



GOVERNMENT OF THE DISTRICT OF COLUMBIA
CONSTRUCTION CODES COORDINATING BOARD

REGULAR MEETING

Thursday, November 2, 2023
Video Conference Call
10:30 am-12:30 pm

Recording of this Board meeting can be found [here](#).

MEETING MINUTES

| Board Members Present | Board Members Not Present | DOB Staff Present | Other Persons Present |
|----------------------------|---------------------------|-------------------|----------------------------------|
| Marc Fetterman, Vice Chair | Gus Mehrdad | Helen Hooks Scott | Kenneth Bland, AWA |
| Chris Bailey | Jason Wright | Lamont McGinnis | John Catlett, AOBA |
| Matt Borger | | | Rob Hawkins, <i>Berlin Rosen</i> |
| Michael Brown | | | Jason Vandever, <i>NAIMA</i> |
| Joel Causey | | | Erika Wadlington, <i>DCBIA</i> |
| Anthony Dale | | | Max (<i>Unknown</i>) |
| Mitchell Kannry | | | |
| Harrison Miller | | | |
| Casey Studhalter | | | |
| Jeff Viano | | | |

1. Preliminary Matters

i. **Call to Order and Roll Call**

The meeting was called to order by Marc Fetterman, Board Vice Chair, at 10:36am. Roll call of Board members and other persons present was initiated by Board Vice Chair Marc Fetterman. All members and other persons present participated via WebEx video conference.

ii. **Adoption of Meeting Agenda**

Marc Fetterman presented the meeting agenda for the Board's approval. A motion to adopt the meeting agenda was made by Mitchell Kannry and seconded by Jeff Viano. Without any objections, the agenda was adopted.

iii. **Review and Adoption of Minutes of October 5, 2023, Special Meeting and October 19, 2023, Regular Meeting**

Marc Fetterman presented the meeting minutes from the October 5, 2023, Special Meeting and the October 19, 2023, Regular Meeting for the Board's approval. The meeting minutes were approved unanimously upon motion made by Mitchell Kannry and seconded by Michael Brown. Without any objections, the minutes were adopted.



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2. Code Change Proposal for Reconsideration

i. Building Code Changes

| Amendment No | Code/Section | CCCCB Presentation | Procedural History | CCCCB Action & Date |
|--------------|--------------|--------------------|--------------------|---------------------|
| BC-AE-1-1-23 | Chapter 1 | 7/20/23 | | 11/2/23 – Withdrawn |
| BC-En-1-2-23 | Chapter 1 | 7/20/23 | | 11/2/23 – Withdrawn |

BC-AE-1-1-23

Proposal was withdrawn. (With the action taken on BC-En-1-2-23, reconsideration of this code change was not needed now.)

BC-En-1-2-23

Proposal was withdrawn. Mike Brown and Casey Studhalter agreed to address coordination and description of energy codes in Chapter 1 during the Board's response to Notice of Public Rulemaking 1.

3. Code Change Proposals for Consideration

i. Building Code Changes

| Amendment No | Code/Section | CCCCB Presentation | Procedural History | CCCCB Action & Date |
|------------------|--|--------------------|--------------------|---------------------|
| BC-CCCCB-1-1-17 | 109.3.1.9.1 | 10/19/23 | | 11/2/23 – Approved |
| BC-CCCCB-2-1-17 | 202 | 10/19/23 | | 11/2/23 – Approved |
| BC-CCCCB-5-1-17 | Table 504.3; Table 504.4; Table 506.2; 508.4.4.1; 509.4.1.1; | 10/19/23 | | 11/2/23 – Approved |
| BC-CCCCB-6-1-17 | 602.4.3; Table 602 | 10/19/23 | | 11/2/23 – Approved |
| BC-CCCCB-7-1-17 | 718; 722 | 10/19/23 | | 11/2/23 – Approved |
| BC-CCCCB-17-1-17 | 1705.5.3; Table 1705.5.3; 1705.20 | 10/19/23 | | 11/2/23 – Approved |
| BC-CCCCB-31-1-17 | 3102.3; 3102.6.1.1 | 10/19/23 | | 11/2/23 – Approved |
| BC-CCCCB-35-1-17 | Chapter 35 | 10/19/23 | | 11/2/23 – Approved |
| BC-CCCCB-2-2-23 | 202 | 10/19/23 | | 11/2/23 – Approved |
| BC-CCCCB-12-1-23 | 1202.1 | 10/19/23 | | 11/2/23 – Approved |
| BC-CCCCB-12-2-23 | 1204 | 10/19/23 | | 11/2/23 – Approved |



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|------------------|------|----------|--|------------------|
| BC-CCCCB-12-3-23 | 1206 | 10/19/23 | | 11/2/23 - Denied |
|------------------|------|----------|--|------------------|

BC-CCCCB-1-1-17; BC-CCCCB-2-1-17; BC-CCCCB-5-1-17; BC-CCCCB-6-1-17; BC-CCCCB-7-1-17; BC-CCCCB-17-1-17; BC-CCCCB-31-1-17

These code changes dealt with mass timber. Motion to approve the proposals as a package vote by Marc Fetterman, seconded by Anthony Dale. The proposals were unanimously approved.

