

# *International Code Council*

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**2009 ANNUAL REPORT**

INTERNATIONAL CODE COUNCIL

ICC EVALUATION SERVICE

INTERNATIONAL ACCREDITATION SERVICE

INTERNATIONAL CODE COUNCIL FOUNDATION





# **VISION:**

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PROTECTING THE HEALTH, SAFETY, AND WELFARE OF PEOPLE BY CREATING BETTER BUILDINGS AND SAFER COMMUNITIES.

# **MISSION:**

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PROVIDING THE HIGHEST QUALITY CODES, STANDARDS, PRODUCTS, AND SERVICES FOR ALL CONCERNED WITH THE SAFETY AND PERFORMANCE OF THE BUILT ENVIRONMENT.



People Helping People Build a Safer World™



## PRESIDENT'S LETTER

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Dear Code Council Members,

It has been my great honor and pleasure to serve as the Board President during this past year. From the moment I was elected last fall, we've been on an interesting journey with some peaks and valleys. Rather than setting my own personal agenda, I chose to continue with the goals of my predecessors while sharing a joint agenda with Vice President Ron Lynn and working closely with our CEO, Rick Weiland. We have experienced an amazing series of events and activities, ranging from our hearings in Minneapolis to dealing with a serious recession. Those activities also included new committees including the Presidential Advisory Committee and the Sustainable Building Technology Committee, as well as Council Policy and proposed Bylaws changes impacting our code development process.

One of my first actions was to create the Presidential Advisory Committee, designed to take a "big picture" look at a number of issues involving our code development process. Six years into our existence, it was clear that some policies needed updating or wholesale revision. We also included the past work of the Task Force on Hearings to provide perspective on its numerous member outreach activities. As a result, we have issued a new schedule designed to shorten the length and duration of the hearings themselves, and encourage greater participation by a larger group of attendees. We have worked to preserve our commitment to the inclusion of all stakeholders.

The budget we adopted for 2008 was well executed by our staff through the first nine months of the year, resulting in substantial expense reduction. Extraordinary measures were taken in the last quarter to stave off the impact of the economic freefall experienced around the world. This scenario faced us as we adopted the 2009 budget. I want to compliment the Board, our CEO, and our Senior Staff for working through one of the most difficult financial crises experienced by our young organization. In the end, we laid the foundation for a stable future, including replenishing our reserve fund along with addressing staff and membership needs.

As the first Board President to come from the Fire Service, I feel a special responsibility to bring together the different disciplines that make up our membership. The perspectives on code enforcement and building safety are diverse. We are best positioned to move forward when we listen closely to each other, and seek to look at things from the position of the other person. This approach starts in our jobs each day and can carry over into our interaction as Code Council members. I want to applaud the many members from all disciplines who have worked to create bridges to their peers from different professions. It is the diversity of our membership that makes us strong and credible.

There have been many great moments with members and chapters, and I have a deeper appreciation for our role on the national and international stage. I am proud that the U.S. Congress has raised our profile through referencing the Code Council's *International Energy Conservation Code*<sup>®</sup> and supporting the Community Building Code Administration Grant Act bill. I was able to personally see the progress we've made in Mexico, the homeland of my parents. We launched a new code to address green construction. I have experienced first-hand the tireless commitment and professionalism of our CEO, Rick Weiland, and his excellent team.

You all have made this possible. I will always be grateful for the trust you have placed in me. Lastly, special thanks must go to my wife, Beverlye, my extended family (especially my grandkids, Cristiano and Mia, for helping me keep things in proper perspective), and my peers and friends in Las Cruces for being there every step of the way.



**Adolf A. Zubia**  
President, ICC Board of Directors  
International Code Council

## CHIEF EXECUTIVE OFFICER'S LETTER

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Dear Code Council Members,

Endurance. Many of us have weathered, or are still addressing, the impacts of the worldwide economic recession. The story of working to promote our core strengths as we continue to move forward is contained in this Annual Report, even as the impact of the recession still resonates at our workplaces and within our profession.

Our main focus in 2009 has been to preserve and protect our core mission of code development, making sure that our services and products tied to the 2009 series of I-Codes® stay on schedule. As a result you have seen code books, updated training, new publications and other tools remain on track to ensure we have the best chance to improve our built environment.

Even as we work to further our core mission, we also have worked to engage the Code Council in new ventures that demonstrate a relevant and essential contribution to a safe and sustainable world. The historic development of a new green construction code is underway through the work of the Sustainable Building Technology Committee. This code, known as the *International Green Construction Code™*, or IGCC™, will provide the first regulatory framework for new and existing commercial buildings. Local and state jurisdictions have tried the application of existing systems and determined that only a code can address the diverse issues that necessarily integrate with our family of I-Codes. We have welcomed the American Institute of Architects and ASTM International as our Cooperating Sponsors, and look forward to the public draft of the IGCC scheduled for a spring 2010 release. Other innovations include greater utilization of Internet technology ranging from services including membership and certification renewal to a new website and the re-born *Building Safety Journal Online*.

Our subsidiary organizations also have continued to evolve and persevere. A major milestone occurred with the transition to new leadership at our Evaluation Service subsidiary as Mark Johnson succeeds John Nosse as the ES President. John has not only left an indelible impression in the arena of reliable and professional evaluation services, but he leaves his position with an enormous reservoir of goodwill and respect for how he has led the industry during 44 years of dedicated performance. Mark has relied on John's wisdom during this transition, and our entire organization will continue to seek his guidance in the future. Our International Accreditation Service continues to define what it means to have a professional approach to building safety in the public and private sector with its increasing number of agencies and organizations meeting the stringent requirements for IAS approval. Our revitalized Foundation took on the management of Building Safety Week, which next year will be expanded to Building Safety Month, and received scholarship grants from the American Institute of Architects and the Target Corporation. The Foundation also developed exciting new ways for public support of the building safety mission through the "I Support" campaign and targeted messages to promote consumer awareness of key building safety issues.

We also saw a remarkable year for national recognition of our membership and our mission. The Community Building Code Administration Grant Act, providing grants to local code departments to strengthen their enforcement capabilities, will bring federal support to jobs and training that will make the difference in creating safer and more sustainable communities. The federal economic recovery legislation specifically recognized our own *International Energy Conservation Code* as a qualifier for communities wishing to receive U.S. Department of Energy grants to administer and enforce energy conservation regulations.

With our challenges comes a test of our ability to adapt and grow. We are deeply appreciative of the continued support of our membership and our greater stakeholder community during this past year. The course correction to our budget has been religiously enforced by our dedicated staff. Our Board of Directors, led by Adolf Zobia, has taken courageous positions on a variety of topics impacting our ability to both function and to adapt. We are on track to emerge from the recession with renewed energy, acquired wisdom, and a stronger message of commitment to a safe and sustainable world.



*Richard P. Weiland*

**Richard P. Weiland**  
Chief Executive Officer  
International Code Council

## CHIEF OPERATING OFFICER'S LETTER

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Dear Code Council Members:

Just as mitigation defines the work of code enforcement officials—the heroes who ensure public safety before disasters strike—the International Code Council was forced to redesign its 2009 business plan to mitigate the effects of the economic storm that impacted the global economy.

The strong foundation laid by our Boards, staff, partners and stakeholders in our first five years enabled us to redesign our business plan around the core areas of the Code Council. As referenced by our CEO and our Board President, we have moved forward in several areas including revision of the code development process, launching a new comprehensive swimming pool code, and continuing our commitment to green and sustainable buildings through the new International Green Construction Code™ (IGCC™) initiative for commercial buildings. These redesign efforts are reflected in several key areas:

- **Code Development.** The Board has put in place what is hoped to be a more efficient set of code hearings, requiring less time and incentivizing participation and attendance. The addition of the IGCC™ and the comprehensive swimming pool code will involve new stakeholders and provide extra resources to promote safe and sustainable communities.
- **Government Relations.** Congress has recognized the International Energy Conservation Code® (IECC®) as a key qualifier for federal American Recovery and Reinvestment Act grants, along with recognition of the IECC® as a leading community energy efficiency tool by the U.S. Department of Energy. Moving its way through the Congress, the Community Building Code Administration Grant bill will provide over \$20 million in assistance to local code enforcement departments.
- **Professional Development.** We established new chapter webinars to allow for multi-site presentations and greater participation, thus reducing the amount of time away from the office and costs for travel. These webinars are part of an impressive education curriculum the Code Council continues to offer that includes institutes, seminars and online education courses including new options in training materials and online education. Our certification and testing program has pursued greater efficiency through online renewal and faster issuance of pass letters, certificates and wallet cards. New exam development continues to meet the growing diversity of our stakeholders and our disciplines.
- **Product and Business Development.** Alignment with new publishing partners, new authors, and production of new titles has maintained our ability to present the extra technical perspective needed to keep building professionals on top of their game. Delivery capability continues to receive high marks from our customers.
- **The ICC Foundation.** Project HERO and new initiatives such as the Code of Honor Scholarship Program are examples of how the ICC Foundation is achieving its goal of alleviating the devastating effects of disasters through consumer education, professional development and community service.

The redesign process was also evident in the implementation of technological initiatives to improve productivity:

- **Website re-engineering project.** This initiative creates a more user-friendly website with enhanced capabilities and options such as Communities of Interest and an improved ICC Store. These are just some of the new tools that allow us to provide expanded services and enable you to navigate our site more efficiently.
- **Continued upgrades to automated systems and infrastructures.** These upgrades included new accounting and network systems that will interchange in the short- and long-term future to capitalize on the latest trends in technology.

Unfortunately, many of our friends and stakeholders have been hit by the same economic storm requiring mitigation measures of their own. However, these challenges also present opportunities. Statistics show that every dollar spent on disaster mitigation and preparedness saves an estimated four dollars in recovery efforts. In the same way, our efforts since the consolidation including the redesigned business model demonstrate that effective economic mitigation can reinvigorate and strengthen us once this storm passes.



Now, more than ever, it is time for building safety professionals to work together and confront the challenges before us. Together, we will continue to achieve the vision and mission of the International Code Council.

**Dominic Sims**  
Chief Operating Officer  
International Code Council

## OFFICE OF THE GENERAL COUNSEL/SENIOR ADVISOR TO THE CEO

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The Office of the General Counsel (OGC) acts to protect the International Code Council and its subsidiaries against legal risk by anticipating and advising management on pertinent operational matters. The office strives to ensure that the organization is operating within the confines of legal requirements in all areas. The OGC also serves as special advisor to the Chief Executive Officer and Senior Management Team on a broad array of legal matters including contracts, employment law, intellectual property, compliance with local, state and federal requirements, and litigation. The OGC also supervises and coordinates the activities of outside legal counsel.

The role of the Senior Advisor to the CEO is to provide strategic support and perspective to a variety of programmatic, business and policy decisions throughout the organization. Specific activities include the evolving role of the International Energy Conservation Code in the national dialogue regarding energy issues, assisting in the shaping of new approaches for the Evaluation Services and International Accreditation Services subsidiaries, and providing insight into decision-making involving the impacts of the recession on programs and services. Support from the Senior Advisor to the CEO extends to providing counsel regarding organizational relationships internal and external to the Code Council. The Senior Advisor is also a regular participant in the recruiting process for executive and senior staff.

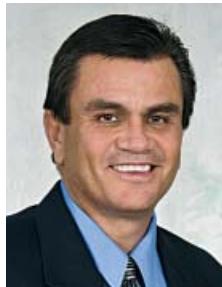


*David L. deCourcy*

**David L. deCourcy**  
General Counsel & Senior Advisor to the CEO  
International Code Council

## ICC BOARD OF DIRECTORS

*2008-2009 Officers*



*President*  
**Adolf A. Zubia**  
Fire Chief  
City of Las Cruces  
Las Cruces, NM



*Vice President*  
**Ronald L. Lynn**  
Director and Building Official  
Clark County Department of  
Development Services  
Las Vegas, NV



*Secretary/Treasurer*  
**James L. Brothers**  
Building Director  
City of Decatur  
Decatur, AL



*Immediate Past President*  
**Steven I. Shapiro, C.B.O.**  
Director of Codes Compliance  
Department of Codes Compliance  
City of Hampton  
Hampton, VA

## ICC BOARD OF DIRECTORS

*2008-2009 Directors*



**Gregori S. Anderson, C.B.O.**  
Director of Building Safety and  
Regulatory Services  
Chatham County  
Department of Building Safety and  
Regulatory Services  
Chatham County  
Savannah, GA



**John T. LaTorra**  
Building & Inspection Manager  
City of Redwood City  
Redwood City, CA



**John Darnall, C.B.O.**  
Assistant Director of Development Services  
City of Tumwater  
Tumwater, WA



**Doug Murdock, C.B.O.**  
Building Official  
Gainesville, FL



**Cindy Davis**  
*Building Official/Zoning Official*  
Butler Township, PA



**Patrick Parsley**  
*Building Official*  
Fairmont, MN



**William D. Dupler**  
*Building Official*  
County of Chesterfield  
Chesterfield, VA



**Ronald E. Piester, A.I.A.**  
*Director*  
New York State Department of State  
Division of Code Enforcement and  
Administration  
Albany, NY



**Greg Johnson**  
*Building Inspector*  
City of Saint Paul  
Saint Paul, MN



**James T. Ryan, C.B.O.**  
*Codes Administrator*  
City of Overland Park  
Overland Park, KS



**Stephen D. Jones, C.B.O.**  
*Construction Official*  
Millburn Twp/Short Hills, NJ  
Borough of Florham Park, NJ



**Ravi Shah**  
*Director of Urban Development*  
Carrollton, TX



**Barbara L. Koffron**  
*Fire Marshal*  
Phoenix Fire Department  
Phoenix, AZ



**Jeff Whitney, C.B.O.**  
*Building Official*  
Grand County  
Moab, UT

## 2009 TREASURER'S REPORT (2008 FISCAL YEAR)

By James L. Brothers, Secretary/Treasurer

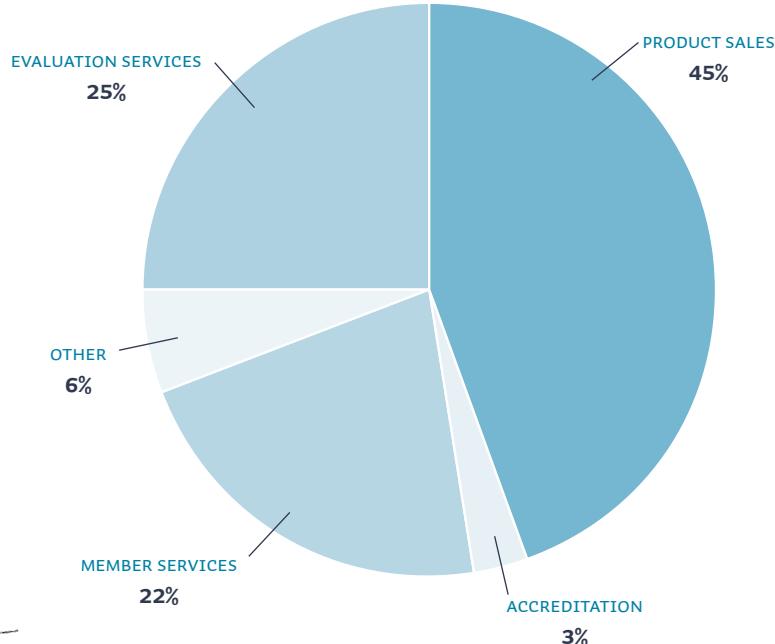
As Secretary/Treasurer of the International Code Council, it is my privilege to report to the members on the financial status of the organization. As you are quite aware, the economic climate in 2008 was challenging. The Code Council was affected by the downturn, as we saw our net assets reduced by \$7.1 million. Let me assure you that as the economic events of 2008 unfolded, your management team and Board acted quickly to address the reduced revenues the Code Council experienced. Despite this difficult year, we ended in a strong financial position.

As we have reported in prior years, a major objective has been to increase our cash balance to a level where we have a "contingency buffer" to provide us with funds that we can draw from in the event of an economic or cyclical downturn. Obviously, 2008 was just such an event. Our strong performance in prior years regarding cash management allowed us to weather the storm, and end the year with a cash balance of \$8.6 million, down \$5.9 million from 2007. During 2009, we will continue our focus on building an adequate cash position so we can continue investing in membership-enhancing opportunities.

Actively managing accounts receivable and inventory during a time of reduced publication revenue is of critical importance. As a percentage, inventory and receivables total less than 18% of total revenue for the fourth consecutive year. Total revenue of \$64.5 million dollars represents a 15.5% decrease compared to 2007, with virtually all the decline coming from lower publication sales (decrease of \$11.5 million, or 28.6%). Operating expenses increased 1%, but have been significantly reduced in 2009 through reductions in staff and infrastructure to address the reduced publication sales.

A graphical breakout of 2008 revenue by category, as well as the audited balance sheet, income statement, and statement of cash flows of the Code Council for the years ending December 31, 2008, and December 31, 2007, follows:

ANALYSIS OF 2008 REVENUE BY CATEGORY



James L. Brothers  
Secretary/Treasurer  
International Code Council

## FINANCIAL STATEMENTS

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### International Code Council, Inc. and Subsidiaries

Consolidated Balance Sheet

December 31, 2008 and 2007

	<b>2008</b>	<b>2007</b>
<b>ASSETS</b>		
CURRENT ASSETS		
Cash and cash equivalents	\$ 8,418,731	\$ 14,346,196
Restricted cash and cash equivalents	195,308	210,701
Accounts receivable, net	4,424,663	7,444,181
Other receivable	196,735	278,903
Inventory	6,066,770	6,472,480
Prepaid expenses and deposits	482,554	845,688
<b>Total current assets</b>	<b>19,784,761</b>	<b>29,598,149</b>
BUILDING, EQUIPMENT AND LAND		
Leasehold improvements	1,149,249	1,103,629
Buildings	13,773,603	13,769,208
Computers	5,962,027	5,583,311
Vehicles	73,184	73,184
Furniture and fixtures	2,932,254	2,921,000
Office equipment	2,930,414	2,876,364
	26,820,731	26,326,696
Less: accumulated depreciation	(18,007,963)	(16,963,760)
	8,812,768	9,362,936
Land	1,180,865	1,180,865
<b>Total fixed assets</b>	<b>9,993,633</b>	<b>10,543,801</b>
OTHER ASSETS		
Intellectual property and other intangibles, net of amortization	267,762	306,532
<b>Total Assets</b>	<b>\$ 30,046,156</b>	<b>\$ 40,448,482</b>
<b>LIABILITIES AND NET ASSETS</b>		
LIABILITIES		
Accounts payable	\$ 911,186	\$ 1,420,264
Accrued expenses	2,433,425	3,080,111
Customer deposits and deferred revenue	2,329,861	3,237,248
Accrued employee benefits	3,537,755	4,838,084
<b>Total liabilities</b>	<b>9,212,227</b>	<b>12,575,707</b>
NET ASSETS		
Unrestricted assets	20,638,621	27,662,074
Temporarily restricted assets	195,308	210,701
Total net assets	20,833,929	27,872,775
<b>Total Liabilities and Net Assets</b>	<b>\$ 30,046,156</b>	<b>\$ 40,448,482</b>

**International Code Council, Inc. and Subsidiaries**

## Consolidated Income Statements

For the years ended December 31, 2008 and 2007

	<b>Unrestricted</b>	<b>Temporarily Restricted</b>	<b>2008 Total</b>	<b>Unrestricted</b>	<b>Temporarily Restricted</b>	<b>2007 Total</b>
<b>Support And Revenue</b>						
Program Services	\$ 34,670,424	\$ -	\$ 34,670,424	\$ 34,608,457	\$ -	\$ 34,608,457
Product sales	28,819,263	-	28,819,263	40,345,842	-	40,345,842
Grants	9,793	10,700	20,493	36,884	12,315	49,199
Other Income	941,800	1,265	943,065	1,312,558	1,441	1,313,999
<b>Total Income</b>	<b>64,441,280</b>	<b>11,965</b>	<b>64,453,245</b>	<b>76,303,741</b>	<b>13,756</b>	<b>76,317,497</b>
<b>Expenses</b>						
Programs/Member services	46,638,645	24,000	46,662,645	46,010,238	13,000	46,023,238
Administrative/Support services	15,782,828		15,782,828	14,075,913		14,075,913
Cost of Product	9,046,618		9,046,618	10,679,995		10,679,995
Net Assets released from Restriction	(3,358)	3,358	-	-	-	-
<b>Total Expenses</b>	<b>71,464,733</b>	<b>27,358</b>	<b>71,492,091</b>	<b>70,766,146</b>	<b>13,000</b>	<b>70,779,146</b>
Increase/(Decrease) in net assets	(7,023,453)	(15,393)	(7,038,846)	5,537,595	756	5,538,351
Beginning net assets	27,662,074	210,701	27,872,775	22,124,479	209,945	22,334,424
<b>Ending net assets</b>	<b>\$ 20,638,621</b>	<b>\$ 195,308</b>	<b>\$ 20,833,929</b>	<b>\$ 27,662,074</b>	<b>\$ 210,701</b>	<b>\$ 27,872,775</b>

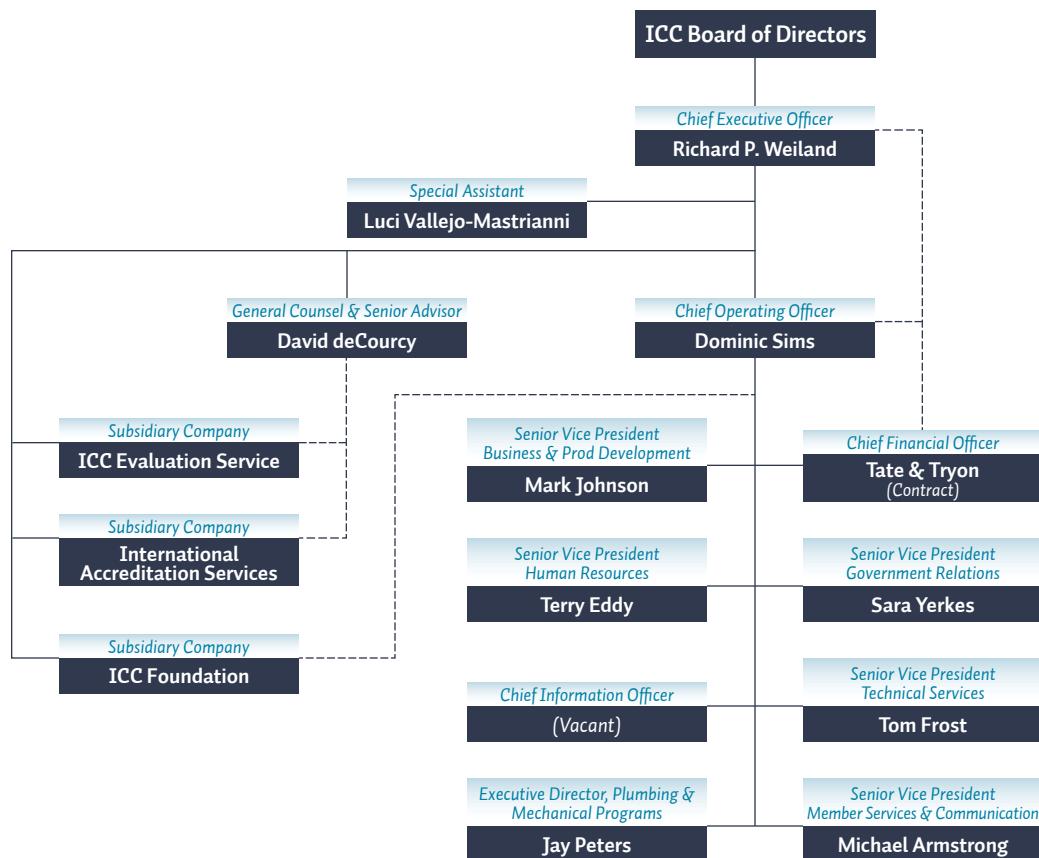
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**International Code Council, Inc. and Subsidiaries**

Consolidated Statements of Cash Flows  
For the years ended December 31, 2008 and 2007

	<b>2008</b>	<b>2007</b>
<b>Cash flows from operating activities:</b>		
Increase/ (Decrease) in net assets	\$ (7,038,846)	\$ 5,538,351
Adjustments to reconcile net income to net cash provided (used) in operating activities:		
Depreciation and amortization	1,082,973	1,036,990
Provision for doubtful accounts	45,174	45,174
Accounts receivable	2,974,344	(2,243,781)
Other receivables	82,168	(42,800)
Grant receivables	-	(193,458)
Inventories	405,710	(1,816,751)
Prepaid expenses	363,134	(328,275)
Accounts payable	(509,078)	(174,565)
Accrued expense	<u>(2,854,401)</u>	<u>1,618,557</u>
<b>Net cash provided (used) by operating activities</b>	<b><u>(5,448,822)</u></b>	<b><u>3,439,442</u></b>
<b>Cash flows from investing activities:</b>		
Purchase of Building, equipment and land	(494,035)	(678,041)
<b>Net cash provided (used) by investing activities</b>	<b><u>(494,035)</u></b>	<b><u>(678,041)</u></b>
Net increase (decrease) in cash	(5,942,857)	2,761,401
Beginning cash and cash equivalents	<u>14,556,897</u>	<u>11,795,496</u>
<b>Ending cash and cash equivalents</b>	<b><u>\$ 8,614,040</u></b>	<b><u>\$ 14,556,897</u></b>
Supplemental disclosure of cash flow information:		
Cash paid for:		
Interest	<u>\$ 29,999</u>	<u>\$ 5,263</u>
Taxes paid (refunded)	<u>\$ -</u>	<u>\$ 28,671</u>

*International Code Council 2009 Organizational Chart*



PROGRAM PROFILES AND HIGHLIGHTS

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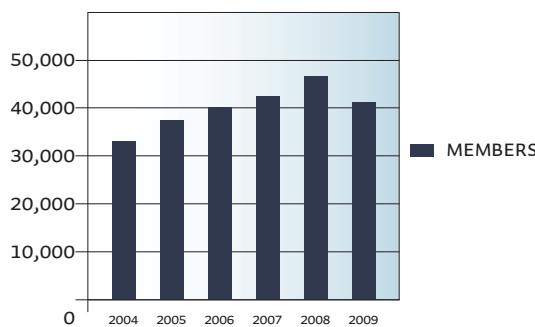
## Member Services

The **Membership Support Department** welcomes and assists new members as they join the International Code Council. Our membership representatives support both new and existing members and maintain the Governmental Member Voting Representatives database. Since June 2008, Membership Support has processed nearly 7,000 new member applications, more than 32,000 renewals and hundreds of additions and changes to voting representatives. Membership employees provide guidance and answer member questions on benefits and eligibility through the web, phone calls, e-mail and in person at major ICC meetings.

