

MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
BUILDING CODES COMMITTEE

August 19, 2009

Maricopa Association of Governments Office
Cholla Room
Phoenix, Arizona

COMMITTEE MEMBERS

Michael Clack, Scottsdale, Chair	John Rae for Chuck Ransom, Litchfield Park
Ken Sowers, Avondale	Tom Ewers, Maricopa County
Phil Marcotte, Buckeye	A -Steven Hether, Mesa
*Mike Tibbett, Carefree	Bob Lee, Paradise Valley
Mike Baxley, Cave Creek	*Dennis Marks, Peoria
*Alex Banachowski, Chandler	*Tom Wandrie, Phoenix
Mary Dickson, El Mirage	*Dean Wise, Queen Creek
*Peter Johnson, Fountain Hills	*Forrest Fielder, Surprise
*John Smith, Gila Bend	A -Michael Williams, Tempe
*Jo Rene DeVeau, Gila River Indian Community	Mario Rochin, Tolleson
A -Ray Patten, Gilbert	John Stigsell, Youngtown
Bryan Woodcox for Deborah Mazoyer, Glendale	Rick DeStefano, Wickenburg
Bill King for Ed Kulik, Goodyear	Rus Brock, Home Builders Association

OTHERS IN ATTENDANCE

Alana Chavez, MAG
Heidi Pahl, MAG
Steve Gross, MAG
Mark Wogan, Highland Products
Ray Schmidt, R&R Engineering
Ward Gilbert, Gilbert Plumbing
Robert Palmer, Southwest Gas
John Goss, Southwest Gas
Chris France, ATKO Build Mat
Ron MacDonald, Horizon Stucco

*Those members neither present nor represented by proxy.

A-Those members participating via audioconference

V-Those members participating via videoconference

1. Call to Order

Michael Clack, Chair, called to order the August 19, 2009 meeting of the MAG Building Codes Committee (BCC) at 2:01 p.m.

2. Introductions

Voting members Steven Hether, Michael Williams, and Ray Patten attended via telephone conference call. All members introduced themselves.

3. May 20, 2009 Meeting Minutes

It was moved by Ken Sowers, seconded by Mario Rochin and unanimously recommended to approve the May 20, 2009 meeting minutes.

4. Call to the Audience

Ward Gilbert with Gilbert Plumbing Company addressed the issue of bathtub overflows. Mr. Gilbert said that the IRC and IPC conflict with each other on the issue of bathtub overflows. Mr. Gilbert said the IPC says it is clear it is not required and IRC has vague language. He said there is no such thing as an overflow in a bathtub, it is a misnomer. He said there is no engineering or standards for an overflow. He announced that there is an upcoming hearing in October 2009 to resolve issues between conflicting codes.

Bob Lee said he hopes that the committee recommendation is upheld. Ward Gilbert said that it is called an overflow but it is technically not an overflow so he asked that the word be changed. He provided an example of a court suing a plumber for not installing an overflow, when an overflow does not exist.

Michael Clack said the MAG BCC could place this item on a future agenda and encouraged Mr. Gilbert to participate in the ICC hearings in October/November 2009. Mr. Clack said that ICC provides their interpretation and the final interpretation is with the building official at a jurisdiction.

Ray Schmidt with R & R Engineering said that his issue is whether or not structural engineering should be required for solar residential photo voltaic application. He suggested that MAG require a structural review for public safety reasons. He suggested the issues be addressed at the BI/PE Forum and be forwarded to MAG BCC for consideration. Mr. Schmidt provided an example from Clacksmith County, Oregon.

Michael Clack encouraged the industry professionals to work on this issue to find a code compliant solution.

Bob Lee asked if this can be put on an agenda item so MAG BCC can discuss the issue further. Michael Clack replied yes.

Ray Schmidt asked if a subcommittee can be formed to discuss the issue. Michael Clack said that first it should be presented to MAG BCC at their September meeting.

5. Comments From the Committee

John Stigsell asked if the MAG BCC is going to share proposed amendments to the new codes. Bob Lee explained that collecting the amendments from all the jurisdictions was the responsibility of past BCC members. Michael Clack said the Scottsdale amendments are available on the Scottsdale Web site. Ken Sowers said MAG BCC amendments have been derived from the Arizona Building Officials (AZBO) amendments. Tom Ewers asked if there is an AZBO committee looking at the 2009 codes. Michael Clack replied yes.

Rus Brock said the purpose of the ICC annual conference in Baltimore is to begin looking at the 2009 codes. Bob Lee said there are 3 basic areas on the agenda for the ICC meeting: 1. review current AZBO amendments that will become the MAG amendments. 2. discuss happenings at code hearings in Baltimore, and 3. begin looking at 2009 proposed code changes. Mr. Lee noted that they will begin looking at 2012 amendments as well.

