix of bills relevant to building codes filed in the current legislative session. Mr. Olk highlighted the importance of HB 1120, and Ms. Gray highlighted the importance of SB 636. The matrix will be available online on the RCCC website, and Ms. Campbell will email a link out to committee members.

OTHER BUSINESS AND ROUNDTABLE DISCUSSION

- 13. Future Agenda Items.**

No future agenda items were discussed.

- 14. Roundtable Topics/Other Business.** RCCC members and NCTCOG may share additional items of interest as time allows.

Phil Crone, Dallas Builder's Association, discussed the tariffs recently imposed upon Canadian lumber by the Trump Administration. Mr. Crone believes this will have a significant negative impact on the home building industry as the tariffs are expected to increase the cost of lumber by 10 to 25 percent.

- 15. Schedule for the Next RCCC Meeting.** The next meeting date is to be determined.

- 16. Adjournment.**

If you have any questions regarding the meeting or agenda items, please contact Cassidy Campbell by phone at (817) 608-2368, or by email at ccampbell@nctcog.org.

If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please contact Brian Geck by phone at (817) 608-2361 or by email at bgeck@nctcog.org, 72 hours in advance of the meeting. Reasonable accommodations will be made to assist your needs.

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NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS REGIONAL CODES COORDINATING COMMITTEE AND ADVISORY BOARDS

COMMITTEE BYLAWS

SECTION 1: PURPOSE

The primary purpose of the Regional Codes Coordinating Committee (RCCC) is to enhance public safety and community resilience by encouraging the adoption and enforcement of current construction codes through fostering municipal and county government and private industry cooperation in promoting the standardization of construction codes used within the North Central Texas Council of Governments (NCTCOG) region. Standardization is defined as the adoption of the NCTCOG Recommended Codes and Regional Amendments, the reduction of variation of local amendments by all jurisdictions in the region and the consistent interpretation of these codes by public and private construction personnel. The work of the RCCC is an extension of the work initiated in 1967 by the Regional Codes Strategy Committee of NCTCOG which: documented the wide disparity of codes in use by the region's local governments at that time; cited the advantages of code standardization; and outlined steps to be taken to correct the situation.

NCTCOG provides administrative support to the RCCC at the discretion of the RCCC.

SECTION 2: MEMBERSHIP

Membership on the RCCC shall consist of twenty-eight members appointed by the Executive Board. Members are appointed for their technical expertise and should place regional interests above those of their individual jurisdiction for the purposes of this committee. Potential members nominated for appointment to the RCCC will ideally have prior experience serving on one of the RCCC's Advisory Boards to ensure understanding of the procedures and processes undertaken by the committee. The composition of the committee shall include representation from the various technical code disciplines and be representative of the region geographically. Specifically, membership representation shall be as follows:

- Thirteen professionals involved in municipal inspections with a city or county in North Central Texas who possess technical expertise in construction codes (building, plumbing, electrical, mechanical, or residential).
- Three professionals involved in municipal inspections with a city or county in North Central Texas who possess technical expertise in fire codes.
- Two professionals involved in either city or county management, city or county planning or community development.
- Nine professionals from the private sector - such as architects, engineers, builders, or contractors - who are involved with municipal building and construction codes and are interested in the regional standardization of codes.
- One energy professional from the Texas A&M University Energy Systems Laboratory.

Advisory Board Membership: Every municipality and county in the North Central Texas region and any interested industry associations (trade/professional) shall have the opportunity to seek membership on each Advisory Board. On an as-needed basis, NCTCOG will solicit member interest to fill needed Advisory Board vacancies. It will be the responsibility of municipalities, counties, and associations to nominate members to NCTCOG for potential appointment to the Advisory Boards. Members of these Advisory Boards shall be appointed by the RCCC by a majority vote of those present and shall:

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- 1) be a representative of a public jurisdiction or a professional association; and,
- 2) have technical expertise in that board's area of interest; and,
- 3) be inclined to act in the interest of the region.

The overall number of Advisory Board members may change from time to time as approved by the RCCC, as long as at least two-thirds of advisory board members are from the public sector. Members shall be appointed in an effort to satisfy representation from municipalities of varying size and geographic location across the region.

The RCCC shall appoint the chairperson and vice chairperson of each Advisory Board. The chairperson of each Advisory Board shall be a public sector member of the RCCC.