The Membership Support Department was scaled back in 2009, eliminating the Customer Care function and returning to a core focus of maintaining membership data, recruiting and retaining members, and providing support. Membership numbers declined in late 2008 and early 2009 as a result of the economic downturn and the last year of the code cycle. We are now seeing some recovery, and as of mid-year the Code Council had 41,498 members.

Membership continues to reach out to and support all organizations, professions and trades that are concerned with and protectors of building safety.

**MEMBERSHIP GROWTH SINCE 2004\***



\*Combined with voting representatives, those participating in ICC activities are well over 50,000.

The **Certification and Testing Department (C&T)** implemented important changes this year to improve service to members and client organizations. Efficiencies with fewer staff have allowed for continued effective management of 599 separate exam titles. Key improvements include the introduction of a web-based certification renewal process, eliminating the need to send in any paperwork. Continuing education credits are entered, maintained and submitted for renewal online, all on a password-protected secure site. Also, thanks to a revised and improved website, C&T information is now easier to access than ever.

The Test Administration function has been centralized and C&T now offers greater flexibility for computer-based testing, with expanded choices of hours and sites. Additionally, a wholesale review of contractor testing procedures has resulted in improved data management and more efficient delivery of test results.

C&T continues as a testing engine capable of taking on virtually any new testing requests and challenges regardless of what the exam measures. State-of-the-art computer systems for the development and administration of examinations have centralized an extensive exam item bank, with the quality of our exams monitored carefully by our staff based on sound psychometric standards and practices.

We are in the third year of the exam cycle with more than 60 certification exam categories being updated to the 2009 I-Codes. All I-Code-based exams will be referenced to 2009 I-Codes by January 1, 2010. Exams continue to be available in regularly scheduled paper-and-pencil formats as well as through computer-based testing daily throughout the year and around the world. Our internal processes continue to be streamlined and we are increasingly “going green” with the elimination wherever possible of unnecessary paper-intensive practices.

The Test Development team worked diligently in numerous Exam Development Committee (EDC) meetings on new certification exam categories and contractor exams for jurisdictional clients. The work of the EDCs included activity in the following areas: Philadelphia, PA, for two new plumbing exams; Clark County, NV, for new HVAC and framing contractor exams; Washington, DC, Steam Engineers, toward revising development of several new DC contractor exams.

New exams were created including the “Green Building – Residential Examiner” certification, the “Residential Sprinkler Installer” exam, the “Soils Special Inspector” exam, the “National Standard Residential Mechanical C” exam, and the following specific jurisdiction exams:

- Pennsylvania (Philadelphia)—Warm Air Installer
- Missouri (Kansas City)—multiple exams
- Kansas (Winfield)—new electrical exams
- Kansas (Arkansas City)—16 exams

The Code Council’s international certification services expanded in Canada with a series of national exams developed and launched for the Alliance of Canadian Building Officials (ACBOA). Also, in support of our members, we provided testing services at chapter events and Code Council conferences.

By year end, Certification and Testing will have improved the quality of our exams, and better served our members and client organizations while administering more than 45,000 examinations. Our members and stakeholders continue to proudly achieve these important certifications, including 600 professionals who have earned the highest recognition, Master Code Professional.

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**The Training and Education (T&E) Department** continues to offer a progressive curriculum designed to meet the code professional at all career stages, from entry into the profession through each level of advancement. Using a foundation of more than 40 standardized curriculum titles, the Code Council provides state-of-the-art training based on the family of International Codes as well as customized training services that reflect state and local amendments.

Surveys administered to our training attendees continue to indicate a high level of satisfaction with existing Code Council training. More than 96% of attendees rate their overall training experience as either good or excellent and more than one-half of seminar participants rate them as excellent when compared to other seminars they have attended. T&E continues to pursue more efficient means of utilizing existing capacity to provide new training content and resource options. This approach adheres to a long-term strategy of looking for ways to better address the needs of members and other seminar participants in terms of quality materials, relevant seminar offerings, and affordability.

In 2009, the T&E Department embarked on a review of its practices and business model, working to enhance existing services through strengthening core curriculum and experimenting with new approaches. These new approaches include more choices for support materials and courses outside the core curriculum, more online courses, and continued expansion of webinar offerings. Providing high-quality participant materials and options to assist members during these difficult economic times is of extreme importance to ICC and the T&E Department.

Particular emphasis this year is being placed on energy efficiency training. With federal legislation placing increased emphasis on the adoption and enforcement of the 2009 *International Energy Conservation Code*® (IECC®) more focus has been placed on the variety of training necessary to support this code, including intense instructor training and recruitment. These efforts will ensure instructors not only provide technically accurate content, but also a high-quality experience to participants.

The Code Council's extensive array of training services includes:

- **Classroom training** with seminars available on the 2009, 2006 and 2003 editions of the codes offered in six of our traditional series, including: Fundamental series (one-day seminars highlighting basic code provisions); Performing series (multi-day seminars teaching a how-to approach); Special topic series (one-day seminars with focus on a specific code subject); Update/Significant Change series (half-day seminars that overview major code changes); Administrative series (one-day seminars addressing leadership and management skills); and Architects/Engineers series (seminars that address topics of interest for the design professional).

- **Online training and eTraining** webinars with more than 80 course titles available online and more than 20 eTraining webinars where participants can view instructors and participate directly from their desktop.

- **Institutes** that bring learning communities together to learn and network in a multi-day format centered around a specific area of expertise.

- **Annual conference education** offering 16 seminar titles this year that focus on relevant topics, including several of the 2009 I-Code updates and other special topics.

- **Transition and update training** which provides customized training to assist jurisdictions with a smooth transition. Also with the release of the 2009 editions of the codes, update training is available to assist in the adoption and implementation of the latest code editions.

- **Customized curriculum** provided by our staff of highly qualified technical and educational experts may include a request for a minor revision to an existing program up to and including large, innovative multi-day programs, such as local code academies.

- **Blended learning** is another option designed to use training dollars wisely by offering combination programs with initial training occurring at a distance followed by intensive classroom experiences.

T&E also offers CEU services (recognized by the International Association of Continuing Education and Training (IACET) )<sup>®</sup>, a fully accredited Associate of Science *online* degree through partnership with Red Rocks Community College, and an Education Provider Program where the Code Council partners with training organizations to enhance training opportunities.

**Meeting and Travel Services (MTS)** provides meeting planning and travel coordination services to all of the organization's internal and external clients. MTS has a dedicated team that continues to provide management for the variety of meetings required to fulfill all Code Council needs, including the requirements of the Board of Directors, committees and staff. In 2008 MTS planned and managed more than 125 meetings and booked more than 650 airline reservations.

The 2008 Annual Conference and Final Action Hearings in Minneapolis proved to be the largest event ICC hosted, with registrations reaching almost 3,300. The conference saw streamlined activities, new approaches to training and education, an emphasis on green building, increased sponsorships of individual events and an expanded Expo.

The 2009 Annual Conference and Code Development Hearings in Baltimore have been strategically designed to place the Conference at the midway point of the hearings, maximizing the ability of attendees to attend both the Hearings and the Conference.

Through revising the scale and design of conference events, MTS continues to lower costs and avoid significant increases in attendee expense. For future events we plan to offer limited service hotels as lodging options, bring meetings to a higher green standard, create a national team of chapter advisors as a resource for the host chapter, and continue adding valuable enhancements for our members.

**The Program Development Department** develops, coordinates and acts as a support center for the other Member Services departments and functions (Training, Certification, Membership, and Exhibit Services). The department has taken on several complex projects this year requiring a resourceful approach to using outside partners and staff from multiple departments, and requiring customization of existing products for unique markets.

We have worked closely with North Carolina to deliver a series of services including 16 courses for all categories of state inspectors, and 15 certification examinations. The first exam administration occurred in late July with the first computer-based tests planned to start in November. Other key activities included courses under development for clients in Canada, with an expectation that continued growth will occur in this market for the next several years. Customized plumbing exams were launched for the

state of Indiana and development of an exam for the Plumbing, Heating and Cooling Contractors Association was initiated. Staff also utilized federal Recovery Act legislation referencing the IECC to open doors for engaging existing and new clients at state energy offices with potential delivery partners, including the National Association of Work Force Boards.

Program Development also coordinates Exhibit Services activities which play an important role in the association's outreach efforts. Exhibit Services coordinates and participates in more than 100 events annually which include trade shows, chapter meetings, training institutes and other gatherings. ICC participates in key industry events to promote the ICC brand, our products and services, and build stronger relationships with stakeholders.

Exhibit Services provides planning and management for the Code Council Expo and sponsorships for the International Code Council Annual Conference. With an outstanding year in 2008, Exhibit Services continues to reach out and obtain sponsorship support from corporations, including Target and Panasonic. In 2008, we also launched a custom apparel site. The site has been expanded and enhanced to provide chapters and jurisdictions easy access to a wider variety of custom embroidery products.

## Marketing and Communication

The Marketing and Communications Department has embarked on a series of adjustments and revised approaches to address tighter budgets and rapidly evolving technology, with a focus on providing information that is relevant and understandable to members and clients alike.

To enhance the efficiency and effectiveness of ICC's **Marketing** and outreach efforts, an outside marketing firm with a specialization in membership associations has been retained. The firm provides a fresh perspective on our approach, informed advice on the latest techniques and technology, and extra horsepower to meet the demands of a changing marketplace. A small in-house staff working in tandem with our outside team has proven to be an economical solution to obtaining first-rate marketing.

Several core principles have guided the efforts of the marketing team in 2009:

- **Focus on core programs.** To yield the best results on promotion, the marketing team has focused on ICC's core programs, products and services, and reduced outlays for less strategically and financially important objectives.
- **Enhanced branding.** After the re-branding of ICC over the past few years, the marketing team has worked to enhance the visual appeal of the brand through creative interpretations

of its central themes. The results are eye-catching, dynamic marketing materials that more effectively communicate the value of products and services to our members and customers—keeping them informed and excited about progress at ICC.

▪ **Centralized Management.** The Marketing Department has traditionally faced obstacles in prioritizing competing demands from all areas of ICC. Under new leadership this year, the Marketing Department now is joined with several of these departments allowing easier resolution to resource conflicts.

▪ **Reinvention of the Building Safety Journal (BSJ).** Marketing staff has worked closely with Communications to develop the new digital periodical that will soon be available to our members. The BSJ will be available online in a convenient, eco-friendly format. We also will offer GreenBuilder® magazine to our members free of charge. An ICC insert will be included.

▪ **Utilization of Targeted Research.** To continue to best serve our members and customers with relevant and needed products and services, ICC's marketing team is embarking on a new research initiative. The results will provide valuable feedback on the needs and satisfaction of our volunteer leadership, long-time members, recent and returning members, lapsed members and nonmember customers.

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With adjustments in the budget have come new discoveries of efficiency and modernization in the area of **Communications**. The results include a refreshed and timely portfolio of communication vehicles, and a recommitment to rapid and thorough responses to questions from the membership and greater stakeholder community. A series of unique communications activities occurred in 2009, stemming from new directions in Code Council policy and procedures. These activities ranged from the staging of a “launch event” highlighting the new *International Green Construction Code™* (IGCC™) initiative, to a Town Hall meeting at the New Orleans Codes Forum addressing questions about changes to the code development process and revisions to the Code Council budget, to information regarding the federal Recovery Act legislation’s reference to the *International Energy Conservation Code®* (IECC®), to several “Fireside Chats” hosted by the Board President.

The Code Council’s primary communications vehicle, ICC eNews, has been redesigned with a refreshed look and new sections to create a “next generation” publication. ICC eNews now hosts several digital publications that are published quarterly, Chapter News and ICC-ES News, and added a Regional News section. ICC eNews continues to provide industry news, and favorite features from “Codes Corner,” to “Green Scene,” “News Views,” “Member News” and “PMG News.”

The Communications team also worked to create additional informational pages on the ICC website and updates current information on an ongoing basis.

Other specific 2009 accomplishments include:

- Led successful publicity efforts for the new IGCC™, benefits in the federal Recovery Act package for use of the IECC®, reintroduction of the Community Building Code Administration Grant Act, Building Safety Week, and the release of the 2009 I-Codes.
- Developed green and energy pages on [www.iccsafe.org](http://www.iccsafe.org).
- Supported efforts to inform members and other stakeholders about steps ICC was taking to survive in the downside economy, code development appeals, bylaws changes regarding voting eligibility and procedures, and Board action on ethics and sponsorships.

## *Outlook*

Our staffs have continued to look forward as we adjust to a smaller workforce. In 2009 we have increasingly turned to new technologies, innovation, and fresh approaches to best accomplish our mission. Our new website has been designed to enhance member interaction and expedite renewals of membership and certification, while online technology is utilized to improve and expand our “e-learning” capabilities and revive our Building Safety Journal as an online publication. Innovation also extends to our day-to-day business, ranging from automating our

Certification and Testing communications to seeking green options when planning ICC events, and to revamping our training workbooks into multiple options. Another means to freshen our approach involves working cooperatively with other organizations and experts. As we pursue opportunities to find a wider audience for our expertise in energy conservation and green construction, we are partnering with “green jobs” advocates in the organized labor and workforce investment board communities. The design and development of marketing materials for our products and services has benefitted from experts who specialize in supporting membership organizations like the ICC. The variety in our training curricula has been enhanced by the addition of outside education vendors with unique perspectives. Technology, innovation, and fresh approaches can renew our customer service commitment and heighten the value of each interaction with the Code Council. Our ability to look forward is grounded in our ongoing commitment to make informed decisions that benefit our members and stakeholders.

**Michael J. Armstrong**  
Senior Vice President

Technical Services consists of **Code and Standards Development** and **Architectural and Engineering Services**. The Technical Services professional staff is responsible for the development, maintenance and support of the entire family of *International Codes*, Standards and corresponding Code Commentaries, the development of new codes as directed by the Board, as well as related technical support services, i.e., code opinions, committee interpretations, plan reviews, technical consulting, building department audits, and contracts with federal, state and local governments. Our highly skilled team is dedicated to providing timely information of exceptional quality to all members and other users of the codes.

The beginning of the 2009/2010 code change cycle is upon us. It represents the transition to the new code development process approved by the Board of Directors in December 2008. Administering the code change cycle in exact compliance with code development procedures in support of 13 individual codes is an ambitious undertaking. All published deadlines must be met while processing a record number of proposed code changes and public comments. Two thousand five hundred and seventy code change proposals have been processed this cycle, an increase of 15% over last year's record-setting number of submissions. The last cycle concluded with the publication of the 2009 *International Codes*. New to this cycle is the move to a single, three-year code development cycle. This cycle is the only chance to impact the 2012 codes.

Our team also provides staff support to the code development committees, numerous other codes and standards committees, and supports the activities of the four councils: Building, Fire, Plumbing/Mechanical/Fuel Gas and Standards. This year, for economic reasons, all Councils met via a series of conference calls to develop recommendations for Code Development and Interpretation committee appointments. The Code Technology Committee (CTC) met twice this year along with the various study groups on an array of topics. The Terrorism Resistant Building Ad Hoc Committee submitted six code changes based on the NIST WTC report and the Ad Hoc Wall Bracing Committee submitted 4 proposed code changes. The Sustainable

Building Technology Committee has been appointed and is serving as the drafting committee for the first-ever *International Green Construction Code™* (IGCC™). Five three-day meetings have been scheduled to complete the first draft.

Standards development continues to be very active, having most recently completed the *National Green Building Standard*, also known as ICC 700-2008, developed by the National Association of Home Builders and ICC. The following ICC standards are either under development or being maintained through the ANSI process as directed by the ICC Board of Directors: the Bleacher Standard, the Log Standard, the Storm Shelter Standard, the Hurricane Resistant Construction Standard, and the ICC/ANSI A117 Standard. The ICC/ANSI A117 Standard has completed 4 rounds of comments resulting in the 2009 edition to be available at the end of the year, renamed 'ICC A117.1'.

ICC's technical support is one of the most sought-after services we provide to our members. Our exceptional staff provides technical advice, code opinions (verbal or written) and committee interpretations to more than 40,000 ICC members at no charge beyond their membership fee. Code opinion calls received through the telephone queue average about 110 per day. Additional opinions provided via direct call, the website and letters bring that number up to approximately 280 per day or 70,500 per year! Requests for committee interpretations average approximately five per month and since the first request on August 29, 2002, we have processed approximately 450 requests. Currently there are 205 committee interpretations posted on the ICC website. Pending interpretations are also posted for member review and comment

ICC Technical Services also provides on-demand plan review services in order to aid jurisdictions in the timely examination of construction documents submitted with a building permit application. The Code Council's plan review team provides the highest quality reviews because of its extensive experience with and knowledge of the codes. In addition to plan reviews, we also offer fee-based technical consulting for the evaluation of specific code topics as applied to a specific project or circumstance. More information on all of our services is available on the ICC website.



## Outlook

The processing of a record number of code changes using the new code development process approved by the Board of Directors last December will be our primary objective. Another major objective is the production of the first new I-Code in nine years, the IGCC™. We anticipate that the first draft will be available for public comment in 2010 and the first edition of the completed code, following a series of public hearings will be published in 2012. Additionally we are initiating the process of developing the new comprehensive swimming pool code as well as completing the 2009 Commentaries. Our team's focus will continue to be on providing ICC members and customers with exceptional technical support to aid them in their use of the I-Codes.

**Tom Frost, A.I.A.**  
Senior Vice President

Like most companies, ICC was impacted by the current economic conditions that contributed to one of the most severe recessions on record since the Great Depression. However, instead of being satisfied with remaining stagnant in the economic decline, the **Business and Product Development** Group focused on creating more value for the customers we serve.

The creation and implementation of our new CodesPlus program is just one example of how ICC is creating value for users of the *International Codes*. Code purchasers can now go online and register any I-Code they purchase and gain access electronically to all of the published information regarding code changes that took place between the 2006 and 2009 editions. Also, they will be notified by e-mail of any errata as well as receive online access to many other ancillary resource documents.

During times of turbulence many companies retrench, trimming back their business offerings to customers and compromising quality. ICC took proactive steps to ensure this did not happen, embarking on an aggressive campaign to release many new, high-quality publications while improving and expanding on existing ones. Encouraged by the positive response to last year's *Building Code Basics: Residential* based on the 2006 IRC, ICC partnered with Cengage to update the full-color publication to the 2009 code as well as expand it into a series that now includes two new editions based on the 2009 IBC and IFC. ICC also teamed with Cengage to author the updated editions of the four-part, full-color Significant Changes series based on the 2009 IBC, IRC, IFC, and IPC/IMC/IFGC. In collaboration with the North American Deck and Railing Association, ICC has also released *Deck Construction Based on the 2009 IRC*, with dynamic visuals that bring the code to life.

To provide our membership with leading-edge resources to take advantage of opportunities and conquer the challenges ahead, ICC has expanded into new markets, notably sustainability and energy. In collaboration with publishing partners Cengage, McGraw-Hill, John Wiley and Sons, Elsevier, and Green BuilderMedia, ICC has expanded these subject areas by adding more than 20 titles during the last year. In addition, we now offer an electronic magazine dedicated to green-related issues, partner on a website focused on sustainability ([www.thegreendestination.com](http://www.thegreendestination.com)), and offer a wider selection of publications in an eBook format. In partnership with the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), ICC published a cost-effective code and standard combo containing the 2009 IECC along with ASHRAE Standard 90.1-2007. This publication came about as a direct result of the 2009 American Recovery and Reinvestment Act (ARRA) and is recognized in ARRA as setting the benchmark for the energy efficiency of commercial and residential buildings.

While ICC is committed to expanding into new markets, we have been very careful to remain focused on our core mission, which is building safety. Building on a strong foundation, ICC has continued to be a leader in offering cutting-edge, structural-related publications to support the code user. Working closely with the Structural Engineers Association of California (SEAOC) and the National Council of Structural Engineers Association (NCSEA), ICC has released an arsenal of practical design aids and code references. In cooperation with SEAOC, ICC published an updated version of the classic SEAOC Blue Book: *Seismic Design Recommendations* publication. We also have expanded the ever-popular Structural Seismic Design Manual Series, introducing a fourth volume entitled *Structural Construction and Special Inspection Manual: A Companion to the 2006 SSDM*.

Working closely with the publications committee of NCSEA, the *Guide to the Design of Diaphragms, Chords and Collectors* publication was introduced and became the basis for a national seminar series. Additionally, ICC released two new cobranded titles with NCSEA: the *2006 IBC Checklist: Structural Provisions* and *the Design of Low-Rise Reinforced Concrete Buildings*.

This year also saw the conclusion of a long-awaited update to *Disaster Mitigation: A Guide for Building Departments*. The updated guide focuses on helping every building department prepare its response strategies before a disaster strikes to ensure top service to its community when needed the most.

Success is usually the by-product of the contributions of many. In an effort to continue our trek forward in providing cost-effective compendiums of referenced standards to our members, ICC has expanded its list of long-term partners who share this goal. Most recently, the Association of Pool and Spa Professionals (APSP) joined the list of standard developing organizations who are partnering with ICC to deliver affordable and comprehensive compendiums of standards referenced within the *International Codes*. APSP is now part of a growing list that includes ASTM, AWPA, NSF, and UL.



