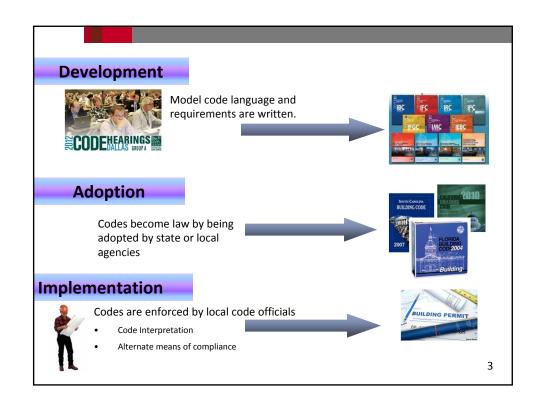
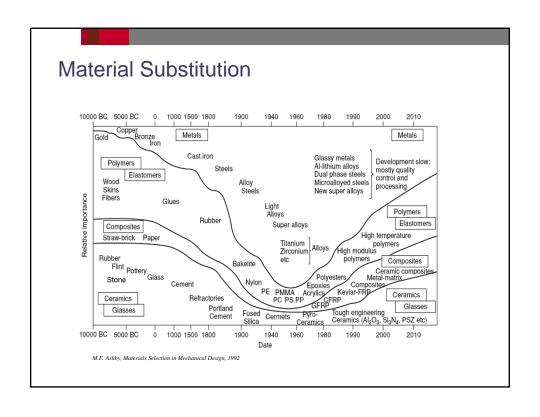
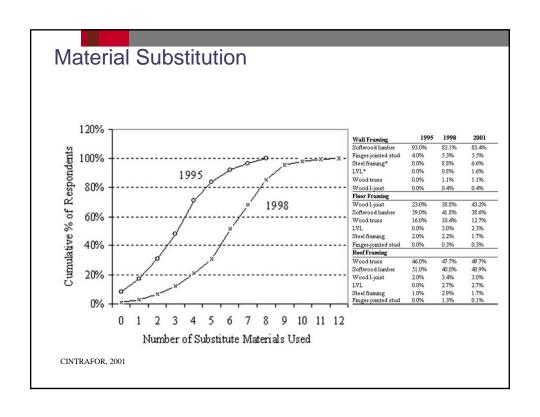


# Learning Objectives □Understand how building codes effect innovation □Review the code compliance and alternate materials and methods criteria □Understand the role of evaluation agencies and evaluation reports □Review examples of compliance through alternate methods









### Codes Identified as Barriers to Innovation

"Code officials at the local level have the legal authority to accept or reject the application of any new building product or system innovation. They can be the ultimate showstopper."

-- "Overcoming Barriers to Innovation in the Home Building Industry", Report for US HUD PD& R PATH, April 2005)

from Oster and Quigley, "Regulatory Barriers to the Diffusion of Innovation: Some Evidence from Building Codes", The Bell Journal of Economics, Vol. 8, No. 2 (Autumn, 1977), pp 361-377.

The National Commission on Urban Problems (1968) found that unnecessary housing costs are inherent in building codes that

- delay construction,
- prevent the use of modern materials,
- mandate antiquated and outdated provisions,
- inhibit mass production,
- prevent large-scale conventional construction, and
- · are questionably administered.

Many communities, even those nominally adhering to model codes, prohibited costsaving materials and technologies that, generally, were allowed by the model codes. These communities added prohibitions of their own, or did not adopt the latest version of the model codes, etc.

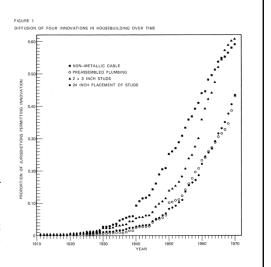
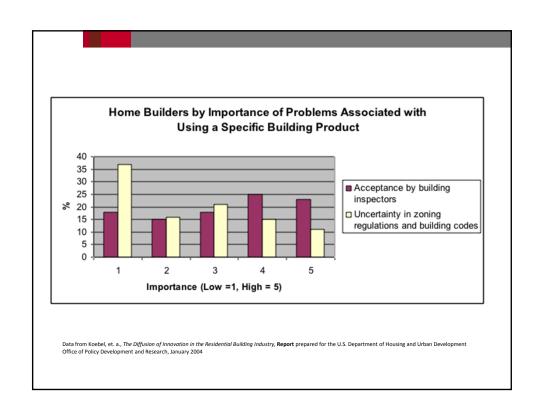
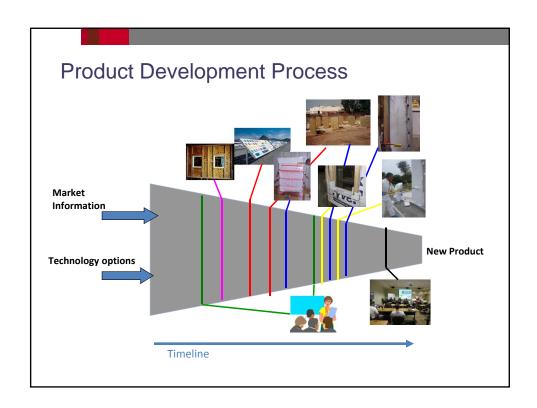


