



GOVERNMENT OF THE DISTRICT OF COLUMBIA
CONSTRUCTION CODES COORDINATING BOARD

MINUTES OF SPECIAL MEETING
Wednesday, February 18, 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
Paul Waters (Chair)	Jatinder Khokhar	Jill Stern (DCRA)	David Epley (DCRA)
Alex Berley (Vice Chair)		LaShawn Dickey (DCRA)	Kirsten Bowden (AOBA)
Armando Lourenco			
Marc Fetterman			
Robert Hershey			
Herbert Taylor			
Bill Updike			
Rabbiah Sabbakhan			
Ethan Landis by Conf Call			

1. Preliminary Matters

Call to Order

The meeting was called to order by Paul Waters, Chair, at 10:16 a.m. with a roll call of members and other persons present.

Adoption of Meeting Agenda

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

Review & Approval of Meeting Minutes

The meeting minutes for the Wednesday, November 19, 2014 Special Meeting were unanimously approved by the Board, upon motion made by Bill Updike and duly seconded by Robert Hershey, with a minor correction (of the code proposal numbering) as noted by Jill Stern. Jill Stern indicated that she would circulate the minutes as revised to Board members following the meeting.

2. Status Updates and Administrative Matters

- (i) Pending Rulemaking and Legislative Proceedings.

Jill Stern circulated a chart indicating the status of pending rulemaking and legislative proceedings of potential interest to the Board. These include the following: (1) the emergency amendments to the 2013 Construction Codes Supplements (12 DCMR) were adopted pursuant to a Notice of Final Rulemaking published in the DC Register on January 2, 2015; (2) the “Harmonization Act” was resubmitted to the Mayor’s office in January 2015 and will need to be reintroduced; (3) the 14 DCMR Second Notice of Proposed Rulemaking was published in the DC Register on January 9, 2015 with comments due on February 9. Other pending matters noted by Jill Stern were: (1) publication of a Notice of Second Rulemaking to create a new Title 13 for sign regulations on 2.13.15 with a 90-day comment period; and (2) the anticipated publication of an emergency rulemaking to amend Title 16 to conform the DCRA and FEMS schedule of civil infractions to the 2013 Construction Codes.



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
CONSTRUCTION CODES COORDINATING BOARD**

(ii) Update on Board Recruitment.

Paul Waters asked each Board member to submit a letter of intent and a resume to him by February 19, 2015 if he wants to be reappointed to the Board. He indicated that the Mayor's Office of Talent and Appointments (formerly Office of Boards and Commissions) expects to finalize Board appointments by March 2015. An important consideration will be to find qualified CCCB members who are also DC residents.

(iii) Timeline for Review of 2015 International Codes.

Paul Waters advised Board members of his expectation that the 2013 DC Construction Codes will be amended to incorporate any appropriate changes and updates after the 2015 model codes are reviewed, instead of whole-scale adoption of the 2015 model codes. He indicated that a more definite timeline would be established after all of the 2015 model codes are published and reviewed, but it is his expectation that an early 2017 adoption of amendments would be reasonable, with the Board's consideration of amendments and publication of a rulemaking notice by mid-2016.

(iv) CCCB Regular Meeting Schedule for FY2015.

The Board agreed to hold Regular meetings on the third Thursday of every month at 10:00 am. The specific meeting dates are: March 19, 2015; April 23, 2015; May 21, 2015; June 18, 2015; July 16, 2015; August 20, 2015; and September 17, 2015.

(v) Other Matters

Robbie Sabbakhan distributed to the Board a copy of a draft Construction Codes Administrative Bulletin on "pop-ups" (CC2015-01) that he expected would be released shortly. This bulletin will provide guidance on vertical additions and adjoining property which has been a controversial issue.

3. Consideration of New Code Change Proposals

The Board Members discussed pending code change proposals as summarized below. Following discussion by the Board, action was taken with respect to the code change proposals as noted below. In order to incorporate comments made by the Board members with respect to code change proposal BC-CCCB-1-1-14, Jill Stern agreed to revise the proposal and circulate the revised proposal before the next meeting.

(i) Expanded Child Development Homes (RC-CCCB-App. M-1-14)

Herb Taylor advised the Board that the Fire TAG has extensively discussed and revised Appendix M, and that he expects to circulate a revised code change proposal at the next CCCB meeting. He plans to hold another Fire TAG meeting to approve the revised proposal. Jill Stern indicated that OSSE has an objection to the Fire TAG's proposed requirement to require 4 caregivers where there are 5 or 6 children under age 2, and additional children being cared for who are two years and older. Herb Taylor indicated that the Fire TAG is not going to change its position on the caregiver issue. Jill Stern suggested that an OSSE representative be invited to the next Board meeting to explain OSSE's position. Jill Stern also advised the Board that there are ongoing extensive discussions between OP, the Zoning Administrator, OSSE, FEMS and DCRA to clarify the process for building and fire safety review of child development homes at the time of initial licensing and on license renewal. Based on these discussions, the Office of Planning has revised the related zoning amendment to make expanded child development homes a home occupation use.



