**REPORT TO MEMBERS ON THE 2017 DC BUILDING CODES**

The 2017 DC Construction Codes took effect on May 29, 2020. Using the 2015 International Code Council (ICC) Building Code (IBC) as its base document, regulations were adopted by D.C. Construction Codes Coordinating Board (CCCB) to include certain amendments.

AOBA was an active participant in the codes adoption process, with staff and members holding a seat at the table for several of the Technical Advisory Groups (TAGs) convened by the Board to help tailor and customize the model codes to the District. **AOBA’s engagement resulted in a number of changes that will mitigate the costs and administrative burdens of complying with the newly adopted codes.** Provided within is a brief summary of highlighted code changes and amendments influenced by AOBA on your behalf.

**SELECTED HIGHLIGHTS OF THE 2017 CODES DEVELOPMENT CYCLE**

* **Exempting unoccupied buildings from stricter code enforcement:** AOBA was actively involved in providing clarity to the definition of an “existing structure.” As previously defined, a core and shell occupancy permit could have been interpreted to subject a building to more stringent requirements of future editions of the code before the building had an actual occupant. With AOBA’s input, the definition has been changed to include “any structure erected and legally occupied (excluding structures occupied pursuant to a temporary certificate of occupancy.”)
* **Allowing use of CLT in high-rise construction:** Changes were made to add flexibility in construction to allow for the use of Cross Laminated Timber (CLT) for exterior walls in buildings up to 20 stories in height depending on use group. With AOBA’s support, provisions were added from the 2018 IBC model codes, recognizing that CLT has demonstrated significant resistance to structural failure under fire conditions. Fire resistance ratings of 3 hours have been documented through substantial testing conducted by the wood industry, the National Fire Protection Association (NFPA), and the ICC Tall Wood Building Ad Hoc Committee. The 2021 Building Code will bring four types of Type 4 construction types utilizing Mass Timber in buildings up to twenty stories depending on use group.
* **Requiring Fire Extinguishers in Multifamily Units:** The Fire Equipment Manufacturers Association (FEMA) secured changes to the national model codes (both 2018 ICC and NFPA) to require the placement of fire extinguishers in new apartment units. AOBA fought the inclusion of this provision in the District’s building codes, providing substantial data showing that quick response sprinklers provide adequate protection and that untrained individuals should be encouraged to vacate a building in a fire rather than attempting to stand their ground and extinguish it. In spite of AOBA’s well-reasoned arguments, the District followed the national trend. Newly constructed apartments will now require fire extinguishers in each unit that will require annual maintenance.
* **New stringent energy conservation requirements:** Numerous code changes were adopted in pursuit of the goal established by the City Council for the District to become carbon neutral. The most significant among these changes is the required use of the ASHRAE 90.1 Energy Standard for Buildings. This newly adopted is far more stringent than the ICC Energy Conservation Code that previously applied
* **Enforcement of standpipe requirements:** Provisions for standpipes in existing buildings with an occupied floor greater than 50 feet above fire department vehicle access were previously adopted, but never enforced.The Fire Marshal proposed a revision that would subject any building not in compliance with those requirements within 30 days of the adoption of the 2018 Fire Code to a criminal violation citation. AOBA vehemently fought this provision, noting that building owners are generally not aware of the code requirements and proper notice (and time to come into compliance) needs to be provided. The proposed revision was in direct conflict t with Chapter 11 construction requirements for existing buildings in the fire code, which clearly state:

*1101.4 Owner notification. When a building is found to be in noncompliance with this chapter, the fire code official shall duly notify the owner of the building. Upon receipt of such notice, the owner shall, subject to the following time limits, take necessary actions to comply with the provisions of this chapter.*

*1101.4.1 Construction documents. Construction documents necessary to comply with this chapter shall be completed and submitted within a time schedule approved by the fire code official.*

*1101.4.2 Completion of work. Work necessary to comply with this chapter shall be completed within a time schedule approved by the fire code official.*

*1101.4.3 Extension of time. The fire code official is authorized to grant necessary extensions of time where it can be shown that the specified time periods are not physically practical or pose an undue hardship. The granting of an extension of time for compliance shall be based on the showing of good cause and subject to the filing of an acceptable systematic plan of correction with the fire code official.*

After numerous conversations with the CCCB, the proposed revision was struck, citing a lack of due process and financial impact to building owners.

Any AOBA member receiving a criminal citation without previously receiving a correction notice is welcome to contact AOBA or our consultant, John Catlett at [catlettcodeconsulting@gmail.com](mailto:catlettcodeconsulting@gmail.com) for assistance.