

Fire Officials Hijack ICC Code Process

“HBAV to Oppose the Adoption of the Sprinkler Mandate in Virginia”

In recent years the Board of Housing and Community Development (BHCD) has adopted the International Code Council (ICC) Family of Codes as the basis for the Uniform State Building Code (USBC). As all HBAV members know, the USBC governs the methodology of construction and material use for residential and commercial construction in Virginia.

The BHCD, with the support of HBAV and other stakeholder groups, has adopted the ICC Family of Codes because of the “scientific” approach and “balanced” approach of their (ICC) code making process. Marketing agendas of suppliers and policy agendas of stakeholder groups were discounted in favor a fair and balanced code that was built on the ultimate safety, energy efficiency and affordability of the final product.

That fairness and balance in the ICC code-making process was tossed aside in Minneapolis last year at the ICC’s final action hearings.

On the Saturday and Sunday of the final action hearings, there was a sudden - and controversial - arrival of 900 fire officials that were eligible to vote at the [International Code Council's](#) final action hearings. That swelled the number of sprinkler proponents far beyond traditional attendance numbers, and the measure was approved by a vote of 1,283 to 470 on Sunday morning. It has been widely reported that many fire officials that attended the Minneapolis hearings had their travel expenses paid by sprinkler manufacturers.

About 1,200 voting devices were turned in immediately after the residential fire sprinkler mandate was approved, suggesting that most of the proponents left immediately after the vote was taken.

“We welcome the insight and experience that fire officials bring to the code development process because our model codes are focused on life safety issues,” said James “Andy” Anderson, chair of the NAHB Construction, Codes and Standards Committee.

“However, it seems clear that these particular fire officials were focused on one issue only — residential fire sprinkler mandates — without any benefit of perspective regarding how such mandates jibe with the hundreds of other code proposals considered at this hearing. That’s unfortunate, because such reasoned discussion is what the model code process was designed to accomplish.”

In other words, the 2009 ICC code-making process was hijacked by fire officials.

As a result, fire sprinkler mandates will be part of the 2009 International Residential Code and will be required in all one- and two-family homes and townhouses that build to

the code as of January 1, 2011....IMPORTANTLY, if and only if adopted by the BHCD during the next USBC update. That process will likely begin in late 2009 or early 2010.

The residential fire sprinkler mandates will provide a sizable financial boon for the fire sprinkler manufacturing industry.

In 2005, when there were about 1.65 million new homes constructed at an average 2,340 square feet, sprinkler manufacturers would have reaped about \$5.8 billion in revenue, based on average sprinkler costs of \$1.50 per square foot, had the sprinkler requirement been in effect.

NAHB had identified several concerns over residential fire sprinkler systems — among them, questioning whether most home owners are prepared to perform the maintenance required to ensure that the sprinklers remain operational.

Builders also cited the potential for pipes installed in attics to freeze in colder climates and they said that the sprinklers can be discharged accidentally, with damaging results. In areas served by wells or where water is scarce, the availability of an adequate water supply is another possible problem.

NAHB pointed to several existing code requirements that have contributed to a significant decline in fire-related deaths and injuries over the past 30 years.

The most effective improvement has been the introduction of hard-wired interconnected smoke alarms, which the code requires to be installed in every bedroom and on every floor. [National Fire Protection Association](#) reports conclude that about 890 fatalities could be avoided each year if every home had at least one working smoke alarm.

Because there is only a limited number of subcontractors who are certified, the sprinkler requirement will appear in the 2009 International Residential Code but not take effect until 2011, if adopted in Virginia by the Board of Housing and Community Development.

HBAV will vigorously oppose the residential sprinkler mandate before the DHCD. We, nor the Board of Housing and Community Development, should let stand a code mandate that is the result of a hijacking by the deep pockets of the sprinkler industry (that will get deeper by this regulatory fiat) and fire officials.