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
CONSTRUCTION CODES COORDINATING BOARD**

(ii) Posting of Construction Permits (BC-CCCB-1-1-14)

Marc Fetterman advised that he has consulted with IP TAG members on the proposal, and the TAG members do not support the proposal. Marc Fetterman pointed out that DCRA has now improved the online Property Verification System to provide more information about permits at specific addresses, addressing concerns that neighbors have more information about the work authorized by a permit. He also noted that the public can review the permit file at DCRA if additional information is desired. Board concern was also expressed that it is not feasible or necessary to require permit posting readable from the street, and such requirement could conflict with public space and sign regulations. Armando Lourenco suggested that it might be worthwhile to put an express obligation on DCRA to make relevant permit information available on the DCRA website, and the Board agreed on the following: “Relevant information on all permits issued by the Department shall be made available to the public on the Department’s website.”

(iii) Floodplain Management Regulations (BC-CCCB-1-2-14)

Marc Fetterman advised the Board that he had circulated the new code change proposal to the IP TAG and did not receive any objections to the document. He also indicated that he had discussed the proposal with Phetmano Phannavong from DDOE (DC’s flood contact) and Robbie Sabbakhan, and both agreed that the Chapter 1 amendment was necessary at this time to address FEMA concerns about consistency and coordination between the Construction Codes and the Flood Hazard Rules codified in Title 20 of the DCMR. Based on his follow up, Marc Fetterman confirmed that, in conjunction with an upcoming visit by FEMA, and efforts to define the respective responsibilities of DDOE and DCRA for floodplain management, it is desirable to make sure that DCRA responsibilities, and permit application procedures, under Title 20 are integrated into and referenced in Chapter 1 of the Building Code. Marc Fetterman noted, however, the benefits of DC adopting the IBC Appendix G Flood Resistant Construction, which is regularly reviewed during the ICC codes review process, in lieu of the existing Chapter 31 of 20 DCMR, and Jill Stern said that this would be one of several items to be discussed with DDOE during the next few months.

(iv) Mechanical Ventilation Requirements for Renovated Buildings (MC-CCCB-4-1-2014)

Jill Stern advised the Board that extensive discussions about this proposal had taken place between David Epley, Marc Fetterman, Bill Updike and Armando Lourenco. Based on these discussions, she indicated her understanding that the parties had agreed that a code change was not necessary at this time, but that the issue should be reconsidered during the next code development cycle. Paul Waters withdrew the code change proposal in his capacity as Chair.

Proposals	Section	Introduced	CCCB Action
Residential Code			
RC-CCCB-App. M-1-14	Appendix M	Submitted to Chair 8.20.14; referred to Fire TAG 9.17.14	[Awaiting Fire TAG recommendations]
Building Code			
BC-CCCB-1-1-14	105.1.9	Submitted to Chair 8.20.14; referred to IP TAG 9.17.14	Fetterman (M) Updike (S) Approved unanimously with revisions 2.18.15
BC-CCCB-1-2-14	104.9.4/104.10.4/105.3/105.3.12/202	Submitted to Chair 11.19.14; referred to IP TAG 11.19.14	Fetterman (M) Lourenco (S) approved unanimously



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
CONSTRUCTION CODES COORDINATING BOARD**

			2.18.15
Mechanical Code			
MC-CCCB-4-1-14	401.2	Submitted to Chair 10.29.14	Withdrawn by Chair 2.18.15

4. New Code Change Proposal

Jill Stern advised the Board that Chapter 3 of the Building Code, needs to be amended to conform to the changes under discussion with respect to Appendix M of the Residential Code. She identified Sections 305.2 and 308.6 as potentially requiring amendment, and she circulated the text of these provisions to the Board with her suggested revisions. She indicated that she would draft and circulate a formal code change proposal to the Board (BC-CCCB-3-1-14). Paul Waters indicated that the proposal would be forwarded to the Fire TAG for consideration.

5. Comments by Members of the Public

Kirsten Bowden, the new AOBA Vice President of Government Affairs, D.C., introduced herself to the Board, and provided an update on AOBA personnel changes. No further comments were made by the public.

6. Adjournment

The meeting was adjourned at 11:50 a.m. upon motion made by Robert Hershey and duly seconded by Armando Lourenco.