SECTION 3: TERMS OF OFFICE

Each October, members of the RCCC shall be appointed by the Executive Board to two year staggered terms with one-half of the members of the RCCC appointed each year. In order to be nominated for appointment to the RCCC, a nomination form must be submitted by potential new members. NCTCOG will notify current members of the RCCC whose terms are expiring and current advisory board members that the opportunity to serve on the RCCC is available. NCTCOG will collect the nomination forms and the RCCC will review and vote on which prospective members will be appointed or reappointed to the RCCC.

The RCCC shall vote to appoint one member as chairperson and another as vice-chairperson. There is no limit to the number of terms a member may serve.

SECTION 4: ATTENDANCE

After missing either three consecutive meetings or four meetings in the previous twelve months, the RCCC will vote on the removal of the member. Removal may be appealed to the RCCC for reason of extenuating circumstances. If the appeal process is not successful and a vacancy is declared, the vacancy will be filled in accordance with the procedures outlined in SECTION 2: MEMBERSHIP of this document.

Members may send alternates when necessary to avoid an absence being counted. The alternate will have the same voting rights as the member. It is the member's responsibility to sufficiently brief the alternate on the RCCC meeting agenda items.

Records of attendance will be maintained by NCTCOG and presented at each meeting as part of the RCCC summary notes.

SECTION 5: MEETINGS

The RCCC shall meet approximately once every quarter for the purpose of transacting business.

The first meeting of every NCTCOG fiscal year (from October 1 – September 30) will be to recognize new and retiring members, examine progress, and set future goals.

Meetings are open, but because their primary purpose is the exchange of ideas between RCCC members, non-members who wish to speak at a meeting must notify NCTCOG or the chairperson prior to the meeting and submit to the chairperson's wishes regarding the length of time they will be allowed to speak. Members are encouraged to seek a variety of opinions and evidence on matters of substantial controversy. Information should be presented in a concise methodical fashion (see Section 9: Policy for RCCC and Advisory Board Activities). Roberts Rules of Order shall be followed in making motions and conducting meetings.

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ADVISORY BOARD MEETING POLICY

Based upon current fiscal considerations, this section outlines the meeting policy for the Advisory Boards of the RCCC. This meeting policy is not intended to limit the work of the Advisory Boards. The goal is to encourage thorough code review and the preparation of recommendations prior to Advisory Board meetings. The additional preparation should allow for more productive and efficient Advisory Board meetings.

1) Number of Meetings

During NCTCOG's fiscal year (which runs from October through September), the Advisory Boards will have no more than twenty-five full-day NCTCOG-hosted meetings. This allows five meetings per Advisory Board. Since a code review cycle spans two fiscal years, each Advisory Board may have ten full-day meetings for the purpose of code review during a code review cycle. If additional meetings are necessary, Advisory Boards may hold off-site meetings. However, NCTCOG will not be responsible for preparing handouts or meeting summaries for off-site meetings.

Advisory Boards may share meeting days. For example, if the Fire Advisory Board meets in the morning and the Electrical Advisory Board meets in the afternoon, only one full-day meeting will be counted. Further, if the Fire Advisory Board only needs four meetings for the year, another Board may use the extra meeting. Task Force meetings do not count toward the twenty-five meeting limitation if they do not require NCTCOG attendance.

2) Meeting Attendance

Attendance at NCTCOG-hosted Advisory Board meetings will be recorded. After missing three consecutive meetings or four meetings in the previous twelve months, the advisory board will vote to determine whether or not the member shall be removed from the board. Removal may be appealed to the RCCC for reason of extenuating circumstances. If the appeal process is not successful and a vacancy is declared, the Advisory Board Chair, Advisory Board, or NCTCOG shall be asked to recommend a new representative for approval by the RCCC. Members may send alternates when necessary to avoid an absence being counted. The alternate will have the same voting rights as the member. It is the member's responsibility to sufficiently brief the alternate on the Advisory Board meeting agenda items. Records of attendance will be maintained by NCTCOG and provided at each meeting as part of the meeting summary notes.

3) Recommendations to the RCCC

In order to forward recommendations to the RCCC, a quorum must be present. A quorum consists of a simple majority of the current roster membership of Advisory Board members.