Rick DeStefano asked if there is a standard on aquipotential bonding in swimming pools. Wickenburg said they are using the 2005 NEC, using Article 680.26. Bill King said in Goodyear they created a handout and have been accepting the 2008 NEC for aquipotential bonding in swimming pools.

6. Drainage Requirements for One Coat Stucco

Mark Wogan of Highland Products discussed the drainage requirements found in the International Code Council (ICC) Evaluation Service reports and how jurisdictions are or will be enforcing them. Mr. Wogan discussed problems in the field with ½ inch foam and drainage requirements. He said they had a problem with the practicality of ½ inch foam, it is too thin. He noted that manufacturers are prepared to put the groove in the foam. He distributed a sample of the foam with grooves. He distributed the ICC-ES Evaluation Report (ESR2278).

Bob Lee said he cannot imagine any building official rejecting the foam. Mark Wogan said the issue may be that Highland Products is prepared to create and distribute this foam but other manufacturers are not prepared to do the same. He suggested that if MAG BCC adopts this standard then other manufacturers will start to create this foam. Mark Wogan said there are other alternatives like Tivec, but it is more expensive.

Bob Lee said that this was addressed at a previous MAG BCC meeting and the conclusion was that July 1, 2009 was the effective date and each jurisdiction will decide how they are going to enforce it. Michael Clack said all permits that have been applied for after July 1st will have this enforced. Ken Sowers asked if it is July 1, 2009. Bob Lee replied yes.

Mike Baxley reminded that at a previous MAG BCC meeting, it was agreed that all manufacturers will print on the back side of the foam that the ½ inch foam has water drainage.

Michael Clack read the ICC-ES report section 7, identification. Mark Wogan said that Highland Products will have their product meet that identification. Mr. Wogan said they want to keep the integrity of the foam.

Mark Wogan asked for information from MAG BCC on which members will be enforcing this as of July 1, 2009. Michael Clack said that responses can be collected via e-mail.

Mark Wogan said he started to ask builders about 2 inch foam. Ron Macdonald with Horizon Stucco discussed benefits of 2 inch foam and said he is previewing it to builders.

Rick DeStefano asked if this product will have grooves. Ron Macdonald replied yes.

Rus Brock said that there are additional energy requirements in 2009 and is unclear if the wall R value is a composite of all the pieces. Ron Macdonald said the R value is calculated as a value of the assembly. Presently it is calculated on a one inch foam as a R8 or R9. What is really important about this is that it sits outside the stud plane. This adds significant insulation to the building and this cannot be added after the building is built.

Ken Sowers asked if jurisdictions are going to be able to adopt the 2009 IECC. Rus Brock said he does not know the answer.

7. Chair and Vice Chair Term Appointments

Alana Chavez said that on July 22, 2009, the MAG Regional Council approved the MAG Committee Operating Policies and Procedures. She said the document has clarified, and in some cases, modified, former MAG committee procedures. The policies and procedures note that Chairs and Vice Chairs of technical and policy committees, with the exception of the Transportation Policy Committee, will be appointed by the MAG Executive Committee and are eligible for one-year terms, with possible reappointment to serve up to one additional term by consent of the committee.

Michael Clack said the term limit of Chair is 2 years, and at the end of each term the Vice Chair would automatically become Chair. Mr. Clack encouraged members to submit a letter of interest if they wish to serve. Mr. Clack said rotating leadership roles is a good thing.

Alana Chavez said that if no one volunteers for Chair, MAG Executive Committee will respectfully appoint a Chair and Vice Chair.

Alana Chavez thanked the Chairman for his service.

8. MAG Building Inspectors/Plans Examiners (BI/PE) Forum Update

Michael Clack informed that Cheryl Mullis has stepped down as Chair of BI/PE Forum. He asked for a new chair person.

Ken Sowers asked if the Chair could be a plans examiner. Michael Clack replied that Cheryl Mullis was not a building official and said yes it could be a plans examiner. Ken Sowers mentioned that he may be able to volunteer an Avondale plans examiner.