Figure from Oster and Quigley, "Regulatory Barriers to the Diffusion of Innovation: Some Evidence from Building Codes", The Bell Journal of Economics, Vol. 8, No. 2 (Autumn, 1977), pp 361-377. Additional data for Listokin and Hattis

"Building codes—and additional national, regional, or municipal regulations affecting the physical production of houses—prohibit innovation either by explicitly specifying only certain materials and methods, not providing speedy and impartial acceptance in the code where that explicit prohibition does not exist, or by being unfairly interpreted during permitting and inspections -

 Martín, PATH Program Review & Strategy, Performance Metrics & Operating Plan, US Department of Housing and Urban Development - PATH Draft





# Code and standard planning critical to innovation deployment

"For an innovation to be accepted by the regulatory system, at a minimum it must be tested, certified, and evaluated. Once an evaluation report is prepared, these early steps may seem easy relative to educating code officials throughout the country about the product. Similarly, changing the model code (and ultimately state and local codes) so that it explicitly allows an innovation can be an even more difficult task. Although each of these steps can be expensive individually, they become more so the longer they are put off because of lack of understanding or bad planning."

 Hassel et. al., "Building Better Homes, Prepared for the U.S. Department of Housing and Urban Development (HUD) Office of Policy Development and Research and the Partnership for Advancing Technology in Housing (PATH), 2003

#### Strategies Used to Gain Approval of Green Product, Material, System, or Design Application

	Sample				
_	Code Official		Code User		
Strategy	N	Percent	N	Percent	
Providing adequate supporting information	43	76.8	126	64.0	
Starting the approval process early to allow time to work with the building department	33	55.4	108	54.8	
Involving the building department staff early in the design process	31	55.4	103	52.3	
Providing precedents of code approval of similar approach in other jurisdictions	19	33.9	68	34.5	
Providing contact information for building officials in other jurisdictions with experience in the green approach	18	32.1	60	30.5	
Using outside experts	16	28.6	60	30.5	
Persistence/patience	10	17.9	100	50.8	
Other	7	12.5	20	10.2	

From Eisenberg, et al., Breaking Down the Barriers: Challenges and Solutions to Code Approval of Green Building, Development Center for Appropriate Technology Report, 2002.



How are materials specified in the code?

Materials / Systems can comply with code three ways:

- □Compliance to a direct reference
- □Compliance through a referenced standard
- □Compliance as an approved alternate material

# Example: Compliance to a Direct Reference

IBC 1405.5 Wood veneers. Wood veneers on exterior walls of buildings of Type I, II, III and IV construction shall be not less than 1 inch (25 mm) nominal thickness, 0.438-inch (11.1 mm) exterior hardboard siding or 0.375-inch (9.5 mm) exterior-type wood structural panels or particleboard and shall conform to the following:

Specific materials and thicknesses

- The veneer shall not exceed 40 feet (12 190 mm) in height above grade. Where fire-retardant-treated wood is used, the height shall not exceed 60 feet (18 290 mm) in height above grade.
- The veneer is attached to or furred from a noncombustible backing that is fire-resistance rated as required by other provisions of this code.
- Where open or spaced wood veneers (without concealed spaces) are used, they shall not project more than 24 inches (610 mm) from the building wall

Attachment and usage criteria

# Example: Compliance to a direct reference

R703.2 Water-resistive barrier. One layer of No. 15 asphalt felt, free from holes and breaks, complying with ASTM D226 for Type 1 felt or other approved water-resistive barrier shall be applied over studs or sheathing of all exterior walls. Such felt or material shall be applied horizontally, with the upper layer lapped over the lower layer not less than 2 inches (51 mm). Where joints occur, felt shall be lapped not less than 6 inches (152 mm). The felt or other approved material shall be continuous to the top of walls and terminated at penetrations and building appendages in a manner to meet the requirements of the exterior wall envelope as described in Section R703.1.

Specific material

Specific installation method

# Deemed to Comply

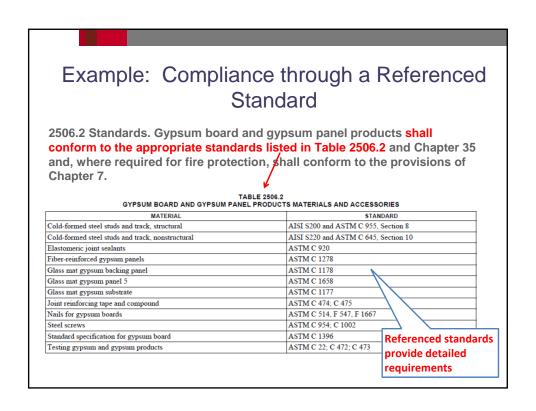
C402.4.1.2.1 Materials. Materials with an air permeability no greater than 0.004 cfm/ft2 (0.02 L/s  $\cdot$  m2) under a pressure differential of 0.3 inches water gauge (w.g.) (75 Pa) when tested in accordance with ASTM E 2178 shall comply with this section. Materials in Items 1 through 15 shall be deemed to comply with this section provided joints are sealed and materials are installed as air barriers in accordance with the manufacturer's instructions.

