



BACKGROUND | NOVEMBER 2018

2021 ICC Group A National Model Codes: Online Voting Guide

APARTMENTS. WE LIVE HERE.

NMHC/NAA

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About NMHC

Based in Washington, DC, the National Multifamily Housing Council (NMHC) is a national association representing the interests of the larger and most prominent apartment firms in the U.S. NMHC's members are the principal officers of firms engaged in all aspects of the apartment industry, including ownership, development, management and financing. NMHC advocates on behalf of rental housing, conducts apartment-related research, encourages the exchange of strategic business information and promotes the desirability of apartment living. Nearly one-third of Americans rent their housing, and almost 15 percent live in an apartment (buildings with five or more units). For more information, contact NMHC at 202/974-2300, e-mail the Council at info@nmhc.org or visit NMHC's website at www.nmhc.org.

About NAA

The National Apartment Association (NAA) serves as the leading voice and preeminent resource through advocacy, education and collaboration on behalf of the rental housing industry. As a federation of nearly 160 affiliates, NAA encompasses over 78,000 members representing more than 9.3 million apartment homes globally. NAA believes that rental housing is a valuable partner in every community that emphasizes integrity, accountability, collaboration, community responsibility, inclusivity and innovation. To learn more, visit www.naahq.org.

Overview

The National Multifamily Housing Council (NMHC) and National Apartment Association (NAA) actively participate in the code development process, working to improve existing code provisions and oppose provisions that would result in unnecessary cost escalations or create impractical technical provisions. We urge all Governmental Members to support the multifamily industry and ensure the continued availability of high-quality, safe and affordable apartment homes. This document provides our recommendations for voting on apartment industry priority issues during the ICC Online Governmental Consensus Voting Period beginning in November 2018.

This guide includes only those issues of significant concern to the apartment industry and does not reflect all items open for voting during the Online Voting period or items where NMHC/NAA have a neutral position. The codes of greatest significance for multifamily construction during the Group A cycle include: the International Building Code (IBC) – Egress, Fire Safety, General, Structural Portions and the International Fire Code (IFC). More information on the ICC code development process, including the complete timeline and proposals, can be found at <https://bit.ly/2sxLRyn>.

Notable Proposals

- **F-117 - NFPA 13R Sprinkler Systems.**

Despite an overall history of improved fire safety in apartments and the effectiveness of NFPA 13R sprinkler systems, item F-117 as passed during the Public Comment Hearings significantly changes multifamily code requirements and will negatively impact construction costs and housing affordability. Additionally, the current proposal creates conflicting language between the IFC and IBC and failed to include commonsense public comment language supported by the Fire Code Action Committee. The Public Comment Hearing vote was extremely close – 51 (As Submitted) to 49 (Disapprove) and a coalition of industries, including the National Fire Sprinkler Association, urges disapproval of these proposed limitations on NFPA 13R systems.

Recommendation: DISAPPROVAL.

- **FS-95 - Exterior Wall Envelope.**

This proposal significantly expands testing requirements for exterior wall systems - imposing NFPA 285 testing for exterior walls of Type I, II, III or IV construction more than 40' above grade that contain combustible materials. This project-specific testing will likely require multiple tests for a single building and estimates suggest that project delays and increased costs will be significant.

Recommendation: DISAPPROVAL.

- **S-21- Fire-resistant Penetrations and Joints.**

S-21 requires unnecessary special inspections for all penetrations, firestops, fire-resistant joint systems and fire barrier systems in Group R occupancies with more than 250 occupants. **Recommendation: DISAPPROVAL.**

- **G-21 – Short-Term Rentals.**

Short-term rentals have become increasingly popular and can provide a significant value to building residents and property owners. G-21 unnecessarily reclassifies occupancy in residential buildings based on an unacceptably low threshold where short-term rentals are present. **Recommendation: DISAPPROVAL.**

2021 Code Proposals

Multifamily Priority Proposals

AS	As Submitted
AM	As Modified
AMPC	As Modified by Public Comment
D	Disapproved
W	Withdrawn

International Fire Code

PROPOSAL #	SECTION # & PROVISION	COMMITTEE ACTION	PUBLIC COMMENT HEARING RESULTS	RECOMMENDED ACTION FOR ONLINE VOTING	ANALYSIS
F-8	304.4 – Mulch	D	D	Disapprove	Creates enforcement problems by regulating combustible mulch within 5 feet of combustible walls/components.
F-13	310.9 – Group R - Smoking	D	D	Disapprove	Creates enforcement problems by regulating smoking within 25 feet of exterior door of Group R Type V construction.
F-47	510.1.1 – Building Conduit and Pathway Survivability	D	D	Disapprove	Requires 2" conduit raceway in all new buildings for future Emergency Responder Radio Coverage System.