BC-CCCCB-2-2-23

Michael Brown commented that the TAG decided that a rowhouse or townhouse ought to remain in the Residential Code even if it contains two dwellings. He noted that, presently, rowhouses and townhouses with two dwellings are governed by the Building Code. Joel Causey asked whether fire protection measures and other Code requirements associated with the Building Code would be maintained. Michael responded by highlighting key similarities regarding the codes. Firstly, fire separation is of foremost importance and is consistent in both codes. Second, requirements for fire sprinklers will not change. And third, DC requires shut off valves for water and electricity in each dwelling unit under both codes. Michael concluded his comments by noting that there will be a cost saving to District residents by reducing the number of drawings needed by an Architect or Engineer for this type of project and he thanked the Board for its consideration.

Motion to approve the proposal along with proposal RC-CCCCB-2-2-23 made by Marc Fetterman, seconded by Michael Brown. The proposals were unanimously approved. *See action below for RC-CCCCB-2-2-23.*

BC-CCCCB-12-1-23

Motion to approve by Marc Fetterman, seconded by Michael Brown. The proposal was unanimously approved.

BC-CCCCB-12-2-23

Motion to approve by Marc Fetterman, seconded by Michael Brown. The proposal was unanimously approved.

BC-CCCCB-12-3-23

Marc Fetterman presented the proposal to reduce sound transmission between dwelling units and A-2 uses and noted that it has been in the Code for the 2013 and 2017 cycles. Harrison Miller asked how this code requirement is enforced. Christopher Bailey answered that once DOB is alerted to a noise complaint, an inspector investigates, using a sound meter.

Motion to approve by Marc Fetterman, seconded by Christopher Bailey. A roll call vote was required. The proposal did not gain a majority vote and was not approved. The results were as follows:

| Roll Call Vote | |
|----------------------------|---------|
| Marc Fetterman, Vice Chair | Yes |
| Christopher Bailey | Yes |
| Matthew Borger | Abstain |
| Michael Brown | No |
| Joel Causey | Absent |
| Anthony Dale | No |
| Mitchell Kannry | Yes |
| Harrison Miller | No |
| Casey Studhalter | Abstain |
| Jeff Viano | Yes |



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ii. Green Construction Code Changes

| Amendment No | Code/Section | CCCCB Presentation | Procedural History | CCCCB Action & Date |
|------------------|--------------|--------------------|--------------------|---------------------|
| GC-CCCCB-4-1-23 | Chapter 4 | 10/19/23 | | 11/2/23 – Withdrawn |
| GC-CCCCB-11-1-23 | Chapter 11 | 10/19/23 | | 11/2/23 – Withdrawn |

GC-CCCCB-4-1-23; GC-CCCCB-11-1-23

Marc began discussion on the proposals by stating that they aim to turn the Green Building Act (GBA) into Code language and have been in the DC Code for two code cycles. Marc also mentioned that Council recently amended the GBA to require zero energy buildings for certain owners. Casey Studhalter stated that an aspect of the GBA is not currently funded and asked the Board if they would be amendable to including it in the proposals. Based on Casey's comments, Matt Borger asked, if the Board puts into Code a measure that was not funded by Council, does it make the provision automatically enforceable. Marc responded that there may be a grace period to come into compliance with this sort of legislation and the D.C. Construction Codes can be amended during this grace period. Michael Brown suggested an amendment to link the regulation to the changing dynamics of the GBA. After a lengthy discussion on the process of amending and possibly re-addressing the proposals, Marc Fetterman stated that he would withdraw the proposals from today's agenda and seek to revisit them at later Board meetings.

iii. Residential Code Changes

| Amendment No | Code/Section | CCCCB Presentation | Procedural History | CCCCB Action & Date |
|------------------|---------------------------------|--------------------|--------------------|-------------------------------|
| RC-CCCCB-1-1-23 | 101 | 10/19/23 | | 11/2/23 – Approved |
| RC-CCCCB-2-1-23 | 202 | 10/19/23 | | 11/2/23 – Withdrawn |
| RC-CCCCB-2-2-23 | 202 | 10/19/23 | | 11/2/23 – Approved |
| RC-CCCCB-3-1-23 | 301; 303; 310; 313; 319; 331 | 10/19/23 | | 11/2/23 – Approved as amended |
| RC-CCCCB-9-1-23 | 905.1.3 | 10/19/23 | | 11/2/23 – Withdrawn |
| RC-CCCCB-11-1-23 | 1101.1 | 10/19/23 | | 11/2/23 – Approved |
| RC-CCCCB-12-1-23 | 1201.2 | 10/19/23 | | 11/2/23 – Withdrawn |
| RC-CCCCB-24-1-23 | 2401.2 | 10/19/23 | | 11/2/23 – Withdrawn |
| RC-CCCCB-25-1-23 | 2501 | 10/19/23 | | 11/2/23 – Withdrawn |
| RC-CCCCB-26-1-23 | 2603.5 | 10/19/23 | | 11/2/23 – Withdrawn |
| RC-CCCCB-29-1-23 | 2902.5.4; 2903; 2910 | 10/19/23 | | 11/2/23 – Approved |
| RC-CCCCB-30-1-23 | 3005; 3008 | 10/19/23 | | 11/2/23 – Approved |