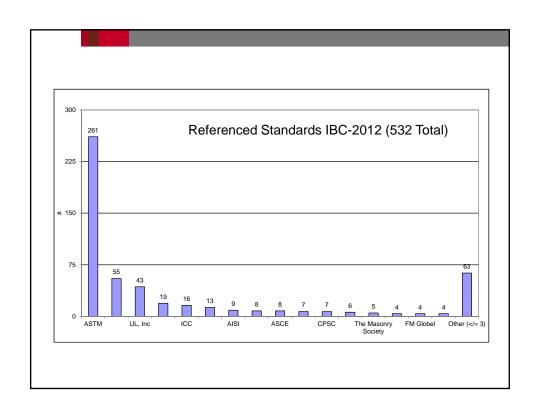
- 1. Plywood with a thickness of not less than 3/8 inch (10 mm).
- 2. Oriented strand board having a thickness of not less than 3/8 inch (10 mr
- 3. Extruded polystyrene insulation board having a thickness of not less tha

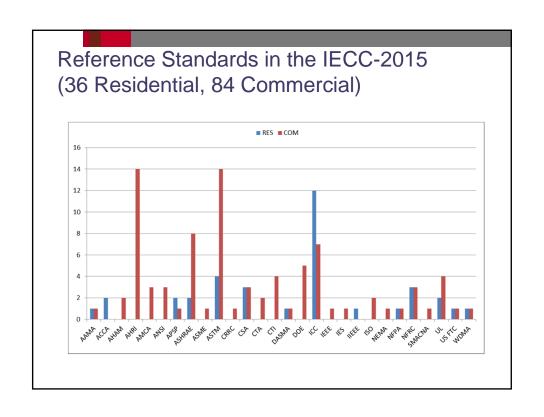
Must be installed as an air barrier

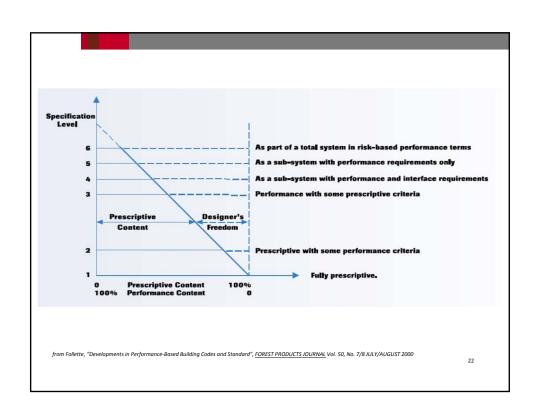
mm).

- 4. Foil-back polyisocyanurate insulation board having a thickness of not les (12 mm).
- 5. Closed cell spray foam a minimum density of 1.5 pcf (2.4 kg/m3) having a thickness of not less than 11/2 inches (36 mm).
- 6. Open cell spray foam with a density between 0.4 and 1.5 pcf (0.6 and 2.4 kg/m3) and having a thickness of not less than 4.5 inches (113 mm).
  - 7. Exterior or interior gypsum board having a thickness of not less than 1/2 inch (12 mm). 8. Cement board having a thickness of not less than 1/2 inch (12 mm).
  - 9. Built up roofing membrane.
  - 10. Modified bituminous roof membrane.
  - 11. Fully adhered single-ply roof membrane.
- 12. A Portland cement/sand parge, or gypsum plaster having a thickness of not less than 5/8 inch (16 mm).
  - 13. Cast-in-place and precast concrete.
  - 14. Fully grouted concrete block masonry.
  - 15. Sheet steel or aluminum.

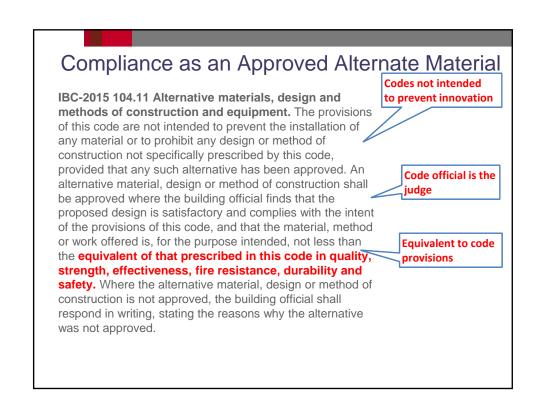


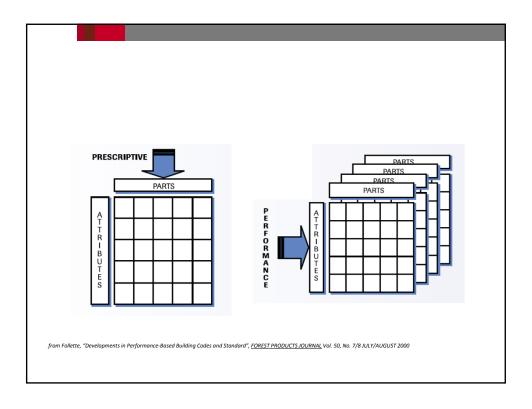






#### Compliance as an Approved Alternate Material **IECC-2015 SECTION R102 ALTERNATIVE MATERIALS, DESIGN AND** METHODS OF CONSTRUCTION AND Codes not intended **EQUIPMENT** to prevent innovation R102.1 General. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has Code official is the been approved. The code official shall be judge permitted to approve an alternative material, design or method of construction where the code official finds that the proposed design is satisfactory and complies with the intent of the Equivalent to code provisions of this code, and that the material, provisions method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code. .





