International Code Council Hijacked by Fire Sprinkler Coalition
Worth of 2009 International Residential Code Highly Suspect

The ICC[1] since 1999 has been, up to now, a very good venue for debate and consensus on building code issues. However – after debate, after committee recommendations are made, after all the dialogue is done – the ICC hearings held in September 2008 in Minneapolis expose a fatal flaw in the organization's final voting procedures. Originally established to prevent industry from packing the "voting booth" on a code issue, ICC final votes are restricted to government representatives. But what happens when one set of government representatives (fire service personnel), whose travel and hotel are paid for by industry (fire sprinkler manufacturers, installers and plumbers) pack the voting booth? You get the 2009 IRC – a code bought and paid for by companies who stand to make billions of dollars.

We stand strongly with everyone else to thank and commend the dedication and courage of the fire service community. But facts need to be injected into the emotion and pride we all feel about the people who protect us from fires. Requiring fire sprinklers in newly constructed 1&2 family homes is simply wrong. This requirement will cause a massive waste of consumer dollars for no life saving benefit, will exacerbate our already significant housing affordability problem, and completely fails to address the real threat to life and severe injury from home fires (i.e., older homes).

The facts are that, beginning in 1979, significant fire-safety building code requirements have been adopted in CT for new homes. Smoke detectors were first required in all new homes that year, and in 1985 smoke detectors were required to be hard wired with battery backup. Since then, additional fire-safety construction methods have been required (e.g., new, better electrical systems; fire stopping material in all wall and floor penetrations; fire-rated doors and walls between living space and garages or between connected units; larger, better egress openings – i.e., windows – to allow for easier escape and easier entry by fire service personnel).

The facts are that in looking at <u>every</u> fire death and <u>every</u> fire-caused life threatening injury in residential structures for a seven year period (2000 – 2006), not one occurred in a 1 or 2 family home built *after 1979 {check figures again}*. They have all been in older homes built before the fire-safety construction requirements were adopted.

But, let's step back. What happened with the model 2009 IRC? See the following first-hand accounts from HBA executive officers who were there:

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[1] The ICC (International Code Council) is the national body that writes the base model building codes for use throughout the United States. It was formed in 1999 when 3 former competing national model code writing organizations merged. A number of its codes are adopted by all the states, often with state specific amendments. Connecticut adopts ICC codes as its State Building Code, amended by our "CT Supplement." Included within our State Building Code is the International Residential Code (IRC) (applicable to all 1&2 family homes), and the International Building Code (IBC) (applicable to all other buildings). The NFPA, National Fire Protection Association, refused to merge into the ICC and still writes its own model codes, including the National Electrical Code (NEC), which CT incorporates into our State Building Code.

Dear Colleagues:

The IRC (International Residential Code) has just become the best code money can buy.

At 9:45 AM today, mandatory sprinklers for all one- and two-family homes and townhouses were approved, and will be included in the 2009 IRC. The vote on the change was 1,282 to 407. To my knowledge this is the largest number of voters on a single issue since the 1999 Final Action Hearings in St. Louis when the three code writing bodies and their respective codes merged.

[Fire service personnel packed the room to vote on fire sprinklers.] It speaks volumes that the highest total number of votes on any of the [other] changes to the International Fire Code (IFC) or the Fire Safety provisions of the International Building Code (IBC) was 413. Fire service voters were not here in large numbers to vote on the Fire Code or [other] IBC Fire Safety provisions. …

As was noted on the Residential Fire Safety Institute website, "in recognition of tight municipal budgets, a coalition has established a fund to offset travel costs" for fire service personnel to attend these hearings. That fund is being administered by the International Residential Code Fire Sprinkler Coalition, a nonprofit 501(c)(6) professional organization [made up of fire sprinkler manufacturers and installers, plumbers, and fire service personnel].

According to the IRCfiresprinkler.com coalition's website "authorized travelers will book travel with our travel agency and stay at designated hotels, who will bill the Coalition directly for authorized travel."

According to the International Residential Code Fire Sprinkler Coalition's website, the coalition's supporting entities are comprised of fire service associations from across the country. The treasurer of the coalition is Fred Been, president of Advanced Automatic Sprinkler, Inc. The website does not outline the sources of funding for its assistance program. As a 501 C (6) they are required to file financial reports but are not required to name donors to the organization. However, given the state of municipal budgets through out the country, it seems very unlikely the fire service members were the main source of funding.

Besides possibly donating for travel expenses, the sprinkler advocates bought advertising on American Airlines' in-flight entertainment. Their pro-sprinkler videos ran on in-hotel TV channels at the major conference hotels. ….

When approval of a code change or several code changes means billions of dollars more in income, you can spend a few dollars on frills. What kind of dollars are we talking about?

The NAHB estimates had a residential sprinkler system been required in every residential dwelling in 2005, the sprinkler industry would have benefited to the tune of $5,787,990,000 {$10,183,118,000}. Yes, that's five billion, seven hundred and eighty-seven million, nine hundred and ninety thousands dollars in just one year. While the roughly $185 million dollars the sprinkler industry did make by sprinkling 52,664 homes that year is an impressive chunk of cash, it's just pocket change from a child's piggy bank compared to what they could force consumers to cough up if sprinklers are mandated in all new homes.
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This will not change; fire services now know they can control the ICC development (See the "Highjacking the Process" PDF for more details on what happened and what the fire services intend).

By the way, IFC change F3-07/08, adopted by the ICC, will now require construction permits to also be pulled under Section 105.7 of the IFC in any jurisdiction adopting that code. These permits would be required for water supplies, roads, and addresses, as well as the installation of fire protection systems, LP-gas cylinders, large tents, and fuel tanks installed in and around the home. It gives your fire department enforcement authority in homes for operational permits and the maintenance requirements of the IFC.

Lee Schwartz, Michigan Association of Home Builders
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Colleagues:

What a morning the industry had in Minneapolis at the ICC hearings. As you know by now, the code recommendation to place fire sprinklers in single family residences passed 1282 to 407. Immediately preceding that vote, RB66 was also voted on and passed 1220 to 488. That vote requires fire sprinklers in all IRC town home units.

In short, the industry took a beating. Thank you to Lee Schwartz from Michigan for writing a biting commentary of the process that was posted this morning on the NAHB lobbyists list serve. Thank you to NAHB staff who knew from the start last night we were in trouble. They came out swinging but it didn't matter.

I happened to sit between two fire fighters from North Carolina. While they were certainly charming, they informed me that 150 fire fighters from NC were in attendance all expenses paid. The man on my left had his expenses paid by the plumbers and the man on my right had his expenses paid by the fire sprinkler coalition.

Pam Perry Weaver, EVP, Minnesota HBA
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