



ICC CODES - PUBLIC COMMENT FORM

FOR PUBLIC COMMENTS ON THE “2009/2010 REPORT
OF THE PUBLIC HEARINGS”

IBC - International Building Code (E, FS, G, S)
 IEBC-International Existing Building Code (EB)
 IFC-International Fire Code (F)
 IFGC - International Fuel Gas Code (FG)
 IMC - International Mechanical Code (M)
 IPC - International Plumbing Code (P)
 IRC - International Residential Code-Building (RB)
 IRC-International Residential Code-Plumbing/Mechanical (RP, RM)
 IWUIC- International Wildland-Urban Interface Code (IWUIC)

CLOSING DATE: All Comments Must Be Received by February 8, 2010. The 2009/2010 Final Action Hearings for the codes listed above, will be held May 14-23, 2010 in Dallas, TX.

1) Please type or print clearly: Public comments will be returned if they contain unreadable information.

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2) Copyright Release: In accordance with Council Policy #28 Code Development, all Code Change Proposals, Floor Modifications and Public Comments are required to include a copyright release. A copy of the copyright release form is included at the end of this form. Please follow the directions on the form. This form as well as an alternative release form can also be downloaded from the ICC website at www.iccsafe.org. If you have previously executed the copyright release, please check the box below:

2009/2010 Cycle copyright release on file

3) Code Change Proposal Number:

Indicate the Code Change Proposal Number that is being addressed by this Public Comment: RB16-09/10

4) Public Comment: The Final Action requested on this Code Change Proposal is: (Check Box)

Approved as Submitted (AS):
 Approved as Modified by this Public Comment (AMPC):
 Approved as Modified by the Code Committee as Published in the ROH (AM):
 Approved as Modified by Assembly Floor Action as Published in the ROH (AMF):
 Disapproved (D):

Attached Proposed Modifications and/or Reason Statements: See Attached Individual Consideration Form

PLEASE USE SEPARATE FORM FOR EACH PUBLIC COMMENT
SUBMITTAL AS A DOCUMENT ATTACHED TO AN EMAIL IS PREFERRED
SEE BACK OF FORM FOR DIRECTIONS ON WHERE TO SEND PUBLIC COMMENTS

INDIVIDUAL CONSIDERATION FORM

RB16-09/10

R301.2.2.2.6 (new), R1001.3, R1001.4, R1003.3, R1003.4, Table R1001.1

Individual Consideration Agenda

This item is on the agenda for individual consideration because a public comment was submitted.

Public Comment:

Homer Maiel, PE, CBO, City of San Jose, representing ICC Tri-Chapter (Peninsula, East Bay, Monterey Chapters), requests Approved as Submitted.

The Tri-Chapter continues to support RB16 as submitted. During the Preliminary Code Hearings in Baltimore, speakers from the Tri-Chapter as well as speakers from the FEMA and experts on earthquake evaluation and response spoke on behalf of the original code change proposal as submitted. Both the proponents and opponents of this code change proposal agreed that there were thousands of masonry chimney failures following prior small earthquakes throughout the United States. The documented ground motions for prior small earthquakes, such as the Nisqually Earthquake in Washington, the Napa Earthquake in California, the Landers Earthquake in California, and the Coalinga Earthquake in California, and the Borah Peak Earthquake in Idaho, are all examples of small earthquakes that created "short period" ground accelerations in the range of $0.32g < S_s < \text{or} = 0.55g$. Short Period ground accelerations in this range are characteristic of Seismic Design Category "C" (SDC C). This code change specifically calls for minimal longitudinal steel reinforcement and attachment at the roof level of masonry chimneys to prevent documented chimney collapses following small and moderate earthquakes.

The proposed code change should also be approved as submitted in order to provide the same minimum protection of occupants of residential buildings constructed under the IRC as is provided for all buildings constructed under the IBC. The mitigation of the very real dangers posed from falling chimneys during minor earthquakes should not be a function of which code they were built under.

The IRC Committee failed to understand that this code change proposal is not designed to prevent masonry chimney failures during small earthquake events, but rather addresses the more important life-safety issue of chimney collapse. The collapse of masonry chimneys that are not reinforced with longitudinal steel and are not properly anchored at the roof structure of the building have contributed to excessive property damage, injury and even death following small earthquake events. Even when only a portion of a chimney falls, those pieces have the potential to kill and injure people in the vicinity of the chimney.

Finally, the Tri-Chapter does not agree that the thousands of documented chimney failures are due to "poor workmanship" alone and that this is cause to reject the proposed code change. In fact, by requiring minimum longitudinal reinforcement of masonry chimneys and by requiring attachment of masonry chimneys at the roof line we fully expect that the construction of masonry chimneys will receive better inspection and be more likely to be built to withstand small and moderate earthquakes without the potential for collapse.

In summary, we encourage all ICC voting members to support this code proposal as submitted. Minimal longitudinal reinforcement of masonry chimneys and attachment of masonry chimneys at the roof line of buildings in SDC "C" is a proven and cost effective solution to prevent the collapse of masonry chimneys in small and moderate earthquakes and to reduce property damage and save lives.