To more effectively meet the needs of ICC's customers for timely, quality publications, the **Publishing and Multimedia Division** was restructured with the addition of typesetting staff from Training and Education. This centralization created enhanced project management capabilities across all departments and facilitated scheduling. From September 2008 to July 2009, 1,484 book titles and support materials were printed, a 20% increase from the previous year. The key accomplishment was the production of the 2009 editions of the *International Codes*. Supporting materials are in production and on the fast-track for publication, including the 2009 Commentaries, Study Companions, Handbooks and Extendexes. Key custom codes were produced for the city of Los Angeles, the county of Los Angeles, New Jersey, New York City Fire Services Division, New Hampshire, North Carolina, and Seattle.

Last year, Printing Services processed more than 685 jobs, or roughly 57 printed custom print orders per month. The In-Plant print shop services every department in the Code Council, including Marketing, Communications, Administration, Training and Education, and Technical Services, as well as manufactures saleable printed products. Over the last few years, it has been proven that work run at the ICC In-Plant saves approximately 73% of the street cost value.

In addition to cost savings, the activities of Printing Services have been helping to save the environment. The total reclaimed paper waste for the last year was 27,180 pounds, or 13.59 tons. The total reclaimed cardboard waste for this period was 16 full 4' x 4' containers. Printing Services' contribution to the Code Council's Recycling Program has been very successful, and the actual recycling of paper, paper waste and cardboard has increased substantially.

The Electronic Media team also experienced several major successes this year, including back-to-back record months in online demand for the ICC Codes and Standards in electronic format. ICC eSolutions™ was enhanced, providing a method for state or jurisdiction technical committees to collaborate electronically in the development of custom codes, thereby saving money and time, and providing faster time-to-market for the publishing of custom codes. New York State is using this package to develop its 2009 codes and the city of Chicago is using eSolutions™ to start its code adoption process.

ICC's internet portal for "Codes on Demand" also is growing. The addition of 156 new offerings – including books from ANSI and McGraw-Hill – has contributed to a steady increase in use of the "immediate download" or "Codes on Demand" area. Electronic Media is also now providing ICC publications in various formats, such as the 2009 *International Property Maintenance Code* on Kindle, as well as relevant information on YouTube and Wikipedia.

The Electronic Media team assisted in production and delivery of more than 28 new webinars for Training and Education, and presentations for Certification, Marketing, IAS, ES and administrative employees. Selected webinars will soon be broadcast with closed captioning for the hearing-impaired. Electronic Media also plays a key role in the audio/visual and productions aspects of the Code Hearings.

The past year has been a challenging one for **Customer Service and Sales**. During the last year, customer service staff processed almost 61,000 calls and more than 81,000 product orders. The top priority for warehouse staff was to cut unnecessary expenses and improve delivery times. USPS Media Mail was added to shipping options, with rates as low as \$4 for shipments under \$25. This change re-energized ICC's lower-priced items, such as tabs, small manuals and building department forms. Warehouse packaging methods and materials also were changed to create a balance of environmentally friendly materials and cost-effective solutions. On the customer service front, the website store is currently being redeveloped to deliver more functions for a better online experience. A new accounting software package installation also is planned for next year to further automate inventory and order entry, and ultimately improve customer service.

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Globalization is having a significant impact on cultures around the world and the **International Services Division** has launched ICC into the forefront to help build a safer world with its family of building codes and conformity programs. There is a great need for countries to connect modern, updated and technically sound building codes with a clear strategy for enforcement. The globalization journey for ICC is moving ahead, driven by a clear indication and demonstrated need from the global building and construction community. Resulting initiatives have produced a diversification of products and services that place ICC at the forefront of sustainable growth both here at home as well as worldwide.

The International Services team has focused its attention this year on key regions in the Middle East, North Africa, Latin America and the Caribbean. Projects are ongoing in Canada, Mexico, Colombia, Costa Rica, Afghanistan, Egypt and Taiwan, to name a few.

Through a Memorandum of Understanding (MOU) and contractual agreement with the Abu Dhabi Department of Municipal Affairs (DMA) we are assisting in the adoption of the family of I-Codes and providing building regulatory programs for the DMA, design and construction professionals, from both the private and public sectors. With the rapid building expansion in the region, the DMA is committed to partnering with ICC for the purpose of mandating our codes, training, personnel certification, and building department accreditation. An ICC office has been set up in Abu Dhabi.

The Saudi Building Code (SBC), based primarily on the I-Codes, has undergone final review and revision. The Saudi Building Code National Committee has recently approved the SBC for implementation throughout the Kingdom. An agreement is being developed to provide training and education on the use and application of the codes for both the private and public sectors. Additionally, plans are being developed to accredit building departments and establish a certification program. A new global partnership between ICC and Saudi Arabia is well underway.

Through an MOU with the United Nation's International Strategy for Disaster Reduction, we are enhancing information exchange, identifying opportunities to improve resilience to natural, technological, and environmental disasters, and reducing the environmental, human, economical and social losses associated with these events. As a follow up to the MOU, ICC participated and contributed with an official Statement on Building Safety in the Global Platform for Disaster Risk Reduction 2009, second session.

Whether ICC's assistance is needed from our members across the United States or from members of the building community on the other side of the world, Business and Product Development will innovatively expand products and markets to support better building and safer communities.



## *Outlook*

The Business and Product Development Program will continue its pursuit of innovative initiatives to develop, promote and deliver top-quality products and services in line with the Code Council's mission. We have created an expanded business development unit that will be unleashed to help leverage the strengths of each of our business divisions and subsidiaries, enabling us to achieve greater growth while expanding the organization's reach. We will also seek out new global partnerships with governmental bodies, publishers, manufacturers, trade associations and other entities in need of our expertise.

**Mark A. Johnson**  
Senior Vice President

In the two years since the **PMG Group** was formed, we often feel as though we're moving at warp speed. It's incredible how many initiatives and relationships have been forged, some of which literally span the globe.

Of course our efforts continue to focus primarily on expanding and enhancing the scope and quality of codes and related products and services we can offer our members and customers, as well as securing adoption of those codes in as many jurisdictions as possible.

But a simultaneous objective to improving our product offerings is to elevate the entire building organization and help communities worldwide. Our greatest source of pride comes from being able to collectively utilize our members' and staff's extensive knowledge and expertise related to all things PMG to help advance our mission of health and safety, while at the same time assisting jurisdictions and businesses to prosper in difficult times.

We're very excited about the 2009 *International Codes*<sup>®</sup>. The *International Plumbing Code*<sup>®</sup> (IPC<sup>®</sup>), *International Mechanical Code*<sup>®</sup> (IMC<sup>®</sup>), *International Fuel Gas Code*<sup>®</sup> (IFGC<sup>®</sup>), and *International Energy Conservation Code* (IECC) are all interrelated and build upon the already outstanding codes and standards on which the ICC has built its long-standing and well-respected reputation. Additional resources to these key code books are in development, including many state-specific editions.

While building departments at varying levels in 48 U.S. states have adopted one or more PMG codes, we are especially proud whenever all three of our codes are adopted statewide. Recently San Antonio, the seventh largest city in the nation, has adopted the IPC, which completes the adoption of all three PMG codes. The awareness of the Code Council's PMG expertise is gaining day by day. There is a growing demand to have PMG staff appear before boards and commissions across the country to expand on the benefits and support we can provide in jurisdictions that traditionally utilize the codes of other organizations. Places like South Dakota, North Dakota, Idaho, California, Iowa and San Antonio have been very inviting and receptive. These investments of time and advice will undoubtedly bring great returns – now and in the future.

In January, the Mississippi State Building Code Council put into legislation the adoption of our plumbing, mechanical and fuel gas codes, along with residential, commercial and fire codes for the first time in their history while the State of Oklahoma became one of the first jurisdictions in the country to enforce any of the 2009 International Codes – the IPC, IMC and IFGC!

While all of the enhancements are important in that they provide ever-safer, stronger code parameters, we are particularly pleased with those that help conserve resources by providing greater energy efficiency and water conservation. For example, the IPC includes guidelines for installing gray water systems (water that is used for hand washing, for example, then repurposed for nonpotable uses). Also, the *National Green Building Standard* (ICC 700-2008) and IECC feature a myriad of PMG-specific energy-saving provisions. The new IGCC will contain the most comprehensive water efficiency regulations ever developed with the assistance of the largest stakeholder group of its kind.

Our relationships with other leading industry organizations continue to reap many great opportunities. We are proud to be a part of the development of the nation's first comprehensive swimming pool safety code in partnership with the Association of Pool and Spa Professionals. This critical, life-saving initiative will undoubtedly dramatically increase awareness of and reduce the number of pool- and spa-related accidents and deaths that occur each year. We have also signed MOU's with two of the nation's leading air-conditioning and sheet metal contractor organizations, SMACNA and ACCA. Affiliating with these two professional associations will only enhance our membership's collective codes, standards and educational opportunities.

This year also saw the dramatic expansion of PMG training and education programs, along with the variety of ways our customers can access them. The free 2009 I-Code webinars we offered earlier this year were exceptionally well received. We're also introducing training for Backflow, Cross-Connection Requirements, IPC/IMC Fundamentals, and a PMG Institute, just to name a few other examples of excellent training and education that will help professionals better follow our codes.

Our group is also involved in a litany of PMG-related initiatives that are helping to conserve resources and improve the lives of millions of people around the world.

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An area that many people do not initially associate with PMG is residential fire sprinklers (RFS), yet these multipurpose systems truly are a part of the dwelling's plumbing. PMG is leading the initiative to provide our members and the industry with the tools they need. We are working closely with Certification, Training and Education, Business and Product Development, and Government Relations to provide high-quality training manuals, education programs and certifications so that, when implemented, these requirements can be properly designed, installed and inspected.

Earlier this year, the PMG Group partnered with the EPA to help spread the word about its WaterSense "Fix a Leak Week" awareness program. Changing behavior can be hard, so the program shares startling statistics, such as the fact that if every U.S. home had a leaky faucet, more than 1 trillion gallons of water would be wasted each year. We look forward to expanding our involvement with the EPA in support of next year's program.

We're also partnering with and supporting the EPA in their newest initiative, WaterSmart Innovations. The joint partnership will promote more efficient use of water as well as water safety. These initiatives will not only dovetail with existing Code Council initiatives, such as integrating greater water efficiency into the IBC and the new Swimming Pool Code that enforces heightened pool and spa safety, but will also jumpstart a myriad of new programs.

Never missing the opportunity to share our great news with building professionals, we have been submitting an ongoing stream of press releases and articles to key industry publications. PMG staff was even interviewed for an article that ran in the *Wall Street Journal* about estimating how many portable toilets would be needed during the inauguration of President Obama.

Of course, we've also taken our message on the road, increasing our presence at industry trade shows by exhibiting as well as speaking. Noted industry organizations such as ASPE, ASSE, CALBO, IAPMO, PFFA and PMI, along with numerous associations, are continuously requesting that we give presentations on various PMG-related topics of interest. Being in demand from our peers is the greatest compliment about our respected expertise.

We've also signed MOUs and become involved with committees and roundtables with a variety of very important organizations. For example, in January a coalition was formed with the Alliance for Water Efficiency (AWE) and several other plumbing organizations. Our group shares technical, scientific, legislative and other information, all with the common goal of improving water efficiency without compromising public health and safety. This MOU spawned the Plumbing Efficiency Research Coalition (PERC). Comprised of the ICC and four other industry organizations, the group was founded to develop research projects supporting water efficiency and sustainable plumbing applications.

In March, PMG's Executive Director Jay Peters was appointed to the HVAC Energy Efficiency Roundtable. In order to meet the overall goal of the California Public Utilities Commission, this group was formed to promote energy efficiency and peak load reduction in California. Clearly, whatever learning we gain will be leveraged in other jurisdictions.

Our alliances with key global sanitation partners continues to strengthen as we utilize our respective expertise to collaborate on programs that improve global sanitation and sustainability.

It is always a proud moment when a code book from a far away country is opened and the inside cover has a statement saying, "This document is based on the *International Plumbing Code*." Saudi Arabia has that very statement pertaining to all three PMG codes.

And Abu Dhabi is on track to adopt the *International Plumbing, Mechanical and Fuel Gas Codes*, and training for jurisdictions and the building industry has already begun. Also, PMG's director of plumbing programs spent a week in Egypt assisting the Egyptian government to create and implement a training and certification program for plumbing inspectors. The Middle East is just one area we have had great success in accepting the *International Codes*. Latin America is another area eager to collaborate.

We have been working closely with engineering and architectural associations, along with the largest mechanical, plumbing and electrical contractor associations in Mexico to introduce the *International Plumbing Code* as the choice for adoption. The MOU was signed and our first PMG Chapter in Mexico is being formed. This will undoubtedly have a dramatic effect in improving the level of workmanship and safety in this important discipline. They will be following this with the entire set of I-Codes® as it progresses. After meeting with Colombia's ICONNTEC, their leading standardization body, they have decided to switch from another model plumbing code to the *International Plumbing Code*.

Continuing to strengthen our strategic partnership with the World Toilet Organization, the Institute of Plumbing South Africa, the Sustainable Sanitation Alliance and the Water Supply & Sanitation Collaborative Council, our group will institute programs that focus on safe water and sanitation issues worldwide. The World Toilet Organization (WTO) has requested that we provide support behind this year's World Toilet Summit & Expo (WTSE). The key focus of WTSE '09, which will be held December 2-4 in Singapore, is "Creating the Blueprint for Sustainable Sanitation Marketplace."

To help amplify the urgency of the situation, the PMG Group developed wristbands that simply state, "Every 15 seconds..." with our URL. Visitors are brought to a page that explains how every 15 seconds a child dies from a waterborne-related disease, and encourages them to request and wear a wristband to help promote awareness of this dire and unfair statistic. Schools, churches and building departments have held charity walks and awareness drives to promote this initiative and have even raised funds to purchase toilets for an elementary school in Haiti.

We receive more requests to speak before schoolchildren on this very issue than we can provide. If you are interested and would like to be a part of our awareness team, please contact us at the PMG Resource Center. As you may recall, we also brought the critical issue of unsafe sanitation to the attention of attendees at this year's Building Safety Week.

Another international sanitation-related initiative the group has undertaken focuses on global potty parity - the provision of more appropriately proportioned distribution of toilets in public restrooms for women which incorporates important minimum design elements. Our publication, under development, *Practical Public Toilet Design* encompasses these requirements along with the basic provisions for a safe and sanitary public restroom. This has great promise worldwide and is receiving attention and technical input from experts all over the world.

With over 200 (and growing weekly) products and services devoted exclusively to PMG, a growing list of jurisdictions which have or will soon be adopting our codes, along with our relationships with domestic and international organizations, this year promises to be exceptionally successful. The momentum we've built will continue to generate awareness and use of our outstanding codes exponentially. Please stay tuned through the coming year for more exciting news from the PMG Group. It is your expertise and passion about helping to protect people all over the world through safe sanitation and drinking water that continue to make our efforts so successful!



## *Outlook*

Our PMG opportunities continue to grow exponentially in relation to each new success. While there seems to be an endless supply of very worthy projects we would love to initiate, our focus for the near future is to devote energies and resources to turning the most important goals into realities.

**Jay Peters**  
Executive Director-PMG



The **Government Relations** (GR) team shares one common mission: to support the adoption and use of the I-Codes and the code development process, to promote related ICC services, and to advocate for the interests of our members. The GR team does this by targeted, direct advocacy and by forging strategic alliances with entities having objectives compatible with the Code Council's objectives and the ICC code development process.

### 2008-2009 Highlights

The number of jurisdictions joining the I-Codes family continues to grow. The *International Building Code*® (IBC®) is in use or adopted in 50 states, the District of Columbia, the Virgin Islands and Guam. The *International Residential Code*® (IRC®) is the second most widely used I-Code, now in 48 states, the District of Columbia and also in the Virgin Islands, followed by the *International Mechanical Code* and the *International Fire Code*® (IFC®) in 47 and 45 states, respectively. The *International Energy Conservation Code* (IECC) is not far behind with adoptions in 42 states and it will undoubtedly be in all 50 states very soon due to the requirements in the American Recovery and Reinvestment Act (ARRA), also known as the Stimulus Package. GR was successful in securing a reference to the 2009 IECC in the ARRA, including requirements that states adopt and enforce the IECC to receive a share of the \$3.1 billion in stimulus funds, and a requirement that the state have a plan for active training and enforcement. We also succeeded in getting the Community Building Code Administration Grant Act (HR 2246 and S 970) reintroduced on May 5, 2009, with bipartisan sponsorship in both the House and Senate. The House bill, HR 2246, was attached to the American Clean Energy and Security Act which passed the House on June 25, 2009.

Examples of the many state and local activities include updating of current construction regulations to be based on the 2009 I-Codes in states like California and Florida; passage of a bill in Illinois which requires all noncode jurisdictions to use the *International Building Code*, the *International Existing Building Code*® (IEBC®) and the *International Property Maintenance Code*® (IPMC®); Oklahoma being the first state to adopt the 2009 *International Plumbing, Mechanical and Fuel Gas Codes*; Washington and Oregon moving from state energy codes to the IECC; Wisconsin replacing its home-grown residential code with the IRC; and the establishment of the first ICC chapter in Vermont. The Vermont Building Safety Chapter is comprised of builders, code enforcement professionals, fire service, energy experts and design professionals.

As a member of the federal wildland/urban interface (WUI) taskforce, the Code Council worked with the group to develop and propose a 10-year strategy for dealing with the national WUI fire problem for President Obama's Administration. ICC was the only nongovernment participant in the group. The Code Council is also a founding member of the United Nations International Wildland Fire Alliance and the 2009 *International Wildland- Urban Interface Code*™ (IWUIC™) was referenced in the UN International Wildland Fire Management Guidelines. We have been working with the Western Governors Association to bring more than 300 organizations together in an unprecedented effort to persuade Congress that the upward trend in fire suppression funding costs increasingly prevent the USDA Forest Service and the Department of the Interior land management agencies from implementing critical programs and fulfilling their missions.

**Congressional Relations** (CR) represents the Code Council's legislative agenda before federal policymakers and proactively addresses congressional action impacting our interests in building safety, fire prevention and private-sector codes and standards development. As the ICC has continued to strengthen and expand its role as an advocate and expert in construction-related topics, involvement at the congressional level has become an integral part of its government relations work. CR is a dedicated effort to keep ICC members informed and involved in pending actions in Congress that have implications for the built environment. Our CR objectives are to obtain reference of the I-Codes in federal legislation; position ICC and its members as resources/experts on building and fire safety issues and to strengthen our advocacy efforts to produce favorable outcomes for building safety, building and fire officials, and the construction industry.

**Federal Agencies**—In addition to closely tracking legislation, GR also monitors the Federal Register for rulemakings that affect ICC, our members and partners. We work to advance the Code Council's relationships with more than 100 federal agencies, boards and councils which carry out building and fire code-related missions. The objectives in the GR Federal Plan include increasing awareness of and recognition by federal agencies of relevant ICC codes, services, programs and publications; seeking reference to the I-Codes in regulations or agency directives; encouraging agencies to participate in and support development of the I-Codes; and contracting with ICC for services or products.

**Organizations and Associations**—GR is also responsible for supporting ICC's work with national groups involved in the development, adoption or implementation of the I-Codes or that share similar goals. We work with the major national standards organizations, including ANSI, ASTM, ASME, UL, NFPA, and ASHRAE. We also work closely with our founding strategic partners NAHB, BOMA, NMHC, AIA, and the AGA and have regular meetings with others such as the National Electrical Manufacturers Association, the American Concrete Institute, the Laborers International of North America, the Federation of American Scientists and many public interest groups such as NACO, ICMA, NLC, and the U.S. Conference of Mayors. ICC is a recognized building and fire organization amongst the major national fire service groups, including the International Association of Fire Chiefs, the National Association of State Fire Marshals, the National Volunteer Fire Council, the Fallen Firefighters Foundation and the Congressional Fire Services Institute.

The **State and Local Activities** team is spread throughout the United States to better serve the organization and its members. This team is responsible for the implementation of the Code Council's state and local goals such as securing new and retaining existing code adoptions, and raising the level of awareness of the Code Council's infrastructure to support the jurisdictions and all users of the I-Codes. We currently have 15 staff members in 14 states. Because each office focuses on the area it serves, the staff members in each region are uniquely qualified to personally assist and support our members, including the fire, plumbing, mechanical and fuel gas communities.

ICC also offers a grassroots program to provide a way for ICC members and supporters to participate in building and fire safety code advocacy. Interested individuals can elect to receive alerts about important issues and can view information and submit letters and e-mails voicing their opinions to their elected officials. Our grassroots program includes a toolkit, I-Codes adoption maps and charts, and other information relevant to legislative or rulemaking issues, as appropriate, all available on our website.

**Chapter Relations** is committed to building stronger, more sustainable chapters by providing individual board and staff support as well as a comprehensive chapter benefits program. ICC currently has 330 chapters. The Chapter Program offers a variety of tools members can take advantage of to gain knowledge and grow professionally with cutting-edge education programs and networking experiences. This year, ICC introduced complimentary training webinars. The program also includes chapter awards recognizing chapters for achievements and contributions to ICC, their profession and communities; chapter advocacy to assist chapters to support legislative initiatives, and code administration and enforcement capabilities; and the Chapter Leader Manual, filled with tips on a variety of issues and everyday chapter tasks to help chapters succeed. Chapter members also participate in the Code Council's activities that support the mission and goals of the organization and were successful in advocating for the Community Building Code Administration Grant Act on Capitol Hill. Much more information is available on the ICC website including chapter lists, Board and staff chapter liaisons, and chapter websites. Look for chapter activities as a regular feature in ICC eNews.

## Outlook

The Government Relations Department will continue to work with all our state and local jurisdictions to ensure customer satisfaction and support to all I-Code users. We will be working closely with the States to assist our members to achieve compliance with the ARRA (Recovery Act)



International Energy Conservation Code (IECC) requirements. The GR field staff will also be busy introducing the International Green Construction Code, a new I-Code currently under development, to our Chapter members and jurisdictions across the country for their consideration and adoption.

At the federal level, GR staff continues to pursue multiple approaches to attain passage of the Community Building Code Administration Grant Act, after House passage in 2008 and passage as an amendment to the House Clean Energy Act in early 2009. In addition, GR staff are pursuing opportunities both in legislation and with agencies to promote ICC products and services, especially those with a close nexus to administration and Congressional priorities, such as energy efficiency and green construction. In all these efforts, we continue to educate federal officials on the critical need to support local code adoption and compliance efforts as the key to achieving results.

**Sara Yerkes**  
Senior Vice President

ICC is an organization that exists to provide technical and professional resources to our membership. The primary role of **Human Resources (HR)** is to support the recruitment and retention of staff with the skills and knowledge required across a wide range of professional disciplines to support ICC's services and product offerings. To fulfill this key role in a cost and resource effective manner, the HR staff is engaged in initiatives leading to convenient, timely and paperless processes. As a department whose services touch each and every ICC employee, it is appropriate for HR to be a role model in the internal greening of the organization's administrative practices.

2009 has been a challenging year for the human resources function and employees, with the demands of humanely administering staff reductions, as well as assisting management and staff to adjust to the resulting increased workloads, expanded responsibilities and changes in work methods. We continue to work with and support former staff on issues including benefits continuation, job searches, and employment references, in order to ease their transition back into the active workforce. ICC employees have demonstrated high levels of maturity and loyalty throughout the economic downturn, with HR assisting those needing to make personal financial adjustments in the face of income reductions and incrementally rising benefit costs

HR also is responsible for ICC's risk management. This past year has continued ICC's string of excellent performance. Our very low levels of insured claims have resulted in premium increases lower than anticipated, including actual reductions in some cases, in spite of hardening insurance markets in a recessionary economy.



