

BUILDWITHSTRENGTH.COM

JANUARY-FEBRUARY 2020 MONTHLY ACTIVITY REPORT

STOPPING WOOD THROUGH BUILDING CODE ADVOCACY

NEW JERSEY (STATEWIDE) | MASSACHUSETTS (STATEWIDE)
PHILADELPHIA, PA | LOS ANGELES, CA

Model Code language

This model code would affect multi-residential structures built with light-frame wood, defined as:

- Light-frame: Vertical, horizontal, and/or load-bearing elements are primarily made from combustible materials, including all wood truss and joist construction.
- Multi-residential: R-occupancy structures containing more than two sleeping or dwelling units. This covers apartments, hotels, and multi-use buildings with residential units, etc.
- Single-family dwellings and townhouses are exempt, where townhouses are defined as three or more adjacent but separated units, which extend foundation-to-roof and are open on at least two sides each.

Proposed Model Code Language:

- Height and story limits.
- Unprotected framing: 3 stories or 60 feet.
- Protected framing: 4 stories or 70 feet.
- Story height must be measured from grade plane. This means the use of non-combustible pedestals/podiums on otherwise combustible buildings no longer allows them to go above height limits for their materials

- NFPA 13 Sprinkler Protection. This is an upgrade from the current requirement for NFPA 13-R (residential), which leaves concealed spaces (between walls, attics, etc.) unprotected.
- Fire partitions, horizontal assemblies, and fire walls. All must be non-combustible or fire-retardant treated wood. Fire partitions and horizontal assemblies must be rated at one hour of fire resistance, and fire walls must be rated at two hours.
- In structures with five or more sleeping/dwelling units, horizontal assemblies don't create separate structures for the purposes of height limits, area limits, continuity of firewalls, or construction type.
- Fire watch. From the beginning of construction to the installation of sprinklers and certificate of occupancy, whenever construction work is not underway. The developer or owner is responsible for hiring and training the fire watch warden to inspect, patrol, and report weekly on potential fire safety threats.
- Fire watch wardens can be active or retired firefighters, fire inspectors/marshals, building trades council members, police officers, first responders, code officials, or certified security guards.
- Signage indicating building material. An 8x11 white placard with large, bold letters must be displayed prominently within 10 feet of the entrance, with a description of the building material in this format: "Load-bearing light-framed combustible walls serve as the primary structural system of this structure".

This measure is product-neutral, so other building materials would display appropriate descriptions, such as "load-bearing concrete walls," structural steel frame," or "fire-treated lumber".



A COALITION OF THE NATIONAL READY MIXED CONCRETE ASSOCIATION

- The measure expands Fire District 1, which has the strongest fire safety regulations, to cover all areas within the city covered by the state of California’s Very High Fire Severity Zone, the city’s High Wind Velocity Zone, and population centers with a density of at least 5,000 residents per square mile.
- As in New Jersey and Philadelphia, our coalition has the support of the main building trades union groups. Recently, we have garnered the full support of the [Carpenters/Contractors Cooperation Committee \(statewide\)](#) and the [LA Building Trades](#) with outreach.
- The proposed ordinance has received support from many Build With Strength coalition partners representing Los Angeles’ diverse communities (press releases linked):
 - [Carpenters/Contractors Cooperation Committee](#)
 - [Los Angeles Civil Rights Association](#)
 - [Gloria Colazo, St. Jude Health Centers and El Salvador Chamber of Commerce](#)
 - [Churches In Action](#)
 - [Da’At Torah Jewish Education Center of Los Angeles](#)
 - [Southern California Hispanic Chamber of Commerce](#)
 - [HOPE – Helping Others Prosper Economically](#)
 - [CLUE – Clergy and Laity United for Economic Justice](#)

Latest Actions

- On [December 3rd, 2019](#) the Los Angeles Planning and Land-Use Management (PLUM) committee voted 4-0 to pass the “[Building a Safer Los Angeles](#)” motion. Sponsored by Councilmembers Bob Blumenfield and Monica Rodriguez, the motion directs the Department of Building and Safety, Fire Department, City Attorney, and various stakeholders to work collaboratively to write an ordinance expanding Fire District 1. The Public Safety Committee will undertake the final version of the ordinance later this year.

[Build With Strength has issued a press release](#) with details of the committee vote, as has [Councilmember Blumenfield](#).



