

MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
BUILDING CODES COMMITTEE

November 14, 2012

Maricopa Association of Governments Office
302 N. 1st Ave
Chaparral Room
Phoenix, AZ

COMMITTEE MEMBERS

Michael Williams, Tempe, Chair

A-Randal Westacott, Avondale

*Phil Marcotte, Buckeye

*Mike Tibbett, Carefree

Mike Baxley, Cave Creek

A-Mike DeWys for Martin Perez, Chandler

Mary Dickson, El Mirage

*Jason Field, Fountain Hills

Larry Taylor, Gilbert

Tom Paradise, Glendale

*Ed Kulik, Goodyear

*Chuck Ransom, Litchfield Park

Tom Ewers, Maricopa County

A-Steven Hether, Mesa

Bob Lee, Paradise Valley

*Dennis Marks, Peoria

Julie Belyeu, Phoenix

Dustin Schroff for Michael Clack, Scottsdale

Dale Crandell, Tolleson

Kevin Bruce, Wickenburg

*Jim Fox, Youngtown

Jackson Moll, Home Builders Association

Sharon Bonesteel, Salt River Project

OTHERS IN ATTENDANCE

Scott Wilken, MAG

Steve Gross, MAG

Daran Wastchak, DR Wastchak LLC

Brad Townsed, MASCO

Judd Jensen, Energy Inspectors

Thomas Cochran, Energy Inspectors

*Those members neither present nor
represented by proxy.

A-Those members participating via
audioconference

1. Call to Order

Michael Williams, Chair, called to order the November 14, 2012 meeting of the MAG Building Codes Committee (BCC) at 2:15 p.m.

2. Introductions

Voting member Randal Westacott, Mike DeWys, and Steven Hether attended via telephone conference call. All members and guests introduced themselves.

3. September 19, 2012 Meeting Minutes

Bob Lee made a motion to approve the September 19, 2012 minutes. Tom Ewers seconded the motion, and the motion passed unanimously.

4. Call to the Audience

Sharon Bonesteel talked about potential code changes for the 2015 International Energy Conservation Code (IECC). She said that she attended a meeting in Thornton, Colorado, that included representatives from across the country. She said that one of the most critical items to come from that meeting was a commitment to limit code changes to: 1) only items that fix parts of the 2012 code; 2) clarify things that need more interpretation; 3) melding in the Energy Star or similar rating systems. She said that general consensus was that there would be about a 5% increase in energy efficiency.

5. Comments From the Committee

Tom Paradise announced that Tanger Outlet Mall in Glendale would be opening the next day.

Michael Williams said there has been a series of meetings in the east valley started by the east valley chambers of commerce. He said the topic has been best practices in permitting. He said the group has been developing a list of best practices, and he would like to bring the list to the Building Codes Committee at some point in the future.

6. 2012 IECC Testing Requirements

Daran Wastchak gave a presentation on 2012 IECC testing requirements. He talked about the Residential Energy Services Network (RESNET) and its various committees. He said that the RESNET product is the Home Energy Rating System (HERS). He said that the HERS score provides for a uniform rating of a home's energy consumption. He said that HERS has become the standard for measuring home energy performance. He gave a history of how sampling started, saying that some raters in the past tested every house that was to be rated. He said that cost of testing is very high, and doing every home was prohibitively expensive. He said that sampling provides a cost-effective means to achieve the goals of the rating system. He said that the Environmental Protection Agency (EPA) proposed a sampling protocol in January 2004, and requested that RESNET create and adopt an accreditation standard for sampling providers. He said RESNET had a task force that worked for more than 2 years drafting a standard, which went into effect on January 1, 2008. He said the standard is recognized by the EPA for the Energy Star for Homes program, the Department of Energy (DOE) for their Builders Challenge

program, and the Internal Revenue Service (IRS) for federal new homes tax credit. He said the IRS allows a tax credit of \$2,000 per home.

