

May 9, 2007

TO: Members of the MAG Building Codes Committee

FROM: Michael Clack, Scottsdale, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Wednesday May 16, 2007 - 2:00 pm
MAG Office, Suite 200, Cholla Room
302 North 1st Avenue, Phoenix

A meeting of the MAG Building Codes Committee has been scheduled for the time and place noted above. Members of the MAG Building Codes Committee may attend in person, by videoconference or by telephone conference call. Those attending by videoconference must make arrangements with Craig Chenery at MAG and your site coordinator by at least the Friday prior to the meeting. Those attending by telephone conference call are requested to notify MAG staff at least one day in advance and call 602-261-7510 between 1:55 p.m. and 2:00 p.m. on the day of the meeting. After prompting, please enter the meeting ID number 28453 (BUILD) on your telephone keypad followed by the pound key. If you have a problem or require assistance, dial 0 after calling the number above.

If you drive to the meeting, please park in the garage under the building and bring your ticket to the meeting; parking will be validated. For those using transit, the Regional Public Transportation Authority will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Heidi Pahl at the MAG office. Requests should be made as early as possible to allow time to arrange for accommodation.

Please be advised that under procedures approved by the MAG Regional Council on June 26, 1996, all MAG committees must have a quorum to conduct business. A quorum is a simple majority of the membership, or 13 people for the MAG Building Codes Committee. If you are unable to attend the meeting, please send a proxy from your jurisdiction or agency to represent you.

If you have any questions or require additional information, please contact Heidi Pahl at (602) 254-6300 or hpahl@mag.maricopa.gov.

TENTATIVE AGENDA

1. Call to Order

2. Introductions

3. April 18, 2007 Meeting Minutes

4. Call to the Audience

Members of the public may request to speak on items that fall under the jurisdiction of the MAG Building Codes Committee and are not scheduled on the agenda; or, on items on the agenda for discussion but not for action. A total of 15 minutes will be provided for the Call to the Audience, with a limit of three minutes per speaker, unless the Chair requests an exception to this limit. Those requesting to comment on action agenda items may be provided an opportunity to do so at the time the agenda item is heard.

5. Comments From the Committee

An opportunity will be provided for Building Codes Committee members to present a brief summary of current events. The Building Codes Committee is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed in accordance with the Arizona Open Meeting Law.

6. Southwest Gas Reorganization

Mike Picallo and Bob Palmer will explain the company reorganization and identify new primary contacts. Southwest Gas is dividing Maricopa County into two regions. An update will be provided.

2. For information.

3. Review and approve the minutes of the April 18, 2007 meeting.

4. For information and discussion.

5. For information and discussion.

6. For information and discussion.

- | | |
|---|-------------------------------------|
| 7. <u>Arizona Hearth Products</u> | 7. For information and discussion. |
| <p>Mark Stoltzmann, Golden Flame Distributing, would like to discuss gas connections in new houses and the requirements for installing and inspecting gas fireplaces.</p> | |
| 8. <u>Regional Plan Review/MAG Building Inspectors/Plans Examiners (RPR/BI/PE) Forum Update</u> | 8. For information and discussion. |
| <p>Ben Cox, City of Gilbert, will discuss recent activities of the Regional Plan Review (RPR). Cheryl Mullis will discuss recent events of Building Inspectors/Plans Examiners (BI/PE).</p> | |
| 9. <u>Updated MAG Building Codes Committee Membership</u> | 9. For information and discussion. |
| <p>We are requesting that Committee members review Attachment One, Committee Roster, sent with this agenda. Please forward any changes to Heidi Pahl prior to the meeting or provide them at the meeting.</p> | |
| 10. <u>Updated Survey of Code Adoption</u> | 10. For information and discussion. |
| <p>Attachment Two identifies the codes that member agencies have adopted. Please review this information and provide any updates or corrections to Heidi Pahl. MAG staff will be contacting member agencies to obtain information on their current Energy Code.</p> | |
| 11. <u>Topics for Future Agendas</u> | 11. For information and discussion. |
| <p>Potential topics for the next meeting will be discussed. The next meeting of the MAG Building Codes Committee is scheduled for Wednesday June 20, 2007 at 2:00 p.m. in the Cholla Room of the MAG offices.</p> | |
| 12. <u>Adjournment</u> | |

MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
BUILDING CODES COMMITTEE

April 18, 2007

Maricopa Association of Governments Office
Cholla Room
Phoenix, Arizona

COMMITTEE MEMBERS

Michael Clack, Scottsdale, Chairperson

*Dennis Dixon, Apache Junction

Ken Sowers, Avondale

Phil Marcotte, Buckeye

*Mike Tibbett, Carefree

*Mike Baxley for Cave Creek

A-Alex Banachowski, Chandler

*Art Swanson, El Mirage

*Peter Johnson, Fountain Hills

*John Smith, Gila Bend

*Jo Rene DeVeau, Gila River Indian
Community

A-Ray Patten, Gilbert

Bryan Woodcox for Deborah Mazoyer,
Glendale

Ed Kulik, Goodyear

*Chuck Ransom, Litchfield Park

Tom Ewers, Maricopa County

A- Steven Hether, Mesa

A- Bob Lee, Paradise Valley

*Dennis Marks, Peoria

Tom Wandrie, Phoenix

A-Dennis Street, Queen Creek

Forrest Fielder, Surprise

A-Michael Williams, Tempe

*Mario Rochin, Tolleson

Rod Stevens for Wickenburg

Bob Cooperider, Youngtown

Rus Brock, Home Builders Association

OTHERS IN ATTENDANCE

Heidi Pahl, MAG

Steve Gross, MAG

Fran Smith, Southwest Gas

Robert Palmer, Southwest Gas

*Those members neither present nor
represented by proxy.

A-Those members participating via
audioconference

V-Those members participating via
videoconference

1. Call to Order

The Chairperson, Michael Clack, called the April 18, 2007 meeting of the MAG Building Codes Committee (BCC) to order at 2:05 p.m.

2. Introductions

Voting members Alex Banachowski, Bob Lee, Ray Patten, Steven Hether, Dennis Street, and Mike Williams attended via telephone conference call. Rod Stevens from Wickenburg also attended via telephone conference call. All members introduced themselves.

3. March 21, 2007 Meeting Minutes

It was moved by Ken Sowers, seconded by Tom Ewers and unanimously recommended to approve the March 21, 2007 meeting minutes.

4. Call to the Audience

Bob Palmer from Southwest Gas asked if he could get on next month's agenda to explain their company reorganization and new primary contacts, as they are dividing into two regions. Tom Ewers asked if all of Maricopa County will be in one region. Bob Palmer replied that Maricopa County will be divided into two regions. The split is down I17. Fran Smith from Southwest Gas announced that she will be retiring the week of April 23, 2007 and thanked MAG BCC for their help over the years. Ms. Smith said that she will continue her role with Hearth Products and will continue to interact with building officials. Ms. Smith said that Brian O'Donnell will be taking her place. She said that he is an engineer who used to be a building official at the city of Scottsdale and that he has just renewed his membership with the International Code Council (ICC).

5. Comments From the Committee

Tom Wandrie distributed Ordinance G-4885 that City of Phoenix adopted into law. Mr. Wandrie said this ordinance is repealing and recreating portions of Section 9-1 of the Phoenix City Code; amending the Phoenix Building Construction Code – Administrative Provisions; and establishing effective and expiration dates. Mr. Wandrie drew attention to sections 13 and 14 of the code. He said he e-mailed electronic copies to Ben Cox who can distribute it to the group upon request. Mr. Wandrie distributed information on the determination of wind loads, most particularly for signs. He said Phoenix City Council chose to keep the code more restrictive so they allowed use of the older code from 2002.