"Ideally, construction standards would be a codification of performance specifications for newly constructed dwellings. In practice, however, standards are typically stated in terms of input requirements. To judge the acceptability of an innovation, then, the local building official must first evaluate the results of performance tests conducted by a wide variety of other agencies...on particular materials and designs. Based upon these evaluations, specific standards or input requirements are proposed and promulgated. Thus it appears that the progressiveness of local building codes should be directly related to the professional attributes of the local officials: the amount and type of their professional contact, their backgrounds, and their education."

 Oster and Quigley, "Regulatory Barriers to the Diffusion of Innovation: Some Evidence from Building Codes", The Bell Journal of Economics, Vol. 8, No. 2 (Autumn, 1977), pp 361-377.

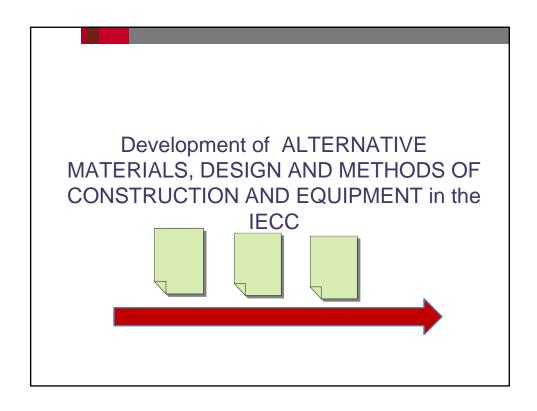
# IBC 2015 Alternate Materials Section

104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved.

Code Officials' Reasons for Denial of Green Product, Material,

Reason	N	Percent
Insufficient supporting information to satisfy safety concerns	40	71.4
Insufficient knowledge or technical expertise with the product, material, system, or design	30	53.6
Clear conflict with the intent of the code	28	50.0
Insufficient time in the building department to conduct sufficient research to understand the product, material, system, or design	18	32.1
General unfamiliarity with the product, material, system, or design	15	26.8
Personal experience with failure of the product, material, system, or design	9	16.1
Other	7	12.5
Inability of building department to meet tight schedule of applicant	6	10.7
Knowledge of problem of the approach in other jurisdictions	6	10.7

From Eisenberg, et al., Breaking Down the Barriers: Challenges and Solutions to Code Approval of Green Building, Development Center for Appropriate Technology Report, 2002.



#### **IECC 2003**

Section 103

Alternate Materials – Method of construction, design, or insulating systems

103.1 General. The provisions of this code are not intended to prevent the use of any material, method of construction, design or insulating system not specifically prescribed herein, provided that such construction, design or insulating system has been approved by the code official as meeting the intent of the code.

Compliance with specific provisions of this code shall be determined through the use of computer software, worksheets, compliance manuals and other similar materials when they have been approved by the code official as meeting the intent of this code.

#### **IECC 2006**

**SECTION 103** 

ALTERNATE MATERIALS—METHOD OF CONSTRUCTION, DESIGN OR INSULATING SYSTEMS

103.1 General. This code is not intended to prevent the use of any material, method of construction, design or insulating system not specifically prescribed herein, provided that such construction, design or insulating system has been approved by the code official as meeting the intent of this code.

30

#### **IECC 2012**

**SECTION 102** 

#### ALTERNATE MATERIALS—METHOD OF CONSTRUCTION, DESIGN OR INSULATING SYSTEMS

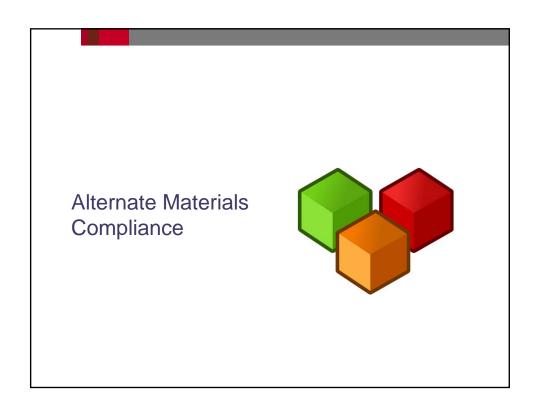
102.1 General. This code is not intended to prevent the use of any material, method of construction, design or insulating system not specifically prescribed herein, provided that such construction, design or insulating system has been approved by the code official as meeting the intent of this code.

#### **IECC 2015**

**SECTION R102** 

#### ALTERNATIVE MATERIALS, DESIGN AND METHODS OF CONSTRUCTION AND EQUIPMENT

R102.1 General. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. The code official shall be permitted to approve an alternative material, design or method of construction where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code..

