



**Washington Association of  
Building Officials**

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October 27,2008

Adolph Zubia, President  
International Code Council  
500 New Jersey Avenue, NW, 6th Floor  
Washington, DC 20001-2070

Dear President Zubia:

On behalf of the members of the Washington Association of Building Officials (WABO), I am writing to express an issue of grave importance to our members, and I believe of importance to all ICC members. One of the cornerstones of the ICC code development process, and one which the Washington Association of Building Officials strongly supports, is the Governmental Consensus Process. The intent of this process is to ensure those with financial interests in an issue do not unduly influence the outcome.

With respect to the residential fire sprinkler amendments adopted in Minneapolis last month, we believe there is evidence that special interests dictated the outcome of the code changes. These changes will allow the special interests to reap millions, if not billions, of dollars in profits. In a report prepared for *ResidentialFireSprinklers.com*, there are estimates the annual market potential of the residential fire sprinkler code change at \$3 billion per year.

The following allegations call the integrity of the ICC Governmental Consensus Process into question:

- Hundreds of members representing fire interests were provided with free travel, lodging and feted at a reception by the IRC Residential Fire Sprinkler Coalition.
- The funding for this was paid for, in large part, by the fire sprinkler industry and the plumber's union, with money funneled through the Coalition, both of which stand to benefit tremendously by the passage of the amendments.
- The National Association of Home Builders also paid for the travel and lodging of some members to attend and vote at the hearings.
- Little, if any, vetting of new members was done by ICC. Some new governmental members were granted more voting representatives than allotted to their population under the ICC bylaws, Table 2.1.1.1.
- Representatives of volunteer fire departments, non-profit corporations that do not meet the qualifications for governmental membership, were allowed to vote in violation of the ICC bylaws, Article 2.1.1.1.
- In at least one case, a consultant was allowed to vote on behalf of a client emergency services district, even though he is not an employee or official of the department as required by Article 2.1.1.1.

These allegations, if found to be true, are very troubling because of the threat to the integrity of the ICC system. With the process of arguing back and forth on safety issues, code change proposals are "finally put to a vote in what must be the most transparent and democratic rule-making process in government or industry," according to your letter of greetings to our membership. WABO agrees and believes this process has been compromised.

We, therefore, respectfully request that the ICC Board of Directors take the following actions:

1. Conduct an investigation to determine if industry funded travel of members to the Final Action Hearings in Minneapolis, thereby having undue influence on the outcome of the hearings.
2. Investigate whether any jurisdiction was allowed more voting representatives than allotted to their population.
3. Investigate whether members of any nonprofit volunteer fire departments were allowed to vote as governmental members in violation of ICC bylaws, Article 2.1.1.
4. Investigate the allegations that persons who are neither employees nor officials of governmental members were allowed to vote, in violation of ICC bylaws, Article 2.1.1.1.
5. Report back to the ICC membership on the outcome of these investigations.
6. Demonstrate support for a true Governmental Consensus Process and that individual code change proposals are not for sale by recommending changes to the ICC bylaws to correct any problems uncovered in the investigation.
7. Direct the ICC management and staff to develop procedures to properly vet membership and voter registrations.
8. Take any other steps necessary to prevent future abuses of the ICC Governmental Consensus Process.

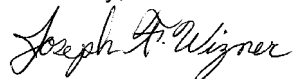
This investigative process should be conducted by an independent auditing firm, be conducted openly and transparently, and that all results from the audit be made public and transmitted to the members. Further, any actions by the Board of Directors regarding this process should also be conducted in open meetings.

WABO is extremely concerned that the ICC process was violated by special interests, but more concerned that it could easily happen again. Because of this and from the evidence that we have seen, we believe that the results of the vote over this issue were not performed per "the ethical responsibilities that accompany participation." If the investigation reveals that there were voting irregularities and ineligible members voting, steps should be taken to nullify these votes on all issues where it is determined there were procedural discrepancies. As you stated, "The ICC brand is built on the ethical reputation of our code development process. To ensure its standing into the future, we must continuously renew and strengthen it." We couldn't agree more.

We believe that the integrity of ICC is at stake. WABO is willing to assist in any investigation with information that supports these allegations and, in turn, be part of a solution to this problem. Swift and decisive action must be taken to avoid a recurrence in the future.

Thank you for this opportunity to express the opinions of our members.

Sincerely,



Joseph Wizner, President  
Washington Association of Building Officials

cc: ICC Board of Directors and ICC Chapters