9. Electric Vehicle Infrastructure

Alana Chavez said that on April 16, 2009, MAG, ECOtality and Nissan North America announced a zero emissions partnership that will help facilitate the introduction of electric vehicles (EVs) in the MAG region. She said the proposed infrastructure will utilize 220-volt

charging stations at residential and commercial locations, as well as 440-volt fast-charge stations that could be strategically located to allow vehicles to fully charge in less than 26 minutes. She noted the public and commercial charging systems will utilize the standardized plugs and connectors that have been adopted by major auto manufacturers and will be compatible with all plug-in vehicles. She said on May 20, 2009, MAG staff provided an update on the zero emission partnership initiative to the MAG Building Codes Committee. She said on August 5, 2009, Electric Transportation Engineering Corporation (eTec), a subsidiary of ECOTality, Inc., a leader in clean electric transportation and storage technologies, was selected by the U.S. Department of Energy for a grant of approximately \$99.8 million to undertake the largest deployment of EVs and charging infrastructure to date. She said the grant will be matched by the application's project participants to provide a total of approximately \$200 million to fund the initiative. eTec, as the lead applicant for the proposal, partnered with Nissan North America to deploy EVs and the charging infrastructure that will support them and all electric and plug-in hybrid electric vehicles. She explained the project proposes to deploy charging infrastructure in major population areas that include Phoenix (AZ), Tucson (AZ), San Diego (CA), Portland (OR), Eugene (OR), Salem (OR), Corvallis (OR), Seattle (WA), Nashville (TN), Knoxville (TN), and Chattanooga (TN). In addition to implementation of charging infrastructure in the Phoenix and Tucson regions, ECOTality plans to link the two metropolitan areas by implementing strategic fast-charge stations along Interstate-10 to create the first true implementation of an EV Corridor in North America. She reported that MAG will continue to work closely with ECOTality and its subsidiary, eTec, regarding the implementation of charging infrastructure in the region through the MAG committee process. She said staff will provide an update on the zero emission partnership and discuss next steps in anticipation of beginning to address the development and establishment of building codes for the purpose of implementing electric vehicle charging infrastructure in the MAG region. She said her presentation was available on the MAG web site. She referred members to Attachment Two and Attachment Three included in the agenda packet.

Bob Lee asked if this was Vancouver Canada or Vancouver Washington. Alana Chavez replied Canada. Tom Ewers asked if this includes the wiring. Alana Chavez said it does not include the wiring.

Alana Chavez said eTec plans to make a presentation at the September MAG BCC meeting to begin developing a set of building codes for EV infrastructure. She said the goal is to have this adopted by the MAG Regional Council next spring. She said meeting this timeline is critical in order to meet the roll out of the electric vehicle.

Tom Ewers asked what the region includes. Alana Chavez said it includes all cities and towns and MAG member agencies within Maricopa County. Mr. Ewers said the grant funding is for Phoenix and Tucson and the corridor in between. Alana Chavez replied that the grant program states, Phoenix and means the Phoenix metro region.

Bill King asked if there is a federal requirement for local jurisdictions to adopt a new building code for the EV infrastructure. Alana Chavez replied that it is a requirement of the MAG Regional Council, the policy makers. She added that the house bill with the moratorium on adopting new building codes does not impact this project.

Rus Brock noted that even if the MAG Regional Council adopts a policy for EV infrastructure each city council needs to individually adopt it as a code.

Bob Lee asked if anyone is familiar enough with the NEC to understand if it will require code changes to support the EV infrastructure. Mr. Clack said he did not know but doubts that this has been addressed on a national level. Tom Ewers cited the Oregon building codes example. Steve Hether said the NEC already has Article 625 for EV charging station. Mr. Hether said it seems like the MAG BCC is being asked to provide scoping provisions such as where fast charge stations have to be installed and how many of them have to be installed. Mr. Clack said the mall in Chandler has some parking spaces with EV charge stations.

Mr. Clack said it would be very helpful for eTec engineers to provide recommendations to MAG BCC as a starting point for drafting a code. Alana Chavez agreed. Mr. Clack said that at some point this will have to be addressed nationally. Alana Chavez said yes, she anticipates it will go to the national level, with the first step being a pilot project in our area and other identified areas.

Bill King said from a previous eTec presentation to MAG BCC, they requested MAG BCC to have a quick standardized permitting process.

10. Updated MAG Building Codes Committee Membership

Chairman Michael Clack reminded members to keep their membership information current and to report any changes to Heidi Pahl.

11. Update Survey of Code Adoption

No update.

12. Topics for Future Agendas

Rus Brock suggested a future topic on bathtub overflow. Mr. Clack concurred. Steve Hether said the language in the IRC for 2006 and 2009 codes and the IPC are identical. He said it may be beneficial to define the purpose of the overflow.

Bob Lee suggested a future agenda item on whether or not structural engineering should be required for solar residential photo voltaic application.

13. Adjournment

The meeting adjourned at 3:32 p.m.