Daran Wastchak said the sampling starts with creating a Sample Set. He said the homes to be sampled can be selected from the same subdivision or metropolitan area and climate zone. He said that all tests and inspections of the sample set at a particular stage of construction must be completed within 30 days. He said sample sets do not have to consist of the same 7 homes throughout all the stages of construction. He said that participating subdivisions must be subject to sampling controls at least once every 90 days and have a minimum of 1 home start every 90 days. He said that sampling controls must be completed at a minimum ratio of one test or inspection per seven homes. He said that sampling controls can be completed on a single home or several homes within a given sample set. He said that builders qualify for sampling by first completing 7 consecutive homes without a failure. He said that sampling is only done on individual items that a builder has qualified for sampling, rather than the whole house. He said that new subdivisions require 3 consecutive homes to pass without failure before starting sampling, and that if a failure occurs the failed items must be inspected or tested in 2 additional homes. He said that if one or more of those 2 additional homes fails, the fail item must be tested or inspected in the remaining homes in the sample set. He said that until the failure is corrected in all the identified failed homes in the sample set, none of the homes shall be deemed to meet the threshold or labeling criteria. He said that if 3 additional failures occur within a 90 day period on the same item, the failed item must pass 7 consecutive homes before it can be sampled again, and if 3 additional failures occur within a 90 day period on several different items, the builder must re-qualify to sample by completing 7 consecutive homes without failure or the builder can do a root cause analysis.

Daran Wastchak said that RESNET Sampling Providers oversee the raters themselves. He said that sampling providers must first be accredited as a RESNET Rating Provider. He said there is a separate application and approval process to become a RESNET Accredited Sampling Provider. He also said that Raters and Rating Field Inspectors are not eligible to sample homes unless working under an Accredited Sampling Provider. He then talked about the testing protocols for the 2012 International Energy Conservation Code (IECC), including testing for air leakage and duct leakage.

Daran Wastchak gave his recommendations to the committee. He said he recommends requiring third-party testing and inspections of building envelope, blower door testing and duct leakage; all testing and inspections following RESNET standards; third-party testing and inspections must be completed by RESNET-certified raters or rating field inspectors; and testing and inspections subject to RESNET quality assurance field review procedures.

Sharon Bonesteel said that a recent stakeholders meeting on this subject produced a document that could be adopted by the Building Codes Committee.

Tom Paradise asked about the Above Code Program. He asked if that is more restrictive than code. Sharon Bonesteel said that at the AZBO code change hearing, they looked finding an appropriate way to create a standard to allow RESNET to be used in partnership with the 2012 IECC and the energy sections of the IRC. She said in some ways it could be considered above the code, but in some aspects it differs from code. Daran Wastchak offered suggestions to the language of the proposed document.

Bob Lee said that the Paradise Valley builders asked that third-party inspections be allowed, and that they be allowed to use the performance method rather than the prescriptive method.

Tom Paradise asked what the document was proposed to be. Sharon Bonesteel said that the code allows the building official to approve a third-party inspection for these items. She said that this could be a guideline for when an official approves a third-party inspection. Tom Paradise said it could be something that a building official could use if so desired, but the official could also do something else. Sharon Bonesteel said that the goal is to establish a MAG standard that could be referred to in order to get consistency across the county.

Mike Baxley said that the testing in the IRC and IECC need to be amended in order to use a standard like this. Michael Williams said that the idea behind the proposed document was to create a standard that could be used as an above code inspection method. Tom Paradise said that he doesn't see in the document that the third-party inspection would be made to happen, rather than allowed to happen. Sharon Bonesteel said that the committee could approve this as a standard that could be used by building officials as a nationally recognized standard. Daran Wastchak pointed out that this deals with both the testing and inspection protocols and the sampling procedures. Michael Williams said that both of those would allow for uniformity across the valley.

