



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

**Minutes of Thursday, March 17, 2011 Meeting**

10:00am – 12:00pm

1100 4th Street, SW

Directors Conference Room, 5<sup>th</sup> Floor

Washington, DC 20024

Members Present	Members Absent
Paul Waters (Acting Chair)	Herbert Taylor
Alex Berley (Vice Chairman)	Dave Hollinger
Rabbiah Sabbakhan	
Marc Fetterman	
Ethan Landis by Conference Call	
Jill Stern	
Curtis Clay	
Robert Hershey	
	No public attendee.

***1. Call to Order***

Paul Waters (Acting Chair) called the meeting to order at 10:16 am and a roll call of members present.

Members were asked if they would like to add to the meeting agenda. (No additions were added to the agenda) The draft agenda was approved.

***2. Review and approval of the meeting agenda***

Board members did not complete their review of the past meeting minutes sent to them for September 2010, October 2010 and November 2010. All members present agreed to review and make edits/changes and send to Marc Fetterman for finalizing by March 25, 2011.

Board members reviewed the meeting minutes for 2/17/11 and 3/1/11. Additional corrections need to be made to the 2/17/11 minutes and they will be resubmitted for approval at the meeting on 3/25/11. The meeting minutes for 3.1.11 were reviewed, edited and approved.



### ***3. DCRA update on Administrative Process***

- a) Board members will be issued new ID badges by DCRA Support Services Division. Members were to swing by the office after the meeting to surrender their old ID's and pick up their new ones. Once the electronic gates are completed in the lobby (1100 4<sup>th</sup> Street, S.W.) members will be cleared through using their new ID's.
- b) DCRA attempted to make contact with Gerald Keys regarding additional Board documents and information. DCRA was unsuccessful in obtaining additional information.
- c) DCRA Director (Nicholas Majett) talked with the Boards and Commissions regarding the current Administration's position regarding the "District resident" status requirement for new Board members. While D.C. residency is preferred, referrals of non-residents are fine. If someone would like to be considered for the CCCB Building Analyst and any absent Board seat, their information should be submitted to Paul Waters (Acting Chair). DCRA Director has also asked the Boards and Commissions to assist with filling the vacancies. Rabbiah Sabbakhan will be assisting DCRA Director in filling the two vacant seats for DCRA. It was noted that the third open seat is designated for someone with a commercial real estate background.
- d) Marc Fetterman inquired about the Chair having to be approved by the Mayor. Paul Waters informed the Board that, based on DCRA's review of the Mayor's Order, Board "Members" have to be appointed by the Mayor, but the "Chair" does not have to be appointed by the Mayor.

### ***4. Review of 2011 Draft Construction Code Supplement as Formatted by the Office of Documents; Update on Board member review***

Draft Construction Code Supplement 2011 12 DCMR.

- 1. Paul Waters asked members if they had completed their review of the 2011 Supplement as formatted by the Office of Documents, to make sure that the document reflected amendments/revisions adopted by the Board.

Alex Berley stated that, due to the edits made by the Office of Documents, he separated his section (Residential) into two categories (1) Technical and (2) Editorial/Formatting.

In reviewing the Residential Code section he stated that the word "SECTION" had been deleted through-out the "Draft Construction Code Supplement 2011 12 DCMR" and only references the "NUMBER". These changes make it difficult to identify which chapter and section you are reading.

Board members agreed with Alex Berley about the changes and edits made by the Office of Documents. Marc Fetterman stated there are currently problems with "formatting and



consistency”. Paul Waters is asked about inserting footers within the document to designate the individual codes.

Paul Waters informed members that Helder Gil spoke with the Office of Documents and there is no reason why page footers/headers cannot be added to the document.

Board members agreed that for sections that are being “DELETED”, the Board will add “INTERNATIONAL” and that this format change would be applied by TAG sections. A suggestion was made to add “DC” to the definition of and references to the Building Code and other Codes. Rabbiah Sabbakhan mentioned that the lack of a reference to the “DC Building Code”, for example, has caused some confusion among the public. Jill Stern pointed out that Section 101 of 12A DCMR defines the Building Code to mean the International Building Code as modified by the DC Supplements, and that addition of DC in the Code names could cause confusion with the Supplements. After discussion, the Board agreed to leave the definition as is, and not modify the definitions in Section 101 of 12A because of the difficulty of conforming all references in the Codes.

2. Board members were asked to continue review of the version revised by the Office of Documents in order to make sure that the revisions adopted by the Board have been appropriately reflected in the master document. Board members agreed to send any necessary changes/edit to Paul Waters before the next meeting for merging and finalizing.

Alex Berley will make all edits/changes to the “Residential Code Supplement” section. DCRA will not have to make any edits. He also has backup documentation for the Residential TAG.

Paul Waters asked the Board what will be the time frame for completion and submittal to him. Alex Berley will send his completed draft by March 25, 2011.

Marc Fetterman will be responsible for making edits/changes to the “Mechanical” section. As a follow-up he will also send out the “Style Format” document used by ICC to members. He pointed out that there is a conflict between the formatting used by the Office of Documents, and the ICC style format. Alex Berley asked if the Board was going to adopt the ICC or DC, Office of Documents style. The Board members had a round table discussion on formatting, but did not reach a final decision on this point, except with respect to the formatting of measurements. The Board agreed that numerical measurements should be formatted consistently with the ICC style format.