Recommendations to the RCCC require a two-thirds vote of those members present. The Advisory Boards are primarily working subcommittees where full and frank discussions may occur; therefore, each member of the Advisory Board shall be given the opportunity to speak at length to the issues at hand. Meetings are open, but because their primary purpose is the exchange of ideas between Board members, non-members who wish to speak at them must notify the chairperson prior to the meeting and submit to the chairperson's wishes regarding the length of time they will be allowed to speak. Members are encouraged to seek a variety of opinions and evidence on matters of substantial controversy. Information should be presented in a concise methodical fashion.

Roberts Rules of Order shall be followed in making motions and conducting meetings.

SECTION 6: VOTING

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A quorum and a positive vote of two-thirds of those members of the RCCC present is required to send a recommendation to the Executive Board and establish or abolish subcommittees or other special groups. This ensures the RCCC advice to the Executive Board represents a consensus of the RCCC and recognizes the stature of RCCC Advisory Boards or other subcommittees. All other actions require a quorum and only a majority vote of those members of the RCCC present.

A quorum consists of a simple majority of the current roster membership of RCCC.

SECTION 7: ADVISORY BOARDS ESTABLISHED BY THE RCCC

The following Advisory Boards are hereby created:

- Building and Residential Advisory Board - Provides support and technical advice to the RCCC on a wide range of building issues.
- Fire Advisory Board - Provides support and technical advice to the RCCC on a wide range of fire issues.
- Plumbing and Mechanical Advisory Board - Provides support and technical advice to the RCCC on a wide range of plumbing and mechanical issues.
- Electrical Advisory Board - Provides support and technical advice to the RCCC on a wide range of electrical issues.
- Energy and Green Advisory Board - Provides support and technical advice to the RCCC on a wide range of energy and green building issues.

Additional Advisory Boards/subcommittees may be created or any of the following Advisory Boards may be abolished by the RCCC following the voting procedures in SECTION 6: VOTING.

SECTION 8: COMMITTEE BYLAWS

Changes to these bylaws can only be made by a vote of two-thirds of the RCCC's membership or by the NCTCOG Executive Board.

SECTION 9: POLICY FOR RCCC AND ADVISORY BOARD CODE ACTIVITIES

This policy is established to define appropriate avenues for RCCC and Advisory Board code activities and to ensure that recommendations to the Executive Board represent a consensus of opinion among the region's public and private construction professionals.

The four sets of code activities in which the RCCC and Advisory Boards are involved include:

1) Model Codes Standardization

Code standardization will occur when all localities in the region adopt the NCTCOG recommended construction codes, local amendments are eliminated or replaced by NCTCOG Regional Amendments, and there is consistent interpretation of these codes by public and private construction personnel.

Toward this end, the RCCC and NCTCOG: 1) recommend construction codes from those developed by various national codes organizations for adoption by the region's local governments 2) provide periodic documentation of codes disparity between the region's cities 3) provide code classes and

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informational seminars for public and private construction personnel and 4) provide information and technical assistance to localities which have expressed an interest in adopting the recommended codes and/or amendments.

2) Recommending Regional Amendments to the NCTCOG Executive Board and submitting Code Change Proposals to the code publisher

a. Regional Amendment Development and Code Change Process

A "Regional Amendment" is defined as a proposed regional change to a model code that is needed because of conditions unique to this region or because of deficiencies or errors in the code. Regional amendments recommended because of deficiencies or errors in the code should be submitted as code change proposals to the code publisher.

Each Advisory Board will have the option to carry out their activities utilizing the process outlined below:

- i. The process of developing amendments will be open and the public will be invited to submit proposals. The RCCC will forward proposals to the appropriate Advisory Board or Task Force(s).
- ii. Each Advisory Board will conduct approximately five day-long meetings at NCTCOG during NCTCOG's fiscal year to review all proposals and comments submitted by the Task Forces and the general public. To facilitate discussion and instant editing, NCTCOG staff will provide a laptop, projector, and screen. Attendees will be encouraged to bring their own hard copies of the applicable code books, recommendations, and comments. During these meetings, all amendments will be finalized.
- iii. If necessary, Advisory Boards may split into Task Forces to review specific sections of the applicable codes and to recommend amendments. Each Task Force will select one member to be responsible for setting the date, time, and location for the Task Force's meetings and for compiling recommendations, interpretations, and/or comments into one document.
- iv. Each Advisory Board will decide if its Task Forces should prepare meeting summaries. Task Force members will be responsible for meeting summaries, not NCTCOG. NCTCOG will take meeting notes and prepare meeting summaries for the Advisory Board meetings.
- v. Task Forces will submit recommendations to NCTCOG for publication on the codes web page. Advisory Board members and the general public will be encouraged to review the recommendations and submit comments to NCTCOG staff, by email or on electronic media.
- vi. Amendments will be forwarded to the RCCC and then to the Executive Board. After Executive Board approval, the finalized amendments will be advertised and posted on the codes website.
- vii. Each Advisory Board will review their recommended regional amendments for amendments that should be submitted as code change proposals to the code publisher. Code change proposals should consist of amendments that are not based on regional conditions or that have not already been submitted to the code publisher. Advisory Board members will be responsible for formatting code

