

IRC WORKSHOP

Economic Impact of Building Regulations

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DEPARTMENT OF CONSUMER & REGULATORY AFFAIRS



THE DISTRICT OF COLUMBIA SNAPSHOT

- A cosmopolitan city with 646,449 residents
- Population density is 9,856.5 persons per square mile
- 140 million square feet of commercial space
- 302,947 total occupied housing units



DCRA MISSION

The mission of the Department of Consumer and Regulatory Affairs (**DCRA**) is to protect the health, safety, economic interests and quality of life of residents, businesses and visitors in the District of Columbia by ensuring code compliance and regulating business.



WHO WE ARE & WHAT WE DO



Vacant Property & Abatement



Permit Issuance & Plan Review



**Construction and Property
Maintenance Inspections**



Zoning Regulation & Enforcement



**Business & Professional Licensing
Administration**



Permit Issuance & Plan Review

CURRENT CODE CONSTRUCTION CODES

- Effective March 2014, DC adopted the *2013 District of Columbia Construction Codes*, consisting of 11 of the 2012 ICC Codes and the 2011 National Electrical Code as modified by local DC Amendments (Title 12, DC Municipal Regulations)
 - 2012 International Building Code (IBC)
 - 2012 International Residential Code (IRC)
 - 2012 International Existing Building Code (IEBC)
 - 2012 International Energy Conservation Code (IECC)
 - 2012 International Green Construction Code (IgCC)
 - 2012 International Swimming Pool and Spa Code (ISPSC)
 - 2012 International Plumbing Code (IPC)
 - 2012 International Property Maintenance Code (IPMC)
 - 2012 International Fire Code (IFC)
 - 2012 International Fuel Gas Code (IFGC)
 - 2012 International Mechanical Code (IMC)
 - 2011 National Electrical Code (NEC)

COMMON PERMITS ISSUED BY DCRA

- **Building Permits**
 - Homeowners' Center Jobs
 - Walk-through - Non Complex Jobs
 - ProjectDox - Complex Jobs
- **Postcard Permits**
 - Non-complex, common home improvement jobs, that are permitted online
- **Supplemental Permits**
 - Required for the installation of supplemental systems (plumbing, mechanical, and electrical) and related devices
- **Certificates of Occupancy & Home Occupation Permits**

PERMIT ISSUANCE

- **Permit Center**
 - Permit Submittal Process
 - Sister-Agencies onsite
 - DDOT
 - DC Water
 - DOEE
 - OP
 - Permit Issuance Process
- **Homeowners Center**

PLAN REVIEW

- **Building Plan Review**
 - Ensures Code Compliance (ICC Code and NEC, as amended by District of Columbia Supplement, DCMR, Title 12)
- **Green Building Program**
 - Energy Code, Green Code, and Green Building Act through permitting, inspections ,and certificate of occupancy review
- **Homeowners Center/Residential Center**
- **Office of the Zoning Administrator**
 - Plan review and Enforcement of Zoning Regs (DCMR, Title 11)
- **Office of the Surveyor**
 - Building Plats, Surveys, and Land Records
 - Certificates of Occupancy, Home Occupancy Permits, and Subdivisions



Construction Inspections

CONSTRUCTION INSPECTIONS

- **Types of Inspections**

- Building
- Electrical
- Plumbing
- Mechanical
- Fire Protection

- **Stages of Inspections**

- Site Development
- Footings/Foundation/Slab
- Framing/Rough-in
- Insulation
- Final



DCRA'S THIRD PARTY PROGRAM

DCRA supplements the resources of its plan review and inspection staff through a Third Party Program, which authorizes qualified Third Party entities to perform inspections and plan reviews and to certify that such work complies with the District of Columbia Construction Codes. Third Party Agencies are hired by the project owners.



HOW DOES DCRA OVERSEE THIRD PARTY AGENCIES?

- Oversight
 - Performs cursory review of all Third Party reviewed plans for code compliance
 - Performs random inspections of all Third Party inspected properties
 - Review Third Party Plan Review documents for both commercial and residential projects
 - Review Third Party Inspection reports
 - On-site audits of each agency
- Compliance
 - Issue disciplinary action
 - Work with Third Party agencies on contractor issues
 - Removed Third Party Agencies from job sites
- Training
 - Require mandatory ethics training and provide specific training on identified problems





Code Development

ADOPTION OF DISTRICT OF COLUMBIA CONSTRUCTION CODES

- In the District of Columbia, the Mayor is authorized to issue proposed rules to amend the Construction Codes and to adopt new editions of and supplements to the International Codes.
- This authority is set forth in Title I of the District of Columbia Administrative Procedure Act (D.C. Official Code § 2-501 *et seq.*) and the Construction Codes Act, (D.C. Official Code § 6-1401 *et seq.*).
- The Mayor's authority has been delegated to the Construction Codes Coordinating Board ("CCCCB") pursuant to Mayor's Order 2009-22, dated February 25, 2009, as amended.