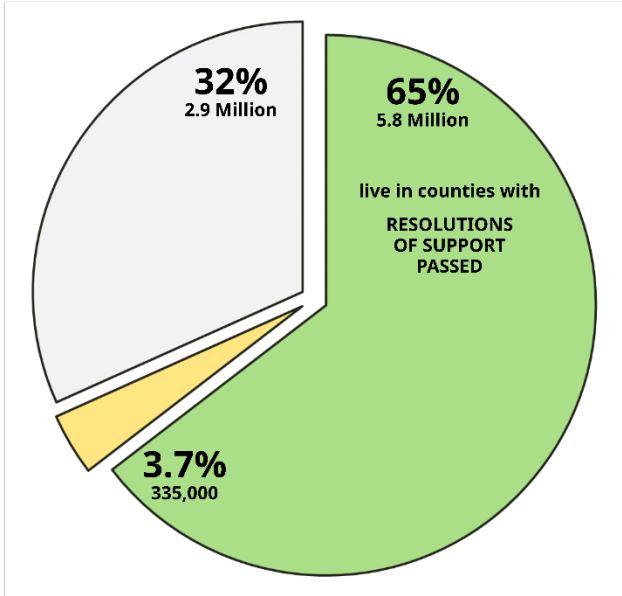
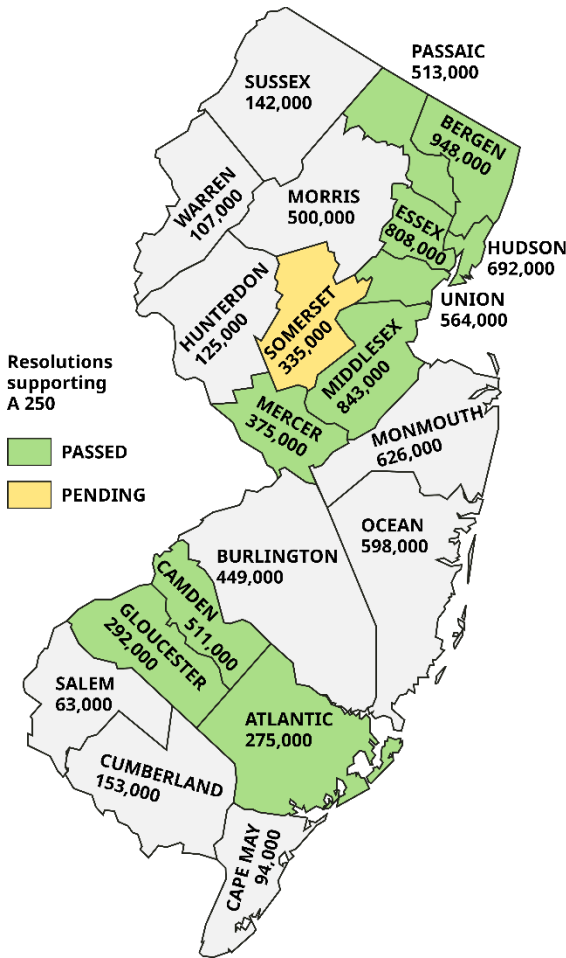
A COALITION OF THE NATIONAL READY MIXED CONCRETE ASSOCIATION

- Bill A 250 will amend the state code with our model code language. A Senate companion bill is expected to be introduced shortly. The bill reintroduces A 135 and S 1261 from the 2018-19 session. The bill has the public support of Senate President Steve Sweeney, Senate Majority Leader Loretta Weinberg, Assembly Speaker Craig Coughlin, and Deputy Speaker Wayne DeAngelo.
- All major building trades unions have now joined a Build With Strength coalition in support of the bills: contractors, carpenters, teamsters, bricklayers, IUPAT/painters, electrical workers, pipe- and sprinkler-fitters, and more.
- Resolutions of support for our legislation have been passed by 10 counties' boards of freeholders, representing 5.8 million people, equal to 65% of the population of New Jersey.
- See the Build With Strength [New Jersey webpage](#), highlighting news stories and analysis that support the need for comprehensive fire safety in the state.

Latest Actions

- The Somerset County Board of Freeholders is currently undertaking a resolution of support for bill A 250, which is expected to pass unanimously. Somerset County has 335,000 residents, which would bring total county-level support for these bills to nearly 70 percent of the state population (see following page).