Forrest Fielder asked if Rus Brock could provide the Home Builders Association (HBA) insights on section 14 of the Phoenix ordinance. Rus Brock replied that the HBA asked Phoenix to consider this since the housing market is not at its best right now and financial plans for a new subdivision are done two years in advance. He said the more expensive fire ratings are not really an issue. He noted that this particular approach is better for home builders as it makes for an easier transition when complying with this new requirement. Rus Brock said the R8 tradeoff table and the Section 14 provision were the two issues the HBA wanted each city to consider, but that HBA did not have the time to approach each

municipality. Forrest Fielder encouraged HBA to continue approaching cities on these two issues in order to reach uniformity.

Bob Lee commended Forrest Fielder on scheduling the well-attended March 28, 2007 training session on the 2006 Energy Conservation Code for commercial buildings, presented by the Arizona Chapter of the ICC. Bob Lee mentioned that there was an Inspecting Code-Compliant Photovoltaic Systems class held April 17, 2007 at APS and they distributed a workbook that contains a good check list. Mr. Lee noted that at the last chapter meeting, International Accreditation Service presented an alternate view on accreditation to the ISO. Mr. Lee encouraged building officials to attend the code review and development meeting April 19, 2007, 10 a.m. at Brown and Associates office in Scottsdale.

6. Restaurant/Bar Outdoor Seating Area Zoning Ordinance/Building Code Issues

Bryan Woodcox, city of Glendale, discussed the effects of Proposition 201, the no smoking law that the state will adopt May 1, 2007. Mr. Woodcox said that Glendale would like to know how each city will accommodate outdoor seating for a smoking area. He noted that the city of Glendale's concerns are listed in Attachment One and that Heidi Pahl e-mailed the committee the relevant web site addresses. Mr. Woodcox said the Glendale building and safety department and planning department staff have met to discuss their plans for handling the effects of Proposition 201 and he is now soliciting input on this issue from the MAG BCC.

Bryan Woodcox stated that Glendale is not enforcing the smoking law but they are enforcing the building code for business owners making changes to their establishments to accommodate this new law and provide an area for smoking. Mr. Woodcox said Glendale has received many applications for building changes due to Proposition 201. He gave specific examples of requested changes listed in the applications.

Michael Clack said it seems that they are really discouraging smoking in restaurants, even restaurants with an outdoor area, as they are making it difficult to comply with the changes. Mr. Clack noted that any necessary change needs to comply with the building code and zoning ordinances that may be in effect to regulate outdoor seating. Mr. Clack said he would not compromise this in order to have outdoor seating for smoking. Mr. Clack said it is up to the designer to make it comply with both the building code and zoning ordinance.

Tom Ewers said Maricopa County only allows outdoor seating in certain commercial districts. Mr. Ewers noted that the County already requires they provide extra parking and occupant load to comply with building code and zoning ordinances.

Steve Hether said the city of Mesa sends any business requests for redesign of a building to meet Proposition 201 to their planning department first. Mr. Hether said Mesa is grappling with the same concerns as Glendale. Mr. Hether stated that even if the proposal is approved by planning and zoning the applicant also needs to ensure it meets the States interpretation. He said bars and restaurants are filing an extension of premises or patio permit with the Arizona Department of Liquor and License Control and the extensions are coming through the Mesa tax and licensing office. Bryan Woodcox said the Arizona Department of Liquor and License Control does not require a fenced off area where people drink.

Forrest Fielder asked if Attachment One, number 5, is being interpreted as the outdoor seating area has to have its own separate exit. Attachment One, number 5 states, “A minimum of one exit shall be provided for the outdoor seating area. Two exits are required if the occupant load served exceeds 50.” Forrest Fielder said he could not find a provision to state there needs to be an exit from the patio area if there are sufficient exits from inside the building.

Michael Clack said in his past experience where a business owner wanted to add an outdoor area to his business, it did not happen due to the owner not wanting to spend the money to add plumbing fixtures required for increased occupant load.

Michael Clack said he suspects many businesses will not be able to have a smoking area if they cannot comply with building code. Michael Clack asked who will be responsible for enforcing Proposition 201. Bryan Woodcox replied the Health Department. Mr. Woodcox said that Glendale is looking for a general guideline of how to accommodate outdoor seating, and he would like to make it consistent across the region so that the change is easier for business owners such as Applebee’s that have various locations in the region.

