ICC Consensus Procedures
These procedures are designed to meet the requirements for due process and development of consensus for approval of standards developed under the ICC Consensus Procedures and for approval as an American National Standard in accordance with the ANSI Essential Requirements.

Leading the Way to Energy Efficiency, pg. 3
"The Code Council Board of Directors under Council Policy 28 and the Consensus Procedures has sole authority to establish and revise the title, scope and intent of codes and standards developed by the Code Council."

II. Text of Relevant Code Sections

COMMERCIAL ENERGY PROVISIONS

C.101.2 Scope
This code applies to the design and construction of commercial buildings.

C101.3 Intent

enforceable requirements for the design and construction of commercial buildings,

considering economic feasibility, including potential costs and savings for consumers and building owners, and return on investment. Additionally, the code provides jurisdictions with supplemental requirements, including ASHRAE 90.1, and optional requirements that lead to achievement of zero energy buildings, presently, and through glidepaths that achieve zero energy buildings by 2030 and on additional timelines sought by governments, and

Council and approved by the Board of Directors. Requirements contained in the code will include, but not be limited to, prescriptive- and performance-based pathways. The code

greenhouse gas reduction resources developed by the Code Council and others. The code will aim to simplify code requirements to facilitate the code's use and compliance rate. The code is updated on a three-year cycle with each subsequent edition providing

to permit the use of innovative approaches and techniques to achieve this intent. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

use or occupancy, including any mechanical systems, service-water heating systems and electric power and lighting systems located on the building site and supporting the building.

RESIDENTIAL ENERGY PROVISIONS

R101.2 Scope
This code applies to the design and construction of residential buildings.

R101.3 Intent

requirements for the design and construction of residential buildings, providing minimum

that is safe, technologically feasible, and life cycle cost effective, considering economic feasibility, including potential costs and savings for consumers and building owners, and return on investment. Additionally, the code provides jurisdictions with optional supplemental requirements, including requirements that lead to achievement of zero energy buildings, presently, and, through glidepaths that achieve zero energy buildings by 2030 and on additional timelines sought by governments, and achievement of additional policy

Directors. The code may include non-mandatory appendices incorporating additional energy

others. Requirements contained in the code will include, but not be limited to, prescriptive- and performance-based pathways. The code will aim to simplify code requirements to facilitate the code's use and compliance rate. The code is updated on a three-year cycle with each subsequent edition providing increased energy savings over the prior edition. The IECC residential provisions shall include an update to Chapter 11 of the International Residential

and techniques to achieve this intent. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

use or occupancy, including any mechanical systems, service-water hearing systems and electric power and lighting systems located on the building site and supporting the building.

III. Relevant Section of Feb. 22, 2022 ICC Staff Memo

IECC and Chapter 11 of the IRC. While this new scope and intent is considerably more detailed than the prior scope and intent, there is some confusion within the Committees on what topics can be addressed within the body of the IECC or IRC Chapter 11 as minimum requirements as opposed to an IECC or IRC appendix.

The scope and intent of ICC codes and standards are set by the Board of Directors in accordance with

codes or standards during an active development process, allowing the development process to proceed to resolution. If a topic is contained in the scope or intent statement, it may be included either in the base of the code or as an appendix, as determIRC ar<el(sco00540051005E540051a7090005004B0054)]Tsas400v.1 (o ar

I. Scope and Intent Issues

A. AGA Appeal and APGA Appeals

minimum requirements within the body of the code, or (3) inclusion as an adoptable appendix.

gas reduction resources to indicate that these appendices would be additive to the content contained

reduction resources prohibited from inclusion in the body of the code.

Based on the discretion afforded them in the consensus process, an overwhelming majority of the development committee members (both residential and commercial), representing a diversity of interest categories in accordance with the Consensus Procedures, found that provisions related to greenhouse gas reductions were valuable to be included within the body of the code and represented a piece of a

II.

A. NMHC/BOMA – "Building" Related to Demand responsive Controls

This NMHC/BOMA appeal contends that the scope statement of each IECC code states that it applies

mechanical and electrical equipment within the scope of the IECC must support the building. The appeal contends that controls equipment that cannot be used for the intended control does not support the building and therefore is out-of-scope of the IECC.

B. NMHC/BOMA – "Building" Related to EV Charging Infrastructure

NMHC/BOMA raise concerns that the 2024 IECC-R requirements for the provision of electric vehicle charging infrastructure (EVCI) and the IECC's requirement for the provision of equipment for the monitoring of electric vehicle (EV) charging are outside of the scope and intent of the IECC–R and IECC-C.

NMHC/BOMA argue that requirements for EVCI infrastructure and EV charging monitoring equipment are outside of the scope of the IECC because it doesn't support a building. The IECC-R and the IECC-C

sheltering any use or occupancy, including any mechanical systems, service water-heating systems and electric power and lighting systems located on the building site and supporting the building."

Even the advocates for requiring EVCI at residential buildings argue that it is for the "convenience" of building residents and that EVCI is "an amenity." Requiring amenities and conveniences for non-

requirements" for residential buildings. The IECC-C also requires monitoring of EV charging loads, a

NMHC/BOMA point to the ICC Board of Directors' decision that requiring EVCI was outside of the scope

that the code "applies to residential buildings, building sites and associated systems and equipment." Based on this premise, they assert that if EVCI was outside of the scope of the 2021 IECC, then it is even more clear that it is outside of the scope of the 2024 IECC, which provides that the systems and equipment must "support the building" to be within scope.

NMHC/BOMA argue that the reference to EVCI in the 2024 IECC-R's intent statement is not dispositive.

the code may be included either in the body of the code as minimum requirements or as an adoptable appendix based on the determination of the responsible Consensus Committee." They contend that because EVCI does not fall within both the scope and the intent of the IECC-R, if it can be included in the IECC-R at all, it must appear in non-mandatory appendices.

C. Region VI – "Building" Related to Electrical Infrastructure for EVs

Region VI argues that the requirement to install electrical infrastructure for EV-capable, EV-ready or EVSE regardless of whether they own an EV should not be in the body of the code. Region VI asserts simply that "none of ICC's building codes dictate vehicle maintenance and fueling in a dwelling setting." Including these requirements would be "an overreach of building code."

ICC STAFF RESPONSE – Scope of "Building"

A. Demand Responsive Controls

controls equipment therefore can be used in many locations. The core intent of the IECC is to provide

that is safe, technologically feasible, and life cycle cost effective, considering economic feasibility, including potential costs and savings for consumers and building owner, and return on investment." The code change proponent's cost statement indicates that buildings that participate in a demand response

within the intent statement.

B. EV Charging Infrastructure

installed within the building itself. This infrastructure therefore falls within the design and ultimately the construction of the building.

In 2021, the Board of Directors determined that adding mandatory electric readiness at the time of

codes "shall regulate the design and construction of buildings for the effective use and conservation of energy over the useful life of each building." The decision to sustain the appeal of those provisions

occupancy of the building.

The Board of Directors subsequently revised the scope and intent statements for the IECC codes considerably. As discussed above, the current intent statement explicitly states that the code may include greenhouse gas reduction resources.

C. Electrical Infrastructure for EVs

The I-Codes do in fact include requirements that extend to garages related to the maintenance of vehicles. The IRC includes requirements for opening and penetration separation of garages from

detection (Section R315.2.1). NFPA 70/IRC E3901.9 also includes requirements that electrical outlets be provided in a garage for each vehicle bay. These outlets assist in maintaining vehicles such as battery