NEW JERSEY SUPPORTS BILL A 250 FOR FIRE SAFE BUILDING



We anticipate the support of at least 11 counties, representing over 6 million people, equal to over 70% of the population of New Jersey

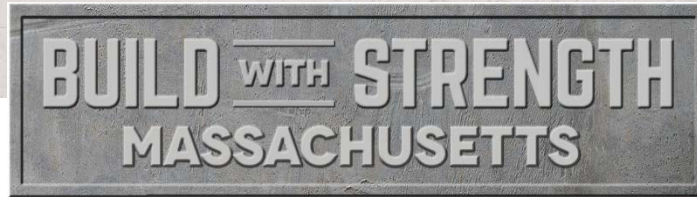
Resolutions of support passed for A 250:

By counties:

- [Atlantic](#)
- [Bergen](#)
- [Camden](#)
- [Essex](#)
- [Gloucester](#)
- [Hudson](#)
- [Mercer](#)
- [Middlesex](#)
- [Passaic](#)
- [Union](#)

By cities:

- [Edgewater](#) Borough (in Bergen County)
- [Maplewood](#) Township (in Essex County)
- [Wall](#) Township (in Monmouth County)



- [Bill H 3844 and S 1799](#) will direct the Board of Building Regulations and Standards (BBRS) to amend the state code with our model language.
- As in New Jersey, Philadelphia, and Los Angeles, Build With Strength is pursuing a coalition-building strategy that includes building trades unions, fire fighter groups, community organizations representing Massachusetts residents, chambers of commerce, affordable housing groups, and social justice organizations.
- Massive fires have struck Massachusetts' wood residential buildings in recent years, including [the 264-unit Edison on the Charles apartment complex in Waltham](#), and [the 83-unit, \\$45 million Treadmark building in Dorchester](#). Both buildings burned in 2017 while under construction, while the unprotected framing of a wood building is especially vulnerable.
- See the Build With Strength [Massachusetts webpage](#), highlighting news stories and analysis that support the need for comprehensive fire safety in the Commonwealth.

Latest Actions

- The Joint Public Safety and Homeland Security Committee has unanimously passed both the House and Senate bills through their first reading vote. The Massachusetts legislature website will be updated shortly to reflect this.



A COALITION OF THE NATIONAL READY MIXED CONCRETE ASSOCIATION

- An ordinance containing our model code language is planned for introduction in Philadelphia this year and supported by a broad-based coalition of building trades unions, community organizations representing Philadelphia residents, fire fighter groups, chambers of commerce, business associations, and affordable housing groups. This coalition includes the AFL/CIO, Philadelphia Building Trades Council, and Philadelphia Fire Fighters' and Paramedics' Union.
- Build With Strength is pursuing this ordinance in the form of a city-wide fire district with stricter fire safety regulations, similar to New York City, Chicago, and the proposed ordinance in Los Angeles.
- NRMCA staff has met with many city council members and secured their support for upcoming fire safety legislation.
- See the Build With Strength [Philadelphia webpage](#), highlighting news stories and analysis that support the need for comprehensive fire safety in the city.

Latest Actions

- Build With Strength is working with key coalition members and the mayor's office on a possible administrative policy solution.

CODES & STANDARDS

INTERNATIONAL CODE COUNCIL – ongoing model codes effort

Status: **7 Wins**

Summary:

The International Code Council (ICC) amends its model codes on a three-year basis. Proposed changes to be implemented in the 2021 edition of the International Building Code (IBC) are decided this year. Code changes proceed in three phases:

- Committee hearings, which occurred in May 2019.
- Public comment hearings, which occurred in October 2019
- Online Governmental Consensus Vote (OGCV), which concluded on December 6th, 2019. Results are expected to be announced on [the ICC code development news page](#) by the ICC shortly.

Highlights below indicate the results of the December OGVC vote.

Highlights:

Code Change	Summary & Position	Results
CE68	Support. Increases R-values (insulation) of concrete slabs to be more consistent. Rewards concrete under energy code.	Win. Approved as modified.
CE78	Oppose. Would have made concrete slab-on-grade insulation not tradable. Under current energy code, stronger insulation (such as slab-on-grade) can be “traded” to allow less insulation in other areas.	Win. Disapproved.
CE81	Oppose. Would have required additional insulation for concrete floor slabs.	Win. Withdrawn by proponent.
CE100	Oppose. Would have required testing of all air barrier materials and assemblies, increasing costs. Air barriers are commonly used in tandem with precast and tilt-up concrete walls.	Win. Disapproved.

New & Updated Referenced Standards:

Referenced Standard	Summary & Position	Results
ACI 318	Support. Building Code Requirements for Structural Concrete	Win. New, favorable 2019 edition adopted.
ACI 332	Support. Residential Code Requirements for Structural Concrete	Win. Adopted as an option for concrete construction.
PCA 100	Support. Prescriptive Design of Exterior Concrete Walls for One- and Two-family Dwellings	Win. New, favorable 2017 edition adopted.

