



OKLAHOMA UNIFORM BUILDING CODE COMMISSION

Procedure Manual for Technical Committee Meetings

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OVERVIEW

Technical committee meetings are set up to be held in a manner comparable to public meetings of the Oklahoma Uniform Building Code Commission (OUBCC). Once appointed, a technical committee will have a regular meeting schedule and will work through the review of the model code(s) assigned. Technical committees do not have any rulemaking authority to actually adopt or amend model codes for residential or commercial construction, only to recommend potential new model codes or code revisions. Accordingly, technical committees do not have to follow the Oklahoma legal requirements for open meetings of public bodies. However, the OUBCC firmly believes in a transparent process using certain procedures from the "Open Meeting Act" that allow for public input throughout the model code review and recommendation process.

ALL PROCEEDINGS SUBJECT TO STATE LAW AND OUBCC RULES

It should be remembered that all proceedings of a technical committee are at all times subject and subordinate to applicable Oklahoma law and the rules of the OUBCC, both permanent and emergency.

PRE-MEETING STEPS

Technical Committee Make-up

When the OUBCC determines to adopt or amend model code(s), the first step is to define the technical committee membership size and makeup to review the model code(s). Technical committees are made up of volunteers in the vocations, professions, and trades that are affected by a particular model code. They can include but are not limited to: a liaison from the OUBCC, licensed architects, registered professional engineers, fire officials, code enforcers, and industry specific people.

Call for Volunteers

The second step is to make a call for volunteers to serve on the committee.

- (1) An email notice is sent out with a Volunteer Application to:
 - a. All persons who have requested official notification of information regarding the OUBCC;
 - b. Jurisdictions that are reasonably expected to be affected by the model code(s);
 - c. Every state agency;
 - d. Industry groups for the trades in the vocations and professions affected by the model code(s).
- (2) The call for volunteers will list a timeframe with a specific cutoff date to return a volunteer application to the OUBCC. The timeframe can be anywhere from a week to a few months, based on the urgency of adoption or amendment of the model code(s).
- (3) The "Volunteer Application" that is emailed out with the notification will be posted on the OUBCC website.
- (4) To be considered for appointment, volunteers will complete and send in their applications along with a resume, either by mail, email, or fax.
- (5) As a designee to the Vice-Chairman of the OUBCC, the Chief Executive Officer (CEO) and/or staff will receive all completed applications.

(6) Each application will be reviewed and the Vice-Chairman, who will provide a recommendation to the OUBCC for the approval of a slate of technical committee members.

(a) There is a separate slate of volunteers for each technical committee and the slate should include a few alternate committee members.

(b) Each technical committee will remain in force until dismissed by the OUBCC, individually or collectively.

ACTUAL MEETINGS

Technical Committee Meeting Format

ALL technical committee meetings WILL:

(1) Be open to the public.

(2) Be held on the date(s), at the time(s), and location(s) published on the OUBCC's website.

(3) Follow posted agendas; however if requested, items may be heard out of the order listed on the agenda.

(4) Allow for the review of public comment forms and have a specified period of time for the public to voice public comments.

Meeting Specifics

(1) The first meeting of the technical committee will be opened by the CEO or if unavailable, the OUBCC liaison to the committee. All volunteers will be given a preview of what should happen during the process.

(2) The technical committee will elect a Chairman and Vice-Chairman. Alternate committee members cannot serve as the Chair or Vice-Chair.

(3) With the help of OUBCC staff, the technical committee will determine a meeting schedule for future meetings, including dates, times, and locations of the meetings within the timeframe set by the OUBCC.

(a) When meetings are scheduled to be held at the OUBCC offices, the OUBCC staff will coordinate specific dates and work with OUBCC Liaisons, Technical Committee Chair and Vice-Chair to set the meeting dates for the committee.

(b) The technical committee must keep in mind the benchmarks (provided by staff) that must be met by the OUBCC to meet the State's rule making deadlines, when making the meeting schedule.

(c) The technical committee will work out a fluid review schedule to encompass all the required material within the schedule set by the committee and as authorized by the OUBCC.

(i) Before meeting dates can be finalized for meetings held in either of the OUBCC/CIB conference rooms, staff will need to confirm the availability of the meeting space desired.