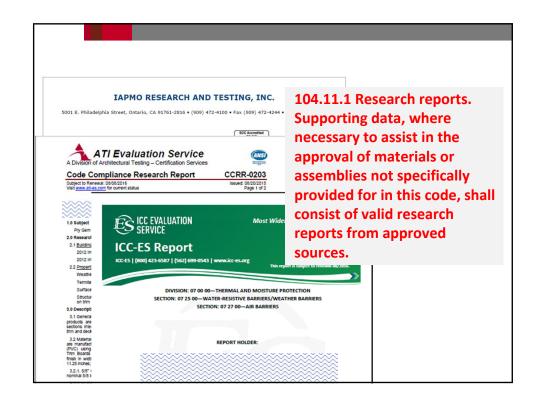


## **IBC 2015**

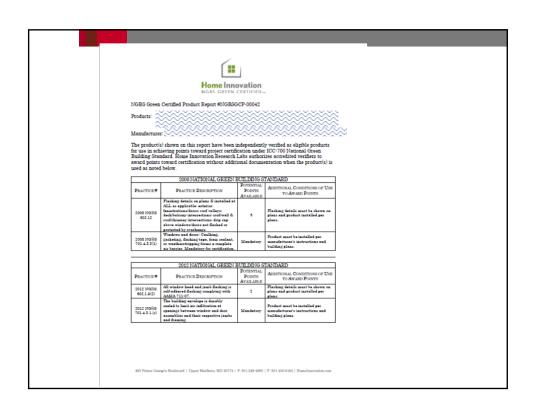
104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved.

104.11.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

104.11.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.







# ICC-ES Acceptance Criteria

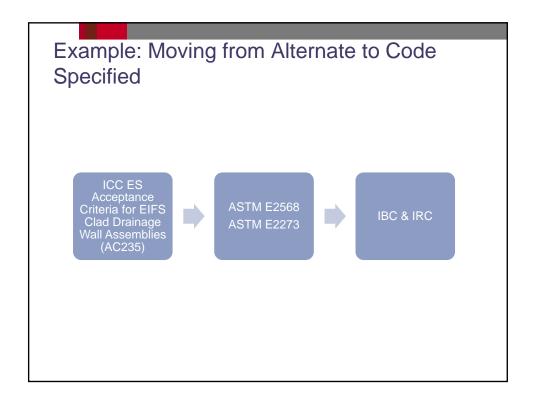
"Acceptance criteria are developed by the ICC-ES technical staff in consultation with the report applicant and with input from interested parties."

"New criteria and revisions to criteria are approved by the Evaluation Committee (made up entirely of code officials) during open public hearings or—in selected instances—through an alternate process that involves the solicitation of public comment through this web site."

"A criteria qualifies for the alternative process only if, in the opinion of ICC-ES staff, it meets one or more of the following requirements:

- •The subject is nonstructural, does not involve life-safety, and is already addressed in nationally recognized standards or generally accepted industry standards.
- •The subject requires its own criteria, but precedent for the new document already exists in other criteria or in the code.
- •Relatively minor (noncontroversial) revisions are being proposed to an existing criteria."

Source: www.icc-es.org



#### SECTION 1408 EXTERIOR INSULATION AND FINISH SYSTEMS (EIFS)

1408.1 General. The provisions of this section shall govern the materials, construction and quality of exterior insulation and finish systems (EIFS) for use as exterior wall coverings in addition to other applicable requirements of Chapters 7, 14, 16, 17 and 26.

**1408.2 Performance characteristics.** EIFS shall be constructed such that it meets the performance characteristics required in ASTM E 2568.

[BS] 1408.3 Structural design. The underlying structural framing and substrate shall be designed and constructed to resist loads as required by Chapter 16.

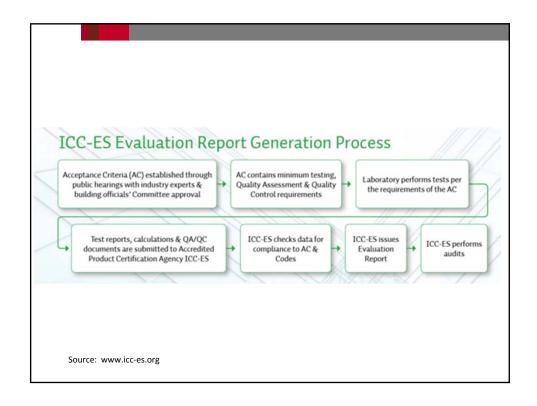
1408.4 Weather resistance. EIFS shall comply with Section 1403 and shall be designed and constructed to resist wind and rain in accordance with this section and the manufacturer's application instructions.

1408.4.1 EIFS with drainage. EIFS with drainage shall have an average minimum drainage efficiency of 90 percent when tested in accordance the requirements of ASTM E 2273 and is required on framed walls of Type V construction, Group R1, R2, R3 and R4 occupancies.

1408.4.1.1 Water-resistive barrier. For EIFS with drainage, the *water-resistive barrier* shall comply with Section 1404.2 or ASTM E 2570.

1408.5 Installation. Installation of the EIFS and EIFS with drainage shall be in accordance with the EIFS manufacturer's instructions.

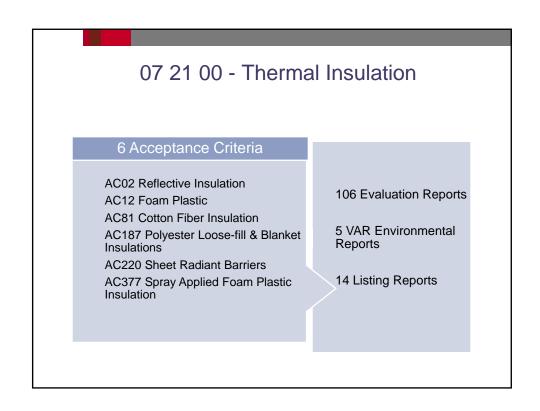
**1408.6 Special inspections.** EIFS installations shall comply with the provisions of Sections 1704.2 and 1705.16.