Actions:

Build With Strength submitted or supported public comments in favor of the above code changes and standards.

OTHER STATE LEGISLATION

0 WINS	7 ONGOING EFFORTS	0 LOSSES
	7 Bills Supported	

HAWAII – 2 bills

HB 1754 & SB 2128

Status: In 1st Chamber

Position: **SUPPORT**

Summary:

This bill would require homebuilders of 1- and 2-family homes to provide a state-developed cost estimate for installation and maintenance of a sprinkler system.

Actions:

Build With Strength submitted testimony in support of this bill to chairs of the House Committee on Intrastate Commerce and the House Committee on Consumer Protection & Commerce.

HB 1761 & SB 2135

Status: In 1st Chamber

Position: **SUPPORT**

Summary:

Existing law prevents any county government from adopting regulations that would require automatic fire sprinkler protection for one- and two-family homes. This bill would repeal that ban, allowing counties to pass regulations more stringent than the state code, requiring sprinklers in one- and two-family homes.

Actions:

Build With Strength submitted testimony in support of this bill to chair of the House Committee on Consumer Protection & Commerce.

MASSACHUSETTS – 2 bills

HB H 2123 & S 1396

Status: In 1st Chamber

Position: **SUPPORT**

Summary:

This bill creates the Building Code Coordinating Council (BCCC) under state law, with the authority to reject inconsistent or redundant code proposals from state code-making bodies. The BCCC currently exists under an executive order, and can only advise code-making bodies. This bill also orders the BCCC to create a code proposal and public comment process, which will also be subject to BCCC review.

Actions:

Build With Strength has notified the state affiliate to be ready for action if the bill moves forward.

S 2477

Status: In 1st Chamber

Position: **SUPPORT**

Summary:

This bill sets out a “next-gen climate policy,” setting emissions reduction targets for every 5 years, beginning in 2025 and ending in 2050, as well as creating programs to help the state achieve those emissions reduction targets. One of these programs is a “net-zero stretch energy code”. Within 1 year, the Department of Energy Resources, in consultation with the Board of Building Regulation and Standards (BBRS), must adopt the stretch code as an appendix to the state building code, which includes a definition of “net-zero building.”

In Massachusetts, municipalities cannot amend codes to be more stringent than the state code, except by adopting a stretch code established on the state level. A more stringent stretch energy code already exists, and is adopted by a majority of the state’s municipalities. This net zero stretch energy code represents an additional, even more stringent option for municipalities.

Actions:

Build With Strength has notified the state affiliate to be ready for action if the bill moves forward.

H 3987 “Greenworks”

Status: In 1st chamber

Position: **SUPPORT**

Summary:

This bill appropriates \$1 billion and creates Greenworks, a sustainable/resilient infrastructure program under the Office of Energy and Environmental Affairs. \$705 million of its funding is set aside for the office to make grants to municipal governments. Municipalities can apply for Greenworks grants for the new construction or major improvements to existing public infrastructure that improve climate resiliency, reduces climate impact (including but not limited to carbon emissions), or implements energy efficiency measures.

Actions:

Build With Strength has notified the state affiliate to be ready for action if the bill moves forward.

MISSISSIPPI – 1 bill

SB 2709

Status: In 1st chamber – Insurance Committee

Position: **SUPPORT**

Summary:

Existing law requires insurance companies to offer a discount or rate reduction to residential building owners who build new construction to hurricane- and windstorm-resistant standards, including the Fortified for Safer Living standard, or similar standards adopted by the insurance commissioner.

This bill extends the same benefits to commercial construction statewide, effective July 1, 2021.

Actions:

Build With Strength has worked with the state insurance commissioner to promote this issue, and has notified the state affiliate to prepare to support this bill.

PENNSYLVANIA – 1 bill

HB 2276

Status: In 1st Chamber – Labor and Industry Committee

Position: **SUPPORT**

Summary:

This bill clearly delineates responsibilities for different elements of concrete tests that are already required by existing law, and their related costs. It makes a testing agency hired by the building owner responsible for most phases of testing. Contractors are responsible for providing water, power, and on-site storage for test specimens, while the building owner's testing agency is responsible for the casting of test specimens, transportation to a lab, maintenance, final testing, and the reporting of results. This alleviates the cost burden that could previously be placed on contractors.

Actions:

Build With Strength and its state affiliate will support this bill as it moves forward.