### *Outlook*

We will continue to provide the human support factors necessary to meet the employee recruitment and retention needs of the Code Council. We will work closely with our brokers and other outside resources in continuing to refine our risk management efforts directed at managing the costs of our employee welfare programs as well as all business and liability lines of insurance. We also will be continuing our move toward electronic solutions to reduce the burden of necessary HR information flow across a geographically dispersed workforce.

**Terry Eddy**  
Senior Vice President

## ADMINISTRATIVE SUPPORT PROGRAM

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The Finance and Accounting Department provides all accounting services and financial reporting and analysis for the organization.

Cost reduction and streamlining of accounting processes have been the key areas of focus this year. We have worked toward centralizing our banking processes through implementation of remote deposit at all major locations. We also collaborated with an outside consultant to negotiate improved pricing on several services. The consultant joins clients together to take advantage of volume pricing normally only offered to larger organizations.

We are also beginning the process of converting to a new accounting system. This will be our priority over the next several months and implementation will further automate and improve many of our financial reporting processes. By integrating with our new web platform, we will be able to more easily compile data for analysis and reporting.

The Administrative Support program also includes inventory management. We provide all inventory control functions including ordering from external vendors and in-house print shops. Inventory levels have been effectively managed this year to ensure sufficient quantities on hand to meet customer demand yet low enough to minimize warehousing costs and obsolescence of inventory.

## INFORMATION TECHNOLOGY PROGRAM

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Information technology is vital to the operations of the Code Council. This year, the effects of the economic downturn have further emphasized the necessity of moving forward with technology to improve service, efficiency and enhance revenue. Our new website is a primary example. Information is now easier to access for members and customers, resulting in greater user satisfaction and reduced internal labor costs. Our online store has been enhanced to provide customers, faster service and expanded options when purchasing ICC memberships, products and services, all in one store location through a single shopping cart. We are also providing members with exciting professional growth and networking opportunities through communities of interest and "My ICC" accounts. We look forward to working on similar changes to our subsidiary and internal sites in the coming months.

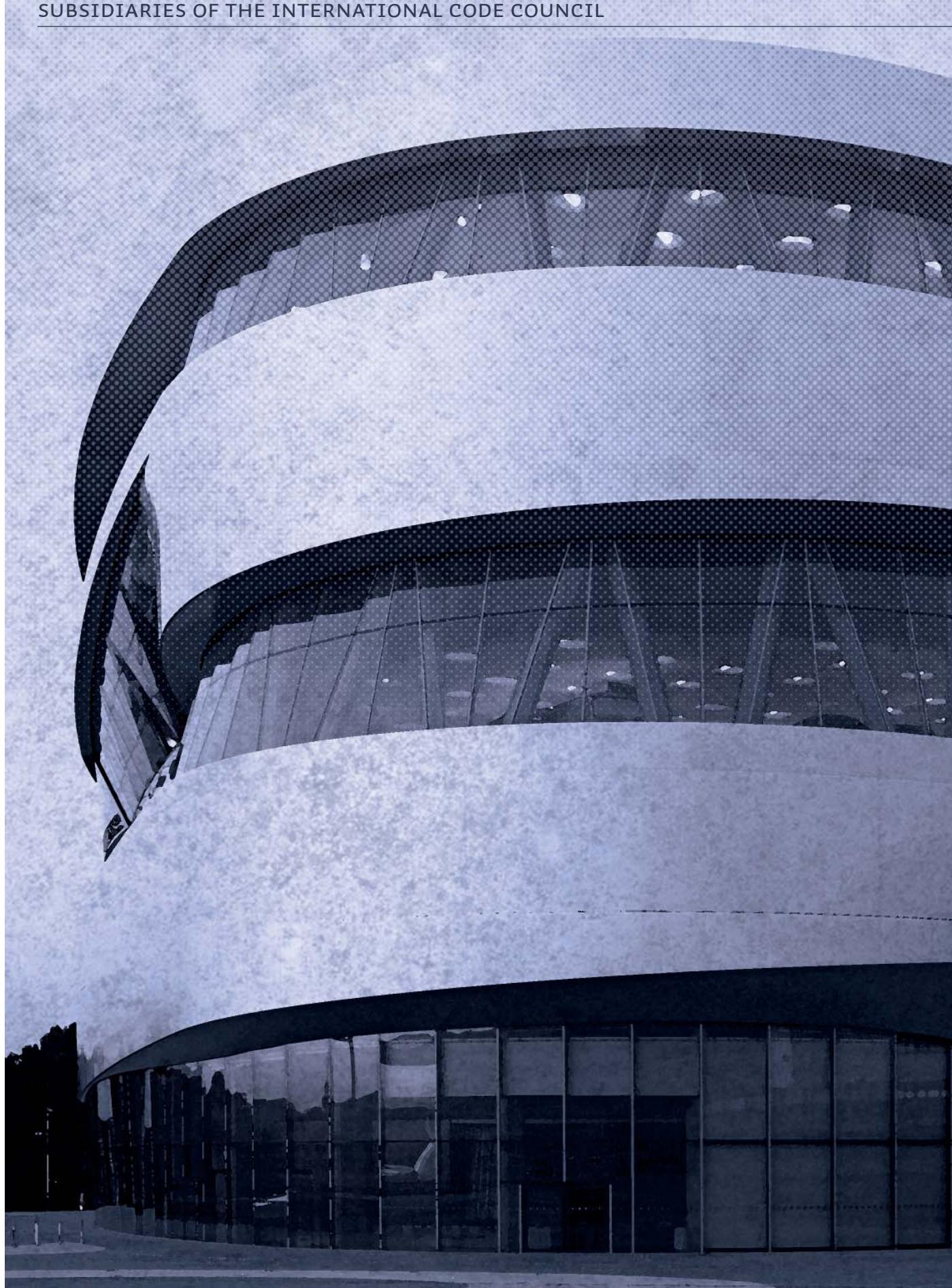
The IT team also will be working on improvements and additions to our Avectra membership system and on the installation of a new accounting system. These enhancements, integrating with our website, will further streamline and automate processes, and enhance management databases.

A new data network was put in place this year increasing bandwidth and improving configuration. The IT team also updated all staff computers to Office 2007 and added multiple monitor setups for many job functions to reduce paper use and improve productivity. New and upgraded software was purchased for ICC's publishing and marketing functions and training was provided for those areas as well as for all staff on Office 2007. Many of these improvements were made by leveraging current contracts, with no additional expenditure by ICC.

The team also continues to support the daily IT needs of all ICC employees. All hardware and software purchase, setup and maintenance, telecommunications activity and major meeting technology support is performed by the IT group.

SUBSIDIARIES OF THE INTERNATIONAL CODE COUNCIL

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Annual reports are not necessarily some of the best read documents, even as they attempt to review an organization's past year or describe its vision for the next. This year, however, was a pivotal year for ICC-ES on several fronts and we would be remiss not to discuss it here. Not only has the economy provided challenges to the construction and manufacturing industries, and consequently to ICC-ES, but ES, in the midst of this environment, has initiated a leadership change.

After leading ICC-ES through its formative years and successfully working to make it the premier national product evaluation service for those in industry and enforcement, John Nosse, ES President, announced that he was planning to retire in the near future. His efforts to improve services have been particularly critical for ES and for innovative or alternative products where standards are unavailable or insufficient.

Theodore Roosevelt is quoted as saying, "The best leader is the one who has sense enough to pick good men to do what he wants done, and the self-restraint to keep from meddling with them while they do it." John has provided ES with a core of leaders and expert technical staff who have worked together tirelessly to ensure that ES is without peer in facilitating the development and acceptance of traditional and innovative building technologies, products and systems.

When a change of leadership occurs at the top of any organization, there can develop an attitude of retrenchment or retreat from the organization's mission and vision. Having excellent leadership in place in this organization has ensured that the transition happened smoothly and, for our customers, seamlessly, while maintaining the identity and confidence in the organization's direction.

The Board realized that this transition process was critical and we feel that the Board of Directors has worked to assure that ICC-ES remains the premier evaluation service; responsive to the needs of report holders by providing timely and high-quality service. Working closely with the ICC leadership in April of this year, the ES Board moved to appoint John Nosse as President Emeritus and Mark Johnson as President.

As John said, "I've worked alongside Mark for many years and I have the opportunity to support him in his transition to the ES presidency. We have developed a very effective working partnership, and I know Mark cares deeply about the success of ES. He respects the high quality of both our work and our staff. I am proud of what we have accomplished and know that the future is in good hands under Mark's capable leadership." Under this new leadership ICC-ES will maintain its technical proficiency, its transparent process and will provide a level playing field for all participants.

We look forward to working with John and Mark in their new roles and are confident that ICC-ES will remain a trusted technical resource for code enforcement professionals, manufacturers, and innovators both now and in the future.



Steven P. Regoli  
Chairman  
ICC Evaluation Service, Inc.

Since my appointment as President in April of this year, my appreciation of ICC-ES has grown substantially. I have an even greater respect for the vital role of ICC-ES in facilitating the introduction of new and innovative building products and technologies to the marketplace. ICC-ES assists code officials to ensure that our building regulatory system provides the highest level of safety to the public. Concurrently, ICC-ES helps ensure regulation does not raise barriers to the introduction of new products and techniques that can improve our lives. Performing these functions can be a daunting task. Meeting this challenge requires we work hand in glove with code officials, manufacturers, testing and inspection agencies, professional and trade associations, and others. It requires the very best from all of us.

As the year comes to a close, I am pleased to report that ICC-ES serves more than 900 manufacturers, with the number of ICC-ES Evaluation Reports now totaling more than 1,400. Our current focus is to continue to enhance the services we offer manufacturers, while we reinforce our position as the most reliable source of product information for code officials.

ICC-ES is embarking on an aggressive program to provide both improved customer service and added value. One of the measures we have taken includes the creation of the ICC-ES Client Relations Team (CRT), whose sole purpose is to initiate communication with report applicants and guide them through the evaluation process. Once a report is issued, our Marketing and Communications group works with the report holder to disseminate information about the report. We also are expanding our technical staff to speed up the evaluation process and allow manufacturers to get new products to the marketplace faster.

ICC-ES is working with other organizations that help report applicants put together required technical data. When the data is complete and submitted properly, ICC-ES has committed to an accelerated review, which will benefit the applicant considerably.

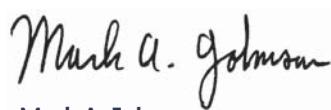
In addition to technical quality, I view these ongoing efforts to improve customer service as vital to the organization. Improved customer relations, when combined with ICC-ES's already firmly established reputation for technical excellence, will help to ensure the organization's future.

In keeping with the customer relations effort, we are reaching out to professional groups, report holders and industry associations to find out how ICC-ES can better meet their needs and provide added value. Their assistance is critical to the development of our acceptance criteria, addressing innovative products and adding to the technical depth of our program. Working with industry is an ongoing effort that must continue to be nurtured and ICC-ES intends to do just that.

As part of our effort to add value to evaluation reports, software is being developed to embed evaluation reports in appropriate sections of electronic codes. This will be an invaluable tool for architects, engineers, specifiers, building departments and others who seek to identify code-compliant products.

New ICC-ES programs have been implemented to meet the needs of the code community and the building industry. The Plumbing, Mechanical and Fuel Gas (PMG) listing program has been in operation for approximately 18 months, and already we have nearly 40 listings under the *International Codes*® and other codes. The Sustainability Attributes Verification and Evaluation (SAVE) program was introduced in October 2008 and is generating widespread interest. It is the first program that verifies manufacturer claims in regards to the sustainability qualities of their products while providing for an ongoing quality control program to assure continued compliance with the conditions of recognition. The program embraces specific attributes such as recycling, source of raw materials, use of biobased materials, insulative qualities and use of volatile organic compounds. The SAVE program will be expanded to embrace certain specialty products by major manufacturers who have committed to pursuing "green" products and manufacturing methods.

There is still much to be done to move these efforts forward and build support for them among both code officials and industry groups. ICC-ES is committed to moving forward responsibly as it continues to serve the ICC membership and the building industry.

A handwritten signature in black ink that reads "Mark A. Johnson".

**Mark A. Johnson**  
President  
ICC Evaluation Service, Inc.

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*Board of Directors*



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*Chairman*  
Architect Project Administrator  
Ohio Board of Building Standards  
Reynoldsburg, OH



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*Building Official*  
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Southfield, MI



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*Chief Development Officer*  
Scottsdale, AZ



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*Director of the Residential Inspections Division*  
Fairfax County, VA



**William L. Duck**  
*Building Official/ Director of Inspections and Code*  
Columbus, GA



**David A. Mann**  
*Building Code Administrator*  
City of Tucson  
Tucson, AZ



**Bhola Dhume**  
*Deputy Director*  
Department of Safety and Permits  
City of New Orleans  
New Orleans, LA



**Ronald E. Piester, A.I.A.**  
*Director*  
New York State Department of State  
Division of Code Enforcement and Administration  
Albany, NY



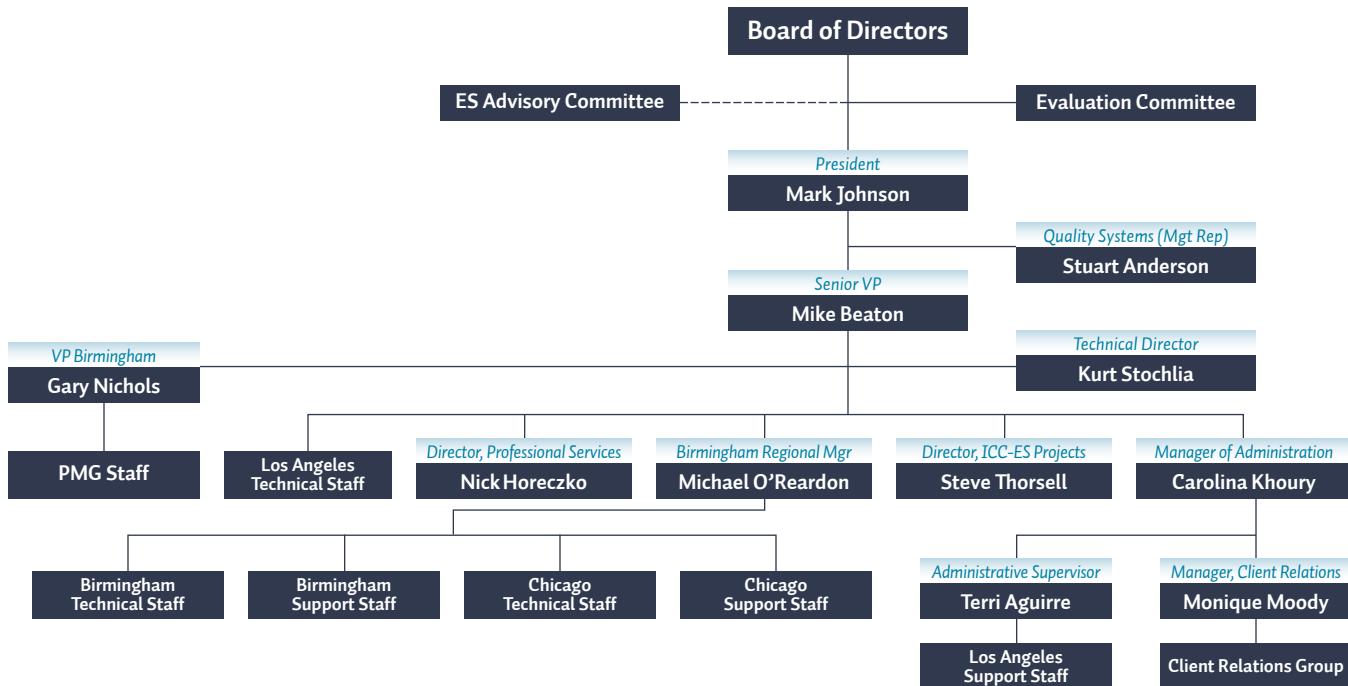
**James M. Harper**  
*Chief Building Official*  
City of Omaha Planning Department  
Omaha, NE



**David deCourcy**  
*(non-voting member)*  
General Counsel and Senior Advisor to the CEO  
International Code Council  
Washington, D.C.



ICC EVALUATION  
SERVICE



Since my election as Chair of the Board in March of this year I am proud to be in a position to continue the fine work of my predecessor, Majed Dabdoub, who did an outstanding job of guiding the organization for the past six years. I am also pleased to report that IAS's international initiatives and its existing accreditation programs have enabled us to maintain financial stability and to make good progress in these challenging times. I am committed to keeping a close watch on IAS's financial health and performance and have asked staff to provide the IAS Board with frequent reports of IAS revenues and expenses during these uncertain economic conditions.

We on the IAS Board are sensitive to the financial burden placed on building departments nationwide caused by the unprecedented reduction in construction starts. As a result, city, county and state governments have had to curtail expenditures focusing only on essential services rendering accreditation as a luxury to be pursued during more fruitful times. In this regard, we have asked IAS staff to work with its Technical Advisory Council to begin developing an affordable, interim program that will enable building departments to continue to prepare for full accreditation under the IAS Building Department Accreditation (BDA) program once construction picks up. The IAS Board and I also want to see IAS continue to develop the BDA program and eventually secure full recognition under the FEMA Community Rating System (CRS) which will be of tremendous value to accredited building departments.

I would like to thank my fellow IAS Board members for their support during my first six months as chair as well as the very talented IAS staff for their hard work and sacrifices in continuing to develop domestic and international markets. In light of the national economy, IAS has had to make some budget adjustments, yet it continues to maintain financial health and a high quality of service thanks to the dedication and hard work of these outstanding professionals.

In closing I would like to thank IAS's clients for their loyalty and continued trust in the organization. Special recognition is also due to the ICC volunteers who participate on IAS Councils and Committees and certainly the ICC leadership, Board of Directors and ICC staff for their full support of IAS.



*Michael W. Bouse*

**Michael Bouse**  
Chair of the Board

Business leaders and government regulators across the United States have come to appreciate the importance of credible accreditation programs that operate under international standards and subject themselves to periodic peer evaluation by regional organizations that underpin world trade.

As an organization, the IAS family endured an austere winter, worked very hard through encouraging spring and summer seasons and now stands ready to face the challenges of what promises to be an extremely busy fall season.

IAS Board, committee and council members and dedicated staff have made concerted efforts to open up and improve lines of communication with a wide variety of stakeholders to explore new opportunities. IAS has performed well financially through the first six months of 2009, generating a slight positive net margin. As the financial report shows, tremendous sacrifices by staff in terms of salary and work hour reductions coupled with good cost controls across many expense categories have contributed to the positive performance during this period. During this severe economic downturn, IAS has adhered to principle-based leadership by holding the line on fee increases and, whenever possible, working with its clients to reduce assessment costs.

The message of better and safer building practices across borders has been carried far and wide with IAS assessors spreading the accreditation mantra to many countries like Canada, Egypt, France, Germany, Mexico, China, India, Abu Dhabi, Qatar, Bahrain and the West Indies.

My special thanks to the ICC leadership, and particularly CEO, Richard P. Weiland, who has worked diligently with IAS Board Chair Michael Bouse, the IAS Board, and ICC staff to improve and develop new channels of communication with ICC members and building safety professionals throughout the world.

The positive response and active support provided by our valued clients truly has boosted staff morale and I take this opportunity to thank them all.

The many significant accomplishments of IAS this year would not have been possible without the support of our clients and partners. Together, we have succeeded in laying the foundation for a stronger, safer future.

To all our clients and well wishers, I extend the very best wishes for the coming year.

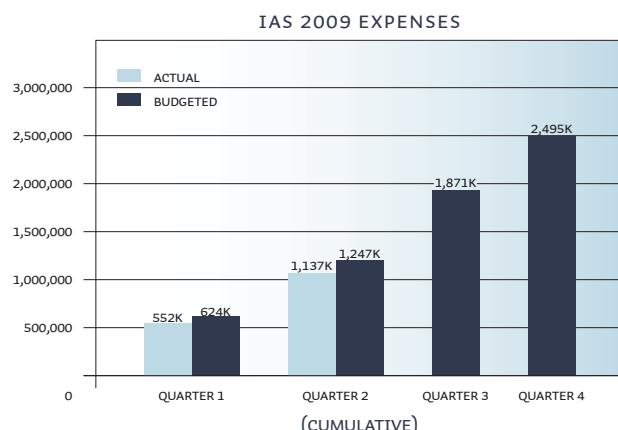
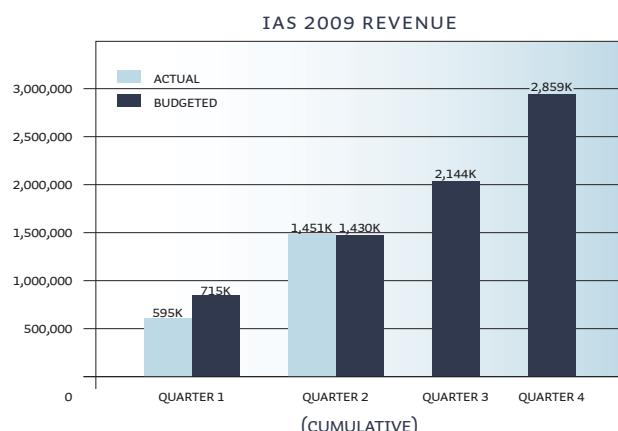


A handwritten signature in black ink that reads "C. P. (Chuck) Ramani".

C. P. (Chuck) Ramani  
President

IAS has seen continued growth in this past year, especially in the Approved Fabricator and International Building Code Special Inspection Agency accreditation programs and several international engagements. With the widest range of accreditation programs compared to other accreditation bodies, IAS staff has been working diligently to expedite service to our customers while remaining cost conscious in all aspects of our business.

Despite the effects of economic recession within the United States and in many other parts of the globe, IAS has been able to steadily increase its business in most of the accreditation programs we offer as illustrated in the chart. IAS revenues exceeded projections in the second quarter of this fiscal year.



The largest segment of IAS's service—Laboratory Accreditation—continues to expand and several new laboratories have been accredited this year. In support of the ICC and ICC-ES "Green Building" initiatives, the IAS laboratory accreditation program services a broad spectrum of laboratories involved in building and consumer product testing, and has expanded to include accreditations in the chemical, petroleum, electrical and sustainable product fields.

Staff monitoring and careful coordination of our highly trained and qualified contract assessors is a key factor in maintaining the IAS reputation for providing high-quality assessments. By skillfully combining in-house expertise with outside resources, IAS managed to reduce overall expenses and passed on the savings to its clients—a gesture much appreciated in these challenging economic times. The quality and efficiency of our service is reflected in a 98% retention rate of clients.

In the first two quarters of 2009, IAS staff and assessor teams traveled extensively across the United States and to more than 20 countries worldwide as IAS serviced clients' needs. In early January, assessment teams traveled to Mexico and Qatar to conduct assessments of inspection programs of structural steel fabricators and testing laboratories. February and March found IAS representatives in Canada, the Peoples Republic of China and Spain to conduct assessments of new laboratories and perform reassessments or surveillance visits of calibration laboratories, testing laboratories and inspection agencies.

The pace quickened in the second quarter of 2009 with assessments, training activities and meetings that involved assessor teams, staff and management in Egypt, Taiwan, Hong Kong, the Caribbean and again back to Mexico. When approached by a laboratory or inspection body seeking IAS accreditation overseas, IAS is sensitive to the existing national accreditation programs of our mutual recognition partners and in countries where the national accreditation body is a signatory to the International Laboratory Accreditation Cooperation (ILAC) Mutual Recognition Arrangement. IAS has adopted the ILAC Cross Frontier Policy requiring us to advise potential clients of the equivalence and economies of local accreditation bodies. Applicants are aware of these key points but continue to select IAS accreditation for business and service reasons.

