



**IECC/DGC Energy Committee Hearing Meeting Minutes # 2**

February 10, 2022

2 p.m. – 5 p.m.

City and County of Denver

**1. Roll Call**

<b>Committee Member</b>		<b>In Attendance?</b>
Aaron Esselink		
Carol Pafford		X
Chris Parr		
Chris Spelke		
Christy Collins		X
Chuck Bartel		X
Allen Yanong		X
Courtney Anderson		X
Elizabeth Gillmor		X
Eric Browning		X
Jamy Bacchus		X
John Burns		
Ken Urbanek		X
Adam Lyons		
Nate Huyler		X
Curtis Underwood		Sick for 2nd hearing, NON-VOTING for this code hearing only
John Dutch		X
Jeff Crowe		X
Linda Morrison		X
Mike Walton		X
Nathan Kahre		X
Paul Kriescher		X
<b>Paul Schaffer</b>	<b>One vote</b>	

Robert Pruet		X
Antonio Navarra		X
Shanti Pless		X
Chuck Kutscher		X
Mark Rodriguez		X
Bill Rectanus		
Bryan Kazin		X
Paul Kancir	<b>One vote</b>	X
Curtis Werner		
Stephen Sanderson	<b>NON-VOTING</b>	X
Alex Martin	<b>One vote</b>	X
Kevin Eronymous		X
Laura London		X

2. Discussion and voting on **IECC/DBC-Residential and DGC Ch.4**

a. [#P24.3](#) R105 - 3rd party inspection agencies

- Support
  - N/A
- Opposition
  - N/A
- Committee Questions
  - Eric: In conflict with proposal #104, can you explain which is preferable?
    - Robby: The 104 proposal calls out an energy rater as the 3<sup>rd</sup> party inspection.
  - Nathan: Is the intent that every inspection would have a report?
    - Robby: Yes
  - Kevin E.: Does this create more work for the Plans examiner?
    - Eric: Documentation is relatively the same. May need rework in process.
  - Eric: Because of the similarity, if the committee were to disapprove this and approve #104, would there be any consequences?
    - Robby: No, that would be preferable.

- Support (Rebuttal)
    - N/A
  - Opposition (Rebuttal)
    - Nathan: How would cost be reallocated from permit fees to energy rater?
  - Committee Comments
    - Robby: Based on Eric's comment and realization of the similarity, I would like to withdraw the proposal.
  - **PROPOSAL WITHDRAWN**
- b. [#104](#) R105.1 – R105.6 SECTION R105 INSPECTIONS
- Support
    - N/A
  - Opposition
    - N/A
  - Committee Questions/Comments
    - Jeff C: Are you requiring the energy rater or contractor?
      - Robby: Energy Rater
    - John D: Cost of construction/design is no impact, I don't think that will be the case. Does City of Denver have a vetting process for 3<sup>rd</sup> party inspectors?
      - Eric: This code language gives the authorization to use a 3<sup>rd</sup> party, does not require it. The city does not have a process for identifying approved 3<sup>rd</sup> party inspectors and would need one if approved.
    - Nathan: R105.4.1 – Is there any concern for the language of "deputies of the authority having jurisdiction"
      - Eric: Would need to get language vetted by city attorney office.
    - Nathan: Number of credentials called out, is there a reason why RFI rating field inspector or BPI was excluded?
      - Robby: No limitation for people who doing blower door test.
    - Mike W: R105.4- Is the "not affiliated with the building design or construction" intentional?
      - Robby: Yes
    - Eric: Does that create a conflict of interest?
      - Robby: Denver is the gatekeeper of the who can work be an energy rater on a project
  - Motion: Motion to Approve with intent to modify
    - R105.4.2.1: Remove exact dollar amount
    - R105.4.3: Instead of referring to section 1704.2.4, change section reference

- R105.2.1: Allow city to revise based on city attorney's office
- **Vote:** Approved with intent to modify ( 20 for, 0 against, 4 abstentions)

c. [#11](#) R201 Definition All Electric Building

- Support
  - N/A
- Opposition
  - N/A
- Committee Questions
  - Chuck B: Why is the last sentence is necessary?
    - Robby: Solar thermal is not a electric generating
  - Courtney: We need this in the DGC, but we don't have specific references for the IECC?
    - Proposals to be electric ready, and hope for incentives to go all-electric
  - Kevin: Did we consider the language "no onsite combustion"? Could burn pellets
    - Robby: No that it wasn't considered, but no fuel gas or propane should cover it. Someone could propose
  - Linda: Is the use of gas fire place considered a space heating? Is it the building or the whole property?
    - Eric: Would not allowed for gas-fired fire places due to the plumbing required.
  - Bryan K: Is the intent for a generator not to be allowed fuel back up power by gas?
    - Robby: was not considered, but it was the intent that no gas piping would be brought to the site.
  - Laura: When we say all-electric building, are we approving this definition to be used throughout all codes?
    - Robby: Proposed for the residential section of IECC and DGC
  - Mark: Questions about back up generators being used.
    - Kevin P: open to modifications
  - Laura: Would there an ability for someone to file for an exception to the definition?
    - Eric: It just would not be an all-electric building. Fire department does not typically allow natural gas for optional standby generators. Unlikely to see natural gas generators.
  - Bryan: Generators are natural gas are typical for single family homes, not MF.
  - Ken: Were fuel cells considered?