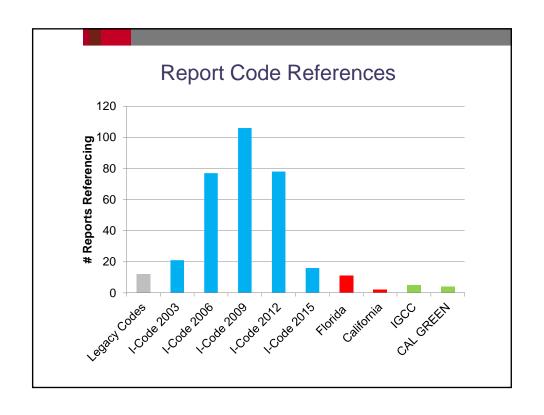


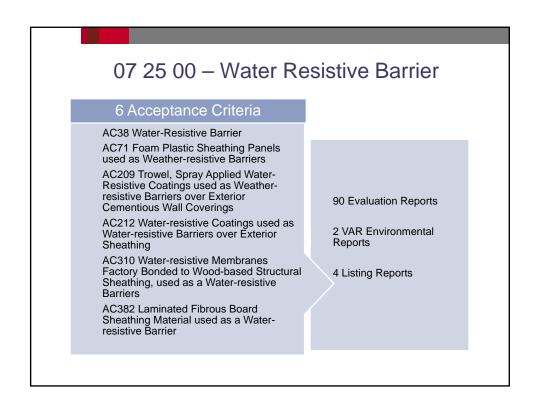
# Evaluations have been conducted across a wide range of product areas:

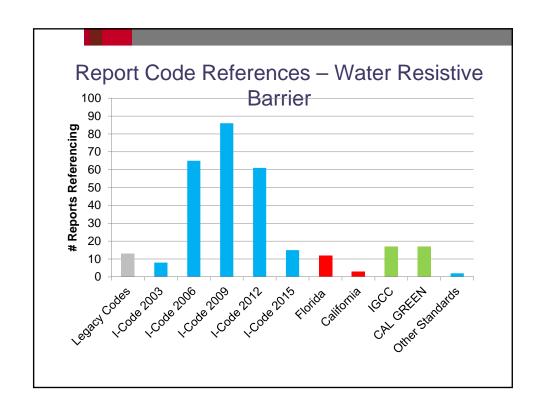
DIVISION 01 00 00 GENERAL DIVISION 21 00 00 FIRE SUPPRESSION REQUIREMENTS DIVISION 22 00 00 PLUMBING DIVISION 03 00 00 CONCRETE DIVISION 23 00 00 HEATING, VENTILATING, DIVISION 04 00 00 MASONRY AND AIR-CONDITIONING (HVAC) DIVISION 05 00 00 METALS DIVISION 25 00 00 INTEGRATED AUTOMATION DIVISION 06 00 00 WOOD, PLASTICS AND DIVISION 26 00 00 ELECTRICAL COMPOSITES DIVISION 07 00 00 THERMAL AND DIVISION 27 00 00 COMMUNICATIONS MOISTURE PROTECTION DIVISION 28 00 00 ELECTRONIC SAFETY DIVISION 08 00 00 OPENINGS AND SECURITY DIVISION 09 00 00 FINISHES DIVISION 31 00 00 EARTHWORK DIVISION 10 00 00 SPECIALTIES DIVISION 32 00 00 EXTERIOR **IMPROVEMENTS** DIVISION 11 00 00 EQUIPMENT DIVISION 33 00 00 UTILITIES DIVISION 13 00 00 SPECIAL DIVISION 40 00 00 PROCESS INTEGRATION CONSTRUCTION DIVISION 14 00 00 CONVEYING EQUIPMENT