In June, IAS management travelled to Hong Kong to attend the Asia Pacific Laboratory Accreditation Cooperation (APLAC) mid-year meetings and participated in a course designed for experienced peer evaluators on ISO/IEC Standard 17011, "General requirements for accreditation bodies accrediting conformity assessment bodies." IAS Vice President Pat McCullen then traveled to Mexico City to join an APLAC team for a one-week peer evaluation of the Mexican Accreditation Entity with team members from IANZ (New Zealand), NIST/NVLAP (U.S.) and CONACYT (Paraguay). Chuck Ramani, President, traveled to Taiwan to participate in the Pacific Accreditation Cooperation (PAC) 16th Plenary Meeting. PAC is the international cooperation of accreditation bodies involved with the accreditation of product certification agencies. IAS is a full member of PAC and soon will be undergoing a peer evaluation by PAC evaluators for entrance into the global multilateral recognition arrangement.

(continued)

In the past year, IAS launched an accreditation program for the inspection of metal building manufacturers which has proven to be highly successful. IAS expects to complete accreditation of all the significant metal building fabricators by 2010 providing code authorities a truly independent accreditation program for this industry. Sandi McCracken, Senior Accreditation Officer, has led IAS efforts to organize the inspection agencies to effectively service this industry, conducting training classes in both English and Spanish under the IAS Accreditation Criteria AC472 and performing on-site assessments with her assessment team members.

The IAS Special Inspection Agency (SIA) program also has been steadily gaining traction with approval by New York City code authorities and by jurisdictions in areas outside the western United States. IAS staff is assessing the initial applicants in the New York City area against the Special Inspection requirements under Chapter 17 of the IBC. The SIA program fulfills one of the much-needed enforcement tools available to code authorities to determine compliance with special inspection requirements.

The IAS Building Department Accreditation program continues to grow, although on a slower pace, as several potential applicants have been forced by economic circumstances to curtail spending. On a brighter note, the Federal Emergency Management Agency has agreed to give Community Rating System credits for IAS-accredited building departments. There are discussions with the U.S. Departments of Energy and Homeland Security that may further broaden federal recognition of this program. Internationally, code administration agencies in three countries have relayed interest in adopting this program. IAS has been retained by these entities to assist in developing a national accreditation program for building departments in their respective countries.

IAS's new accreditation program for Third-Party Permitting, Plan Review and Inspection Service Providers (AC402) also has received strong support from many jurisdictions as well as the private sector. IAS has received its first two applications for accreditation under this program.

Several significant changes in IAS's board of directors occurred in 2009, including transition of the Chair position from Majed Dabdoub, P.E. (Cincinnati, Ohio), to Michael Bouse (Henderson, Nevada). IAS is deeply grateful to Majed for six years of leadership and service as IAS Board Chair. Curtis Mann (New Orleans, Louisiana) announced his resignation in 2009, completing more than six years of outstanding service on the IAS board. IAS is brilliantly supported by the depth, talent and selfless service of all of its directors who serve without compensation.

IAS also is most grateful for the assistance it receives from its five Technical Advisory Councils and the IAS Accreditation Committee, that are tasked with maintaining each of the IAS Accreditation Criteria to meet the latest international standards for technical accuracy and quality. Similarly, the IAS Building Department Accreditation program is guided in its activities by the IAS Board Committee on Accreditation.

Finally, IAS could not achieve its level of success without the support and encouragement of the ICC staff, Board of Directors and membership. IAS is proud to be a member of the ICC family sharing a common vision as together we seek to enhance the quality and safety of life and communities throughout the world.

## IAS BOARD OF DIRECTORS 2008-2009

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**Chair**

*Building & Fire Safety Director*

City of Henderson, NV



**John L. Barrios, C.B.O.**

**Vice Chair**

*Manager, Inspectional Services*

City of Tampa, FL



**Majed A. Dabdoub, P.E.**

*Sr. Building Plans Examiner and Analyst*

City of Cincinnati, OH



**Curtis Mann, P.E., C.B.O.**

*Chief Building Official*

City of New Orleans, LA



**Isam Hasenin, P.E., C.B.O.**

*Director, Dept. of Building Inspection*

City and County of San Francisco, CA



**Guy Tomberlin, C.B.O.**

*Code Specialist, Division of Commercial Inspections, Land Development Services*

Fairfax County, VA



**Dr. Izz Eddin Katkhuda**

*Director of the Arab Center for Engineering Studies (ACES)*

Amman, Jordan



**James Toscas, P.E.**

*President*

*Precast/Prestressed Concrete Institute (PCI)*

Chicago, IL



**Ronald L. Lynn, C.B. O.**

*Director and Building Official*

Clark County Department of Development Services

Las Vegas, NV



**David deCourcy**

*(non-voting member)*

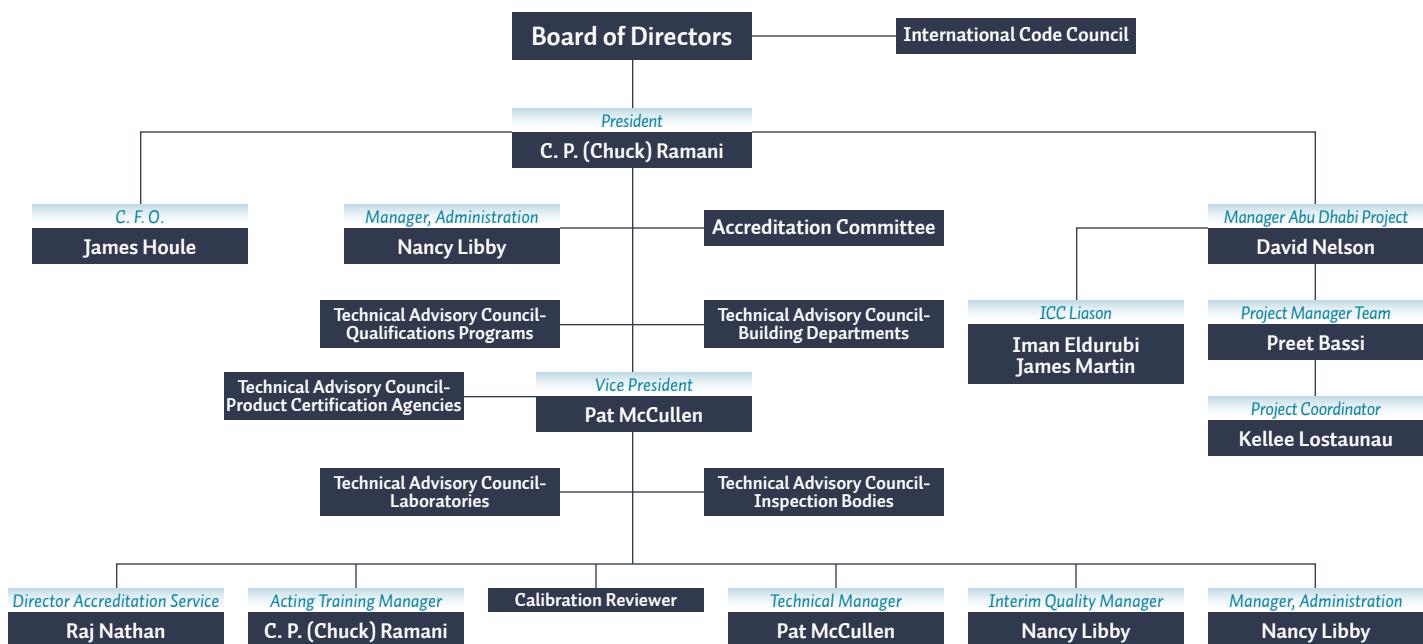
*General Counsel and Senior Advisor to the CEO International Code Council*

Washington, D.C.



INTERNATIONAL ACCREDITATION SERVICE, INC. (IAS)

## Organizational Chart



During 2008, the International Code Council launched a new and energized ICC Foundation. The new Foundation is a nonprofit organization dedicated to alleviating the devastating effects of natural disasters and other building tragedies by promoting ideas, methods and technologies that encourage the construction of safe and sustainable buildings and homes. The new work plan focuses on three key areas: Consumer Education, Professional Development and Community Service.

All of the program areas focus on community-based opportunities to better connect code officials to their constituencies and foster increased consumer understanding of codes and mitigation by supporting the building and fire code professions through expanded training, education and independent research.

### Consumer Education

The signature consumer education and outreach program of the new Foundation is Building Safety Week.

In addition to the traditional, annual activities that ICC members have supported for more than 29 years, this year's Building Safety Week included a new, online initiative entitled "I Support." The "I Support" campaign garnered online support from more than 2,600 individuals from 17 countries who pledged their support for "2009 Building Safety Week: Where You Live, Work and Play." Supporters included code officials, construction professionals, homeowners, elected officials and citizens who joined the worldwide celebration of safe, strong and sustainable structures. Governors, former governors, mayors and county officials from 31 states issued proclamations, official statements and letters of recognition.

The "I Support" campaign is live at [www.buildingsafetyweek.org](http://www.buildingsafetyweek.org), where individuals continue to show their commitment by adding their name, organization and hometown to the list of supporters. Official Proclamations from local, state and national officials are available for review along with photos of member activities.

Building Safety Week focused on different topics from May 4–9, and each day the Foundation distributed these "Daily Doses" to the public via the news media. Topics included energy, green building, mitigation, safe water, recreational safety and volunteerism. News outlets across the nation acknowledged the importance of building codes and the professionals who enforce them with more than 60 stories in 400 media outlets that reached an estimated audience of more than 416 million. Next year, Building Safety Week will transition to 2010 Building Safety Month and activities will take place throughout the month of May.

### Professional Development

Another important Foundation initiative is our expanded scholarship program to support building and fire safety through education of existing and future code officials, increase participation in the code development process and honor those who have been essential to the formation of ICC.

The Foundation secured donations this year from the American Institute of Architects and Target Corporation to establish the new Code of Honor Scholarship. Donations for the Code of Honor Scholarship Program will help underwrite training and professional development for Code Council members by expanding participation in education and training and the code development process at the ICC Code Development Hearings in 2010.

The Foundation completed an extensive registration process this year to support fundraising and 100% of all scholarship donations are directed into the award funds. Donations may be made online via a secure website link at [www.icc-foundation.org](http://www.icc-foundation.org) and chapters are encouraged to sponsor and support the new scholarship initiative.

### Community Service

The newest community service initiative for the Foundation is the Code Officials Volunteer CORPS, with Project H.E.R.O. as the signature program. Project H.E.R.O. is an innovative program that improves the lives of disabled veterans across the United States by combining the volunteer spirit and expertise of the Code Council and Foundation with the home rehabilitation expertise of the nonprofit Rebuilding Together ([www.rebuildingtogether.org](http://www.rebuildingtogether.org)).

Some of the Foundation programs overlap focus areas. One such program is the 2009-2010 Tornado Outreach and Education initiative, combining consumer education and professional development. The Tornado initiative provided the new ICC/NSSA 500 Tornado Standard to more than 1,300 ICC governmental members in tornado-prone jurisdictions. Members received a bundle with the latest design requirements and construction plans for residential and commercial storm shelters and safe rooms from the Code Council, National Storm Shelter Association, Federal Emergency Management Agency and the Federal Alliance for Safe Homes—FLASH®. The distribution helped raise awareness and understanding about the threats of severe weather and the proper building techniques for a tornado shelter with an emphasis on well-built storm shelters and safe rooms.

(continued)

The consumer education component of the campaign was announced in August and uses research, collaboration and multimedia messages to educate homeowners and home builders about wind safety and the benefits of tornado-safe rooms and shelters. The initiative, funded by the Southeast Region Research Initiative, will include shelter demonstrations in cities that are prone to severe weather and high winds. The International Code Council also will be working through its 50,000 members to educate builders about the new standard for proper construction of shelters.



**Danny Lipford** The ICC Foundation secured a new celebrity partner when home expert Danny Lipford joined the team as the spokesperson for the national wind safety outreach and education initiative. Danny started his career in 1978 as a remodeler in Mobile, Alabama. Since then, he has built a national reputation as an expert on homes. His Emmy-nominated TV show, "Today's Homeowner with Danny Lipford," enters its 12th season on 220 stations this year. The Weather Channel also has relied on Danny as their go-to guy on homes for the past nine years.

Danny has made more than 150 appearances on national TV shows such as *The Early Show* on CBS, *Rachael Ray*, *Live with Regis & Kelly*, *Inside Edition*, CNN's *Open House* and *Your Bottom Line*, offering advice on a wide variety of home topics. He recently moved into the world of radio with his syndicated weekly call-in show, *Homefront* and Danny serves as a contributing editor to *Better Homes and Gardens* magazine and their website [www.bhg.com](http://www.bhg.com). His own website, [www.dannylipford.com](http://www.dannylipford.com), has become a popular online destination for home enthusiasts.

Danny is committed to bringing the message of tornado safety by lending his well-known brand to the tornado outreach initiative. He will share the latest research about the benefits of shelters and safe rooms and talk directly with homeowners, builders and planners during events and through multimedia channels.

Learn more about the new Foundation, find ways to get involved, or make donations via the new website, [www.icc-foundation.org](http://www.icc-foundation.org). Website highlights include a photo gallery, Code Officials Volunteer CORPS section, scholarship program information, and consumer resources. Brochures about ICC Foundation programs including the Code of Honor Scholarship, the Code Official Volunteer CORPS and the Professional Education Scholarship are available via download or via e-mail request to [smurphy@iccsafe.org](mailto:smurphy@iccsafe.org). Support the new Foundation and be one of the people helping build a safer world.





**Richard P. Weiland**  
*Chief Executive Officer*  
*International Code Council*  
(ICCF Board President)



**Barbara Koffron**  
*City of Phoenix Fire Marshal*  
(ICC Board Representative)



**Dominic Sims**  
*Chief Operating Officer*  
*International Code Council*  
(ICCF Board Treasurer)

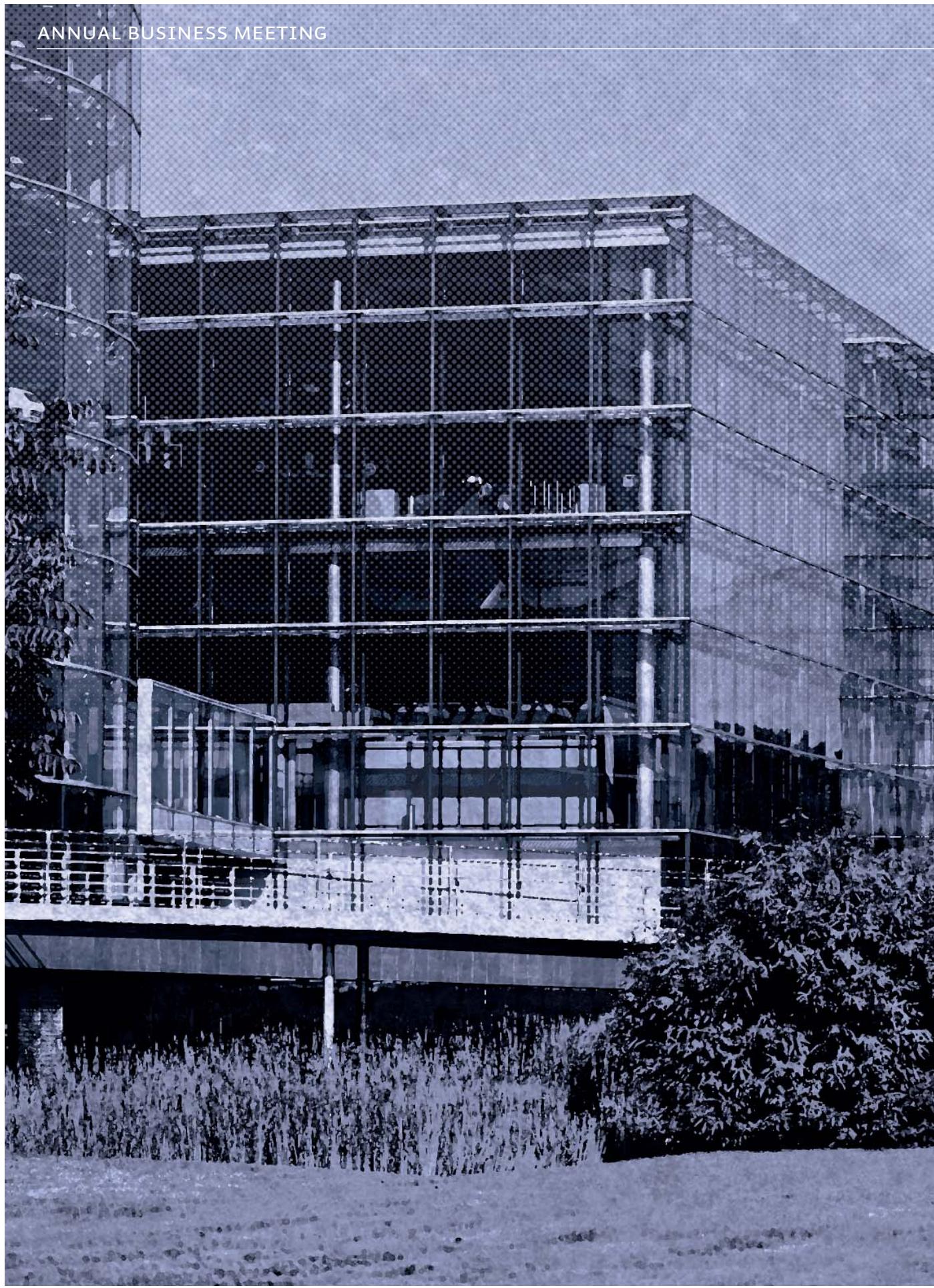


**Donald L. Pratt**  
*NAHB/Wake Pratt Construction*  
(ICCF Governor)



**Rocco Davis**  
*Laborers International Union of North America*  
(ICCF Governor)

**ANNUAL BUSINESS MEETING**



## NOTICE OF ANNUAL BUSINESS MEETING OF THE ICC

November 3, 2009 • Hilton Baltimore • Baltimore, MD

The 2009 Annual Business Meeting (ABM) of the Members of the International Code Council (ICC), which is provided for by Article IX of the Bylaws, shall be held November 3, 2009, at the **Hilton Baltimore, 401 W Pratt Street, Baltimore, MD 21201**, in conjunction with the 2009 ICC Annual Conference. The Annual Business Meeting shall commence at 8:00 AM and shall continue from day to day during such hours as shall be determined by the President until completed. A copy of this 2009 ABM Notice shall be printed in the 2009 ICC Annual Report.

2. In accordance with the Bylaws, a quorum shall consist of 100 Governmental Voting Representatives.

3. The general nature of business to be conducted at the Annual Business Meeting shall include the following:

- |   |   |
|---|---|
| a. Call to order                            | b. Reading of Meeting Notice                            |
| c. Determination of a quorum                | d. Introduction of Sergeant-at-arms and Parliamentarian |
| e. Approval of minutes of previous meeting  | f. Report of the Nominating Committee                   |
| g. Election of Officers & Directors         | h. Treasurer's Report                                   |
| i. Report of the President                  | j. Report of the CEO                                    |
| k. Consideration of Bylaws Changes          | l. Report of the Resolutions Committee                  |
| m. Report of the Honorary Members Committee | n. Report of the ICC Subsidiaries                       |
| o. Unfinished business                      | p. Adjournment  |

In accordance with the Bylaws, the President may ask Members to reorder the agenda at the start of the meeting.

4. In accordance with Article XVIII, ss. 18.1, amendments to the Bylaws of the corporation may be proposed by at least 10 Governmental Member Representatives if presented to the Board of Directors at least 90 days prior to the opening of an Annual Business Meeting, or may be proposed through resolution of the Board of Directors at least 90 days prior to the opening of the Annual Business Meeting. In accordance with Article XVIII, ss. 18.2, proposed amendments to the Bylaws are printed in this Annual Business Meeting Notice. In addition, proposed amendments to the Bylaws will be posted on the ICC website.

5. In accordance with Council Policy 23, Resolutions of the Members shall be considered during the Annual Business Meeting. Resolutions to be considered at the 2009 ABM include:

- |                       |  |
|-----------------------|--|
| - CONFERENCE SITE     | - DECEASED MEMBERS                       |
| - STANDING COMMITTEES | - IMMEDIATE PAST PRESIDENT               |
| - RETIRED MEMBERS     | - BONNEVILLE CHAPTER PROPOSED RESOLUTION |

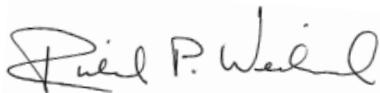
In order to be considered by the Membership, proposed resolutions shall be submitted to the Resolutions Committee in accordance with Council Policy 23. Copies of these resolutions are printed in this 2009 Annual Business Meeting Notice and will be posted on the ICC website.

6. To transact such other business as may properly come before the Membership and adjournment.

We hereby certify that the foregoing notice is in accordance with actions taken by the Board of Directors of the International Code Council.



Adolf A. Zubia, Board President



Richard P. Weiland, CEO

Questions regarding the ABM Notice and proposed Bylaw amendments may be directed to Dominic Sims, Chief Operating Officer (888) 422-7233 ext. 5267.

## MINUTES OF 2008 ANNUAL BUSINESS MEETING OF THE ICC

*September 16, 2008 • Minneapolis Convention Center • Minneapolis, MN*

### Annual Business Meeting

President Steve Shapiro called the Annual Meeting of the Members of the International Code Council to order at 8:00 a.m., September 16, 2008, in conjunction with ICC's Annual Conference at Minneapolis Convention Center in Minneapolis, Minnesota.

President Shapiro called on Secretary/Treasurer Ron Lynn to call the roll of the ICC Directors to determine if there was a quorum. Secretary/Treasurer Lynn called the roll of Directors and asked Governmental Member Representatives to stand. Secretary/Treasurer Lynn then advised the President that a quorum was present.

President Shapiro acknowledged Anne vonWeller, Murray City, Utah, and Henry Green, Michigan, as the Parliamentarians; appointed Emory Rogers, Richmond, Virginia, and Roger Evans, Park City, Utah, as Sergeants-at-Arms, and thanked all for their participation.

President Shapiro referred to the registration packets containing a copy of the business agenda for the 6th Annual Business Meeting of the members of the International Code Council. Included in the packet were the International Code Council 2008 Annual Business and Meeting Report, which detailed a notice of the Annual Business Meeting, minutes of the 2007 Annual Business Meeting, procedures governing conduct of elections, Treasurer's report, and proposed bylaws and resolutions. Since the report included the Meeting Notice, President Shapiro waived reading the notice.

A motion was made and seconded to amend and reorder the agenda of the Annual Business meeting, as provided.

The minutes of the October 2, 2007, Annual Business Meeting were reviewed. A motion was made and seconded to approve the minutes, as published in the Annual Report.

President Shapiro called on Immediate Past President Wally Bailey to read the report of the Nominating Committee. Immediate Past President Bailey thanked the members of the Nominating Committee for its work and read the Committee's recommendations.

President Shapiro called on Secretary/Treasurer Lynn to provide the Treasurer's Report. Secretary/Treasurer of the International Code Council Lynn provided the financial status of the ICC as reported in the Annual Business Report.

### 2008 Treasurer's Report

As Secretary/Treasurer of the International Code Council, it is my privilege to report to the members on the financial status of the organization. 2007 was another record breaking year for ICC, with net asset growth of \$5.6 million. As a result of successful operations, during the last four years net assets have grown by \$15.3 million. As in past years a major objective for 2007 was to increase our cash balance to a level where we have a contingency buffer. This is to provide us with funds that we can draw from in the event of an economic or cyclic downturn. We have managed our cash over the past year to increase our cash balance by \$2.8 million. Adding this to the last two years' cash broke total we have strengthened our cash position by \$10.5 million dollars over the past three years.

Your Board and the ICC staff recognize the financial threats both current and potentially in the future that we may all be facing. Therefore, we feel it is prudent to strengthen our cash position so we can continue investment in our membership enhancing opportunities. As our business has grown, accounts receivable and inventory have grown proportionally. Active management of these asset categories has minimized cash being tied up in these areas. As a percentage, inventory and receivables total less than 18% of total revenue for the third consecutive year. Total revenue of \$76 million dollars represents a 21.3% increase over 2006, while operating expenses were up 20.9% to \$71 million.

