

**JOHN R. SCHNEIDER**

INSIDE AND OUT

A rallying call to change California's code adoption process

“By not adopting current codes, California potentially loses millions of dollars in federal funds, exposes Californians to increased insurance and housing costs, and deprives them of advances in materials and safety for housing.”

Why does California, one of the most influential and progressive states in our country, continue to adopt and enforce building codes that are out of date, and do not reflect new advancements in safety and technology? This is a question that everyone in the construction and real estate industries should be asking their legislators, city councils, county supervisors, and building officials, and demanding an answer to. By not adopting the most current codes, California potentially loses millions of dollars in federal funds, exposes Californians to increased insurance and housing costs, and deprives them of advances in materials and safety for housing.

It's hard to believe that California has come to this point, but it is true. For the past several years, politics and special interests have been stifling the code adoption process in the state, influencing how the Building Standards Commission determines which codes the state will adopt and enforce to govern construction in California.

In 1979, California established the Building Standards Commission (BSC) to adopt nationally recognized codes and standardize them for the various state agencies, and the construction industry. After a having a turbulent beginning, it wasn't until 1983 that the BSC had finally adopted a uniform set of codes. They were the Uniform Building, Plumbing, and Mechanical Codes, and the National Electrical Code. However, since that time, the BSC's ability to adopt the most current codes has been slowly eroding, due to the politics of dealing with various state agencies and special interest groups. As an example, the currently adopted codes in California are the 1997 Uniform Building, Plumbing, and Mechanical Codes, and the 1996 National Electrical Code.

The biggest setback for the BSC occurred several years ago when the three primary model code organizations in the United States joined together and began developing a uniform set of codes that could be used nationally and internationally. They are called the International Codes, coordinated to work together, and were first published in the year 2000. The International Codes represent the most advanced and integrated set of codes ever developed, a family of codes designed to allow conformity in construction across the country. This means builders, architects, engineers, and home owners would be working with only one set of codes no matter which state or country they were in.

These codes are intended to work together, and compliment each other, making their implementation and enforcement easier to achieve. They have been developed by a cooperative effort of industry and governmental agencies, to assure that the codes reflected true safety and the latest technological advances in the construction industry, without bias to a particular interest.

The political forces hampering the BSC's ability to adopt these codes are certain industry groups and unions with different agendas. Most notably, the National Fire Protection Association, and the International Association of Plumbing and Mechanical Officials have fought the battle against adopting these new codes

The reason, they say, has to do with how the code process is conducted. In the International Code adoption process, anyone can submit a code change, but the final code approval is up to the people who

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enforce the code (building officials), while in the NFPA and IAPMO process, the final approval is up to industry and organizations.

An example of what happens when industry has the final vote on the code can be seen in the Uniform Plumbing Code. The plumber's union has been fighting the inclusion of new materials and technology in the code since the mid 1970's.

If you look at the currently adopted edition of IAMPO's Uniform Plumbing Code, you would see their code has not recognized new piping materials for gas, water, and sewage installations that have been coming onto the market since 1979. Many of these new materials are faster and easier to install, and often do not require the skill of a union plumber.

While not allowing these materials into the code may benefit a particular trade, it does not serve the community.

In the next couple of months, the BSC will be deciding on which codes they will be adopting for the next two to three years. Unfortunately, the BSC will not adopt the International Codes, but rather re-adopt basically the same codes we are currently using, with the exception of updating to the 1999 Edition of the National Electrical Code. By this action, the BSC compromises the right of Californians to collect federal disaster funds and from obtaining substantial discounts from insurance companies.

The Federal Emergency Management Agency (FEMA) is a good example of this situation. FEMA provides emergency relief money to communities and states suffering from disasters such as earthquakes and floods. However, in order to qualify for FEMA funds, the state or community must have adopted the most current code, to ensure that reconstruction meets these standards.

Californians will also take an economic hit because of how insurance companies rate different communities to determine premiums. The Insurance Services Organization (ISO), rates building departments on the quality and enforcement of the codes to reflect the quality of the construction for homes that particular area. Insurance companies then base their premiums on this rate.

The ISO will automatically lower the ratings it gives to individual building departments if the current codes are not adopted. The higher the numerical rating, the more the insurance will cost.

Finally, by not adopting current codes, the BSC indirectly increases the cost of housing by not taking advantage of labor saving and technological advances designed to enhance the safety and quality of our homes.

As Californians, we can no longer allow the Building Standards Commission to be delinquent in their responsibilities to ensure the quality and uniformity of the building codes used throughout this wonderful state. They need to stand up to political pressure from special interest groups, and do what is right for California. They can do this by adopting a coordinated set of codes such as the International Codes, codes developed over a number of years by Building Officials representing local, state, and federal government, with full cooperation from the construction industry. Unfortunately, this will not happen without some sort of a public outcry from consumer and industry groups.

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