Tom Paradise asked if there is a similar protocol for commercial buildings. Daran Wastchak said that there is, but it is more about energy modeling. He said that it is not mature yet, but is coming in the future. Larry Taylor talked about the difference between applying this testing to production builders and to custom builders. Michael Williams said that the document is intended to provide the flexibility needed for that difference. Larry Taylor asked what the procedure for reviewing the document will be. Michael Williams said that the item is on the agenda as information and discussion only, so it can be an item for action on a future agenda. He also pointed out that the document refers to sampling as "an above-code program" rather than "the above-code program," indicating that other alternatives are possible. Randal Westacott pointed out that the discussion is only about testing the building envelope, rather than the energy efficiency of the whole home. He said that the language should change to reflect the fact that this would only be a portion of an above-code program. Sharon Bonesteel volunteered to coordinate a revised wording of the document for future review by the committee. Tom Paradise asked if there is a standard for certification for third party testing available already. Sharon Bonesteel said that the International Code Council (ICC) has residential and commercial inspector certifications.

Tom Ewers said that the committee can't adopt resolutions, but can approve standards that can be adopted by the local jurisdictions. He said the document will need to be rewritten to not be a resolution. Jackson Moll suggested writing the standard in the form of model language that could be adopted by the local jurisdictions.

7. MAG Building Code Amendments and Standards Book

Michael Williams said that a number of the code amendment documents were included as attachments for discussion and possible revision.

Scott Wilken introduced Item 4, the Special Inspections Manual. He said the document was originally reviewed in 1995. Bob Lee said that this document was originally borrowed from the City of Phoenix. He asked if Phoenix still uses it. Julie Belyeu said that they use what's in the

IBC for special inspections. Bob Lee said that this document may not be in use anymore. He made a motion to include Item 4 in the Historic section of the book. Mike Baxley seconded the motion and the motion passed unanimously.

Scott Wilken introduced Item 10, Rammed Earth and Straw Bale structures. He said that Randal Westacott had found an updated version of the document from Pima County and provided an updated version for the committee. Randal Westacott made a motion to include Item 10 as updated. Mike Baxley seconded the motion and the motion passed unanimously.

Michael Williams said the Bob Lee had updated Item 16, gas line realignment without a permit. Bob Lee made a motion to include the updated Item 16. Randal Westacott seconded the motion and the motion passed unanimously.

Michael Williams said that Item 19 and Item 20 are still in the process of being updated. Scott Wilken said that the Registrar of Contractors is working on state-wide rules for solar installation, and they will provide revised documents when that process is finished.

Scott Wilken introduced Item 27, Dryer Label, saying that he wanted to check if the IRC code citation was current. Bob Lee made a motion to include the document, but update the code reference to 1502.4.4. Tom Paradise seconded the motion. Mike Baxley said that some of the measurements are not current. Randal Westacott said that the 2012 IRC said the maximum length of exhaust duct shall be 35 feet. Michael Williams said that this might need to be tabled for further research and future discussion. Bob Lee withdrew his motion. Mike Baxley made a motion to table Item 27 to the next meeting. Bob Lee seconded the motion, and the motion passed unanimously.

Michael Williams introduced Item 31, Single Family Pad Certification. Scott Wilken said that the IRC code reference may be out of date. Randal Westacott said that he had polled other jurisdictions recently, and it seems that everyone is getting pad certification. He said that in the past pad certifications had a time limit of 90 days to 6 months. He said that it is up to the building official if they ask for recertification for pads older than that. Tom Ewers said that the question now is if a MAG Standard is needed stating this policy. Randal Westacott said that it is a good idea to have a current certification, so he recommended keeping this document current. Scott Wilken asked if the IRC reference is current. Randal Westacott said that it is. Tom Ewers made a motion to include Item 31 as written. Dale Crandall seconded the motion, and the motion passed unanimously.

Bob Lee suggested tabling the rest of the items until the next meeting.

8. Updated MAG Building Codes Committee Membership

There were no updates.

9. Update Survey of Code Adoption

Bob Lee said that Paradise Valley will go to Town Council to adopt the 2012 I-codes and 2011 NEC, effective January 1, 2013.

Tom Paradise said that Glendale is going to the 2012 I-codes and 2011 NEC December 1, 2012. He said that the option will be given to use the 2012 IPC or UPC.

10. Topics for Future Agendas

Scott Wilken announced that Steve Gross would be retiring from MAG effective Jan 4, 2013.

11. Adjournment

Dale Crandall made a motion to adjourn. Bob Lee seconded the motion and the motion passed unanimously. The meeting was adjourned at 4:05 pm.