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change proposals in the format required by the code publisher and for submitting the proposals to the publisher by the publisher's deadline.

3) Marketing Regional Amendments

After the Executive Board approves an Advisory Board's regional amendments, NCTCOG will post the amendments online and advertise their availability to NCTCOG local government members, applicable professional and industry associations and other federal, state, non-profit and private-sector partners. The RCCC and Advisory Boards may also assist in marketing the amendments.

4) Development of Position Papers and Opinion Statements on matters involving the codes

A Position Paper is a collection of opinions representing different perspectives on a codes issue. An Opinion Statement is a written RCCC or Advisory Board opinion to an individual, organization, or locality, which at staff's discretion might be submitted to the Executive Board for approval. Position Papers and Opinion Statements may consist of:

1. An Advisory Board's interpretation of an unclear section of a code.
2. An Advisory Board's opinion of a local amendment that was sent to the Advisory Board by a locality for review and comment. This would include the reasons for the opinion and possible alternative wordings.
3. An Advisory Board's opinion of a proposed code change for a code publisher's subcommittee or private organization. This opinion is to be construed only as advice and not as the official position of the Advisory Board, RCCC, or Executive Board.

SECTION 10: ROLE OF NCTCOG STAFF

NCTCOG will serve in an advisory and administrative support capacity to the RCCC and Advisory Boards. NCTCOG will prepare all meeting notices, agendas and support materials, keep attendance records, record the proceedings of each NCTCOG-hosted meeting, and otherwise provide support functions (such as facilitate technical assistance requests, maintain websites and rosters, and compile resources) within the limits of fiscal resources.

Advisory Board members will develop and write any proposals they wish to submit to the RCCC in the format necessary for action to be taken on them.

Adopted July 6, 2017 by the Regional Codes Coordinating Committee.

Memorandum



CITY OF DALLAS

DATE June 19, 2017

TO Members of the Regional Code Coordinating Committee

SUBJECT Sampling Protocol for Multi Family Testing Sampling

The 2015 IECC requires testing of dwelling units for both air leakage and duct tightness. For many multifamily (R2, R3 and R4 occupancy classifications) projects, it is very costly and time consuming to test each dwelling unit for projects where there may be dozens of dwelling units in each building. Considering that a building is generally constructed by the same tradesman it is reasonable to deem that construction practices are consistent and that if a reasonable sampling of units tested pass then all units would pass.

The Energy and Green Advisory Board (Board) looked at similar sampling ordinances/policies from Austin and San Antonio. After some discussion the Board voted to forward to the RCCC a protocol for sampling for testing multifamily properties. In the attached document there are two added sentences in the first paragraph that came forward in the email voting. The added sentences provide for additional guidance and clarity without any substantive change to the sampling protocol.

I encourage the members of the RCCC to consider approving the sampling protocol with the added sentences.

A handwritten signature in blue ink, appearing to read 'Ed Dryden'.

Ed Dryden, CBO
Chair – Energy and Green Advisory Board

NCTCOG SAMPLING PROTOCOL FOR GROUP R2, R3 AND R4 OCCUPANCIES

Sampling for Testing. For buildings having three or more dwelling units, a minimum of 15% of the dwelling units in each building must be tested as required by Sections R402.4.1.2 and R403.3.3 of the 2015 *International Energy Conservation Code* (Code). Prior to beginning sampling for testing, "Initial Testing" is required for each multifamily property. "Initial Testing" shall consist of the 3rd party testing contractor performing the required tests on at least three consecutive dwelling units. Test results from the "Initial Testing" must satisfy minimum code requirements before sampling is permitted. Dwelling units selected for the "Initial Testing" must be within the same building. Dwelling units selected for "Initial Testing" shall not be included in a "sample group" or counted toward the minimum 15% of dwelling units tested. The building official shall randomly select the three dwelling units for "Initial Testing." The building official may delegate the random selection to the designated 3rd party testing contractor.