(ii) Staff will work with the Chair or Vice-Chair of the committee to coordinate meeting space for meetings held anywhere other than the OUBCC office.

(iii) All meetings not held at the OUBCC office require prior approval from the OUBCC Chairman.

(4) Staff responsibilities:

- (a) Work with the Chair or Vice-Chair of the committee to create an agenda for each meeting.
- (b) Take notes and provide the official minutes for each meeting.
- (c) Receive, review, and distribute all written public comment forms and other comment forms.
- (d) Post all meeting schedules, agendas, and minutes (after approval by the committee) on the OUBCC's website.
- (e) Work with Chair or Vice-Chair of the committee to create the final presentation to the OUBCC.
- (f) Function as the secretary for the committee.

(5) Committee member responsibilities:

- (a) Review assigned model code(s), public comment forms, and other comment forms. Members should be prepared to discuss all items on the agenda at each meeting.
- (b) Be prepared to make motions and vote for each item as needed during the meetings.
 - (i) Alternates should take part in the discussions, but cannot motion or vote on motions unless the person who's position for which they are an alternate, is absent.
 - (ii) Motions made for a public comment form under review should be to accept or approve, deny or disapprove, modify, or to table the public comment form. Denying or disapproving a public comment form due to a lack of a motion is discouraged.
 - (iii) Motions shall be made for each chapter in the model code(s) under review and should be to accept or approve, deny or disapprove, modify, or to table the chapter.
- (c) Prepare committee comment forms for any model code the committee member recommends be modified. If the committee discusses a section and determines a change should be made to the model code, then a committee comment form should be created by the technical committee member best suited to the technical data that is to be modified.
- (d) Review the text of each comment form and make sure the motion for the form specifies the exact language to be adopted.
- (e) Review minutes and if there are errors, discuss and make corrections prior to the approval of those minutes.
- (f) Before the conclusion of the review process the committee may review any existing errata posted by the publisher of the code.
- (g) During the review process, at the regular OUBCC meetings, the OUBCC liaison to the technical committee will make a brief progress report to the OUBCC.
- (h) The technical committee Chairman, Commission Liaisons, or CEO, may request the OUBCC Chairman call an ad-hoc committee in the event there is a need to coordinate or reconcile technical committee matters or overlapping issues between technical committees.

Public Comments and Public Comment Forms

(1) Each technical committee will have time made available at the end of the meeting for public comment from any guests in attendance.

(a) When reviewing submitted public comment forms, if the submitter of the form is in the audience, the Chair or Vice-Chair shall recognize the submitter and allow them to speak or answer any questions by the committee during the review of the comment form.

(b) The Chair or Vice-Chair shall allow other visitors in the audience to speak on an item even though they may not have submitted the comment form under review. However, there will be a time limit of two to five (2 to 5) minutes for each audience member making these comments.

(2) A blank public comment form will be made available on the OUBCC's website for anyone to use at the same time a call for volunteers is made.

(3) All public comment forms will be submitted to OUBCC staff.

(a) All public comment forms will be assigned a tracking number and logged on a tracking spreadsheet that includes, but is not limited to, the following details:

(i) Tracking number

(ii) Date received

(iii) Submitter name

(iv) Model code section referenced for the change

(v) Committee review date

(vi) Committee action taken

(b) Staff will be responsible for reviewing the comment form to determine if the form was completed correctly.

(i) If the change requires legislative formatting that was not done by the submitter, staff will contact the submitter and request a revised form. Staff may make the change to the form for the submitter, if both are in agreement with the change. For example, if the a word needs to be stricken and the next underlined and the submitter input both words but forgot to strike out and underline, staff could make that change at the submitter's direction.

(ii) For any extensive discrepancies, staff will require the submitter to revise the form and resubmit before sending it to the committee. If the submitter uses a model code other than the edition under review to craft the change, staff can provide a copy of the page or pages of text necessary to the submitter to allow them to revise the form before review by the committee.

(c) Each form, after assigned a tracking number, will be scanned and sent to the committee members via email prior to the meeting. If a committee member requires it, a copy can be mailed to them prior to the meeting.

(d) If more than one identical public comment form is received (i.e. when a group sends in a form from each member with the same change requested), the committee will be informed of the number of forms received, but may consider the requested change only once.