#### DIVISION 07 00 00 THERMAL AND MOISTURE PROTECTION 07 11 00 - Dampproofing 07 41 43 - Composite Roof Panels 07 42 13 - Metal Wall Panels 07 13 00 - Sheet Waterproofing 07 14 00 - Fluid-Applied Waterproofing 07 42 43 - Composite Wall Panels 07 44 00 - Faced Panels 07 44 16 - Porcelain Enameled Faced Panels 07 21 00 - Thermal Insulation 07 44 53 - Glass-Fiber-Reinforced Cementitious Panels 07 22 00 - Roof and Deck Insulation 07 46 00 - Siding 07 24 19 - Water-Drainage Exterior Insulation and Finish System 07 46 23 - Wood Siding 07 46 33 - Plastic Siding 07 25 00 - Water-Resistive Barriers/Weather Barriers 07 46 46 - Fiber-Cement Siding 07 52 00 - Modified Bituminous Sheet Roofing 07 30 05 - Roofing Felt and Underlayment 07 53 23 - Ethylene-Propylene-Diene-Monomer Roofing 07 31 00 - Shingles and Shakes 07 31 13 - Asphalt Shingles 07 54 00 - Thermoplastic Membrane Roofing 07 54 19 - Polyvinyl-Chloride Roofing 07 54 23 - Thermoplastic-Polyolefin Roofing 07 31 29 - Wood Shingles and Shakes 07 31 33 - Composite Rubber Shakes 07 56 00 - Fluid-Applied Roofing 07 57 00 - Coated Foam Roofing 07 31 53 - Plastic Shakes 07 32 00 - Roof Tiles 07 32 01 - Roof Tile Accessories 07 71 16 - Manufactured Counterflashing Systems 07 32 03 - Roof Tile Adhesive 07 72 26 - Ridge Vents 07 32 13 - Clay Roof Tiles 07 32 16 - Concrete Roof Tiles 07 72 29 - Roof Exhaust Vents 07 32 19 - Metal Roof Tiles 07 77 00 - Wall Specialties 07 32 26 - Plastic Roof Tiles 07 40 00 - Roofing and Siding Panels 07 81 33 - Mineral-Fiber Fireproofing 07 41 00 - Roof Panels 07 84 00 - Firestopping 07 87 00 - Smoke Containment Barriers

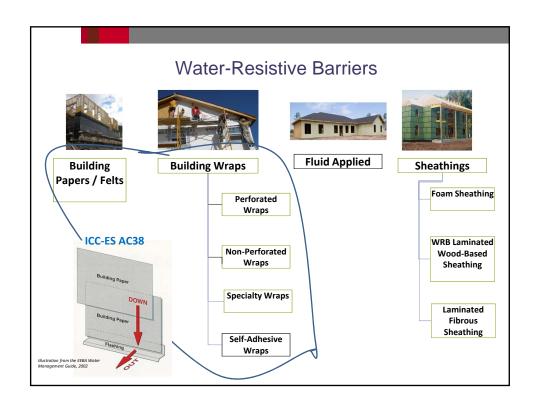




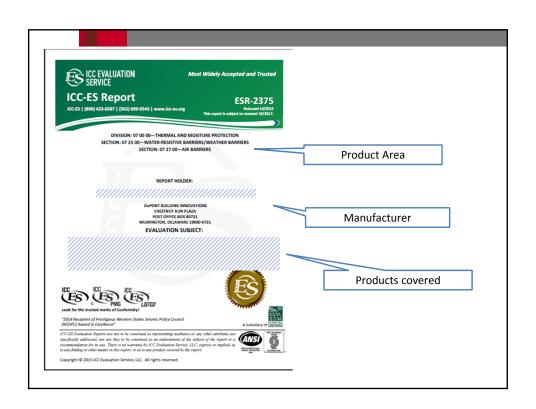


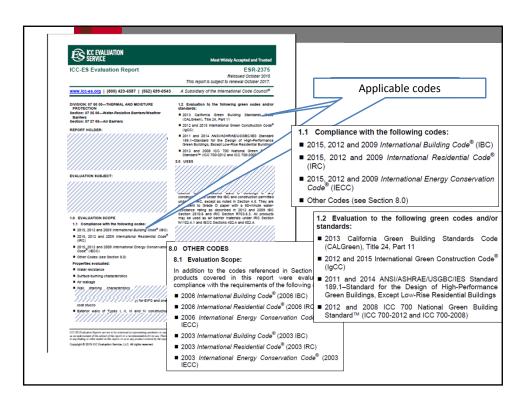


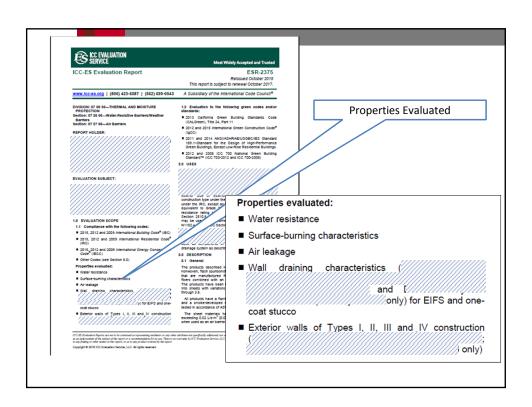
# Example: Compliance to a direct reference R703.2 Water-resistive barrier. One layer of No. 15 asphalt felt, free from holes and breaks, Specific material complying with ASTM D226 for Type 1 felt or other approved water-resistive barrier shall be applied over studs or sheathing of all exterior walls. Such felt or material shall be applied horizontally, with the upper layer lapped over the lower layer not less than 2 inches (51 mm). Specific installation Where joints occur, felt shall be lapped not method less than 6 inches (152 mm). The felt or other approved material shall be continuous to the top of walls and terminated at penetrations and building appendages in a manner to meet the requirements of the exterior wall envelope as described in Section R703.1.