7. Americans with Disabilities Act (ADA)

Michael Clack introduced Denise Labreque, city of Scottsdale ADA coordinator. Mr. Clack said the PowerPoint presentation is available on the MAG Web site.

Denise Labreque said progressing with access is ensuring the built environment is accessible, as ADA is a citywide responsibility.

Michael Clack said that having a wheelchair area at the Scottsdale Parada del Sol parade was a big feat that people really appreciated.

Tom Wandrie said the city of Phoenix has discovered an issue with multifamily A and B units. Mr. Wandrie explained that due to the recent increase in high rises being built in Phoenix, staff receive requests to not put in the A units because the owner does not want an A unit. Mr. Wandrie informed that the Fair Housing Act governs B units and their interpretation is that B units have to be built out and they can convert it back to a non accessible unit. Mr. Wandrie noted that Fair Housing does not govern A units, but they cannot be made less accessible.

Denise Labreque asked if the MAG BCC would consider universal parking spaces across the region. Michael Clack replied that the MAG BCC does not create law or ordinances but that they could discuss the issue.

Forrest Fielder asked if there was enforceable language relating to condo conversions under the ADA Accessibility Guidelines (ADAAG). Denise Labreque replied that condo conversions are governed by the Fair Housing Act. Michael Clack said condo conversions are not an opportunity to enforce ADA laws for units A and B but ADA laws apply to common areas such as a clubhouse. Michael Clack thanked Denise Labreque for her presentation.

8. Regional Plan Review/MAG Building Inspectors/Plans Examiners (RPR/BI/PE) Forum Update

Ben Cox said that there was a Regional Plans Examiners meeting on April 5, 2007 that was reasonably well attended. Mr. Cox said that at the meeting they identified the need to update the checklist due to the sunseting of the plumbing code. Mr. Cox said the next meeting is scheduled for May 3, 2007. Forrest Fielder said that at the meeting, D.R. Wastchak informed the attendees that there is a change from Building Sciences Corporation in the location of the air barrier. Forest Fielder said the change was to have the air barrier on the exterior of the building rather than interior in hot dry climates like Phoenix metropolitan area. Ben Cox said the building officials need to keep sharing information on this issue with the HBA because they do insulation and new construction.

9. Updated MAG Building Codes Committee Membership

Michael Clack asked the membership to send any changes to Heidi Pahl.

10. Updated Survey of Code Adoption

Michael Clack asked the membership to send any changes to Heidi Pahl. Bob Lee asked that MAG BCC members changing to the 2006 codes in July inform MAG so effective dates of the new codes can be placed in the notes section. Mr. Lee said then the document can be used to impress people with the MAG BCC uniformity in codes.

11. Topics for Future Agendas

Tom Wandrie said that one controversial item at the city of Phoenix is backflow preventers. He said they found out that there is a discrepancy between type 1 and 2 sprinkler systems, where the Arizona administrative code is not in line with Arizona Revised Statutes (ARS) because it states that backflow preventers are not required for those systems. He said the plumbing code states that any time someone taps into a potable water system with potential to pollute that system (e.g., a sprinkler system that stagnates), then backflow preventers would be required to prevent contamination. He said that anyone adopting the plumbing code has to consider if a backflow preventer is needed. He said the Fire Department does not want backflow preventers put in but plumbing code states they are required. Mr. Wandrie suggested asking representatives from municipal fire departments to speak about this topic at the June 2007 MAG BCC meeting.

Tom Wandrie requested that the MAG BCC explore the option of listing all amendments to the codes in one location as a resource for the public and other building officials. He said this may encourage uniformity of codes for jurisdictions in the region. Tom Ewers noted that all Maricopa County amendments are available on their Web site. Michael Clack said this is a good idea for the next round of code adoption.

Fran Smith said Arizona Hearth Products would like to give a presentation in May 2007, about fireplaces and difficulties with installing them. Ms. Smith said the representative hopes to workout some coordination issues with MAG BCC. Michael Clack summarized that at the May meeting there will be two presentations, one from Southwest Gas and one

from Arizona Hearth Products, and at the June meeting there will be a presentation on backflow preventers.