3. Paul Waters asked Rabbiah Sabbakhan if he had a chance to review the “Building Code Supplement” section. Mr. Sabbakhan had not had a chance to fully review the document but indicated he would by March 25, 2011.

Jill Stern stated that at the bottom of all Codes the Office of Documents inserted generic disclaimer language relating to the International Building Code, which needs to be



corrected. Paul Waters informed the Board that due to copyright rules the Office of the Attorney General indicated that the disclaimer language is required, but that he was in the process of making sure that the language is modified to apply to each of the Codes.

In reviewing the Property Maintenance Code, Marc Fetterman noted that he had substituted a reference to the “Building Code” instead of the citation (12 DCMR A) used by the Office of Documents. After discussion, the Board members decided they would prefer to use 12 DCMR A, since this was closer to what was adopted by the Board previously.

4. The Office of the Secretary removed wording from the draft that the Property Maintenance TAG voted and approved. Marc Fetterman stated that he has inserted the “CCCCB-approved” language back into the draft under Section 102.8 – Matters Not Covered by the Code. In addition the phrase “public safety, health and general welfare” had been approved by the CCCC but Marc Fetterman recommended changing the phrase back to the phrase used in the ICC model codes: “public health, safety and welfare.”

The Board had a roundtable discussion concerning the formatting of “Code Official”. Paul Waters stated that to his knowledge the Board had agreed that “Code Official” would be capitalized and italicized. Marc Fetterman states that the ICC uses lower case and italics for Code Official, and this is the format already reflected in the Property Maintenance Code as approved by the CCCC. Jill Stern pointed out that Code Official had been capitalized elsewhere in the Codes, including the definition of Code Official in 12A DCMR, and that use of the lower case could be confusing. There are some instances in the Codes, she noted, where lower case is purposely used to encompass departments other than DCRA and FEMS.

The formatting of “Code Official” was unresolved.

Alex Berley suggested that having a Table of Contents would make reviewing sections less difficult. Paul Waters stated that a Table of Contents would be developed at the end of the review process.

#### ***5. Re-approval of the FEMA Flood Plains Emergency Code Requirements.***

Extension of the FEMA Flood Plains Emergency Code requirements was previously approved by the Board in February 2011.

#### ***6. Approval on Emergency Sign Regulations***

This code change proposal was presented to the Board in October 2010, due to needed clarification on “Signs Located within a Building”. Rabbiah Sabbakhan added a 4<sup>th</sup> exception to code, which distinguishes “inches”. Board had roundtable discussion.



The Board agreed to review the Code Change Proposal for DCMR 12A – Section 3107.3.3 “Signs within a Building” at the 3/25/11 meeting.

#### ***7. Vote on 2011 12A DCMR Section 103.2***

A motion was presented to the Board, and duly seconded, to vote on revision of 2011 12A DCMR 103.2, to modify the definition of Code Official to include “maintenance” within DCRA’s jurisdiction. The Board voted and agreed unanimously to this revision. Code change proposal “approved”. Jill Stern pointed out that the Fire Code would also need to be conformed.

#### ***8. Outstanding TAG Amendments***

As a follow-up from the March 1, 2011 meeting, Board members were asked to provide an update on any outstanding TAG amendments/issues.

1. Marc Fetterman states that there are currently 3 outstanding Mechanical Amendments that were previously adopted by the Board to the 2008 12 DCMR that have not had any additional follow-up by DCRA. Marc Fetterman asked for an update. Rabbiah Sabbakhan states that these amendments are “Requirements for Signage”. Did anyone inform Helder Gil about having these amendments published to the DC Register? Rabbiah Sabbakhan responds yes and he thinks these amendments need to be published as an emergency. The amendments will be reviewed/presented at the next Board meeting.

Marc Fetterman will distribute to the Board a number of Property Maintenance proposed amendments that had been presented to the TAG by DCRA just prior to the 11-18-2010 meeting. Gerald Keys had previously advised the Board that these amendments would be considered during the next code review cycle.

Ethan Landis asked members if they have received a copy of the draft Green Code he sent by email to members. Board members responded yes. In addition, he also sent the draft to DCBIA and AOBA and, as of 3/17/11, he had not received any comments. Paul Waters and Rabbiah Sabbakhan asked Ethan Landis about getting comments from DCBIA and AOBA. Ethan Landis told members that he had previously sent a letter out to DCBIA and AOBA asking for comments within a two week time frame.

Curtis Clay and Marc Fetterman agreed to provide comments.

2. Marc Fetterman asked Ethan Landis how the Green TAG’s proposed code and the Green Area Ratio (GAR) were coordinated. Ethan Landis stated that he is not familiar with the GAR. Marc Fetterman made a recommendation that Ethan Landis’ committee reviews the GAR, a proposed addition to the Zoning regulations through the Office of Planning.

Ethan Landis stated that there are currently members who sit on the Green Building Advisory Committee from the Office of Planning and he will follow-up with them.



3. Marc Fetterman also asked if Ethan had read the November 2010 version 2 of the IGCC. Ethan had not but said he would and be ready to report on it for the next version. In reply to a suggestion that perhaps the Board should just wait for the final version of the IGCC and see if it wants to adopt that, Landis said that the Green Code put forward by his TAG is a small, and surely much less controversial small step on the way to considering that in a year or more.

Meeting adjourned at 12:33 pm.