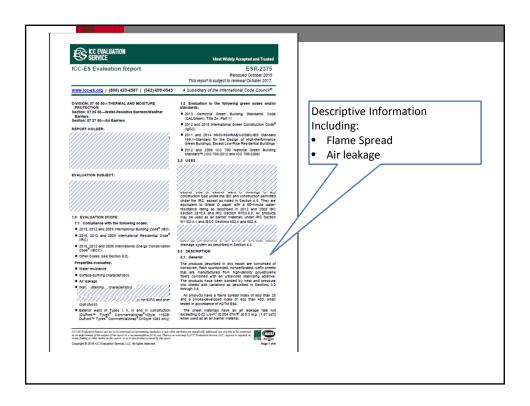


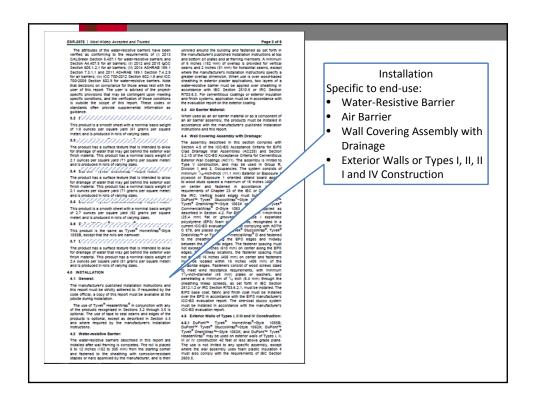
			Installation		
Prescriptive Requirement			Horizontally Lapped		
Alternate Materials	Grade D Building Paper	AC38	Horizontally Lapped as Prescribed in Co		
	Housewraps	AC38	Horizontally Lapped as Prescribed in Code		
	Foam Plastic Sheathing Panels	AC71	Joint Treatment tested per AC71		
	Trowel-, Spray-, or Roller- Applied Water Resistive Coatings over Exterior Cementitious Wall Coverings	AC209	Resistance to Joint Movement tested per AC209		
	Water-Resistive Coatings over Exterior Sheathing	AC212	Resistance to Joint Movement tested per AC209		
	Water Resistive Membrandes Factory –Bonded to Wood- Based Structural Sheathing	AC310	Joint Treatment tested per AC310		
	Laminated Fibrous Board Sheathing	AC382	Joint Treatment tested per AC382		

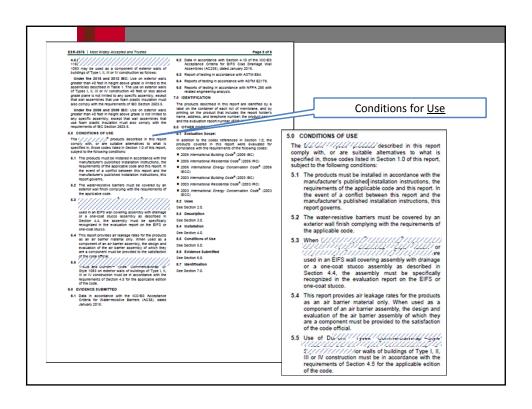


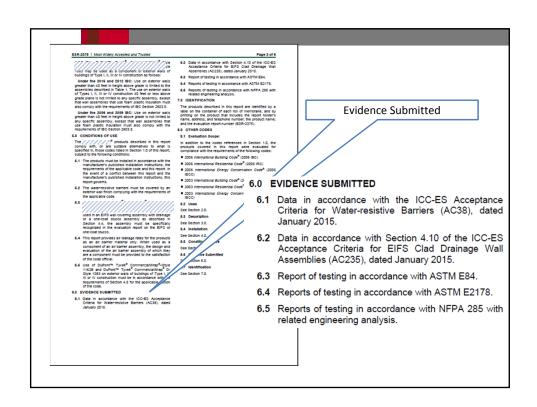


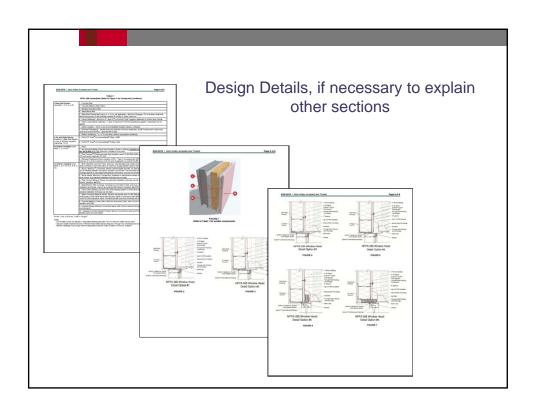


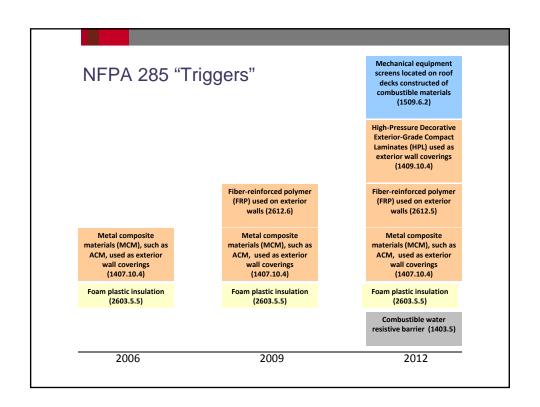












# IBC 2015 Alternate Materials Section

104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved.

# Summary



"The building code doesn't allow a LEGO chimney on a Lincoln Log cabin."

- ☐ Alternate materials and methods allow for innovation
- Evaluation reports are an important resource to the code official
- ☐ Code official is the ultimate authority

