

Peer-to-Peer Learning

One State's Approach to ARRA Compliance

Presented to NASEO and ICC

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**American Recovery and Reinvestment Act
New Hampshire State Energy Program
Building Code Compliance Program**



Background:

- 1.3 Million people
- 234 Municipalities
- 10 counties
- **Official Motto: Live Free or Die**

Despite its small size, the state is very regionalized; some municipalities are very compliant with building codes, others are not. Energy code is a whole other story...



American Recovery and Reinvestment Act New Hampshire State Energy Program Building Code Compliance Program



Who enforces what:

- NH Building Code Review Board develops and adopts the codes
- NH Public Utilities Commission administers the code for residential, commercial, and industrial buildings
- Department of Safety certifies modular buildings
- Manufactured/mobile homes are certified federally
- Municipal Building Code Officials enforce codes in many towns; a significant percentage of towns have no code official
- 55 towns rely on the State Fire Marshal's Office for code enforcement



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Who enforces what:

- Those towns that do have code officials – many of whom are part time – report that their responsibilities are far greater than they can fulfill
- Building contractors are responsible for meeting code requirements in those towns without code officials; they are required to submit information to the Public Utilities Commission
- Historically, code officials focus on structural and life-safety issues, **not** Energy Code



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Quick History of NH and energy codes:

- 1979 – NH adopted an energy code
- 1999 – A computer option replaced the complicated hand calculations for heat loss and other proof for achieving standards
- 2002 – NH was the nation's first state to offer an on-line compliance option
- 2002 – EnergySTAR Homes Program introduced by CORE utilities
- 2009 – American Recovery and Reinvestment Act signed



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The American Recovery and Reinvestment Act:

- Assurance from Governor John Lynch that NH would achieve 90% compliance of the 2009 IECC within eight years
- Public Utilities Commission, Office of Energy and Planning, and the NH Building Code Review Board pushed for an accelerated adoption process
- NH-BCRB – Very democratic and accessible process to adopt codes and for interested parties to put forth amendments – both strengthening and weakening
- **While NH adopts the codes, enforcement rates are low; we are not even sure what those rates are**



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Status of the 2009 IECC:

- May 15, 2009 – NH Building Code Review Board formally adopted the 2009 IECC
- Public Comment for amendments to the 2009 IECC and other codes (IBC, IRC, IPC, IMC, IEBC) accepted/heard on October 9 and October 23, 2009.
- The NH Building Code Review Board will deliberate and vote on the amendments at the November 13, 2009 meeting
- Adopted codes and amendments will be effective January 1, 2010



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Composition of the NH Building Code Review Board:

- Commissioner of Safety or designee
- Licensed Architect – Board of Architects
- Licensed Structural Engineer – Board of Engineers
- Licensed Mechanical Engineer – Board of Engineers
- Licensed Electrical Engineers – Board of Engineers
- NH Municipal Association/ City Manager/ Health Director
- Municipal Building Official – NH Building Officials Association
- Municipal Fire Chief – NH Association of Fire Chiefs
- Building Contractor – Associated General Contractors
- Building Contractor – NH Home-builders and Remodelers Association
- State Energy Conservation Code Office – Public Utilities Commission
- Licensed Master Plumber – Board for the Licensing and Regulation of Plumbers
- Mechanical Contractor – NH Plumbing and Mechanical Contractors Association
- Licensed Master Electrician – Bureau of Electrical Safety and Licensing
- Committee of Architectural Barrier-Free Design – Governor's Council on Disability
- Licensed Master Electrician = NH Electrical Contractors Business Association



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2009 IECC - 90% enforcement by 2017:

- Recovery Act State Energy Programs funded at \$25,827,000
- 16 EE/RE State Energy Programs, targeting various constituencies
- **\$600,000 to the Building Code Compliance Program**

- Must be very creative, a lot of leveraging, buy-in needed from all sectors; everyone will be involved: code officials, building owners, contractors, appraisers, realtors, general public, landlords,
- We are currently in the selection process of proposals/ administrators for the program



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2009 IECC - 90% enforcement by 2017:

- Establish a **baseline** of existing compliance/enforcement
- Create a **roadmap** to achieve 90% compliance of the 2009 IECC by 2017
- **Promote** the program throughout the State
- **Train and Mobilize** building professionals in all areas for energy code compliance and promote above-code performance
- **Develop a Public Awareness Campaign** for homeowners, landlords, commercial property owners, real estate appraisers
- **Update and Gather Building Code Resources** in publicly accessible sites
- Develop recommended enforcement and compliance **public policy options**
- **Establish a review process**
- **Submit reports** to OEP, OES, DOE and OMB

The (closed) RFP for this program is available here: <http://www.nh.gov/oep/recovery/index.htm>



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Why this is important to New Hampshire:

- Assurances made for ARRA – the motivator!
- Save energy and stabilize costs
- Reduce emissions
- We need to solve this problem
- This is the perfect opportunity to do so
- Improve comfort of buildings
- Improve safety of buildings – in heat and cold
 - Energy Code – “the next Life-Safety Code”
- Technologies and techniques are readily available, tested, proven
- These buildings will last 50+ years
- Moral issue to make buildings as efficient and safe as possible



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Anticipated Outcomes:

- Better buildings
- More consistent and improved building performance
 - Reduced energy use, stabilized costs, reduced emissions
- Safer and more comfortable buildings

- Public Policy options to enable funding for code enforcement
- Public awareness and embrace of code-compliance
- Trained professionals – code officials, designers, architects, realtors, appraisers, assessors, landlords, building owners, facility managers, contractors of construction, insulation, plumbing, electrical, energy auditors, and others



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Thank you!

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