CONSTRUCTION CODES COORDINATING BOARD

- CCCB Mission: “promotes the health, safety, and welfare of the occupants or users of buildings and structures and the general public by reviewing and updating the Construction Codes for the District of Columbia to meet present-day demands for adequate and safe construction and maintenance of new and existing buildings and structures through the use of comprehensive and up-to-date codes and regulations.”
- The CCCB is a 13-person Board with members appointed by the Mayor of the District of Columbia for terms of three years.
- The CCCB is composed of the following persons:
 - CCCB Chair (ex officio member)
 - Office of the Construction Code Official (3 members)
 - Office of the Fire Marshall (1 member)
 - District Department of the Environment (1 member)
 - Mayoral Delegate (1 member)
 - Council of the District of Columbia (1 member)
 - Building Industry-Commercial & Industrial (1 member)
 - Building Industry-Residential & Multi-Family (1 member)
 - Architectural Design Profession (1 member)
 - Mechanical Engineering Profession (1 member)
 - Structural Engineering Profession (1 member)
 - Private Citizen (1 member)
- The CCCB started a new code development cycle in October 2015 to consider adoption of the 2015 ICC Codes and the 2014 NEC

CCCB AUTHORITY

- Reviews and maintains the codes and regulations in accordance with the Construction Codes Act, as amended, to reflect the current state of the art in the construction industry.
- Approves all proposed Construction Codes adoptions and amendments.
- Submits for adoption, by rulemaking, such Construction Codes revisions as necessary to effectuate the Board's purpose.

CCCB PROCEDURES

- The CCCB holds one regular meeting each month and schedules special meetings as needed.
- DCRA provides administrative support to the CCCB.
- The CCCB establishes committees, called Technical Advisory Groups (TAG), to advise the CCCB.
- Each TAG is dedicated to a particular area of expertise that corresponds to a model code (or codes) and is chaired by a CCCB member.
- TAG members represent diverse stakeholders.
- Membership is proposed by each TAG chair and approved by the CCCB.

TECHNICAL ADVISORY GROUPS

- The CCCB has established the following Technical Advisory Groups and Special Committees:
 - Accessibility
 - Administration & Enforcement
 - Building (including Swimming Pool)
 - Electrical
 - Elevator
 - Existing Buildings
 - Fire & Life Safety
 - Green Construction & Energy-Commercial
 - Mechanical
 - Property Maintenance
 - Residential & Energy-Residential
 - Structural & Special Inspections
 - Flood Hazard Special Committee

CONSIDERATION OF CODE CHANGE PROPOSALS

- The CCCB considers code change proposals that are proposed by the TAGs, members of the public or by the CCCB Chair.
- Changes to the model codes must be justified by one or more of the following criteria:
 - To address a critical life/safety, health, general welfare need
 - To address a specific District of Columbia policy or statute
 - For consistency with federal law, or with reference to codes in neighboring jurisdictions (Maryland and Virginia)
 - To address a unique characteristic of the District of Columbia
 - To correct an error or omission
- The anticipated impact on costs of construction must also be identified.

CONSTRUCTION CODES RULEMAKING PROCESS

- CCCB decisions are provided to the Mayor of the District of Columbia as proposed rulemakings subject to public comment procedures and action by the City Council pursuant to the [Construction Codes Act \(DC Official Code § 6-1401 et seq\)](#).
- Following public comment on the proposed Construction Codes revisions, the proposed rules are submitted to the City Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess.
- If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within the 45-day review period, the proposed rules are deemed to be approved.
- Council may hold a public hearing on the proposed rules.
- The new Construction Codes do not take effect until approved or deemed approved by the Council.

ECONOMIC COSTS OF BUILDING REGULATION

- Economic costs of new building regulations are considered during the code development process.
- Code change proposals have to identify the anticipated impact of a code change proposal on cost of construction
- CCCB and TAG membership includes stakeholders, such as developers, builders and design professionals, who can provide input on potential costs that may be increased by a proposed code change.
- The requirement of public comment, and City Council review and approval of Construction Code revisions also allows for objections on the basis of cost impacts to be raised and considered.
- Code official can allow for use of alternative methods of construction, materials and equipment in specific projects pursuant to Section 104.11 of the District of Columbia Building Code.

EXAMPLE OF COSTS OF BUILDING REGULATION-CO DETECTORS

- In 2013 Construction Codes, DC adopted requirements for carbon monoxide detectors in new and existing residential buildings
- Added cost of carbon monoxide detectors was justified by health and life safety risk of carbon monoxide poisoning
- DC required existing residential buildings to come into compliance with the new carbon monoxide requirements
- Concerns were expressed by owners of existing multi-family buildings about the costs of coming into compliance with the new CO rules and with the new smoke detector requirements (which required a smoke detector in each bedroom or sleeping area)
- Due to industry concerns, a 3-year transition period until March 2017 was provided for existing buildings to come into compliance with the new rules.

Thank you for your time.

QUESTIONS?

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