

# CODES TASK FORCE REPORT

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*COMPREHENSIVE “ COORDINATED “ CONTEMPORARY*

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## **THE AIA DEMANDS A SINGLE CODE**

The American Institute of Architects (AIA) Board of Directors *unanimously* endorsed the recommendations of the Codes Task Force to develop and implement a series of changes that will place the AIA at the forefront of the code development and adoption process.

During its fact-finding meetings, the task force learned that current AIA policies and resolutions supporting a single code have been misunderstood. Accordingly, the task force recommended a comprehensive strategy to address this confusion, clarify the AIA's position, and aggressively pursue regulatory reform in model codes and standards.

The plan also recognizes that the AIA must take an active role and assertively pursue the adoption of a specific set of codes at the state and local level. To that end, the Codes Task Force recommended the following key initiatives:

- Adopt specific changes to AIA policies to reaffirm support for a single set of comprehensive, coordinated, and contemporary codes.
- Formally endorse the following documents that meet the AIA's guidelines while specifically excluding those which do not meet its standards:
  - 1) *The International Building Code*
  - 2) *The National Electrical Code* (National Fire Protection Association)
  - 3) *The International Plumbing Code*
  - 4) *The International Mechanical Code*
  - 5) *The International Energy Conservation Code*
  - 6) *The International Residential Code*
  - 7) *The International Zoning Code*
  - 8) *The International Property Maintenance Code*
- Combine all resources of the AIA to continue the push for the National Fire Protection Association (NFPA) and the International Codes Council (ICC) to get back together and cooperatively develop a single set of comprehensive, coordinated, and contemporary codes.
- Develop and aggressively implement a multifaceted strategy for code development and adoption and assertively advance the AIA policies on regulatory reform and codes. The plan outlines specific elements for this recommendation. First, institute a comprehensive communication plan. Second, identify and develop strategic partnerships among the contributors to the built environment. Third, reaffirm and expand the role of the Center for Building Performance and Regulation. Finally, enhance and strengthen the advocacy program to ensure that the AIA and its members have an active role in the development and adoption process of model codes and standards throughout the nation.

## **THE TASK FORCE BACKGROUND**

In September, the ICC finalized the first set of International Codes. This set of codes is intended to replace the regional system of codes developed by the Building Officials and Code Administrators (BOCA), the Southern Building Code Congress International (SBCCI), and the International Conference of Building Officials (ICBO) that currently exists in the United States. Each of these organizations will now promote only the International Codes. The adoption of a coordinated uniform set of codes has been an AIA priority for over 25 years.

On the eve of the code's completion, new threats arose to challenge this uniform system. On August 31, 1999, the NFPA and the International Association of Plumbing and Mechanical Officials (IAPMO) announced that they would coordinate their codes in an effort to develop a "comprehensive set of codes and standards" that would directly compete against the ICC codes.

Shortly after this announcement, at its September meeting, the AIA Board of Directors authorized the creation of the Codes Task Force to examine the AIA's longstanding policy of support for a single family of model codes. Its findings and recommendations were presented at the December AIA Board meeting.

Throughout the fall, the task force considered a broad range of viewpoints from representatives of the architecture profession, engineers, building officials, government representatives, educators, codes consultants, and others. In addition, it compiled detailed and comprehensive research and documentation on codes and standards development.

Every effort was made to establish a balanced approach toward investigating and analyzing this divisive issue. Specific invitations were extended to the NFPA, IAPMO, and the three building code organizations that compose the ICC. All of these organizations accepted the invitation and met with the Code's Task Force.

## **GUIDING PRINCIPLES FOR A SINGLE SET OF CODES**

To fairly and objectively evaluate the current model code options, the Code's Task Force defined specific aspects in a code that are deemed necessary in any AIA model code recommendations. These standards address the following six key issues:

- 1) Health and safety must be appropriately addressed.
- 2) The code development process must be rational and inclusive.
- 3) An eventual goal, wherever practicable is the development and implementation of a performance-based code.
- 4) A single set of comprehensive, coordinated, and contemporary model codes must be established for the nation.
- 5) The code must be developed without favoritism or bias.
- 6) The code must be cost-effective.

The following is a discussion and examination of these six key issues and how they apply to the model codes and their developing organizations.

### **1. The public's health and safety must be appropriately addressed.**

As architects, our number one goal in code adoption should be to ensure the continued protection of the public's health and safety. However, the code must not be overly restrictive or have excessive and unnecessary health and safety requirements. Only minimum standards of protection should be set forth within the codes. In our review process, all of the current model codes incorporated this principle.

### **2. The code development process must be rational and inclusive.**

For the AIA and its members, it is imperative that the code development organizations use a rational and inclusive process. The AIA, other entities within the building community, and the public are necessary players in the creation of a good code and must be given ample opportunity to participate. These opportunities should include the ability to submit code change proposals, speak to changes, and participate in the committee process and the option to participate in an efficient appeals process.

Currently, although vastly different, both the ICC and the NFPA implement balanced code development processes that fulfill this standard. Both groups allow opportunity at many stages during the code development process to recommend and implement change. IAPMO uses a process that is extremely exclusive; participation by anyone outside of the plumbing industry is actively discouraged. Until IAPMO adopts a rational, unbiased process it is impossible for the AIA to have adequate involvement in their code development process or to support the resulting codes.

**3. An eventual goal, wherever practicable, is the development and implementation of a performance-based code.**

Code-related decisions made by the AIA should work towards the goal of a performance-based, rather than solely prescriptive, family of codes. Innovation in design and public protection is best served through the development, adoption, and use of performance-based codes.

