

State Codes and Standards Committee
Codes Amendment Subcommittee
Minutes

February 25, 2009

The Chairman called to order the special meeting of the Codes Amendment Subcommittee of the State Codes and Standards Committee. The meeting was held in the third floor conference room (room 348) at 1111 Country Club Road, Middletown, Connecticut.

In Attendance: Louis Free, Chair
 John Butkus
 Thomas DiBlasi
 Donald Harwood
 Henry Miga
 Andrew Rizzo
 Marjorie Shansky

Also present: Lisa Humble, OSBI
 Janet K. Ainsworth, Esq., DPS Legal Affairs
 Alvin Hill, Thompson Building Official
 James Howard, Environment Northeast
 William Leahy, Eastern Connecticut State University
 Christine O'Hare, Tai Soo Kim Partners
 Joanne Rees, AIA Connecticut
 Bruce Spiewak, AIA Connecticut
 Donald Vigneau, Northeast Energy Efficiency
 Partnerships, Inc.
 Frederick Wajcs, CL&P, C&LM

The subcommittee voted to accept the minutes of the February 11, 2009 meeting.

Proponents of two of three code change proposals made presentations and answered questions.

Fred Wajcs of Connecticut Light & Power explained his proposal, which mandates high performance buildings, defines construction costs as those

leading to a certificate of occupancy and requires use of ratings systems in effect at the time of code adoption or later. It leaves open the issue of commissioning the building, who signs permit applications, how to deal with alterations made without the involvement of design professionals and establishment of criteria for exemptions.

Alvin Hill, Thompson building official, presented a proposal that specifies ratings points required on the basis of type of project and square footage. Based on an ordinance in place in Rohnert Park, California, it requires registration rather than self-certification for commercial buildings exceeding 50,000 square feet.

The proponent of a third code change proposal was unable to attend this meeting and will be invited to make a presentation at one of the next three meetings.

Planned for discussion was an analysis of sustainable design requirements within the scope of the State Building Code (water efficiency, energy & atmosphere and indoor environmental quality) and several that are appropriately placed elsewhere (sustainable sites, materials & resources and innovation & design process). Instead, an extended discussion developed regarding whether the requirements of Public Act 07-242 may be appropriately met by adopting the *2009 International Energy Conservation Code* as the lead document in the second amendment to the 2005 State Building Code.

Bruce Spiewak noted federal legislation that potentially could have an impact in this area and William Leahy of the Institute for Sustainable Energy at Eastern Connecticut State University provided valuable background information regarding the genesis of Public Act 07-242. Donald Vigneau identified the potential for conflict with section 29-276c(b) of the Connecticut General Statutes, which provides in relevant part that prior to the issuance of a certificate of occupancy for a proposed structure or addition in certain use groups, the local building official shall require a statement signed by the architect or professional engineer of record responsible for the design of the structure or addition and the general contractor affirming their professional opinion that the completed structure or addition is in substantial compliance with the approved plans and specifications on file with the building official.

Copies of materials from the February 2009 member bulletin of the National Conference of States on Building Codes & Standards, Inc. and Association of Major City & County Building Officials will be distributed to subcommittee members before the next meeting. These materials contain information on the development of national codes and standards and the effect of the American Recovery and Reinvestment Act, which provides for energy assistance grants to states that adopt and administer the International Code Council's *2009 International Energy Conservation Code*.

For the next meeting, Chairman Louis J. Free asked the committee to consider where it is in terms of development of code language that will appropriately implement the sustainable design and energy conservation requirements of Public Act 07-242, and what should be the next step.

The next meeting will be held on March 11, 2009 in Room 348 between 2 and 4 p.m.

Louis Free, Chair
Codes Amendment Subcommittee