12. Adjournment

The meeting adjourned at 3:14 p.m.

MAG BUILDING CODES COMMITTEE MEMBERSHIP AS OF
5/10/2007

ATTACHMENT ONE

Name	Representing	Telephone #	Fax #	E-mail Address
Michael Clack (Chair)	Scottsdale	480-312-7629	480-312-9029	mclack@scottsdaleaz.gov
Dennis Dixon (T)	Apache Junction	480-671-5156	480-982-7010	dennisdixon@ajcity.net
Ken Sowers	Avondale	623-333-4025	623-333-0401	ksowers@avondale.org
Phil Marcotte	Buckeye	623-349-6200	623-349-6222	pmarcotte@buckeyeaz.gov
Mike Tibbett	Carefree	480-488-1471	480 488-3845	mike@carefree.org
Vacant	Cave Creek			
Alex Banachowski	Chandler	480-782-3109	480-782-3110	alex.banachowski@ci.chandler.az.us
Art Swanson	El Mirage	623-876-2932	623-876-4603	aswanson@cityofelmirage.org
Peter Johnson	Fountain Hills	480-816-5129	480-837-3145	pjohnson@fh.az.gov
John Smith	Gila Bend	1-928-683-2255	928-683-6430	jsmith@gilabendaz.org
JoRene DeVeau	Gila River IC	520-562-3583	520-562-1033	jorene.deveau@gric.nsn.us
Ray Patten	Gilbert	480-503-6820	480-497-4923	rayp@ci.gilbert.az.us
Deborah Mazoyer	Glendale	623-930-3120	623-915-2695	DMazoyer@glendaleaz.com
Ed Kulik	Goodyear	623-932-3910	623-932-1177	ekulik@goodyearaz.gov
Chuck Ransom	Litchfield Park	623-935-1066	623-935-5427	building@litchfield-park.org
Tom Ewers	Maricopa County	602-506-7145	602-506-3282	tomewers@mail.maricopa.gov
Steven Hether	Mesa	480-644-2039	480-644-4900	steve.hether@cityofmesa.org
Bob Lee	Paradise Valley	480-348-3631	480-951-3751	rlee@paradisvalleyaz.gov
Dennis Marks	Peoria	623-773-7232	623-773-7233	dennis.marks@peoriaaz.gov
Tom Wandrie	Phoenix	602-534-9480	602-495-5430	tom.wandrie@phoenix.gov
Dennis Street	Queen Creek	480-358-3023	480-358-3002	dennis.street@queencreek.org
Forrest Fielder	Surprise	623-875-4314	623-875-5049	forrestf@surpriseaz.com
Michael Williams	Tempe	480 350-8670	480 350-8677	michael_williams@tempe.gov
Mario Rochin	Tolleson	623-936-7111	623-936-7117	mrochin@tollesonaz.org
Vacant	Wickenburg			
Bob Cooperider	Youngtown	623-933-8286	623-933-5951	ytbuildinginspector@yahoo.com
Rus Brock	Home Builders Assn.	602-274-6545	602-234-0442	brockr@hbaca.org
Heidi Pahl	MAG	602-254-6300	602-452-5098	hpahl@mag.maricopa.gov