This reflects the continued investment ICC has been putting into staff and infrastructure to support continued growth in member services, code adoption, code development activities, and product sales. Thank you for allowing me to serve as your Secretary/Treasurer and I look forward to continue to serve the organization in the years ahead.

**MINUTES OF 2008 ANNUAL BUSINESS MEETING OF THE ICC (cont.)**

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*September 16, 2008 • Minneapolis Convention Center • Minneapolis, MN*

A motion was made and seconded to accept the Secretary/Treasurer's report.

President Shapiro called on CEO Richard P. Weiland to provide the CEO's Report. CEO Weiland addressed the membership.

President Shapiro called on John Nosse, President of ICC Evaluation Service. Mr. Nosse provided a report on ICC-ES.

President Shapiro called on Chuck Ramani, President of International Accreditation Service. Mr. Ramani provided a report on IAS.

President Shapiro provided the President's Report. A motion was made and seconded to accept the President's Report.

President Shapiro reviewed the proposed bylaws amendments presented by the Governance Review Ad Hoc Committee. President Shapiro called on Wally Bailey as Chair of the Governance Review Ad Hoc Committee, to comment on the proposed amendments. The following amendments as printed in the Annual Report were presented to the membership:

Amendment 1-2008: A motion was made and seconded to approve the amendment. The motion passed.

Amendment 4-2007: A motion was made and seconded to take Amendment 4-2007 off of the table. The motion passed. A motion was made and seconded to approve the amendment. The motion failed.

Amendment 2-2008: A motion was made and seconded to disapprove the amendment. The motion passed.

President Shapiro called on Director James Brothers, Chair of the Resolutions Committee, to provide a report on the Committee. Director Brothers thanked the members of the Resolutions Committee for their work.

Director Brothers read Resolution 2008-1.

A motion was made and seconded to approve the resolution. The motion was passed.

Director Brothers read Resolution 2008-2.

A motion was made and seconded to approve the resolution. The motion was passed.

Director Brothers read Resolution 2008-3.

A motion was made and seconded to approve the resolution. The motion was passed.

Director Brothers read Resolution 2008-4.

A motion was made and seconded to approve the resolution. The motion was passed.

Director Brothers read Resolution 2008-5.

A motion was made and seconded to approve the resolution. The motion was passed.

(continued)

## MINUTES OF 2008 ANNUAL BUSINESS MEETING OF THE ICC (cont.)

September 16, 2008 • Minneapolis Convention Center • Minneapolis, MN

### The Honorary Membership

President Shapiro called on Director Terrence Cobb, Chair of the Honorary Membership Committee, to deliver the report of the committee. The Committee recommended the following individuals:

1. Edwin Berkel      2. Wayne Jewell      3. Charlie Peebles      4. Lee Wheeler      5. James Lee Witt

A motion was made and seconded to approve the recommendations of the Committee. The motion was passed.

### Election of Officers and Directors

#### First Election

President Shapiro announced the nomination of Adolf Zubia as President for a one-year term. He then made a request for nominations from the floor. There were no additional nominations. There was a motion to close the nominations and the motion was seconded and passed unanimously.

#### Second Election

President Shapiro announced the nomination of Ronald Lynn as Vice President for a one-year term. He then made a request for nominations from the floor. There were no additional nominations. There was a motion to close the nominations and the motion was seconded and passed unanimously.

#### Third Election

President Shapiro announced the nomination of James L. Brothers as Secretary/Treasurer for a one-year term. He then made a request for nominations from the floor. The name of Gerald George was properly entered into nomination. There were no additional nominations. Both candidates were invited to address the assembly for a limited amount of time. President Shapiro asked for the assistance of Tally Judges during the electronic voting process. After electronic voting closed, the President announced the election of James L. Brothers.

#### Fourth Election

President Shapiro announced the nomination of John Darnall for a three-year director term. He then made a request for nominations from the floor. The name of Rick Helsingher was properly entered into nomination. The name of Robert Loeper was properly entered into nomination. All candidates were invited to address the assembly for a limited amount of time. After electronic voting closed, the President announced the election of John Darnall.

#### Fifth Election

President Shapiro announced the nomination of Patrick Parsley for a three-year director term. He then made a request for nominations from the floor. There were no additional nominations. There was a motion to close the nominations and the motion was seconded and passed unanimously.

#### Sixth Election

President Shapiro announced the nomination of Ravi Shah for a three-year director term. He then made a request for nominations from the floor. There were no additional nominations. There was a motion to close the nominations and the motion was seconded and passed unanimously.

#### Seventh Election

President Shapiro announced the nomination of John LaTorra for a three-year director term. He then made a request for nominations from the floor. There were no additional nominations. There was a motion to close the nominations and the motion was seconded and passed unanimously.

#### Eighth Election

President Shapiro announced the nomination of Cindy Davis for a three-year director term. He then made a request for nominations from the floor. The name of Larry Rude was properly entered into nomination. The name Walter Simmons was properly entered into nomination. All candidates were invited to address the assembly for a limited amount of time. After electronic voting closed, no candidate had received a majority. A runoff election was held between Cindy Davis and Larry Rude. After electronic voting closed, the President announced the election of Cindy Davis.

The meeting was adjourned.

**PROPOSED BYLAW CHANGES**

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## 2009 PROPOSED BYLAW CHANGES

*ByLaws for the International Code Council, Inc. A California Nonprofit Public Benefit Corporation*

The Board of Directors voted to forward proposed Bylaw changes to Articles II, X and XVIII to a full vote of the membership commencing with the Annual Business Meeting in Baltimore, Maryland, on November 3, 2009. The proposed changes include language regarding Governmental Members and their Voting Privileges as follows:

### **Amendment 1-2009**

**Proposed by Board of Directors**

#### **ARTICLE II — MEMBERSHIP**

**2.1 Categories of Membership** - The Council shall have the following categories of voting membership:

**2.1.1 Governmental Member** - A Governmental Member shall be a governmental unit, department or agency engaged in the administration, formulation or enforcement of laws, ordinances, rules or regulations directly relating to the public health, safety and welfare in the built environment. The Chief Administrative Authority of eachEach Governmental Member shall designate, in writing, Voting Representatives as specified in Table 2.1.1. The Chief Administrative Authority of the Governmental Member shall be permitted to change the designation of Voting Representatives in accordance with ICC policies.

**Table 2.1.1.1**

<u>Population</u>	<u>Voting Representatives</u>
0-50,000	4
50,001-150,000	8
Over 150,000	12

**2.1.1.1 Governmental Member Designee** - A Governmental Member shall designate an individual its Primary Representative who shallwill receive benefits of membership, other than voting privileges, in the Council on behalf of the Governmental Member as determined by the Board of Directors. from time to time.

**2.1.1.2 Governmental Member Voting Representatives** - Each Governmental Member Voting Representative shall exercise voting privileges of the Governmental Member for:

- (a) Election of Directors in accordance with Article V and Election of Officers in accordance with Article VI;
- (b) Amendments to the Bylaws and other business of the Council that is transacted at the Annual Business Meeting or Special Meetings conducted in accordance with Article IX;
- (c) Code changes and other actions transacted at public hearings of the Code Development Process in accordance with Article X; and
- (d) Ratification of amendments to the Bylaws and other business of the Council that is submitted to the Governmental Member for ratification by written or electronic ballot.

**2.1.1.3 Governmental Member Voting Representative Qualifications** - Individuals designated to serve as the Voting Representatives of a Governmental Member shall meet the following qualifications:

- (a) Shall be employed, contracted by, or serve as an appointed or elected public official of the Governmental Member; and
- (b) Shall be actively engaged, either full or part time, in the administration, formulation or enforcement of laws, ordinances, rules or regulations directly relating to the built environment.

For the purposes of this section, service on local, state or federal boards of appeals, zoning or planning commissions, advisory committees, and similar bodies shall not by itself qualify an individual to serve as a Voting Representative of a Governmental Member.

its right to vote through its designated Governmental Member Voting Representatives, and shall be entitled to the number of Governmental Member Voting Representatives as specified in Table 2.1.1.1. Governmental Member Voting Representatives shall be designated in writing, by the Governmental Member, and shall be employees or officials of the Governmental Member or departments of the Governmental Member, provided that each of the designated voting representatives shall be an employee or a public official actively engaged either full or part time, in the administration, formulation or enforcement of laws, ordinances, rules or regulations relating to the public health, safety and welfare. The designation of a Governmental Member Voting Representative may be changed by the Governmental Member, in writing, from time to time.

**Table 2.1.1.1**

Population	Voting Representatives
0-50,000	4
50,001-150,000	8
Over 150,000	12

**2.1.2 Honorary Member** - An individual who has rendered outstanding service to the Council, and whose name shall be proposed by the Board of Directors and confirmed by a majority vote of the Governmental Member Representatives at an Annual Business Meeting.

**2.1.3 Non-voting categories:** The Board of Directors shall establish the non-voting categories of membership as may be necessary for the adequate representation of all parties interested in association with the International Code Council. Non-voting categories shall provide for membership of individuals and corporate entities and shall include, but not necessarily be limited to, employees of governmental units, design professionals, corporations, educational institutions, not-for-profit associations, and other individuals interested in the purposes and objectives of the Council.

**2.2 Classification by the Board of Directors** - All applications for membership shall be subject to classification by and approval of the Board of Directors. Applicants shall be eligible for membership on approval of the membership application by the Board and on timely payment of such dues and fees as the Board may fix from time to time. This authority may be delegated by the Board of Directors to the Chief Executive Officer.

**2.3 Dues** - The annual dues for each membership category shall be established by the Board of Directors. In no case shall a person be considered in good standing, or be qualified to exercise membership participation or entitled to receive any privilege of membership, who is default in payment of dues for three months, except as may be extended by the Board of Directors.

**2.4 Termination** - A membership in the Council shall terminate on occurrence of any of the following events:

- (a) Resignation of the member;
- (b) Expiration of the period of membership, unless the membership is renewed on the renewal terms fixed by the Board;
- (c) The member's failure to pay dues, fees or assessments, as set forth by the Board, after they are due and payable;
- (d) Any event that renders the member ineligible for membership, or failure to satisfy membership qualifications.

**2.5 Nonliability of Members** - A member of the Corporation shall not be personally liable, solely because of membership, for the debts, obligations, or liabilities of the Corporation.

## ARTICLE X — CODE DEVELOPMENT PROCESS

The Board of Directors shall adopt a policy, which may be amended from time to time, on the Code Development Process for the International Codes®. The Board of Directors shall have the authority to amend the policy, and to take action that it deems necessary in order to protect the integrity of the Code Development Process.

## ARTICLE XVIII — AMENDMENTS TO BYLAWS

**18.1 Proposals** - Proposed amendments to these Bylaws, to be considered at an Annual Business Meeting, shall be signed by at least ten Governmental Member Representatives and shall be presented to the Board of Directors at least 90 days prior to the opening of an Annual Business Meeting or must be proposed through resolution of at least ten of the members of the Board of Directors at least 90 days prior to the opening of an Annual Business Meeting.

(continued)

**18.2 Notice of Actions** - The Board of Directors shall cause proposed amendments to the Bylaws to be printed in the Annual Business Meeting notice and shall present its recommendations, if any, at the Annual Business Meeting. These proposed amendments may be discussed and amended at the Annual Business Meeting, and if passed by a two-thirds vote of those Governmental Member Voting Representatives present and voting, shall be sent by letter ballot, as amended on the floor, to all Governmental Member Representatives of the Council for ratification. To be considered, the ballots submitted by the Governmental Member Representatives shall be received within 30 days of distribution. A two-thirds majority of the ballots submitted by Governmental Member Voting Representatives voting is required for adoption. The returns shall be certified by the President if the necessary majority for adoption approval is received.

**18.3 Effective Date** - The approved amendments become effective ten days thereafter unless otherwise provided in the amendment.

### **Amendments Proposed by Governmental Member Representatives**

In accordance with Article XVIII, ss. 18.1, the following proposed amendments to the Bylaws of the corporation have been signed by at least ten Governmental Member Representatives and presented to the Board of Directors at least 90 days prior to the opening of an Annual Business Meeting. **In accordance with the Bylaws, the Board will present to the membership at the Annual Business Meeting its recommendation, if any, on these proposed amendments.**

#### **Amendment 2-2009**

Proposed by Governmental Member Representatives

### **ARTICLE IV—GEOGRAPHICAL REPRESENTATION**

**4.1 Limitations:** To encourage wide geographical representation, no more than two Governmental Member Representatives designated by Governmental Members located in the same state may serve simultaneously on any one committee nor may more than two Governmental Members Representatives designated by Governmental Members located in the same state serve simultaneously on the Board of Directors.

**4.2 Distribution:** To provide for geographical representation on the Board of Directors, the following sections are established:

Section A Alaska, British Columbia, Washington, Oregon, California, Nevada Hawaii

Section B Idaho, Montana, Wyoming, North Dakota, South Dakota, Minnesota, Iowa, Wisconsin, Alberta, Saskatchewan, Manitoba

Section C Utah, Arizona, Colorado, New Mexico, Oklahoma, Texas, Arkansas, Mexico

Section D Nebraska, Kansas, Missouri, Illinois, Michigan, Indiana, Ohio, Kentucky, Ontario

Section E Maine, Vermont, New Hampshire, New York, Massachusetts, Connecticut, Rhode Island, Pennsylvania, New Jersey, Delaware, Maryland, West Virginia, Virginia, Washington, D.C., Quebec, New Brunswick, Nova Scotia, Prince Edward Island, Newfoundland

Section F Tennessee, Louisiana, Mississippi, Alabama, North Carolina, South Carolina, Georgia, Florida, the Caribbean

**4.3 Transition:** The seat of the most senior Director-at-Large within a Section, as provided in Table 4.2, shall be designated as the Section seat, at the end of the term of such Director-at-Large, which is currently anticipated to occur as follows:

Sections C & F 2010

Sections B & D 2009

Sections A & E 2011

In the event the term of a senior Director-at-Large does not end in the applicable year set forth by Table 4.3, the designation of an open seat for the applicable Section shall be determined by the Board of Directors. This Section 4.3 shall sunset on January 1, 2012, and shall editorially be deleted from the Bylaws.

## ARTICLE IV — LIMITATION BY GEOGRAPHICAL REPRESENTATION

To encourage wide geographical representation, no more than two Governmental Member Representatives designated by Governmental Members located in the same state may serve simultaneously on any one committee nor may more than two Governmental Member Representatives designated by Governmental Members located in the same state serve simultaneously on the Board of Directors.

## ARTICLE V — BOARD OF DIRECTORS

5.1 Governing Body – Subject to the limitations of the Articles of Incorporation, these Bylaws and the laws of the State of California, all corporate powers shall be exercised by the Board of Directors. The Board of Directors shall be composed of the following: President, Vice-President, Secretary/Treasurer, the most Immediate Past President eligible; eight (8) Directors-at-Large; and six (6) Directors, one elected from each Section ("Sectional Directors"). Each member of the Board of Directors shall be a Governmental Member Representative. All members of the Board of Directors, except as provided in the Bylaws, shall be elected for a term of three years, and shall not serve for more than two consecutive full terms. However, nothing in this section shall preclude a Director initially appointed to a one or two year term, or appointed or elected to fill an unexpired term, from being elected to two subsequent full term(s). Each Sectional Director shall be and remain, throughout his or her term, a Governmental Member Representative for a Governmental Member within the applicable Section.

Rev 01-2009 4

Directors, except as provided in the Bylaws, shall be elected for a term of three years, and shall not serve for more than two consecutive full terms. However, nothing in this section shall preclude a Director initially appointed to a one or two year term, or appointed or elected to fill an unexpired term, from being elected to two subsequent full term(s). Each Sectional Director shall be and remain, throughout his or her term, a Governmental Member Representative for a Governmental Member within the applicable Section.

## ARTICLE V - BOARD OF DIRECTORS

5.1 Governing Body - Subject to the limitations of the Articles of Incorporation, these Bylaws and the laws of the State of California, all corporate powers shall be exercised by the Board of Directors. The Board of Directors shall be composed of the following: President, Vice President, Secretary/Treasurer, the most Immediate Past President eligible, and 14 Directors-at-Large. Each member of the Board of Directors shall be a Governmental Member Representative; Directors-at-Large shall be elected for a term of three years, and shall not serve for more than two consecutive full terms. However, nothing in this section shall preclude a Director initially appointed to a one- or two-year term, or appointed or elected to fill an unexpired term, from being elected to two subsequent full term(s).

5.1.1 Any Section seats previously designated based upon geographic representation shall revert to and shall be designated as Director-at-Large seats for the entire term, and the individuals elected to said Section seats shall fulfill their terms as Directors-at-Large. Except for officers, all subsequent elections for members of the Board of Directors shall be for Director-at-Large seats.

This Subsection 5.1.1 shall sunset upon the expiration of the 3- year term of office for those initially elected to a Sectional seat and shall editorially be deleted from the Bylaws.

### Amendment 3-2009

#### Proposed by Governmental Member Representatives

5.4.1 Voting – Each Voting Member present at the Annual Business Meeting shall be allowed the same number of votes as there are full term open seats to be filled on the Board of Directors. Only one vote per candidate may be cast by a Voting Member who is present.

5.4.1.1 Full-term Open Board Seats. The candidate(s) receiving the highest number of votes and a majority vote count of the ballots cast (50% plus one) for the respective number of full- term open Board seats, shall be declared the winner(s) of the election. If the election results in fewer than the number of open Board seats being filled due to the candidate's failure to obtain a majority vote of the ballots cast, the remaining open seat(s) shall be filled by runoff elections between the remaining candidates. The balloting for such a runoff election shall be conducted individually for each remaining open seat, with each Voting Member present allowed one vote for each such seat. In the event that this does not result in the election of a full-term Board Member by a majority vote, a final runoff election for each remaining full-term open Board seat shall be conducted between the two candidates receiving the two (2) highest vote counts from the first runoff elections.

5.4.1.2 Vacant (Unexpired) Board Seats. In the event that one or more vacant Board seats exist for an unexpired term, an election for the remainder of the unexpired term shall be conducted between the remaining candidates who were not elected to a full-term Board seat. The voting procedures shall be the same as indicated in 5.4.1.1. In the case where more than one vacant Board seat for an unexpired term exists, each such seat shall be voted upon individually with each Voting Member present allowed one vote for each unexpired Board seat.

PROPOSED MEMBER RESOLUTIONS

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## PROPOSED MEMBER RESOLUTIONS

### **RESOLUTION 2009-1 of the ANNUAL MEETING OF THE MEMBERS concerning the CONFERENCE SITE**

**WHEREAS**, the members of International Code Council, Inc., did assemble at ICC's 7th Annual Conference in Baltimore, Maryland, on November 1-4, 2009; and

**WHEREAS**, the Annual Conference provides a generous opportunity for code development, education, communication and enjoyment; and

**WHEREAS**, ICC Region VII and the State of Maryland did extend the hand of friendship and hospitality to all those in attendance; and

**WHEREAS**, ICC Region VII planned and hosted many activities for the membership's enjoyment; now, therefore,

**BE IT RESOLVED**, that those members here assembled on November 3, 2009, at the ICC Annual Business Meeting, do hereby express their sincere thanks and appreciation to Region VII and the citizens of the State of Maryland for their warm greeting and hospitality.

### **RESOLUTION 2009-2 of the ANNUAL MEETING OF THE MEMBERS concerning DECEASED MEMBERS**

**WHEREAS**, the members of International Code Council, Inc., did assemble at ICC's 7th Annual Conference in Baltimore, Maryland, on November 1-4, 2009; and

**WHEREAS**, those members here assembled on November 3rd, 2009, at the Council's Annual Business Meeting, do hereby pay tribute to the memory of following departed members and colleagues:

**Donna Boardman**  
Sandwich, Massachusetts

**Jeff DeBoer**  
Orlando, Florida

**John B. Ferguson**  
Clarksburg, Maryland

**Donald Gallamore**  
State of Illinois

**Jerry L. Gamble**  
Wichita Falls, Texas

**Doug Jefferys**  
Abington, Massachusetts

**Chris Larlee**  
Liberty Hill, Texas

**Robert E. Little**  
Whittier, California

**Donald Marhofer**  
Westland, Michigan

**James Monihan**  
National Volunteer Fire Council

**Timothy S. Owens**  
Santa Clara, California

**George Rogers**  
Pensacola, Florida

**Donald Sharkey**  
East Hampton, New York

**Douglas C. Staley**  
New York State Association of Fire Chiefs

**Don Stangel**  
Boulder County, Colorado

**Robert Thompson**  
State of New York

**Ronald Trick**  
Dublin, Ohio

**Pete Tucker**  
Deltona, Florida

**WHEREAS**, these members and colleagues had long and successful careers; and

**WHEREAS**, by their loyal devotion to duty and faithful discharge of their responsibilities added prestige to their association, community, and life; now, therefore,

**BE IT RESOLVED**, that we extend our most sincere sympathy to the friends and members of their families. May they find consolation in their time of sorrow and may these words of appreciation and high regard be of solace to them now and in the years to come.

### **RESOLUTION 2009-3 of the ANNUAL MEETING OF THE MEMBERS concerning the STANDING COMMITTEES & the ANNUAL CONFERENCE COMMITTEE**

**WHEREAS**, the members of International Code Council, Inc., did assemble at ICC's 7th Annual Conference in Baltimore, Maryland, on November 1-4, 2009; and

**WHEREAS**, the International Code Council could not fulfill its mission without the assistance of its member volunteers; and

**WHEREAS**, throughout the year, scores of volunteers have contributed their time and knowledge to the standing committees established to carry out the work of this organization; and

(continued)

**WHEREAS** the International Code Council could not convene this Annual Conference without the guidance and planning efforts of the annual conference committee; now, therefore,

**BE IT RESOLVED**, that those members here assembled on November 3, 2009, at the Council's Annual Business Meeting, do hereby express their sincere thanks and appreciation to the members of the standing committees in Certification and Testing, Code Development, Government Relations, Training and Education and Technical Services; and

**BE IT FURTHER RESOLVED**, that those members here assembled on November 3, 2009, at the Annual Business Meeting, do hereby express their sincere thanks and appreciation to the members of the Annual Conference committee without whom this conference would not have been a success.

#### **RESOLUTION 2009-4 of the ANNUAL MEETING OF THE MEMBERS concerning the IMMEDIATE PAST PRESIDENT**

**WHEREAS**, the members of International Code Council, Inc., did assemble at ICC's 7th Annual Conference in Baltimore, Maryland, on November 1-4, 2009; and

**WHEREAS**, the International Code Council succeeds due to the leadership of its elected Officers and Directors; and

**WHEREAS**, the role of Immediate Past President is reserved for those Board members who have given their personal and professional time over the course of many years in the interest of serving the organization; and

**WHEREAS**, serving as Immediate Past President represents the culmination of successful service to the Board and the Members which few achieve; now, therefore,

**BE IT RESOLVED**, that those members here assembled on November 3, 2009, at the Council's Annual Business Meeting, do hereby express their sincere gratitude and appreciation to Immediate Past President Steven Shapiro for his dedicated service to the members of the International Code Council during his years of service on the Board of Directors.

#### **RESOLUTION 2009-5 of the ANNUAL MEETING OF THE MEMBERS concerning RETIRED MEMBERS**

**WHEREAS**, the members of International Code Council, Inc., did assemble at ICC's 7th Annual Conference in Baltimore, Maryland, on November 1-4, 2009; and

**WHEREAS**, throughout the year there have been members in all categories who have concluded careers in code enforcement and the construction professions and have retired; and

**WHEREAS**, those members have had long and illustrious careers and the respect of their peers; and

**WHEREAS**, their devotion to duty and faithful discharge of their professional responsibilities have added prestige to their association and community; now, therefore,

**BE IT RESOLVED**, that those members here assembled on November 3, 2009, at the Council's Annual Business Meeting, do hereby pay tribute to those members recently retired; and

**BE IT FURTHER RESOLVED**, that we extend our most sincere appreciation to them for their contributions to the safety and security of the public in the built environment.