- Carol: Allowed by code, but has not been discussed.

- Committee Comments

- Nathan: Just a definition, not requiring from the city
- Chuck: Allows for solar thermal water and pool heating. Suggest we allow solar thermal air heating.
- Courtney: Will this be split vote for DGC and IECC?
  - Kevin: Committee to make a motion
  - Eric: Would want the definition to be consistent across all codes with the same wording if it was copied to other codes.
- Chuck: permanently installed kitchen equipment is restrictive and would suggest edits to solar thermal.

- Motion: Motion to Approve with modifications

- Change fuel gas or propane, to no permanently installed combustion equipment (Diesel generator is considered to be combustion) and include Residential in title. Revise last sentence to include “any sources of renewable energy”

- **Vote: Modifications Passed** (18 for, 4 against, 2 abstentions)

- Motion: Motion to Modify

- Include “onsite”

- **Vote: Modifications Passed** (19 for, 4 against, 1 abstentions)

- Motion: Motion to Approve as modified

- **Vote: Passed** (19 for, 4 against, 1 abstentions)

d. [#19](#) R401.2 Application Limits compliance path options

- Support

- Opposition

- Nathan: Limits options and IECC committee’s ability to adjust as needed so should be left in there.
  - Robby: Within each pathway, the 2021 adds an additional efficiency option, but this removes the ERI pathway to require the additional efficiency package

- Committee Questions

- Nathan K: In supporting info, you mention ERI, is it HERS or IECC? If the Climate Action goal focus on ERI, is there a reason why we aren’t focusing on solely ERI?
  - Robby: IECC for this proposal but another proposal includes HERS. We are mostly going to have to move to an ERI pathway, but other compliance options are going to remain for this code cycle.

- Opposition (Rebuttal)

- N/A
- Motion: Motion to Hear with proposal 31
- **Vote: Passed** Unanimous
- e. [#31](#) R406 Energy Rating Index compliance
  - Support
  - Opposition
    - Nathan: Cost of Construction and Design and how it would have an impact.
  - Committee Questions
    - Mark R: As a builder or contractor, when selecting whether to use renewables, what is the incentive?
      - Robby: This compliance pathway forces you to put on-site renewables on and other pathways have more flexibility
    - Mike: If you use the ERI pathway, you are forced to do PV
    - Elizabeth: It wasn't clear that going with ERI pathway, you are required to use on site renewables. Under R406.3, with regard to the building envelope.
      - Robby: Can't achieve an ERI of 50 without having a good envelope.
    - Paul K: Solar is not always available on-site due to obstructions
      - Robby: Great point, there is a deficiency in the energy rating program as you cannot report obstructions, but boulder has a work around that includes off-site renewables.
    - Chuck: Basement walls and insulation – this table does have minimum requirements for envelope.
      - Robby: for 2024 national code level- they modified by removing the basement wall insulation installation.
    - Robby: This is one of the proposals that will make a large impact on Denver's trajectory.
    - Paul: Strongly advised that the modification that it aligns with HERS ERI.
    - John D: Agree with Paul on the solar access concern and worry about the transition for the future access to solar as well.
    - Elizabeth: What type of project would use this compliance path vs. another?
    - Chuck K: Is there any reason to incentivize bad solar?
  - Opposition (Rebuttal)
    - N/A
  - Motion: Motion to table proposals 19 and 31 until 3/3/22
  - **Vote: Tabled** ( 21 for, 0 against, 2 abstentions)

f. [#P24.5](#) R401.2.2 (IRC N1101.13.2) Batch sampling

- Support
- Opposition
- Committee Questions/Comments
  - Eric: This is only applicable to townhomes under group R2?
    - Robby: Correct
  - Sean: R-1, R-3, R-4 for low-rise- what % of building would this fall under?
    - Eric: A very small number within the regulation of low-rise, townhome
  - Jeff: Sampling requirement to test the first 5 units, would sampling go out the window after that point?
    - Robby: 5 consecutive projects would be required
  - Antonio: With so many crews applying this application, how do you protect the homeowners on the 6<sup>th</sup> home?
    - Robby: That is the fundamental issue with sample, you don't know what you don't inspect.
  - Jeff C: Similar language in commercial portion of code, is there a reason why we wouldn't duplicate that language?
  - John D: Is the intent to do 5 of the same plan type?
- Motion: Motion to modify with intent to change verbiage in R401.2.2.1 to include each set of similar types of plans
- **Vote: DID NOT PASS**( 10 for, 6 against, 5 abstentions)
- Motion: Motion to Reject
- **Vote: Approve rejection**( 19 for, 1 against, 0 abstentions)