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Report on the Code Development Process Appeals Board Report on Committee Reconsideration: Code Changes RB81-19 and RB116-19

September 2, 2020

REPORT

In accordance with Section 7.1 of Council Policy 1 (CP 1), the following is the report of the International Code Council Appeals Board on the reconsideration appeals of code changes RB81-19 and RB116-19 submitted by Jake Pauls. All appeal related documents, including the appeals, have been posted on the appeals [webpage](#).

The appeals were conducted in accordance with Council Policy 1 Appeals. The hearings were held virtually via Webex Event on August 26, 2020, at approximately 9:00 a.m. Central. The hearings adjourned at 1:30 p.m. Central. The Appeals Board consisted of:

- Cindy Davis, CBO, Appeals Board Chair (ex-officio, nonvoting), ICC Board Vice President
- Anne Anderson, P.E., S.E. Green Mountain Structural Engineering
- Henry Green, Hon. AIA, Retired, Past President of the Code Council; Former President & CEO of National Institute of Building Sciences
- John Terry, CBO, Retired, Former Assistant Director of Division of Codes and Standards, New Jersey Department of Community Affairs; Past Chair of ICC Codes and Standards Council

APPEALS BOARD RECOMMENDATION ON RB81-19

The Appeals Board unanimously voted to deny the appeal of RB81-19. The Appeals Board concluded that there was no evidence presented that a violation of process or procedure occurred during the consideration of RB81-19 during the 2019 Group B Cycle. The Appeals Board further recommended that the technical issue of RB81-19 be referred to the Building Code Action Committee (BCAC) for consideration in the 2024 Code Development Cycle.

APPEALS BOARD RECOMMENDATION ON RB116-19

The Appeals Board unanimously voted to deny the appeal of RB116-19. The Appeals Board concluded that there was no evidence presented that a violation of process or procedure occurred during the consideration of RB116-19 during the 2019 Group B Cycle. The Appeals Board further recommended that the technical issue of RB116-19 be referred to the BCAC for consideration in the 2024 Code Development Cycle.

APPEAL PARTICIPANTS

The following individuals participated in the appeal hearing.

Appellants

- Jake Pauls, BArch, CPE, HonDSc
- Tom Paris, Legal Counsel

Participants

- David W. Cooper, Stairbuilders and Manufacturer's Association (SMA)
- Stan Harbuck
- Shaunna Mazingo, The Mazingo Code Group LLC
- Leon F. Vinci, DHA, DAAS, RSHealth Promotion Consultants
- Carolyn R. Williams, Former Member of BOCA Ad Hoc Committee on Stairway Safety
- David Beahm, County of Warren, VA

Code Council Staff

- Mike Pfeiffer, SVP of Technical Services
- Melike Oncu, General Counsel

RB81-19 APPEAL PRESENTATIONS AND TESTIFIERS

The following testified at the appeal hearing of RB81-19. Those who provided formal presentations are noted with the file name of the presentation in parenthesis following their name. The file is posted on the appeals web page.

In Support

- Appellant: Jake Pauls and Tom Paris (Presentation – Appellant Pauls RB81)
- Stan Harbuck (Presentation – Support_Harbuck_Pauls_RB81_RB116)
- Leon F. Vinci
- Carolyn R. Williams

International Code Council

- Mike Pfeiffer (Presentation – ICC_Pfeiffer_Pauls_RB81_RB116)

In Opposition

- Shauna Mozingo

RB116-19 APPEAL PRESENTATIONS AND TESTIFIERS

The following testified at the appeal hearing of RB116-19. Those who provided formal presentations are noted with the file name of the presentation in parenthesis following their name. The file is posted on the appeals web page.

In Support

- Appellant: Jake Pauls and Tom Paris (Presentation – Appellant Pauls RB116)
- Leon F. Vinci
- Carolyn R. Williams

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- Mike Pfeiffer

In Opposition

- Dave Cooper (Presentation_Opposition_Cooper_Pauls_RB116)
- Shauna Mozingo

WRITTEN COMMENTS

The following submitted written comments in accordance with Section 6.1.3 of CP1. The comments are posted on the appeals webpage, identified by file name in parenthesis.

- Dave Cooper, Stairbuilders and Manufacturers Association (Cooper_SMA_RB116)
- Mike Pfeiffer, International Code Council (Memo to ICC Appeals Board - Jake Pauls 2019-1)
- Vincent Quintero, Rhode Island Fire Marshals' Office (Quintero_RI SFM_RB116)
- Jonathan Rubes, Rubes Code Consultants (Rubes_CodeConsult_RB116)
- Matt Sigler, Plumbing Manufacturers International (Sigler_PMI_RB81)

NONSPEAKING PARTICIPANTS

These individuals were present on the Webex line but did not provide spoken testimony.

- David Beahm, County of Warren, VA

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