



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

Minutes of Thursday, May 19, 2011, Meeting

10:00am – 12:00pm

1100 4th Street, SW

Director's Conference Room, 5th Floor

Washington, DC 20024

Members Present	Members Not Present	Members of the Public
Paul Waters (Acting Chair)	Ethan Landis	Matt Orlins
Alex Berley (Vice Chairman)		Tom Tucker
Rabbiah Sabbakhan		
Marc Fetterman		
Dave Hollinger by Conference Call		
Jill Stern		
Robert Hershey		
Herbert Taylor		
Curtis Clay		

Call to Order

Paul Waters called the meeting to order at 10:11am and followed with a roll call of members present.

Review and approval of the meeting agenda

The meeting agenda was approved unanimously by the Board with no amendment, following a motion by Alex Berley, which was seconded by Curtis Clay.

Review and approval of meeting minutes

- a. Approval of meeting minutes for April 21, 2011:
The meeting minutes of April 21, 2011, were approved unanimously by the Board following a motion by Marc Fetterman, which was seconded by Robert Hershey.
- b. Status of past draft meeting minutes for September 2010, October 2010, November 2010:
The meeting minutes of twelve previous meetings were approved unanimously by the Board following a motion by Curtis Clay, which was seconded by Dave Hollinger.
 - September 3, 2010, September 10, 2010, September 16, 2010, September 23, 2010, September 29, 2010,
 - October 6, 2010, October 13, 2010, October 21, 2010,



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

- November 2, 2010, November 5, 2010, November 10, 2010 and November 18, 2010.

Update of revisions to Draft Construction Code Supplement 12 DCMR 2011

1. Paul Waters reminded Board members that they had previously informed him that the 12 DCMR 2011 draft received from the Office of Documents did not reflect accurately the code changes approved by the Board. In addition the Office of Documents had introduced some unacceptable stylistic edits. He emphasized that it is the responsibility of the TAG Chairs to make sure that the 12 DCMR 2011 draft reflects accurately all code changes approved by the CCCB. He also stated that Board members were responsible for stylistic edits to conform their TAGs work to guidance offered by the Board.
2. Paul Waters reminded Rabbiah Sabbakhan and Herb Taylor that he awaits the return of the portions of 12 DCMR 2011 that had been the responsibility of their respective TAGs.
3. Paul Waters noted that LaShawn Dickey and he had met with Rabbiah Sabbakhan regarding Chapter 1 of the Building Code (12 A).
4. Paul Waters asked Rabbiah Sabbakhan to give the Board an update on the status of the chapters in the Building Code that had been the responsibility of the Building Code TAG. Rabbiah Sabbakhan indicated that he had reviewed Chapters 2, 3, 14, 15, 31, 32 and 33. Paul Waters informed the Board that there was an issue with the background document on which Rabbiah Sabbakhan had made his edits. A current background document will be furnished to Rabbiah Sabbakhan on which he should transfer the necessary edits.
5. Alex Berley noted that the Structural TAG had reviewed Chapters 16 thru 18 of the Building Code.
6. Marc Fetterman stated that he would like the draft 12 DCMR 2011 that will be submitted to the Office of the Attorney General to be distributed to the Board. Paul Waters asked members if they would like to see the document prior to it being submitted to the Office of the Attorney General. Board members replied yes.
7. Jill Stern reiterated that she would like the code document(s) to be submitted both to Board members and to the Office of the Attorney General. But she does not support any Board members altering CCCB-approved code changes without the specific approval of the CCCB.
8. Paul Waters informed the Board members that he would like to submit the draft Building Code (12 A) and the draft Property Maintenance Code (12 G) to the Office of the Attorney General prior to the next Board meeting. Other codes would be submitted to the Office of the Attorney General at a later date as one package.



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

9. Marc Fetterman stated that there were still outstanding issues related to notifying users of 12 DCMR of “Green” requirements in DC. Specifically, references to the Green Building Act of 2006 need to be added to Chapter 1 of the Building Code. In addition, there is the issue of previously approved code change BC-01-01-11. Jill Stern responded that the issue regarding BC-01-01-11 had been addressed.
10. Rabbiah Sabbakhan stated that he would like an opportunity to review Chapter 1 of the Building Code again and propose code changes concerning technical matters and procedural issues. Jill Stern asked for specific examples and the Board discussed this matter in detail. Alex Berley offered his support to Rabbiah Sabbakhan, DC’s new Chief Building Official, to propose changes to Chapter 1. Alex Berley suggested that the Board meet in one week to review Rabbiah Sabbakhan’s proposals and the Board discussed this matter further.
11. If Rabbiah Sabbakhan and Herb Taylor could complete their reviews by May 24, 2011 the Board could meet before the end of May. Rabbiah Sabbakhan committed to meeting this timetable. Herb Taylor committed to submitting his review to Paul Waters by May 20, 2011. Paul Waters stated that if he received the remaining reviews by May 23, 2011 at noon, he would send them out to the Board by close of business. The Board members discussed meeting on May 26, 2011 at 2pm.

Fire and Life Safety

Herb Taylor reminded the Board that he is responsible for the Fire & Life Safety chapters in the Building Code (Chapters 4, 5, 7, 9, and 10) and the entire Fire Code. He noted that he needs to update the documents stylistically. Paul Waters informed Herb Taylor that he would only need to review for technical issues. All formatting and stylistic changes could be handled by DCRA.