#### **RESOLUTION 2009-6 of the ANNUAL MEETING OF THE MEMBERS presented by THE BONNEVILLE CHAPTER concerning the ICC GOVERNMENTAL CONSENSUS PROCESS**

**WHEREAS**, the International Code Council is a member focused organization; and

**WHEREAS**, ICC members adopt the International Codes at the local, county, state and national level to protect their jurisdictions and the citizens they serve; and

**WHEREAS**, the quality of the construction and safety provisions that comprise the International Codes is a direct result of the code development process that is established in ICC Council Policy #CP 28-05 (ICC process); and

**WHEREAS**, the ICC family of codes is developed by this governmental voting process which considers the views from all who participate and is widely known as the Governmental Consensus Process; and

**WHEREAS**, the Governmental Consensus Process is publicized as open, balanced and fair, promulgating unbiased codes based upon merit rather than invested fortunes and interests that might enjoy fiduciary benefits from their outcome; and

**WHEREAS**, the Governmental Consensus Process is considered by the ICC membership and the ICC Board as one of the principles that defines the integrity of the International Code Council; and

**WHEREAS**, on Sunday, September 21, 2008, at the Final Action Hearing in Minneapolis, Minnesota, many alleged code officials arrived that previous night and early that morning uniting in a voting bloc that successfully approved the controversial RB64 and left the hearings almost immediately thereafter; and

**WHEREAS**, investigation and explanation into the allegations that some of those voters did not meet the qualifications for governmental membership pursuant to ICC Bylaws were not adequately or satisfactorily summarized and disclosed; and

**WHEREAS**, investigation and explanation into the allegations that some jurisdictions were allowed more voting representatives than allotted by their population pursuant to ICC Bylaws, additionally, were not transparent or adequately summarized and disclosed; and

**WHEREAS**, this unbalanced “stacking-the-deck” vote, which may have been exacerbated by the aforementioned allegations, demonstrates the integrity of the Governmental Consensus Process has been jeopardized; and

**WHEREAS**, the ICC Governmental Consensus Process may no longer be publicized as open, balanced and fair with this exposed imperfection; now, therefore,

**BE IT RESOLVED**, that in order to restore the integrity of the Governmental Consensus Process the members here assembled on November 3, 2009, at the Council’s Annual Business Meeting, do hereby direct the ICC Board to propose for a vote of the membership the necessary changes to the ICC Council Policy #CP 28-05 (ICC Process) or to the Bylaws that will ensure that an unbalanced “stacking-the-deck” vote will never reoccur. Recommendations for consideration by the Board should include, but not be limited to, the following:

- Limit the length of the ABM and code hearings. Consider an 8-10 day limit for the combined ABM and code hearing. Revisit the multi-track concept so more proposals can be heard without lengthening the hearings. Two or three tracks of hearings could be scheduled and overlapped at the same time. This will allow more code officials to participate in the voting process which will assure a more balanced process. Few jurisdictions are willing or able to fund a code official’s hotel and per diem for two full weeks.
- Consider grouping “like proposals” and hearing testimony one time from all interested parties on each group of proposals. Limit time of debate on “like proposals,” and dispense with each proposal separately. This would limit redundant testimony and speed up the process.
- Consider at the final action hearing to group controversial proposals at the beginning of the hearing, with both a time-certain and date-certain appointment for said items.
- Reduce the number of voting delegates awarded per population. Current numbers may be excessive and are seldom fully used except when an ABM is in close proximity. It has been demonstrated that these voting numbers can and have been abused in order to stack-the-deck for an unbalanced vote. Consider, also, that this “stacking-the-deck” strategy can potentially be used to influence bylaw changes or any conference business that is determined by a vote of the membership.
- Completely overhaul the appeals process for the final action hearings. Provide a method whereby a vote may be invalidated when there is sufficient evidence of voting improprieties or fraud. A substitute paper ballot should then be mailed to only ICC listed governmental code officials for a more objective re-vote. The current process obviously doesn’t work if voting improprieties were not discovered after the Minneapolis vote. It is common knowledge that special interest groups were offering funds for attendance and votes—on both sides of RB64.

**AND BE IT FURTHER RESOLVED**, the membership additionally directs the ICC Board to report to the membership in a transparent manner all discussions and decisions, both for and against, each recommendation or proposal and why any particular action was taken or denied by the Board. Such report shall be included during the ABM business meeting as a priority item on the agenda.

**ICC Resolutions Committee Recommendation:**

The Resolutions Committee recommends disapproval of the above resolution submitted by the Bonneville Chapter. The Resolutions Committee believes that the concerns regarding the code development process raised in the resolution are already being addressed by ICC. The Committee wishes to work with the Bonneville Chapter to discuss the Chapter’s concerns and the steps ICC is taking to address these issues. The Resolutions Committee will, as it deems necessary, present a detailed disapproval recommendation to the membership at the Annual Business Meeting.



## CP #19-03 Governing the Conduct of Elections

Approved: 1/17/04

Revised: 5/5/08

This policy outlines the procedures for the conduct of elections at the ICC Annual Business Meeting.

- 1.0 Eligible Voters:** Governmental Member Voting Representatives and Honorary Members in attendance at the Annual Business shall be eligible to vote on the elections, in accordance with ICC Bylaws. Only one vote is authorized for each eligible attendee. Application, whether new or updated, for ICC membership must be received by the Code Council ten days prior to the commencement of the Annual Business Meeting.
- 2.0 Nominating Committee Report:** When the agenda item concerning nominations for elections has been reached, the President shall call upon the Chair of the Nominating Committee for a report. The report of the Nominations Committee shall consist of one nominee for each vacant seat. The Chair of the Nominating Committee shall read the entire list of nominations.
- 3.0 Election & Floor Nominations:** The President shall then proceed to conduct the elections by calling to the floor the election of each individual seat being vacated, the corresponding Nominating Committee nomination and then call for nominations from the floor. Floor nominations shall only be made by member's in good standing eligible to vote in the election. Floor nominations shall be seconded by a member in good standing eligible to vote in the election. The President shall request nominations from the floor three times for the position under consideration until there are no more floor nominations. At this point, the nominations for that position shall be closed and the election shall proceed to the voting for that seat. On completion of the election for that seat, the President shall proceed with the nominations for the following seat.
- 4.0 Voice Vote:** If no nominations for an open seat are made from the floor, the President shall call for a voice vote for the seat under consideration. The President shall determine and declare the result of the election. When there is more than one nominee for a vacant seat, the election shall be by ballot vote.
- 5.0 Tally Judges:** If any open seat has more than one nominee a paper ballot is required. The President shall appoint Tally Judges in such a number as the President considers necessary, but shall in no case be less than three, to distribute, collect and count the ballots. Any nominee for a contested seat may request an observer to be present during the counting of the ballots.
- 6.0 Ballot:** The Secretary/Treasurer shall provide paper ballots in sufficient number to accommodate all voting members present. Alternatively, a sufficient number of electronic voting devices shall be provided to accommodate all voting members. In the event, the electronic devices are inoperable, the Secretary/Treasurer shall provide paper ballots as provided above. Each person qualifying as an eligible voting Governmental Member Representative or Honorary Members in accordance with the Bylaws shall be entitled to a single ballot and one vote, regardless of the number of Governmental Members a person represents. The Board shall establish procedures for the use of electronic devices to assure the security of the voting process.
- 7.0 Ballot Voting:** The President shall announce, prior to the distribution of the ballots, how the ballots should be marked including instructions on how members can write in their additional choice for the seat under consideration. A ballot shall contain only one vote for each seat vacant if it is to be counted.  
Prior to voting, all candidates nominated by the Nominating Committee or from the floor will be given the opportunity to speak and/or have others speak on their behalf.  
A voting member may write in the name of any person, who is qualified to be elected, for any seat whether or not the person has been duly nominated from the floor or by the committee. Only legible names shall be counted.
- 8.0 Ballot Distribution:** When the President has completed the instructions to the voting members, the Secretary/Treasurer shall give the ballots to the Tally Judges for distribution to the voting members. The President then will ask the voting members to record their votes on the ballots.

(continued)

**9.0 Ballot Collection:** After a reasonable time, the President will instruct the Tally Judges to collect the ballots from the voting members.

**10.0 Ballot Counting:** When the ballots have been collected, the President will instruct the Tally Judges to retire to a convenient place to count and record the ballots. One observer selected by each nominee may observe the Tally Judges during the counting of the ballots and the preparation of the return. An observer shall not, however, interfere with the Tally Judges in the performance of their duties. Any alleged irregularities in the ballot counting shall be brought to the attention of the President prior to the report of the Tally Judges being delivered to the President.

The Tally Judges shall count each ballot and shall prepare a report for the President which states the number of votes cast for each person. At the conclusion of the ABM, the Tally Judges shall deliver the ballots to the Chief Executive Officer, who shall preserve the same for a period of six months after the date of the election. After the expiration of such six-month period, the Chief Executive Officer shall destroy the ballots.

**11.0 Ballot Results:** Upon receipt of the report of results from Tally Judges, the President shall read the same and declare the results to the members. In the event of a tie vote, the President shall call for further voting by the voting members present with respect to the tied candidates. Such further voting may be by a show of hands or, at the request of any voting member, by written ballot. In the event that such further voting is done by written ballot, the procedure set forth above shall be followed. Upon the determination of the results of such further voting, the President shall declare the results thereof.

**12.0 Majority Vote:** In accordance with Section 5.4 of the ICC Bylaws, all Directors must be elected by a majority of the voting members present and voting. Accordingly, if the number of candidates does not exceed the number of open seats, the election shall be conducted in accordance with section 3.0 of this policy and the candidates shall be deemed to have received a majority vote.

**13.0 Failure to achieve a majority:** During an election to fill an open Board seat, should no candidate receive a majority vote (50% +1) a run-off election shall be held. The candidates standing for the run-off election shall be the two candidates with the highest number of the votes received during the initial ballot.

#### **14.0 Advertising:**

14.1 Objective: To avoid the appearance that the ICC favors the candidacy of any individual member over that of any other member candidate.

14.2. Campaign advertising in ICC materials shall comply with this section.

(a) Campaign advertising for positions on the Board of Directors is prohibited in ICC print and electronic periodicals and other Annual Business Meeting materials produced by ICC.

(b) Board candidate advertising is permitted in the Chapter Resource Guide. (*This is not technically an ICC Periodical. It is a product of the Conference Host Chapter. A disclaimer indicating that should be included in the publication if it will continue to accept that Board candidate advertising is permissible in the Chapter Resource Guide.*)

14.3 Annual Business Meeting sponsorships shall not be sold for the purpose of advocating Board candidacies.



Revised January 2009

## **ARTICLE I—NAME AND OBJECTIVES**

**1.1 Name** - This organization shall be known as the International Code Council, Inc., hereinafter in these Bylaws referred to as the "Council" or the "Corporation."

**1.2 General Purposes** - The Council is a nonprofit public benefit corporation and is not organized for the private gain of any person. The Corporation is organized exclusively as an organization described in Section 501(c)(6) of the Internal Revenue Code of 1986, as amended, or the corresponding provision in any future United States internal revenue law (the "Code"). Notwithstanding any other provision herein, the Corporation shall not engage in a regular business activity of a kind ordinarily carried on for profit and shall not carry on any other activity not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(6) of the Code. It is organized under the Nonprofit Public Benefit Corporation Law for public and charitable purposes. Such purposes specifically include:

With respect to buildings and structures: (a) the lessening of burdens of government through the development, maintenance and publication of model statutes and standards for the use by federal, state and local governments in connection with the administration of building laws and regulations, and (b) the lessening of the burdens of government through the performance of certain services for the benefit of federal, state and local governments in connection with the administration of building law and regulation.

**1.3 Principal Office** - The Corporation shall have and continuously maintain a registered office in the State of California and a registered agent whose principal business office is identical with such registered office.

## **ARTICLE II—MEMBERSHIP**

**2.1 Categories of Membership** - The Council shall have the following categories of voting membership:

**2.1.1 Governmental Member** - A Governmental Member shall be a governmental unit, department or agency engaged in the administration, formulation or enforcement of laws, ordinances, rules or regulations relating to the public health, safety and welfare. Each Governmental Member shall designate its Primary Representative who will receive benefits of membership in the Council on behalf of the Governmental Member as determined by the Board of Directors from time to time.

<b>Table 2.1.1.1</b>	
Population	Voting Representatives
0-50,000	4
50,001-150,000	8
Over 150,000	12

**2.1.1.1 Governmental Member Voting Representatives** - Each Governmental Member shall exercise its right to vote through its designated Governmental Member Voting Representatives, and shall be entitled to the number of Governmental Member Voting Representatives as specified in Table 2.1.1.1. Governmental Member Voting Representatives shall be designated in writing, by the Governmental Member, and shall be employees or officials of the Governmental Member or departments of the Governmental Member, provided that each of the designated voting representatives shall be an employee or a public official actively engaged either full or part time, in the administration, formulation or enforcement of laws, ordinances, rules or regulations relating to the public health, safety and welfare. The designation of a Governmental Member Voting Representative may be changed by the Governmental Member, in writing, from time to time.

**2.1.2 Honorary Member** - An individual who has rendered outstanding service to the Council, and whose name shall be proposed by the Board of Directors and confirmed by a majority vote of the Governmental Member Representatives at an Annual Business Meeting.

**2.1.3 Non-voting categories** - The Board of Directors shall establish the non-voting categories of membership as may be necessary for the adequate representation of all parties interested in association with the International Code Council. Non-voting categories shall provide for membership of individuals and corporate entities and shall include, but not necessarily be limited to, employees of governmental units, design professionals, corporations, educational institutions, not-for-profit associations, and other individuals interested in the purposes and objectives of the Council.

(continued)

**2.2 Classification by the Board of Directors** - All applications for membership shall be subject to classification by and approval of the Board of Directors. Applicants shall be eligible for membership on approval of the membership application by the Board and on timely payment of such dues and fees as the Board may fix from time to time. This authority may be delegated by the Board of Directors to the Chief Executive Officer.

**2.3 Dues** - The annual dues for each membership category shall be established by the Board of Directors. In no case shall a person be considered in good standing, or be qualified to exercise membership participation or entitled to receive any privilege of membership, who is default in payment of dues for three months, except as may be extended by the Board of Directors.

**2.4 Termination** - A membership in the Council shall terminate on occurrence of any of the following events:

- (a) Resignation of the member;
- (b) Expiration of the period of membership, unless the membership is renewed on the renewal terms fixed by the Board;
- (c) The member's failure to pay dues, fees or assessments, as set forth by the Board, after they are due and payable;
- (d) Any event that renders the member ineligible for membership, or failure to satisfy membership qualifications.

**2.5 Nonliability of Members** - A member of the Corporation shall not be personally liable, solely because of membership, for the debts, obligations, or liabilities of the Corporation.

### ARTICLE III—VOTING MEMBERS

Only Governmental Member Representatives and Honorary Members shall have the right to vote on any matters under these Bylaws, including but not limited to, the right exercised through those individuals eligible to vote for the election of a Director or Directors, or on a disposition of all or substantially all of the assets, or on a dissolution, or on any changes to the Articles of Incorporation or the Bylaws. Only the Governmental Member Representatives and Honorary Members shall be permitted to make motions and to vote on any issue at the Annual Business Meeting, special meetings and written consents. Voting by proxy is not permitted. Any person designated as a voting representative of more than one Governmental Member or who is also an Honorary Member shall be entitled to only one vote.

### ARTICLE IV—GEOGRAPHICAL REPRESENTATION

**4.1 Limitations** - To encourage wide geographical representation, no more than two Governmental Member Representatives designated by Governmental Members located in the same state may serve simultaneously on any one committee nor may more than two Governmental Member Representatives designated by Governmental Members located in the same state serve simultaneously on the Board of Directors.

**4.2 Distribution** - To provide for geographical representation on the Board of Directors, the following sections are established:

**Table 4.2**

Section A	Alaska, British Columbia, Washington, Oregon, California, Nevada, Hawaii
Section B	Idaho, Montana, Wyoming, North Dakota, South Dakota, Minnesota, Iowa, Wisconsin, Alberta, Saskatchewan, Manitoba
Section C	Utah, Arizona, Colorado, New Mexico, Oklahoma, Texas, Arkansas, Mexico
Section D	Nebraska, Kansas, Missouri, Illinois, Michigan, Indiana, Ohio, Kentucky, Ontario
Section E	Maine, Vermont, New Hampshire, New York, Massachusetts, Connecticut, Rhode Island, Pennsylvania, New Jersey, Delaware, Maryland, West Virginia, Virginia, Washington, D.C., Quebec, New Brunswick, Nova Scotia, Prince Edward Island, Newfoundland
Section F	Tennessee, Louisiana, Mississippi, Alabama, North Carolina, South Carolina, Georgia, Florida, the Caribbean

**4.3 Transition** - The seat of the most senior Director-at-Large within a Section, as provided in Table 4.2, shall be designated as the Section seat, at the end of the term of such Director-at-Large, which is currently anticipated to occur as follows:

In the event the term of a senior Director-at-Large does not end in the applicable year set forth by Table 4.3, the designation of an open seat for the applicable Section shall be determined by the Board of Directors. This Section 4.3 shall sunset on January 1, 2012, and shall editorially be deleted from the Bylaws.

## ARTICLE V—BOARD OF DIRECTORS

<b>Table 4.3</b>	
Sections C & F	2010
Sections B & D	2009
Sections A & E	2011

**5.1 Governing Body** - Subject to the limitations of the Articles of Incorporation, these Bylaws and the laws of the State of California, all corporate powers shall be exercised by the Board of Directors. The Board of Directors shall be composed of the following: President, Vice President, Secretary/Treasurer, the most Immediate Past President eligible; eight (8) Directors-at-Large, and six (6) Directors, one elected from each Section ("Sectional Directors"). Each member of the Board of Directors shall be a Governmental Member Representative. All members of the Board of Directors, except as provided in the Bylaws, shall be elected for a term of three years, and shall not serve for more than two consecutive full terms. However, nothing in this section shall preclude a Director initially appointed to a one or two-year term, or appointed or elected to fill an unexpired term, from being elected to two subsequent full term(s). Each Sectional Director shall be and remain, throughout his or her term, a Governmental Member Representative for a Governmental Member within the applicable Section.

**5.2 Resignation, Disqualification and Vacancies** - If the office of any director becomes vacant by reason of death, resignation, disqualification, removal or other cause, the president (or in the case the office of president is vacant, the vice-president) shall appoint a successor for the unexpired term and until his or her successor is elected and qualified at the next Annual Business Meeting, subject to the ratification of the Board of Directors. Any director, who ceases to be a designated Governmental Member Representative, for a period exceeding 60 days, shall automatically forfeit his or her position as a director.

**5.2.1 Military Leave** - Board members called to and serving active military duty shall not thereby become disqualified as a member of the board.

**5.3 Removal of a Director** - Any Director may be removed from office upon the vote of two-thirds of the Voting Members present and voting at a meeting of the members, so long as the number of votes cast in favor of removal is at least two-thirds of those necessary for a quorum.

**5.4 Election** - Except as provided herein, the Board of Directors shall establish policies governing the conduct of elections and copies thereof shall be provided to any member requesting a copy. At each Annual Business Meeting a majority of the Voting Members present and voting shall elect such number of directors as necessary to fill vacancies of directors whose terms expire as of such meeting.

**5.5 Quorum** - At all meetings of the Board of Directors, two thirds of the voting directors then in office shall constitute a quorum for transaction of business, and the act of a majority of the voting directors present at the meeting at which there is a quorum shall be the act of the Board of Directors, except as may be otherwise specifically provided by the law of the State of California or by the articles of incorporation. If a quorum shall not be present at any meeting of the Board of Directors, the directors present there at may adjourn the meeting from time to time, without notice other than announcement at the meeting until a quorum shall be present.

**5.5.1 Written Action** - Unless otherwise restricted by the Articles of Incorporation or these Bylaws, any action required or permitted to be taken at any meeting of the Board of Directors may be taken without a meeting, if all voting members of the Board of Directors consent thereto in writing, and the writing or writings are filed with the minutes or proceedings of the Board of Directors.

(continued)

**5.5.2 Participation in Meetings by Conference Telephone** - Members of the Board of Directors may participate in a meeting through use of conference telephone, electronic video screen communication, or other communication equipment if all of the following apply: (1) each director participating in the meeting can communicate with all of the other directors concurrently, (2) each director is provided the means of participating in all matters before the Board of Directors, including the capacity to propose, or to interpose an objection, to a specific action to be taken by the corporation and (3) the corporation adopts and implements some means of verifying both that (i) a person participating in the meeting is a director or other persons entitled to participate in the Board of Directors meeting and (ii) all actions of, or votes by, the Board of Directors are taken or cast only by the directors and not by persons who are not directors.

## 5.6 Meetings of the Board of Directors –

**5.6.1 General** - The Annual Meeting of the Board of Directors shall be held in conjunction with the time and place of the Annual Business Meeting. The Board of Directors shall meet at such other times and in such places as it may determine, and otherwise upon the call of the President or of a majority of the Board of Directors. Motions and votes at such meetings shall be duly recorded.

**5.6.2 Organizational Meeting** - At the conclusion of the Annual Business Meeting, the Board of Directors shall hold an organizational meeting at which time it may transact any necessary business, including any appointments pertinent to the on-going business.

**5.6.3 Closed Meetings** - A meeting or portion of a meeting of the Board of Directors may be closed to persons not serving on the Board of Directors by a vote of the Board of Directors when matters that are sensitive to the purpose of the Council, including but not limited to budget, personnel, legal actions, and proprietary practices or materials are to be discussed. The Board of Directors may invite persons who are not members of the Board of Directors to attend portions, or all, of such closed meetings in an advisory capacity.

**5.7 Authority** - The Board of Directors may adopt any policy or procedure, or authorize any administrative action in the best interest of the Council and its membership.

**5.8 Emergency Actions** - In the event that the Board of Directors determines an emergency amendment to any International Code® or standard or supplements thereto is warranted, the same may be adopted by the Board of Directors. Such action shall require an affirmative vote of at least two-thirds of the Board of Directors. The membership shall be notified, within ten days after the Board of Directors' official action, of any emergency amendment. At the next Annual Business Meeting any emergency amendment shall be presented to the members for ratification by a majority of the Governmental Member Representatives present and voting.

## ARTICLE VI—OFFICERS

**6.1 Officers and Election** - Election of officers for the ensuing year shall be held at the Annual Business Meeting. The Officers of the Council shall consist of a President, Vice President, and Secretary/Treasurer (who shall be the chief financial officer of the Corporation), elected from the Board of Directors by the voting members present and voting at the Annual Business Meeting. At no time shall more than one Governmental Member Representative located in the same state serve as an Officer. Such Officers shall take office beginning at the conclusion of the Annual Business Meeting and shall serve until adjournment of the following Annual Business Meeting or until their successors are duly elected and qualified. Officers' tenure shall be limited to 1 single, full-year, term in each office.

**6.2 Duties of President** - The President shall preside at the Annual Business Meeting, special meetings of the members and at meetings of the Board of Directors. The President shall be a regular member and preside at meetings of the Executive Committee and shall be an ex officio nonvoting member of all other committees. The President shall have other such duties as are prescribed by the Board of Directors or these Bylaws. Officers shall not act in their official capacity by proxy.

**6.3 Duties of the Vice President** - The Vice President shall act and perform the duties of the President during the President's absence from any meetings of this Corporation or the Board of Directors, or by a vote of the Board of Directors in case of disability of the President, and shall assist the President in the conduct of the office of President. Officers shall not act in their official capacity by proxy.

**6.4 Duties of the Secretary/Treasurer** - The Secretary/Treasurer shall be responsible for keeping the minutes and records of meetings, maintaining correspondence, receiving and disbursing funds, supervising financial affairs, approving expenditures as provided by resolution of the Board of Directors, and generally performing such official duties of a Secretary/Treasurer of a corporation. The Board of Directors may designate the Chief Executive Officer as the official agent for all or portions of such duties. Officers shall not act in their official capacity by proxy.