Sample group Identification and Sampling

The builder shall identify a "sample group" which may be a building, floor, fire area or portion thereof. All of the dwelling units within the "sample group" must be at the same stage of construction and must be ready for testing. The building official shall randomly select at least 15% of dwelling units from each "sample group" for testing. The building official may delegate the random selection to the designated 3rd party testing contractor.

If each tested dwelling unit within a "sample group" meets the minimum code requirements, then all dwelling units in the "sample group" are considered to meet the minimum code requirements.

Before a building may be deemed compliant with the testing as required, each "sample group" must be deemed to be compliant with the minimum code requirements. The sum total of all of the tested dwelling units across all "sample groups" shall not be less than a minimum of 15% of the dwelling units in a building.

Failure to Meet Code Requirement(s)

- a. If any dwelling units within the identified "sample group" fail to meet a code requirement as determined by testing, the builder will be directed to fix the cause(s) of failure, and 30% of the remaining dwelling units in the "sample group" will be randomly selected for testing by the building official, or third-party testing contractor, regarding the specific cause(s) of failure.
- b. If any failures occur in the additional dwelling units, all remaining dwelling units in the sample group must be individually tested for code compliance.
- c. A multifamily property with 3 failures within a 90 day period is no longer eligible to use the sampling protocol in that community or project until successfully repeating "Initial Testing." Sampling can be reinstated after at least 3 consecutive dwelling units are individually verified to meet all code requirements.
- d. No building may be issued a Certificate of Occupancy until testing has been performed and deemed to satisfy the minimum code requirements on the dwelling unit(s) identified for testing.

TWO WAY COMMUNICATION SYSTEM AT ELEVATORS

1009 Accessible Means of Egress

Summary

R-2 Occupancy 5 story and taller buildings with NFPA 13 sprinkler system:

1. [Is a two-way communication needed at all elevators regardless if they are part of the accessible means of egress or not?](#)
2. An area of refuge is not required in stairs in R-2 Occupancy Group buildings. 1009.3 e8
3. An Accessible elevator is not required if a horizontal exit is provided on that floor. 1009.2.1 e1
4. 1009.8 requires all elevators... to have two-way communication system...
5. The building on the other side of the horizontal exit becomes the "area of refuge". Should we provide a map?
6. If elevator is not part of the accessible means of egress it does not require backup power source
7. Do we want people waiting by the elevator during a life safety event?
8. What is the difference in a service elevator and a freight elevator? 1009.8 e3 and e4

1009.2.1 Elevators Required. In buildings where a required accessible floor is four or more stories above or below a level of exit discharge, not less than one required accessible means of egress shall be an elevator complying with Section 1009.4.

Exceptions:

1. [In buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the elevator shall not be required on floors provided with a horizontal exit and located at or above the levels of exit discharge.](#)
2. In buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the elevator shall not be required on floors provided with a ramp conforming to the provisions of Section 1012.

Commentary:

On a flat site, "buildings with four or more stories above the level of exit discharge" would typically be a [five-story](#) building. The level of exit discharge is the entire first story level (not merely the plane or level of the first floor); therefore, the fifth floor is the fourth story above the level of exit discharge.

Exception 1 establishes that accessible egress elevator service to floor levels at or above the level of exit discharge is not necessary under specified conditions. The conditions are that the building is equipped throughout with an automatic sprinkler system in accordance with NFPA 13 or NFPA 13R (see Section 903.3.1.1 or 903.3.1.2) and that floors not serviced by an accessible egress elevator are provided with a horizontal exit. The presence of an automatic sprinkler system significantly reduces the potential fire hazard and provides for increased evacuation time. The combination of automatic sprinklers and a horizontal exit provides adequate protection for the occupants despite their distance to the level of exit discharge.

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1009.3 Stairways. In order to be considered part of an accessible means of egress, a stairway between stories shall have a clear width of 48 inches (1219 mm) minimum between hand-rails and shall either incorporate an area of refuge within an enlarged floor-level landing or shall be accessed from an area of refuge complying with Section 1009.6. Exit access stair-ways that connect levels in the same story are not permitted as part of an accessible means of egress.

Exceptions:

1. Exit access stairways providing means of egress from mezzanines are permitted as part of an accessible means of egress.

2. The clear width of 48 inches (1219 mm) between handrails is not required in buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.