F-49	510.4.1 – Definition – Critical Areas	D	AMPC 1	Disapprove	Provides unnecessary, new definition for "Critical Areas." Does little to improve current criteria of 95 percent and includes vague definition of “other areas.”
F-92	808 – Outdoor Artificial Decorative Vegetation	D	AMPC 1	Disapprove	Imposes unnecessarily broad new requirements for exterior artificial decorative vegetation and imposes new testing, lighting, flame and maintenance provisions.
F-117	903.3.1.2, IBC – NFPA 13R Sprinkler Systems	AS	AS	Disapprove	Restricts use of NFPA 13R sprinkler systems in Group R buildings to those with a maximum topmost floor level height 30 ft. above the lowest level of fire department vehicle access – a significant reduction from the current allowable building height of 60 ft. above grade plane. The proposal will result in many typical, 4-story buildings requiring full NFPA 13 systems despite the proven effectiveness of 13R systems. Counterproductively, this would reduce the number of buildings with sprinkler protection for balconies and patios. This section also creates a conflict with Table 504.3 of the IBC and significantly increases construction costs – by an estimated \$1-\$2 per square foot or \$102,000 for a typical, 4-story multifamily building.
F-152	907.5.2.3.3 and 907.5.2.3.3.1 – Group R Fire Alarm System / Wired Equipment	D	AMPC 1	AMPC	Provides a choice of options where wired equipment is used to comply with the future capability required by Section 907.5.2.3.3.
F-267 Part 1 and 2	3318 IFC, 3314 IBC – Protection of Combustible Construction	D	D	Disapprove	Requires installation of gypsum board or similar to enclose all combustible framing members in Type III and Type V construction four or more stories in height when construction exceeds 40 feet. Would impose significant new costs and create challenges for MEP rough-in and inspections.

F-270	3314.1 IFC 3312.1 1507.1 IBC – Completion During Construction	D	D	Disapprove	Requires automatic sprinkler protection in Type III and V construction before construction exceeds 40 feet above fire department access. Must maintain sprinkler protection within one floor of construction progression, which creates significant constructability issues and increases costs.
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International Building Code – Fire Safety

PROPOSAL #	SECTION # & PROVISION	COMMITTEE ACTION	PUBLIC COMMENT HEARING RESULTS	RECOMMENDED ACTION FOR ONLINE VOTING	ANALYSIS
FS-21	705.10 – Penetrations	D	D	Disapprove	Requires penetrations through exterior walls that have a fire-resistance rating to have same protection as joints, openings, etc. in these walls.
FS-34	708.3.1 and 711.2.3, 711.2.4.11, 711.2.4.3 – Fire resistance Rating - Group I-1, R-1 and R-2 Buildings, Supporting Construction, Dwelling Units	D	D	Disapprove	Unnecessarily increases fire separations and imposes other requirements: In Type IIB, IIIB and VB construction from half-hour to 1-hour; In Type III, IV and V construction more than 2 stories in height or that have dwelling or sleeping units more than 25 feet above grade plane from 1-hour to 2-hour. Changes horizontal assembly requirements. Requires load-bearing walls to meet structural test requirements without sheathing. Unnecessarily burdens typical, multifamily, wood-framed construction without substantially improving protection.
FS-95	1402.5 – Exterior Wall Envelope	D	D	Disapprove	Significantly expands testing requirements - requires NFPA 285 testing for exterior walls of Type I, II, III or IV construction more than 40' above grade that contain combustible materials.

FS-96	1402.6 – Flame Spread of Wall and Attic Protection	D	D	Disapprove	Links new energy code requirements for greater insulation levels with increased flammability and possibility of flame spread in a fire event, and specifies acceptable exterior wall assemblies and cladding materials without documentation or rationale.
FS-99	1402.5 – Fire Testing of Exterior Walls for Flame Propagation	D	D	Disapprove	Adds ill-defined testing criteria and revises NFPA 285 via new code language including projections and inside corners in exterior walls greater than 40' in height of Type I, II, III, IV construction containing combustible materials. Yet, the impact of projections and inside corners on fire spread has not been standardized. Code should not define test method parameters or procedures.