**6.5 Resignation, Disqualification and Vacancies** - If the position of any officer becomes vacant by reason of death, resignation, disqualification, removal or other cause, the president (or in the case the office of president is vacant, the vice president) shall appoint a successor for the unexpired term and until his or her successor is elected and qualified at the next Annual Business Meeting, subject to the ratification of the Board of Directors. Any officer who ceases to be a member of the Board of Directors shall automatically forfeit his or her position as an officer.

## ARTICLE VII—EXECUTIVE COMMITTEE

**7.1 Executive Committee Members** - There shall be an Executive Committee of the Board of Directors. The members of the Executive committee shall be composed of the President, the Vice President, the Secretary/Treasurer and the Immediate Past President.

**7.2 Powers and Duties** - The Executive Committee shall have authority to act in such matters as are specifically delegated by the Board of Directors and take action on such matters delegated, as deemed prudent in furtherance of the general objectives of the Council. If an urgent situation arises and the President determines a matter requires immediate action or a timely decision, and it is not practical to convene a quorum of the Board of Directors, the Executive Committee shall have the authority to act on behalf of the Board unless otherwise specifically provided. The Executive Committee and the Chief Executive Officer shall meet as necessary, between meetings of the Board of Directors, at a date and place designated by the President. Actions of the Executive Committee shall be reported to the Board of Directors without delay.

## ARTICLE VIII—ADMINISTRATION

**8.1 Chief Executive Officer** - The Board of Directors shall appoint a Chief Executive Officer and such other officers as it shall designate, who shall serve at the pleasure of the Board. The Board of Directors shall fix the Chief Executive Officer's compensation. The Chief Executive Officer shall manage the affairs of the Council within the policies established by the Board of Directors and shall perform such other duties as may be assigned by the Board of Directors to the Chief Executive Officer. Neither the Chief Executive Officer nor any other officer appointed by the Board shall have a vote in the proceedings of this Council or of the Board of Directors.

## ARTICLE IX—MEETINGS OF THE MEMBERS

**9.1 Annual Business Meeting** - A regular meeting of the Governmental Member Representatives, herein referred to as the Annual Business Meeting, shall be held each calendar year at a time and place designated by the Board of Directors.

**9.1.1 Order of Business Meeting** - The items of business at the Annual Business Meeting shall include, but not be limited to, the following:

- |  |  |                                    |
|--|--|------------------------------------|
| 1. Call to order.                              | 2. Reading of Meeting Notice.          | 3. Determination of a quorum.      |
| 4. Approval of minutes of previous meeting(s). | 5. Announcement of the Officers-Elect. | 6. Election of Directors-at-Large. |
| 7. Treasurer's Report.                         | 8. Report of the President.            | 9. Unfinished business.            |
| 10. Resolutions.                               | 11. Adjournment.                       |                                    |

The order of business as announced at the meeting may be changed by a majority vote of the Governmental Member Representatives present and voting at the Annual Business Meeting.

**9.2 Special Meetings** - Special Meetings of the Governmental Member Representatives may be called at any time by the President with approval of two-thirds of the Board of Directors. The President shall call a special meeting upon the receipt of a valid petition, specifying purpose of the special meeting and bearing the names, titles, addresses, and signatures of five percent of the Governmental Member Representatives.

**9.3 Quorum** - A quorum for the transaction of business at any annual or special meeting shall consist of 100 Governmental Member Representatives.

**9.4 Meeting Notice** - A notice of the time and place of a special meeting shall be published not less than 60 days prior to the start of the special meeting. A notice of the time and place of the Annual Business Meeting shall be published not less than 60 days prior to the start of the Annual Business Meeting.

**9.5 Eligibility to Vote** - Governmental Member Representatives and Honorary Members (collectively, the “Voting Members”) in good standing under these Bylaws shall be entitled to vote at any meeting of Governmental Member Representatives. Each Governmental Member Representative and Honorary Member entitled to vote may cast one vote on each matter submitted to a vote of the Governmental Member Representatives. Any person designated as a Governmental Member Representative of more than one Governmental Member or who is also an Honorary Member shall be entitled to only one vote.

## ARTICLE X—CODE DEVELOPMENT PROCESS

The Board of Directors shall adopt a policy, which may be amended from time to time, on the Code Development Process for the International Codes®.

## ARTICLE XI—COMMITTEES

**11.1 Committees, Councils** - The Board of Directors may establish committees and councils as it shall deem advisable. The President shall, with the concurrence of the Board, appoint or replace all members of committees and councils not otherwise specifically provided for herein.

**11.2 Board Authority** - Any member of any committee or council may be removed by the Board at any time, subject to the limitations of the laws of the State of California, and subject to any limitations of the Articles of Incorporation or Bylaws regarding actions which require approval of the Governmental Member Representatives and Honorary Members. Each committee or council shall be under the direction of the Board and shall have such authority as shall be delegated and prescribed by the Board.

**11.3 Nominating Committee** - There shall be a Nominating Committee chaired by the Immediate Past President and consisting of Governmental Member Representatives and/or Honorary Members having a reasonably distributed geographical representation. The Board of Directors shall establish policies governing the Nominating Committee and the conduct of elections. The Nominating Committee, excluding the Chairperson, shall have no more than one Governmental Member Representative or Honorary Member from any one state.

**11.4 Meetings of Committees** - Except as otherwise provided by these Bylaws, committees and councils shall comply with the policies established by the Board of Directors.

## ARTICLE XII—CHAPTERS

**12.1 Organization** - The Council shall encourage and recognize the establishment of regional, state, student, professional, local area and International chapter organizations of its members, the purpose of which shall be the furtherance of the objectives of the Council. Applications for the establishment of a chapter, together with a copy of the proposed chapter bylaws and a list of those who have agreed to become members of the chapter, shall be submitted to the Board of Directors for approval. The chapter shall be established upon approval by the Board of Directors.

**12.2 Management** - All chapters shall be managed in accordance with policies established by the Board of Directors.

## ARTICLE XIII—AUDITING AND REPORTS

**13.1 Fiscal Year** - The fiscal year of the Council shall be as determined by the Board of Directors.

**13.2 Audit** - There shall be an audit of the activities and financial affairs of the Council at the end of each fiscal year by an independent auditor selected by the Chief Executive Officer with the advice and consent of the Board of Directors. Such audit shall be submitted to the Board of Directors.

## ARTICLE XIV—INDEMNIFICATION, INSURANCE AND DIRECTOR LIABILITY

**14.1 Definitions** - For the purposes of this Article XIV, “agent” means any person who is or was a director, officer, employee, or other agent of the Corporation, or is or was serving at the request of the Corporation as a director, officer, employee, or agent of another foreign or domestic corporation, partnership, joint venture, trust, foundation, or other enterprise, or was a director, officer, employee, or agent of a foreign or domestic corporation which was a predecessor corporation of the Corporation or of another enterprise at the request of such predecessor corporation; “proceeding” means any threatened, pending, or completed action or proceeding, whether civil, criminal, administrative, or investigative; and “expenses” includes without limitation attorneys’ fees and any expenses of establishing a right to indemnification under Sections 14.4 or 14.5(b) of these Bylaws.

**14.2 Indemnification in Actions by Third Parties** - The Corporation shall have power to indemnify any person who was or is a party to, or is threatened to be made a party to, any proceeding (other than an action by or in the right of the Corporation to procure a judgment in its favor, an action brought under Section 5233 of the California Nonprofit Public Benefit Corporation Law, or an action brought by the Attorney General or a person granted relator status by the Attorney General for any breach of duty relating to the assets held in charitable trust) by reason of the fact that such person is or was an agent of the Corporation, against expenses, judgments, fines, settlements and other amounts actually and reasonably incurred in connection with such proceeding if such person acted in good faith and in a manner such person reasonably believed to be in the best interests of the Corporation and, in the case of a criminal proceeding, had no reasonable cause to believe the conduct of such person was unlawful. The termination of any proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent shall not, of itself, create a presumption that the person did not act in good faith and in a manner which the person reasonably believed to be in the best interests of the corporation or that the person had reasonable cause to believe that the person's conduct was unlawful.

**14.3 Indemnification in Actions by or in the Right of the Corporation** - The Corporation shall have power to indemnify any person who was or is a party to, or is threatened to be made a party to, any threatened, pending or completed action by or in the right of the Corporation, or brought under Section 5233 of the California Nonprofit Public Benefit Corporation Law, or brought by the Attorney General or a person granted relator status by the Attorney General for breach of duty relating to assets held in charitable trust, to procure a judgment in its favor by reason of the fact that such person is or was an agent of the Corporation, against expenses actually and reasonably incurred by such person in connection with the defense or settlement of such action if such person acted in good faith, in a manner such person believed to be in the best interest of the Corporation, and with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances. No indemnification shall be made under this Section 14.3:

- (a) In respect to any claim, issue or matter as to which such person shall have been adjudged to be liable to the Corporation in the performance of such person's duty to the Corporation, unless and only to the extent that the court in which such proceeding is or was pending shall determine upon application that, in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnity for the expenses which such court shall determine;
- (b) Of amounts paid in settling or otherwise disposing of a threatened or pending action, with or without court approval; or
- (c) Of expenses incurred in defending a threatened or pending action which is settled or otherwise disposed of without court approval unless it is settled with the approval of the Attorney General.

**14.4 Indemnification Against Expenses** - To the extent that an agent of the Corporation has been successful on the merits in defense of any proceeding referred to in Section 14.2 or 14.3 of these Bylaws or in defense of any claim, issue, or matter therein, the agent shall be indemnified against expenses actually and reasonably incurred by the agent in connection therewith.

**14.5 Required Determinations** - Except as provided in Section 14.4 of these Bylaws, any indemnification under this Article XIV shall be made by the Corporation only if authorized in the specific case, upon a determination that indemnification of the agent is proper in the circumstances because the agent has met the applicable standard of conduct set forth in Section 14.2 or 14.3 of these Bylaws, by:

- (a) A majority vote of a quorum consisting of Directors who are not parties to such proceeding; or
- (b) The court in which such proceeding is or was pending upon application made by the Corporation or the agent or the attorney or other person rendering services in connection with the defense, whether or not such application by the agent, attorney, or other person is opposed by the Corporation.

**14.6 Advance of Expenses** - Expenses incurred in defending any proceeding may be advanced by the Corporation prior to the final disposition of such proceeding upon receipt of an undertaking by or on behalf of the agent to repay such amount unless it shall be determined ultimately that the agent is entitled to be indemnified as authorized in this Article XIV.

**14.7 Other Indemnification** - No agreement made by the Corporation to indemnify its (or its subsidiaries') Directors or Officers shall be valid unless such agreement is consistent with this Article XIV. In the event of any inconsistencies between this Article XIV and any other provisions regarding indemnification of Directors and Officers by the Corporation, this Article XIV shall prevail. Nothing contained in this Article XIV shall affect any right to indemnification held by persons other than Directors and Officers.

**14.8 Forms of Indemnification Not Permitted** - No indemnification or advance shall be made under this Article XIV, except as provided in Section 14.4 or 14.5(b), in any circumstances where it appears:

- (a) That it would be inconsistent with a provision of the Articles of Incorporation, these Bylaws, or an agreement in effect at the time of the accrual of the alleged cause of action asserted in the proceeding in which the expenses were incurred or other amounts were paid, which prohibits or otherwise limits indemnification; or
- (b) That it would be inconsistent with any condition expressly imposed by a court in approving a settlement.

**14.9 Nonpaid Directors** - Except as provided in Sections 5233 or 5237 of the California Nonprofit Public Benefit Corporation Law (or any successor provisions thereto), there shall be no monetary liability on the part of, and no cause of action for damages shall be asserted against, any nonpaid Director, including any nonpaid Director who is also a nonpaid Officer of the corporation, based upon any alleged failure to discharge the person's duties as Director or Officer if the duties are performed in a manner that meets all of the following criteria:

- (a) The duties are performed in good faith;
- (b) The duties are performed in a manner such Director believes to be in the best interests of the Corporation; and
- (c) The duties are performed with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances.

**14.10 Insurance** - The Corporation shall have power to purchase and maintain insurance on behalf of any agent of the Corporation against any liability asserted against or incurred by the agent in such capacity or arising out of the agent's status as such whether or not the Corporation would have the power to indemnify the agent against such liability under the provisions of this Article XIV; provided, however, that the Corporation shall have no power to purchase and maintain such insurance to indemnify any agent of the Corporation for a violation of Section 5233 of the California Nonprofit Public Benefit Corporation Law (or any successor provision thereto).

**14.11 Nonapplicability to Fiduciaries of Employee Benefit Plans** - This Article XIV does not apply to any proceeding against any Director, investment manager, or other fiduciary of an employee benefit plan in such person's capacity as such, even though such person may also be an agent of the Corporation as defined in Section 14.1 of these Bylaws. The Corporation shall have power to indemnify such Director, investment manager, or other fiduciary to the extent permitted by subdivision (f) of Section 207 of the California General Corporation Law.

If any part of this Article XIV shall be found in any action, suit or proceeding to be invalid or ineffective, the validity and the effectiveness of the remaining parts shall not be affected.

## ARTICLE XV—AUTHORITY AND BENEFIT

**15.1 No Benefit to Any Individual** - No part of the net earnings, if any, of this Council shall inure to the benefit of any member or other individual, and no gain, profit, or dividends shall ever be distributed to any member of this Council or inure to the benefit of any private persons, except as provided for in these Bylaws.

**15.2 No Authority to Act** - A member or chapter or any officer or member thereof shall not participate in or purport to have authority to act on behalf of or bind this Corporation to any legal obligations or liability, except as provided in these Bylaws, or resolution or policy of the Board of Directors.

## ARTICLE XVI—DISSOLUTION

In the event of a dissolution or final liquidation of the Council, all of the remaining assets and property of the Council shall, after paying or making provision for the payment of all of the liabilities or obligations of the Council and for necessary expenses thereof, shall be transferred to one or more organizations which will (i) dedicate such assets and property to public and/or charitable purposes, and (ii) qualify as tax exempt organizations under Section 501(c)(3), Section 501(c)(4), or Section 501(c)(6) of the Code.

## ARTICLE XVII—RULES OF ORDER

Roberts Rules of Order shall govern all aspects of a parliamentary nature unless otherwise provided for by the Board of Directors.

## ARTICLE XVIII—AMENDMENTS TO BYLAWS

**18.1 Proposals** - Proposed amendments to these Bylaws, to be considered at an Annual Business Meeting, shall be signed by at least ten Governmental Member Representatives and shall be presented to the Board of Directors at least 90 days prior to the opening of an Annual Business Meeting or must be proposed through resolution of at least ten of the members of the Board of Directors at least 90 days prior to the opening of an Annual Business Meeting.

**18.2 Notice of Actions** - The Board of Directors shall cause proposed amendments to the Bylaws to be printed in the Annual Business Meeting notice and shall present its recommendations, if any, at the Annual Business Meeting. These proposed amendments may be discussed and amended at the Annual Business Meeting, and if passed by a two-thirds vote of those Governmental Member Representatives present and voting, shall be sent by letter ballot, as amended on the floor, to all Governmental Member Representatives of the Council. To be considered, the ballots by the Governmental Member Representatives shall be received within 30 days of distribution. A two-thirds majority of Governmental Member Representatives voting is required for adoption. The returns shall be certified by the President if the necessary majority for approval is received.

**18.3 Effective Date** - The approved amendments become effective ten days thereafter unless otherwise provided in the amendment.

## ARTICLE XIX—OPERATIVE DATE

**19.1 General** - These Bylaws shall be effective and operative upon the date designated by the Board as the date on which the consolidation of the operations of BOCA, ICBO and SBCCI and their respective controlled entities with the operations of this Corporation occurs.

**19.2 Committees** - Council committees in existence as of the operative date of these Bylaws to the extent permitted under these Bylaws shall not be deemed abolished by the adoption of these Bylaws, subject to the right of the Board of Directors to remove them.

**19.3 Previous Action Remains in Effect** - Upon the operative date of these Bylaws, all prior actions consistent with these Bylaws, whether pursuant to resolution or policy, of the Board of Directors, or any other committee, remain in effect until modified, repealed or otherwise superseded.

**[History:** The original ICC Bylaws were approved on July 24, 2002. Seven amendments were presented to the ICC membership at the ABM on September 27, 2004. The amendments were approved and ratified by letter ballot sent to all Governmental Members. The results of the election were certified by the ICC President on December 19, 2004, and became effective on December 29, 2004. One amendment was presented to the ICC membership at the ABM on September 27, 2005. The amendment was approved and ratified by letter ballot sent to all Governmental Members. The results of the election were certified by the ICC President on January 3, 2006, and became effective on January 13, 2006. Two amendments were presented to the ICC membership at the ABM in September, 2006. The amendment was approved and ratified by letter ballot sent to all Governmental Members. The results of the election were certified by the ICC President on April 5, 2007, and became effective on April 15, 2007. One amendment was presented to the ICC membership at the ABM on October 2, 2007. The amendment was approved and ratified by letter ballot sent to all Governmental Members. The results of the election were certified by the ICC President on January 23, 2008, and became effective on February 2, 2008. One amendment was presented to the ICC membership at the ABM on September 16, 2008. The amendment was approved and ratified by letter ballot sent to all Governmental Members. The results of the election were certified by the ICC President on January 12, 2009, and became effective on January 14, 2009.]

**CONFERENCE SCHEDULE**

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## 2009 ANNUAL CONFERENCE SCHEDULE

*2009 Annual Conference and Code Development Hearings • Baltimore, MD*

### FRIDAY, OCTOBER 23

3:00 p - 6:00 p Registration / Bookstore

### SATURDAY, OCTOBER 24

7:30 a - 5:00 p Registration / Bookstore  
8:00 a - 8:00 p Code Development  
Hearings Track 1  
8:00 a - 8:00 p Code Development  
Hearings Track 2

### SUNDAY, OCTOBER 25

9:30 a - 5:00 p Registration / Bookstore  
10:00 a - 8:00 p Code Development  
Hearings Track 1  
10:00 a - 8:00 p Code Development  
Hearings Track 2

### MONDAY, OCTOBER 26

7:30 a - 5:00 p Registration / Bookstore  
8:00 a - 8:00 p Code Development  
Hearings Track 1  
8:00 a - 8:00 p Code Development  
Hearings Track 2

### TUESDAY, OCTOBER 27

8:00 a - 5:00 p Registration / Bookstore  
8:00 a - 8:00 p Code Development  
Hearings Track 1  
8:00 a - 8:00 p Code Development  
Hearings Track 2

### WEDNESDAY, OCTOBER 28

7:30 a - 5:00 p Registration / Bookstore  
8:00 a - 8:00 p Code Development  
Hearings Track 1  
8:00 a - 8:00 p Code Development  
Hearings Track 2

### THURSDAY, OCTOBER 29

8:00 a - 5:00 p Registration / Bookstore  
8:00 a - 8:00 p Code Development  
Hearings Track 1  
8:00 a - 8:00 p Code Development  
Hearings Track 2

### FRIDAY, OCTOBER 30

7:30 a - 5:00 p Registration / Bookstore  
8:00 a - 8:00 p Code Development  
Hearings Track 1  
8:00 a - 8:00 p Code Development  
Hearings Track 2

### SATURDAY, OCTOBER 31

7:30 a - 5:00 p Registration / Bookstore  
8:00 a - 8:00 p Code Development  
Hearings Track 1  
8:00 a - 8:00 p Code Development  
Hearings Track 2  
8:30 a - 5:00 p ICC Board Meeting  
6:00 p - 11:00 p Maryland Building  
Officials and the  
Chapters of ICC Region 7  
Hospitality Event

### SUNDAY, NOVEMBER 1

8:00 a - 5:00 p IAS Board Meeting  
(by invitation only)  
8:00 a - 6:00 p Registration / Bookstore  
8:00 a - 4:00 p 6th Annual Bob Fowler  
Motorcycle Ride  
8:00 a - 5:00 p ES Board Meeting  
9:00 a - 5:00 p Nomination Committee  
Meeting  
5:00 p - 8:00 p Expo / Welcoming  
Reception

### MONDAY, NOVEMBER 2

7:00 a - 8:15 a Chapter President's  
Breakfast  
7:00 a - 6:00 p Registration / Bookstore  
8:30 a - 10:00 a Opening Session  
10:00 a - 11:30 a Candidates Forum  
11:45 a - 1:00 p Foundation Luncheon  
1:00 p - 5:00 p Expo  
1:15 p - 4:15 p Education Programs  
1:15 p - 3:15 p Legislative Forum  
1:15 p - 4:15 p IAS Building Department  
Accreditation Lead  
Evaluator Training  
(by preregistration only)  
3:30 p - 5:00 p Major Jurisdictions  
Meeting  
4:30 p - 5:30 p ICC Regional Meetings  
7:00 p - 11:00 p Maryland Building  
Officials and the  
Chapters of ICC Region 7  
Hospitality Event

### TUESDAY, NOVEMBER 3

7:00 a - 5:00 p Registration / Bookstore  
8:00 a - 11:00 a Annual Business Meeting  
11:30 a - 1:00 p CrackerBarrel Luncheon  
noon - 2:00 p The Green Home  
Book Signing  
1:00 p - 6:30 p Expo  
1:15 p - 4:15 p Education Programs  
1:15 p - 4:15 p IAS Building Department  
Accreditation Lead  
Evaluator Training  
(by preregistration only)  
1:30 p - 3:30 p Past Presiding Officers  
Meeting  
3:00 p - 5:00 p Fire Side Chat  
4:30 p - 6:00 p Delegate Photos  
4:30 p - 6:30 p Expo Reception

### WEDNESDAY, NOVEMBER 4

7:00 a - 5:00 p Registration / Bookstore  
8:00 a - 5:00 p Certification / Testing  
8:00 a - 5:00 p Code Development  
Hearings Track 1  
8:00 a - 5:00 p Code Development  
Hearings Track 2  
8:00 a - 4:00 p IAS Building Department  
Accreditation Lead  
Evaluator Training  
(by preregistration only)  
8:00 a - noon ES Advisory Committee  
11:30 a - 1:00 p Awards Luncheon  
1:15 p - 5:30 p International Forum  
6:30 p - 7:00 p Reception  
7:00 p - 10:00 p Annual Banquet  
10:00 p - Hospitality Event-Hilton

### THURSDAY, NOVEMBER 5

7:30 a - 5:00 p Registration / Bookstore  
8:00 a - 5:00 p Certification / Testing  
8:00 a - noon ICC Board Meeting  
8:00 a - 8:00 p Code Development  
Hearings Track 1  
8:00 a - 8:00 p Code Development  
Hearings Track 2

### FRIDAY, NOVEMBER 6

7:30 a - 5:00 p Registration / Bookstore  
8:00 a - 8:00 p Code Development  
Hearings Track 1  
8:00 a - 8:00 p Code Development  
Hearings Track 2

### SATURDAY, NOVEMBER 7

7:30 a - 5:00 p Registration / Bookstore  
8:00 a - 8:00 p Code Development  
Hearings Track 1  
8:00 a - 8:00 p Code Development  
Hearings Track 2

### SUNDAY, NOVEMBER 8

9:30 a - 5:00 p Registration / Bookstore  
10:00 a - 8:00 p Code Development  
Hearings Track 1  
10:00 a - 8:00 p Code Development  
Hearings Track 2

### MONDAY, NOVEMBER 9

7:30 a - 5:00 p Registration / Bookstore  
8:00 a - 8:00 p Code Development  
Hearings Track 1  
8:00 a - 8:00 p Code Development  
Hearings Track 2

### TUESDAY, NOVEMBER 10

7:30 a - 5:00 p Registration / Bookstore  
8:00 a - 8:00 p Code Development  
Hearings Track 1

### WEDNESDAY, NOVEMBER 11

7:30 a - 5:00 p Registration / Bookstore  
8:00 a - 8:00 p Code Development  
Hearings Track 1

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The names and addresses of the current members of ICC are located at the Birmingham, Alabama, office. Additional financial information is available to ICC members on request.



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