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|--------------------------|-------------|----------|--|---------------------|
| RC-CCCCB-34-1-23 | 3403.2 | 10/19/23 | | 11/2/23 – Withdrawn |
| RC-CCCCB-Appendix E-1-23 | Appendix AE | 10/19/23 | | 11/2/23 – Approved |
| RC-CCCCB-Appendix F-1-23 | Appendix AF | 10/19/23 | | 11/2/23 – Approved |
| RC-CCCCB-Appendix H-1-23 | Appendix AH | 10/19/23 | | 11/2/23 – Approved |
| RC-CCCCB-Appendix K-1-23 | Appendix AK | 10/19/23 | | 11/2/23 – Approved |
| RC-CCCCB-Appendix M-1-23 | Appendix AM | 10/19/23 | | 11/2/23 – Approved |

RC-CCCCB-1-1-23; RC-CCCCB-11-1-23; RC-CCCCB-Appendix E-1-23; RC-CCCCB-Appendix F-1-23; RC-CCCCB-Appendix H-1-23; RC-CCCCB-Appendix K-1-23; RC-CCCCB-Appendix M-1-23

Motion to approve the proposals as a package vote by Marc Fetterman, seconded by Michael Brown. The proposals were unanimously approved.

RC-CCCCB-2-1-23; RC-CCCCB-9-1-23; RC-CCCCB-24-1-23; RC-CCCCB-25-1-23; RC-CCCCB-26-1-23; RC-CCCCB-34-1-23

Marc Fetterman withdrew proposals: RC-CCCCB-2-1-23; RC-CCCCB-9-1-23; RC-CCCCB-24-1-23; RC-CCCCB-25-1-23; RC-CCCCB-26-1-23; RC-CCCCB-34-1-23. Matt Berger asked why the listed proposals were being withdrawn. Marc Fetterman responded that two of the proposals RC-CCCCB-2-1-23, definitions on material reuse, and RC-CCCCB-9-1-23, cool roofs, were highlighted by Residential TAG Chair Michael Brown as existing code changes that are no longer needed to carry forward. Michael Brown added that the Residential TAG concluded that the language in the Model Code was sufficient as it related to the definition of material use and for the requirement of cool roofs on single family homes. Marc concluded his response to Matt's question by stating that the withdrawal of the remaining proposals, RC-CCCCB-24-1-23; RC-CCCCB-25-1-23; RC-CCCCB-26-1-23; and RC-CCCCB-34-1-23, was due to Michael Brown's statement that these Residential Code proposals contain language that refers readers to Chapter 1 of the Building Code and Chapter 1 of the Building Code refers readers to the Residential Code.

RC-CCCCB-2-2-23

Motion to approve the proposal along with proposal BC-CCCCB-2-2-23 made by Marc Fetterman, seconded by Michael Brown. The proposals were unanimously approved. *See notes above for BC-CCCCB-2-2-23.*

RC-CCCCB-3-1-23

Marc presents this proposal by noting a desire to delete **Section 331 Material Reuse**. Michael Brown commented that Section 331 is unenforceable but may be revisited later. Michael also noted that the single-family residential sector consists of very small contractors who are already reusing materials where they can, to save money. However, the process to document material reuse is vigorous on both sides of reporting and verifying and therefore the section should be deleted from the proposal.

Motion to approve by Marc Fetterman, seconded by Michael Brown. The proposal was unanimously approved as amended.



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RC-CCCB-29-1-23

Michael Brown offered the comment that DC Water representatives have expressed interest in discussing this proposal. Marc Fetterman clarified that the actions of the Board at this meeting are not the final product. He noted that these code changes will go to the public for comment and comments will then be addressed individually by the Tags and Board. In prior code cycles, the Board, while considering comments, has also considered additional matters.

Motion to approve by Marc Fetterman, seconded by Michael Brown. The proposal was unanimously approved.

RC-CCCB-30-1-23

Motion to approve by Marc Fetterman, seconded by Michael Brown. The proposal was unanimously approved.

4. Administrative & Other Matters

i. Board Completion of Initial Review of Model Codes and Additional CCCB Meetings

Marc referenced his prior comments on the need for the Board to complete its work and move approved code change proposals to the next stage of Code development. Lamont McGinnis reported that all approved code changes, grouped by code, are almost ready for distribution to the Board. Lamont will notify the groups that will next review the Board's work, that the package will be coming to them, shortly.

ii. TAG meetings on the Open DC Website

Marc Fetterman reminded each TAG chair to notify Helen Hooks and Lamont McGinnis of any planned meetings at least 2 business days in advance, so that the information can be posted on the Open DC website.

iii. Next CCCB Regular Meeting – November 16, 2023

5. Comments by Board Members and Members of the Public

No additional comments were made by Board members.

No comments were made by members of the public.

6. Adjournment

Meeting was adjourned at 12:02 pm.

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.