The ICC and the NFPA both stated that they are working towards the development of performance-based codes. Additionally, both organizations indicated that they feel that the future of code development lies in performance-based codes. The ICC is currently developing the *International Performance Code (IPC)* which is scheduled for publication in the year 2000. AIA members have actively participated, and continue to participate, in the development of this code. The Code's Task Force received no assurances from IAPMO that they share the AIA's vision for performance-based codes.

**4. A single set of comprehensive, coordinated, and contemporary model codes must be established for the nation.**

Throughout our investigation, this message was universally conveyed. Any model codes that are endorsed by the AIA must be comprehensive so that they address all aspects of the built environment. They must be coordinated so that the codes use similar language and terminology and are designed to work well together. And they must be contemporary, meaning that they are reviewed and updated on a regularly scheduled basis. The ICC codes are available now and most closely meet this threshold.

**5. The code must be developed without favoritism or bias.**

Impartiality in the code development process is imperative. Every effort must be made to ensure that no interest group is unfairly favored or afforded undue influence. Without the elimination of bias, the code development process is easily tainted and can result in codes and standards that do not fulfill the universal goal of public protection.

The ICC and the NFPA both implement measures to provide impartiality in the development of their codes. Nonmembers are provided opportunities for participation, and both organizations strive to ensure fair representation for all interested parties. IAPMO takes no such measures and limits the opportunity for outside parties to participate.

**6. The code must be cost-effective.**

All building codes should be developed with an eye towards cost containment. Regulation that adds excessive costs for architects, the building community, and the public must be discouraged. The model codes developed by all three of the organizations meet this standard.

## **AIA DEMANDS RESUMED COOPERATION BETWEEN ICC AND NFPA**

The AIA and its partners must continue their efforts to resolve the differences between the ICC and the NFPA. Cooperation between these organizations in the code development process is imperative. *The AIA believes that the fundamental reason behind the problems between the ICC and the NFPA is their respective business interests. The conflict is financially motivated and driven.*

The fundamental reason for the development of building codes is to protect the public, not to turn a higher profit. The AIA will continue to reinforce this concept and use all of its resources to see that the NFPA and the ICC set aside their differences to focus on the best interests of the public.

The AIA feels that the development of multiple building codes, fire codes, electrical codes and gas codes fosters a negative atmosphere and continuing regulatory conflict. The United States can not hope to be effective in the global market place if we can not predict what regulations apply and how they will be applied from one local jurisdiction to another. The public, owners, and developers are penalized by this adversarial atmosphere.

With this in mind, the AIA is actively working with other stakeholders in the design and construction community as a member of the “Get it Together” Coalition. This coalition is solely focused on finding ways for the ICC and the NFPA to set their disagreements aside and coordinate their efforts in the best interests of the public, design professions, construction community, and America’s competitive position in the global marketplace. The AIA must continue to work with others to foster cooperation in the code development and implementation process.

## NEXT STEPS

First, the AIA will implement a comprehensive strategy for addressing the code development and adoption issue. The AIA will aggressively pursue the adoption of AIA-endorsed codes documents.

The AIA has identified, and supports the adoption of, the documents published by the ICC and NFPA that truly are national in scope and application to the construction industry. Noticeably absent from this list are the fire codes developed by both organizations. The ICC's *International Fire Code* does fit in with the family of their codes, but fails our test of a coordinated code because of the lack of clarity in the administrative procedures. This same omission occurs with NFPA's *Standards 1* (Fire Prevention) and *101* (The Life Safety Code) because their structure does not fit comprehensively in a coordinated way with the International Building Code. Also missing are the proposed International Existing Buildings Code and International Performance Code, neither of which has been developed at this time.

Second, architects must have a primary and active role in the code development process. The AIA will seek strategic opportunities to work with allied professions, partners in the construction industry, and code officials to foster better understanding of codes and their application and development. Such strategic partnerships will include the investigation of best examples and models of positive regulatory frameworks conducive to the adoption of a single set of comprehensive, coordinated, contemporary codes.

Third, the AIA will establish a voluntary certification program for AIA members. This program will provide benefits to the AIA members, their clients, and the public by ensuring that certificate recipients are knowledgeable in the application of codes and standards that affect the built environment. By certifying their knowledge on codes and standards, a certification program will better position AIA members to compete in the marketplace.

Further, the development of performance-based codes is reliant upon the architect certifying compliance of their plans to meet applicable performance standards. An AIA certification program will lay the groundwork for assuring clients, code officials, and the public that AIA members choosing to use performance-based codes are indeed qualified to certify the conformance of their plans and specifications. The result could be that AIA-certified architects' plans move more quickly through the code review process, saving time and money for their clients and governments.

Finally, the innovative plan approved by the AIA Board contains the following directives:

- The AIA will increase its effort to better educate all AIA members on the development and application of model codes and standards.
- The AIA will work with coalition partners and stakeholders to investigate and promote

best-practice tools in the adoption and application of a single set of comprehensive, coordinated, contemporary codes.

- The AIA will enhance and strengthen its advocacy programs to protect public health and safety through the development and uniform adoption without technical amendment of a single set of comprehensive, coordinated, contemporary codes.
- The AIA will pursue an active and assertive role for the AIA and its members in the development process of model codes and standards.
- The AIA will work with allied organizations and empower state and local AIA components to aggressively pursue the adoption of a uniform set of codes without technical amendment that preserves public safety and promotes performance-based standards in building design and construction.

The Codes Task Force's recommendations lay the foundation for the AIA to continue its leadership role on the issue of regulatory reform and model-code development in the future. Forward-thinking and innovative, this series of bold initiatives strives to bring together diverse interests in the design and construction community under the common goal of better serving our clients and the public. Communication, collaboration, and education are the cornerstones with which the AIA will reach out to our partners and the public with a message of inclusion that inspires the creation of a better and safer built environment

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