November 29, 2017

Members of the Assembly Regulated Professions Committee
State House Annex, Committee Room 15
125 West State Street, #2
Trenton, NJ 08608

Re: Opposition to Assembly Bill A-96

Dear Committee Members:

The American Wood Council (AWC) is a not-for-profit organization committed to ensuring a resilient, safe, and sustainable built environment. To ensure these objectives are met, the AWC contributes to, and is directly involved with, development of the International Code Council (ICC) building code development process, the model building code adopted statewide in New Jersey, along with regulations, and standards regarding the safe implementation of wood construction. We also develop state of the art engineering data, technology, and the written design standards referenced in the building Code. We provide training and continuing education on wood design to fire service personnel, design professionals, and building code officials.

Provisions in the 2015 International Building Code regarding heights, areas, and types of construction were carefully developed through the ICC multi-stakeholder process, involving representatives from the building code community, fire officials, design professionals, and materials interests from across the United States, including many from New Jersey. The proposition to reduce certain building heights and areas has been brought up time and time again and repeatedly fails because the code already addresses the issue of combustible construction through equivalent performance. Despite claims by competing materials, the long-established code development process works very well to ensure that state-of-the-art building code provisions are regularly adopted. Notably, the building code is based upon equivalent performance, assigning different allowable heights and areas of buildings based upon types of construction and occupancy classification. By controlling the number of stories and area, the risk to an occupant may be maintained at an equal level, regardless of which type of construction is chosen.

Importantly, the model code does not discriminate or favor one building material over another, reinforcing the equivalent performance concept. Under the code, all building components are evaluated by standardized tests, and all that receive compliant ratings can be used. Engineers, architects, developers, and contractors are then given design freedom to choose among the most cost effective materials that meet the stringent criteria in the Code. Despite what you might hear, it is erroneous to believe that, because a product is claimed to be non-combustible, it won’t fail in a fire. Fires don’t start in the materials of construction – rather, fires begin in the spaces of buildings we occupy, and into which we bring combustible, flammable, and toxic materials. The progression of a fire from these furnishings and contents to the building materials themselves, is delayed by building code design, allowing safe occupant evacuation.

This was even evident in the Avalon at Edgewater fire, where many things happened that allowed the fire to progress the way it did.
As to sprinkler protection, the life-safety-protection capabilities of NFPA 13R sprinkler systems were recently discussed at the National Fire Protection Association meeting in Florida in December 2016, and no modifications were deemed necessary to the current NFPA 13R standard. However, shortcomings in the level of building protection associated with NFPA 13R systems have been identified and were recently amended in the 2018 International Building Code (IBC), changing how attics and other concealed spaces will be protected. Similarly, patios, decks, and balconies in multi-family housing will also now require sprinklers to protect against fire hazards associated with these specific threats originating from exterior sources. Accordingly, with regards to monitoring sprinkler systems and alarm conditions, AWC fully supports your proposed language in Bill A-96.

In summary, AWC urges that legislators recognize that the best building codes do not result from legislation, but rather from a process that employs the best expertise of building and fire officials, along with the building design community. ICC provides that very process, ensuring that all code provisions are approved by these very experts employed by governmental agencies. While groups like ours participate in the process, the system only permits those tasked with enforcing the code, such as New Jersey’s building and fire officials, from approving those provisions. And despite, entreaties to change the code as A-96 suggests, these experts have long recognized, as noted above, that while fires in multi-story buildings make great headlines and news clips, their number is very small.

Wood is a cost effective and environmentally sustainable material, providing one important option for safe, affordable housing. It has long been recognized by the ICC process through its International Building Code, International Residential Code, the National Fire Prevention Code and International Green Construction Code. We urge you not to be influenced by groups seeking competitive advantage in the marketplace through legislation. It is simply the wrong pathway toward good construction.

AWC stands ready to assist you with the technical and engineering expertise to safely construct wood buildings in compliance with today’s building, fire, and life safety codes. If you or your colleagues have any questions regarding wood construction, please do not hesitate to contact me directly.

Respectfully,

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Cc: Hon. Vincent Prieto