(T) Temporary

(P) Proxy

Survey of Code Adoption

Jurisdiction	Building	Mechanical	Plumbing	Electric	Residential	Fire	Energy	Existing Building Code	Fuel	Performance	Notes
Avondale	2006 IBC	2006 IMC	2006 IPC	2005 NEC	2006 IRC	2003 IFC	2006 IECC				2006 Fuel Gas Code. Codes adopted 2/20/07, effective 7/1/07
Buckeye	2006 IBC	2006 IMC	2006 IPC	2005 NEC	2006 IRC	2006 IFC	2006 IECC				2006 Fuel Gas Code. Codes adopted 2/20/07, effective 7/1/07
Carefree	2003 IBC	2003 IMC	1994 UPC	1996 NEC	2003 IRC	2003 IFC					
Cave Creek	2003 IBC	2003 IMC	1994 UPC	2002 NEC	2003 IRC	2003 IFC	Ch. 11 IRC Ch. 13 IBC				
Chandler	2003 IBC	2003 IMC	2003 IPC	2002 NEC	2003 IRC	2003 IFC					IFGC 2003
El Mirage	2000 IBC	2000 IMC	1994 UPC	2002 NEC	2000 IRC	2003 UFC	2000 IECC				1997 Administration Code; and 2000 IFGC
Fountain Hills	2003 IBC	2003 IMC	2003 IPC	2002 NEC	2003 IRC	2003 IFC					
Gila Bend	1997 UBC	1997 UMC	1997 UPC	1999 NEC	1997 UBC	1997 UFC					
Gila River	2000 IBC	2000 IMC	2000 IPC	2002 NEC	2000 IRC	2000 IFC	None				
Gilbert	2003 IBC	2003 IMC	1994 UPC	2002 NEC	2003 IRC	2003 IFC					ADAAG per state requirements
Glendale	2003 IBC	2003 IMC	1994 UPC	2002 NEC	2003 IRC	2003 IFC	None				Adopted the uniform administrative code
Goodyear	2003 IBC	2003 IMC	1994 UPC	2002 NEC	2003 IRC	2003 IFC	2003 Residential				
Guadalupe	1997 UBC	1997 UMC	1994 UPC	1999 NEC	1997 UBC	1997 UFC					
Litchfield Park	2003 IBC	2003 IMC	1994 UPC	2002 NEC	2003 IRC	2003 IFC					
Maricopa County	2003 IBC	2003 IMC	1994 UPC	2002 NEC	2003 IRC	None	None				
Mesa	2006 IBC	2006 IMC	2006 IPC	2005 NEC	2006 IRC	2003 IFC	None				2006 IBC, IMC, IPC, IRC and 2005 NEC will be effective 2/4/07. Did not adopt the energy code.
Paradise Valley	2006 IBC	2006 IMC	2006 IPC 2006 IFGC	2005 NEC	2006 IRC	2006 IFC	2006 IECC				
Peoria	2003 IBC	2003 IMC	1994 UPC	2002 NEC	2003 IRC	2003 IFC	2003 IECC Residential				
Phoenix	2006 IBC	2006 IMC	2006 UPC	2005 NEC	2006 IRC	2003 IFC	2006 IECC	2006 IEBC	2006 IFGC	2006 ICCP for Buildings and Facilities	
Queen Creek	2003 IBC	2003 IMC	1994 UPC	2002 NEC	2003 IRC	2003 IFC	References the 2003 IRC Apply				2003 IEC Admin Provisions

Survey of Code Adoption

Jurisdiction	Building	Mechanical	Plumbing	Electric	Residential	Fire	Energy	Existing Building Code	Fuel	Performance	Notes
Salt River	2003 IBC	2003 IMC	2003 UPC	2002 NEC	2003 IRC	2003 IFC	None				
Scottsdale	2003 IBC	2003 IMC	1994 UPC	1999 NEC	2003 IRC	2003 IFC	2003 IECC				
Surprise	2003 IBC	2003 IMC	1994 UPC	2003 IEC	2003 IRC	2003 IFC	2003 IECC by reference				
Tempe	2003 IBC	2003 IMC	1994 UPC	1996 NEC	2003 IRC	2003 IFC	None				2006 IECC under review
Tolleson	2006 IBC	2006 IMC	2006 IPC	2005 NEC	2006 IRC	2003 IFC	2006 IECC				2006 Fuel Gas Code, 2006 IPMC, 2006 NEAC. Codes adopted 2/20/07, effective 7/1/07.
Wickenburg	2003 IBC	2003 IMC	2003 IPC	2002 NEC	2003 IMC	2000 UFC	None				
Youngtown	2003 IBC	2003 IMC	1997 UPC	2002 NEC	2003 IRC	2003 IFC	None				