3. The clear width of 48 inches (1219 mm) between handrails is not required for stairways accessed from a refuge area in conjunction with a horizontal exit.

[4. Areas of refuge are not required at exit access stair-ways where two-way communication is provided at the elevator landing in accordance with Section 1009.8.](#)

[5. Areas of refuge are not required at stairways in buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.](#)

6. Areas of refuge are not required at stairways serving open parking garages.

7. Areas of refuge are not required for smoke-protected assembly seating areas complying with Section 1029.6.2.

[8. Areas of refuge are not required at stairways in Group R-2 occupancies.](#)

9. Areas of refuge are not required for stairways accessed from a refuge area in conjunction with a horizontal exit.

1009.4 Elevators. In order to be considered part of an accessible means of egress, an elevator shall comply with the emergency operation and signaling device requirements of Section 2.27 of ASME/CSA B44 A17.1. [Standby power](#) shall be provided in accordance with Chapter 27 and Section 3003. The elevator shall be accessed from an area of refuge complying with Section 1009.6.

Exceptions:

1. Areas of refuge are not required at the elevator in open parking garages.

[2. Areas of refuge are not required in buildings and facilities equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.](#)

3. Areas of refuge are not required at elevators not

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required to be located in a shaft in accordance with Section 712.

4. Areas of refuge are not required at elevators serving smoke-protected assembly seating areas complying with Section 1029.6.2.

5. Areas of refuge are not required for elevators accessed from a refuge area in conjunction with a horizontal exit

1009.8 Two-way communication. A two-way communication system complying with Sections 1009.8.1 and 1009.8.2 shall be provided at the landing serving each elevator or bank of elevators on each accessible floor that is one or more stories above or below the level of exit discharge.

Exceptions:

1. Two-way communication systems are not required at the landing serving each elevator or bank of elevators where the two-way communication system is provided within areas of refuge in accordance with Section 1009.6.5.

2. Two-way communication systems are not required on floors provided with ramps conforming to the provisions of Section 1012.

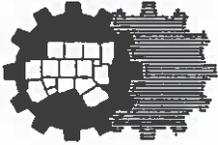
3. Two-way communication systems are not required at the landings serving only service elevators that are not designated as part of the accessible means of egress or serve as part of the required accessible route into a facility.

4. Two-way communication systems are not required at the landings serving only freight elevators.

5. Two-way communication systems are not required at the landing serving a private residence elevator.

Commentary:

Unless provided in areas of refuge, in multistory buildings a two-way communication system must be located at the elevator landing of each accessible floor level other than the level of exit discharge. The system is intended to offer a means of communication to individuals with mobility impairment, either permanent or temporary, who need assistance during an emergency situation. Such a system can be useful not only in the event of a fire, but also in the case of a natural or technological disaster by providing emergency responders with the location of individuals who will require assistance in being evacuated from floor levels above or below the discharge level. The ability of emergency responders to locate persons needing assistance quickly is an important part of the fire and safety plan. The two-way communication system is a critical element in that plan.



Regional Codes Coordinating Committee

9:30 a.m., Thursday, July 6, 2017

Regional Forum Room

MEMBER SIGN IN SHEET

NAME	SIGNATURE	ORGANIZATION
Suzanne Arnold		City of Coppell
Larry Bartlett		TDIndustries
Joe Bass	JOE BASS	Hillwood
Jack Baxley		TEXO
Clayton Chandler		City of Mansfield
Paul Coker		City of Mansfield
Greg Contreras		City of Duncanville
Steve Covington		City of Frisco
Ed Dryden		City of Dallas
Stan Folsom		Systemhouse
Tommy Ford		Tommy Ford Construction Co.
Allison Gray		City of Fort Worth
Danny Hartz		Town of Flower Mound
Gary Jones		IAEI
David Kerr		City of Plano
David Lehde	Phil Crane (proxy)	Dallas Builders Association
Selso Mata		City of Plano
Bob Morgan		City of Fort Worth
Jim Olk		City of Garland
Ted Padgett		City of Dallas
David Pendley		City of North Richland Hills
Amy Porter		Root Engineering
Bruce Rachel		Hensley Lamkin Rachel, Inc.
Rick Ripley		City of Arlington
Kirk Smith		Town of Highland Park
Jack Thompson		Town of Westover Hills
Gilbert Urvina		City of Frisco
Bahman Yazdani		Texas A&M ESL

