

STATE OF HAWAII  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
ANNUAL REPORT ON  
THE BUILDING CODE COUNCIL  
DECEMBER 2014

SUBMITTED TO  
THE TWENTY-EIGHTH STATE LEGISLATURE  
IN RESPONSE TO SECTION 107-30, HRS

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Background

Pursuant to Act 82, SLH 2007 (the Act), the Building Code Council (the Council) is required to submit an annual report to the legislature no later than twenty days prior to the convening of the regular session of 2015. In 2010, the Council adopted the State Building Code (based on the 2006 International Building Code), the State Plumbing Code (based on the 2006 Uniform Plumbing Code), the State Energy Conservation Code (based on the 2006 International Energy Conservation Code), and the State Electrical Code (based on the 2008 National Electrical Code). The hurricane protective shelter criteria is included in the State Building Code.

Achievements During This Year

The Council has scheduled monthly meetings and usually meets on the second Tuesday of each month. The Subcommittee of County Building Officials (the Subcommittee) has also met to consider model building codes and review proposed amendments to the model codes prepared by investigative committees. Key outcomes of these meetings are as follows.

1. Investigative committees review and propose amendments to the required and significant building codes. At each Council meeting, each investigative committee is provided the opportunity to report or make recommendations on the codes they are reviewing. The investigative committees that have been formed:
  - a. Investigative committee for structural provisions for the 2012 International Building Code (12 IBC) and International Residential Code (12 IRC)
  - b. Investigative committee for 12 IBC and 12 IRC
  - c. Investigative committee on 2015 International Energy Conservation Code
  - d. Investigative committee on communication and training
  - e. Investigative committee for a mechanical code
  - f. Investigative committee for Green Building Code
  - g. Investigative committee for a electrical code
  - h. Investigative committee for hiring of Executive Officer and Administrative Assistant
  - i. Investigative committee for State Building Code Council membership with the International Code Council

2. The Subcommittee and the Council is now in the process of reviewing the code updates for the following codes including proposed Hawaii State amendments for the following
  - a. 2012 Uniform Plumbing Building Code
  - b. 2012 International Energy Conservation Code
  - c. 2012 International Building Code
  - d. 2012 International Residential Code
3. The Council has approved the following codes (with Hawaii State amendments) but does not have resources to hold public hearings and finalize the adoption as State of Hawaii codes.
  - a. 2009 International Building Code
  - b. 2009 International Energy Conservation Code
  - c. 2009 International Residential Code
  - d. 2011 National Electrical Code
  - e. State Fire Code based on the National Fire Protection Association Fire Code, 2012 edition
4. The Department of Accounting and General Services terminated administrative support to the Council from July 1, 2012 as a result of resource issues.
5. Act 164, SLH 2014, contains the following significant revisions to Act 82, SLH 2007 (which formed the Council):
  - a. Changed the composition of the Council by eliminating the council member from the Department of Health and adding a member from the State Energy Office of the Department of Business Economic Development and Tourism, Building Industry Association of Hawaii or General Contractors Association of Hawaii, and the Subcontractors Association of Hawaii.
  - b. Allowing the Council to change the frequency of amendments to not more than every six years from the current requirement of latest publication date of the model codes or every three years.
  - c. Provides for \$136,676 in funding in fiscal year 2015 for an Executive Director and Executive Assistant.

### Membership

The current Council members are as follows:

1. Timothy F.T. Hiu, City and County of Honolulu
2. Jai Ho Cheng, County of Hawaii
3. Glenn Ueno, County of Maui
4. Douglas Haigh, County of Kauai
5. Socrates Bratakos, State Fire Council
6. Gary Chock, Structural Engineers Association of Hawaii
7. Thaddeus Tomei, Department of Labor and Industrial Relations
8. James Reinhardt, American Institute of Architects, Hawaii State Council
9. John Cheung, Building Industry Association of Hawaii

10. Gregg Serikaku, Subcontractors Association of Hawaii
11. Howard Wiig, Department of Business Economic Development and Tourism, State Energy Office
12. Dean Seki, Comptroller

The current Subcommittee members are as follows:

1. Timothy F.T. Hiu, City and County of Honolulu
2. Jai Ho Cheng, County of Hawaii
3. Glenn Ueno, County of Maui
4. Douglas Haigh, County of Kauai

A critical issue affecting the Council's ability to complete its mission of adopting new building codes will be the loss of four members who have been with the Council since its start in 2007. Additionally, Mr. Hiu and Mr. Haigh represent half of the Subcommittee and without representatives from those agencies, the Subcommittee cannot approve any amendments to the building codes (unanimous approval required for any amendments). They are as follows:

1. Gary Chock, representing the Structural Engineers Association of Hawaii, second term expiring June 30, 2015
2. Timothy F.T. Hiu, representing the City and County of Honolulu, second term expiring July 13, 2015, also serves as Council Chair
3. Douglas Haigh, representing the County of Kauai, second term expiring July 15, 2015
4. Socrates Bratakos, representing the State Fire Council, second term expiring March 3, 2016, also serves as Vice Chair.

### Summary

The Council received funding for fiscal year 2015 and has submitted a request to the Governor to allot the \$136,676 appropriated in Act 164, SLH 2014 from January 1, 2015 in accordance with the EM 14-06 Budget Execution Policies and Instructions to hire and Executive Director and Executive Assistant. Additionally, the Council has submitted a biennium budget request for fiscal years 2016 and 2017 that provides funding for these two positions and other operating expenses. Without these positions, the Council's adoption of recent versions of the model building codes are delayed as resources are needed to draft the administrative rules and to carry out the steps required to have the administrative rules adopted. Also as stated previously, the Department of Accounting and General Services no longer provides administrative support. As a result, the work the Council has done to adopt amendments for new versions of the model building codes cannot be adopted and implemented as there are no administrative rules.