(e) All public comment forms (as available on the website or in whatever format received) will be considered by the committee regardless of whether the form has been signed by the submitter.

PRESENTATION TO THE OUBCC

Each technical committee will make a presentation to the OUBCC. Typically the Chair or Vice-Chair of the committee will make the presentation to the OUBCC, however, the presenter may ask the OUBCC Liaison(s) or other technical committee members in the audience to answer specific questions or provide further clarification as needed during the presentation.

(1) The presentation will contain the following items:

(a) A cover page listing the technical committee members and positions.

(b) A summary page listing what the technical committee was assigned to review, what was reviewed, and a breakdown of the comment forms received and reviewed.

(c) Reports on the chapters reviewed that will include whether each chapter was approved or accepted as written or as modified.

(d) Each comment form or verbal public comment change considered by the technical committee, regardless of the action taken (unless withdrawn by the submitter). The following information will be included:

(i) Tracking number assigned to the public or committee comment form, what the change does to the model code(s), (i.e. modifies, adds a new, or deletes a model code section), the model code section number and section title.

(ii) The final version of the proposed change on which the committee has voted.

(iii) The summary of the proposed change (this is the reasoning given by the submitter to justify the change).

(iv) The committee commentary (this is a summary of the committee discussion taken from the minutes of the meeting or meetings where the model code change was discussed).

(v) The committee action taken, including whether the vote taken by the technical committee was unanimous or if there was a split vote.

(2) Staff will work with the Chair or Vice-Chair of the technical committee to create the content of the presentation prior to approval of the presentation by the committee.

(3) Content will come from the comment forms submitted and the minutes of the technical committee meetings.

(4) The technical committee will review and approve the presentation before the presentation is made to the OUBCC.

(5) Only the substantive changes discussed and voted on by the technical committee at the meeting in which the presentation is reviewed may be made to the presentation after the final approval by the technical committee.

POST PRESENTATION

OUBCC Member Review Period (Post Presentation)

- (1) The OUBCC members will be sent the draft permanent rule. When OUBCC staff sends the draft permanent rule, a set period of time to review the draft permanent rule will be specified.
- (2) Depending on the size of the draft permanent rule to be reviewed, the review period will be at least two weeks in length and not more than two months in length as determined appropriate by the OUBCC Chairman and CEO.
- (3) Any and all changes (substantive, not grammatical) an OUBCC member thinks should be made to the draft permanent rule should be communicated to OUBCC staff on a form designed for that purpose, no later than the end-of-day on the assigned last day of the OUBCC member review period.
- (4) All draft permanent rule changes suggested by the OUBCC members will be assigned a tracking number, logged in by OUBCC staff on a tracking spreadsheet, and forwarded to the technical committee for review and comments.

Technical Committee Review Period (Post Presentation)

- (1) Each technical committee will be sent the draft permanent rule and be given a specified period of time for review.
- (2) The OUBCC Chairman and CEO will determine the length of the review period.
- (3) The technical committee will be required to determine if all modifications proposed by the committee are included in the draft permanent rule and that it reflects those changes correctly with any revisions voted on by the OUBCC members during the presentation phase.
- (4) The technical committee will be sent any proposed (substantive, not grammatical) revisions suggested by the OUBCC members to the draft permanent rule as they are received by OUBCC staff.
- (5) The technical committee will hold a final meeting (post presentation to the OUBCC) where any such proposed revisions to the draft permanent rule will be discussed and recommendations made to the OUBCC.
- (6) OUBCC staff will communicate the date and time of that technical committee meeting to each OUBCC member who has submitted a revision to the draft permanent rule.
- (7) The OUBCC member proposing a revision may attend the technical committee meeting, so long as there is not a quorum of OUBCC members present, and discuss their proposed draft permanent rule revision with the technical committee.
- (8) The technical committee will review each proposed revision to the draft permanent rule and make a recommendation to accept, modify or deny the revision. The technical committee may choose to agree or disagree with the OUBCC member, or make further modifications regarding the proposed draft permanent rule revision.
- (9) All proposed revision(s) by an OUBCC member with the technical committee recommendation will be forwarded to all OUBCC members for further review and possible action.