Property Maintenance

Paul Waters noted that Rabbiah Sabbakhan had been given eleven DCRA-generated proposed code changes to review and asked for a status report. Rabbiah Sabbakhan stated that he had reviewed the code changes but additional time would be necessary. Rabbiah Sabbakhan suggested a meeting with Marc Fetterman and Robert Simpkins, on his staff, and LaShawn Dickey scheduled a meeting for May 24, 2011, at 3 pm.

Green

1. Paul Waters informed the Board that there needs to be a discussion of several “Green” Code issues. Paul Waters asked: Since the Board has not approved a Green Code, how can the Board have administrative references to a Green Code in Chapter 1 of the Building Code? Marc Fetterman and Jill Stern stated that



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

the Building Code's current administrative references to Green in Chapter 1 refer to a provision in the Green Building Act of 2006 and not to a separate Green Code. Once a Green Code is approved by the CCCB, Jill Stern, as chair of the Issues and Policy TAG, would propose amendments to Chapter 1 to support a Green Code.

2. Marc Fetterman reminded the Board that, at a previous meeting, Shaun Pharr, AOBA, had talked about the Green Building Act of 2006 and asked who has the authority to write Green amendments. Is the writing of these amendments the responsibility of the Green Building Advisory Committee (GBAC) or the Construction Codes Coordinating Board (CCCCB)? DCRA had been asked at a previous meeting to provide a legal opinion on this matter.
3. Jill Stern concurred that there should be a legal review of the Green Building Act of 2006 and the authority of the CCCB to add Green code requirements to the Construction Codes. Paul Waters will follow-up with the Office of the Attorney General concerning this matter and report to the Board at its next meeting
4. Robert Hershey stated that DC should not have a separate Green Code at this time. He made a motion that the Board move forward on the basis of not having a separate Green code. The motion was not seconded and the motion failed.

Code Document Insertion of the Permit Fee Schedule

1. Alex Berley inquired about DCRA's plans to incorporate permit fees and fines into the draft 12 DCMR 2011. Paul Waters informed the Board that this had been previously discussed and the CCCB does not have authority over fees. The fees and fines will be included in 12 DCMR under a separate subtitle. There was consensus that Chapter 1 of the Building Code should reference the location of the fee schedule.
2. Marc Fetterman reminded the Board that DCRA and the Fire Department had been in discussion some time ago about equalizing fees and publishing them in one place. No update to this specific issue was offered.
3. Paul Waters and Rabbiah Sabbakhan reminded the Board that Fire Department fees are listed in the Fire Code and that the DCRA fee schedule, published in the DC Register, does not include the recently passed "Technology Enhancement Fee." The Mayor has the authority to change the fees, not the CCCB. DCRA will be responsible to make sure that its fee schedule reflects all current fees, including the reinspection fees. Paul Waters stated that DCRA would submit any proposed changes to the City Administrator.

Old Business



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

1. Marc Fetterman asked Paul Waters for an update on several items that had been raised at prior CCCB meetings:
 - a. Status of CCCB-approved proposed code changes to 12 DCMR 2008: Paul Waters had no new information on this issue.
 - b. Office of Documents approval to insert a footer in the code document: Paul Waters had no new information on this issue.
 - c. Board member appointees (4 empty positions): Paul Water responded that DCRA has taken no action to fill either the two DCRA representatives or the commercial building representative. The City Council representative, of course, is up to the City Council. Alex Berley offered to talk with Gail Edwards, DC BIA, about the commercial building representative. Marc Fetterman indicated that he believes that DC BIA had recommended a person to the DC Office of Boards and Commissions and that person has been interviewed by the Office of Boards and Commissions.
 - d. Board chair appointee: Paul Waters noted that a decision concerning the appointment of a permanent CCCB Chair is currently on hold.
 - e. Green issues grant: Rabbiah Sabbakhan indicated that DCRA had received a grant and DDOE had reached out to DCRA to use some of the funds for Green and Energy. Some of the grant had been used for ICC training and some for a sole-source contract with IMT, a local advocate of Green issues. IMT had completed some work, the Office of Procurement was unable to award a contract and DCRA is currently trying to resolve the issue.
 - f. ADA Requirements: Marc Fetterman noted that the Department of Justice issued revisions to ADA rules as of March 2011. These revisions are optional between March 2011 and March 2012; but in March 2012, the rules become mandatory. Has DCRA or the Accessibility TAG completed a review of these revisions? Marc Fetterman recommended that the Accessibility TAG review this matter as soon as possible. Alex Berley asked a question about the “grandfather” period. Rabbiah Sabbakhan supported Marc Fetterman by agreeing that this issue should be considered by the TAG and entire Board as soon as possible.
2. Alex Berley requested that the meeting minutes be distributed to the Board at least three day prior to the next meeting date and that the Board should establish upcoming CCCB meeting dates. The CCCB currently meets the third Thursday of each month.

Comments by Member of the Public



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

Matt Orlins inquired about revisions to Green construction codes that he believes were due to the DC Council by January 1, 2010.

Adjournment

Meeting Adjourned at 12:09 pm, following a motion by Robert Hershey which was seconded by Jill Stern.