International Building Code – Egress and Accessibility

PROPOSAL #	SECTION # & PROVISION	COMMITTEE ACTION	PUBLIC COMMENT HEARING RESULTS	RECOMMENDED ACTION FOR ONLINE VOTING	ANALYSIS
E-1	1003.8 – Stanchions or Grab Bars	D	D	Disapprove	Requires grab bars for all showers and tubs even those not required to be accessible.
E-20	1006.3 – Egress from Stories or Occupied Roofs	D	D	AS	Deletes section requiring that path of egress travel shall not pass through more than one adjacent story. Reduces cost where enclosures would have been required in buildings more than 2 stories. Allows path of egress to be limited by distance rather than number of stories.
E-21	1006.3.1 – Access to Exits at Other Levels	D	D	AS	Other than I-1 and I-2, unenclosed exit access stairways shall be permitted according to Section 1019.3. Permitted based on travel distance - not number of stories.

E-30	1009.2.1 – Elevators	AS	AS	AS	Requires elevator with standby power where accessible floor or occupied roof is 4 or more stories above level of discharge.
E-81	1015.8 – Window Openings	D	D	Disapprove	Unnecessarily increases number of windows where fall protection is required in Group R-2 and R-3 buildings to all windows more than 72" above finished grade and creates impediments to egress.
E-90	Table 1020.2 – Minimum Corridor Width	D	D	Disapprove	Increases minimum corridor width from 24" to 36" for access to mechanical, plumbing, and electrical equipment. Misidentifies mechanical equipment access as an egress issue and fails to recognize that mechanical spaces are not public spaces.
E-96	1023.2 – Interior Exit Stairway and Ramp Enclosures	D	D	Disapprove	Removes exception for interior exit stairways in atriums.
E-117	1106.2 – Accessible Parking Spaces	D	D	D	Adds additional accessible parking spaces for R-2 occupancies that contain Accessible or Type A units.
E-126	1107.7.2 – Multistory Units	D	W	AS	Clarifies that R-2 buildings with only multi-story dwelling units that have neither elevator service within the units nor within the common areas are not required to have Type A or Type B accessible units.

International Building Code - General

PROPOSAL #	SECTION # & PROVISION	COMMITTEE ACTION	PUBLIC COMMENT HEARING RESULTS	RECOMMENDED ACTION FOR ONLINE VOTING	ANALYSIS
G-21	310.2 – Residential Group R-1	AS	D	D	310.2 Adds "more than two dwelling units" to definition of R-1 buildings – unnecessarily disrupting short-term occupancy in R-2 buildings.
G-54	420.2, 705.3 Table – Separation Walls	D	D	D	Increases separation requirements and deletes current exception related to dwelling or sleeping unit separation. Requires exterior walls and openings separating or adjacent to dwelling or sleeping units to be constructed as fire partitions.
G-76	Table 504.3, 504.4 – Allowable Building Height and Number of Stories	D	D	D	Changes allowable height of Group R Type IIA construction. Results in unwarranted bias in construction material choice.
G-95	510.2 – Horizontal Building Separation Allowance	AS	AS	AS	Allows exit stairways in Type IA construction to be of combustible materials if the building above the Type IA construction is Type III, IV, or V construction and stairway in Type IA building is enclosed with 3-hour fire-resistance rated construction.
G-136	503.1.4, 1510.2.2 – Occupied Roofs	AS	AS	AS	Clarifies that occupied roofs are not a separate story as long as they comply with Section 1510. Adds following uses to penthouses: stairways, assembly, ancillary spaces to access elevators and stairways.

International Building Code - Structural

PROPOSAL #	SECTION # & PROVISION	COMMITTEE ACTION	PUBLIC COMMENT HEARING RESULTS	RECOMMENDED ACTION FOR ONLINE VOTING	ANALYSIS
S-21	1705.17 – Fire-resistant Penetrations and Joints	AS	AS	Disapprove	Extends requirement for special inspections of fire sealing of joints and penetrations to Group R buildings with greater than 250-person occupancy. Results in significant cost increases, negatively impacts schedule and creates implementation challenges.