

MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
BUILDING CODES COMMITTEE

October 19, 2011

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

COMMITTEE MEMBERS

Ken Sowers, Avondale, Chair  
Phil Marcotte, Buckeye  
\*Mike Tibbett, Carefree  
Mike Baxley, Cave Creek  
A-Martin Perez, Chandler  
Mary Dickson, El Mirage  
\*Peter Johnson, Fountain Hills  
A-Ray Patten, Gilbert  
Tom Paradise, Glendale  
Bill King for Ed Kulik, Goodyear  
\*Chuck Ransom, Litchfield Park  
Tom Ewers, Maricopa County

Amy Shackelford for Steven Hether, Mesa  
\*Bob Lee, Paradise Valley  
A-Dennis Chase for Dennis Marks, Peoria  
Julie Belyeu, Phoenix  
\*Dean Wise, Queen Creek  
Anthony Floyd for Michael Clack,  
Scottsdale  
Michael Williams, Tempe  
Dale Crandell, Tolleson  
Rick DeStefano, Wickenburg  
Jim Fox, Youngtown  
\*Jackson Moll, Home Builders Association

OTHERS IN ATTENDANCE

Scott Wilken, MAG  
Steve Gross, MAG  
Shannon Acevedo, MAG  
Amanda Stanko, MAG  
Randall Westacott, Avondale  
Dustin Schroff, Scottsdale  
David McCarthy, Phoenix  
A-Mike DeWys, Chandler

Nathan Morey, SRP  
Jeff Fleetham, AZ Registrar of Contractors  
Forrest Fielder, AZ Building Officials  
Tom Tahmassian, AZ Building Officials  
Barb Lang, AZ Dept of Health Services  
William McCarroll, AZ Dept of Health  
Services  
Anne Reichmann, ASU

\*Those members neither present nor  
represented by proxy.

A-Those members participating via  
audioconference

1. Call to Order

Ken Sowers, Chair, called to order the October 19, 2011 meeting of the MAG Building Codes Committee (BCC) at 2:00 p.m.

2. Introductions

Voting members Martin Perez, Dennis Chase, and Ray Patten attended via telephone conference call. All members and guests introduced themselves.

3. September 21, 2011 Meeting Minutes

It was moved by Tom Ewers, seconded by Mike Baxley and unanimously recommended to approve the September 21, 2011 meeting minutes.

4. Call to the Audience

There were no comments from the audience.

5. Comments From the Committee

Bill King discussed recent stress testing done by the Southern Pine Bureau. He said that many types of wood have seen a 25-35% reduction in allowance. He suggested that the members of the committee keep their eye on these tests, because new tolerances may be advised prior to the release of the next set of building codes. He said that this will be a pretty significant change if it comes up. Ken Sowers asked if anyone hears more information on this issue that they relay it to other municipalities through AZBO or another common venue.

Tom Paradise asked if Mary Dickson has her volunteers for the ICC meetings. Mary Dickson said that she is more than willing to accept more volunteers, but that she currently has every position filled. She said that they have had a great response from all the chapters and that the Fire Marshal's Association has been very supportive, as well.

6. State Licensing of Behavioral Health Care Facilities

William McCarroll and Barb Lang from the Arizona Department of Health Services (ADHS) gave a presentation on state licensing of behavioral health care facilities. William McCarroll for licensing purposes, they abide by the strictest rule in effect, and that if a local rule is stricter than the state requirement, the local rule is used. He said that there are five different types of programs that his team licenses: inpatient, residential, transitional, outpatient, and adult therapeutic foster care homes, and four different levels of care. He said that within Level 1, they have sub-acute inpatient agency, residential treatment centers, and specialized transitional agency. He said this is the highest level of care, and there is only one of these facilities in the state. He said that Level 2 and Level 3 include behavioral health residential agency, Level 4 includes transitional agency, some shelters for victims of domestic violence, rural substance abuse transitional agency, and outpatient clinic. He said that facilities are licensed by the level of care needed by the client.

William McConnell provided more detail on the four different levels of care and the types of facilities in each. Level 1 sub-acute agencies provide continuous inpatient treatment to individuals who are experiencing a behavioral health issue and cannot care for themselves and may be a danger to themselves or others. Barb Lang said that in 2012 she will be heading up a group to rewrite the state's architectural guidelines for sub-acute hospitals, and said that she would like input from municipal building officials. William McConnell said that they also license level 1 residential treatment centers, which are for individuals who are under the age of 21 and need inpatient psychiatric services. He said that level 2 behavioral health residential agencies provide continuous treatment and general supervision to individuals who are experiencing issues that limit their independence. He said that level 3 behavioral health residential agencies have a lower level of care than level 2, mainly people who need help managing their medications. He said that, unlike levels 1 and 2, these facilities are unsecured, and clients may leave during the day, and that the facility is required to know their general whereabouts. He said that level 4 transitional agencies can be three types: shelters for victims of domestic violence, rural substance abuse transitional centers, and transitional agencies. He said that the environmental standards are not as strict as in the higher levels.

William McConnell said that the fire code for facilities is determined by the number of beds, and that for levels 1-3 the space requirement is 605 square feet per bed. He said that for level 4 facilities there is no such requirement. He said that they require sprinkler systems for 9 or more beds. He said that outpatient clinics provide treatment for less than 24 hours and are required to be separated from residential, inpatient, and transitional facilities. He said that adult therapeutic foster homes provide health services to 1-3 adults and that these clients live in the home and are integrated into the family of the individuals providing the services.

William McConnell said that his office will not license a facility unless the licensee is in compliance with all local, state, and federal codes. He said that facilities that were licensed prior to July 2003 must have a sprinkler system or fire alarm system.

William McConnell discussed behavioral health facilities that are out of compliance. He said that they are required to submit a Plan of Correction that must include: how the deficiency will be corrected; the date the correction will be implemented; contact information for the person responsible for the correction; a description of the monitoring system used to prevent the deficiency from recurring; and the licensee's signature and date that the plan of correction was approved. He said that information on any of their programs is available at [www.azcarecheck.com](http://www.azcarecheck.com), which provides a searchable database, statements of deficiencies, and enforcement actions.

Tom Paradise asked if ADHS doesn't look into the facility until the municipality has issued a certificate of occupancy (CO). William McConnell confirmed this is correct.

Mike Baxley asked if ADHS copies the local jurisdiction when deficiencies are found. Barb Lang said that they receive the appropriate paperwork from the local jurisdiction when fixing a deficiency. She said that in a case like this, there would not be a structural change and they would not override the local jurisdiction.

Barb Lang said that there is a trend for behavioral health providers to open facilities in apartment complexes. She said that ADHS does not allow these types of facilities in apartment complexes. She asked members to notify her office if a facility like this is opened in an inappropriate location like an apartment. She also said that they have had issues with facilities

opening in older houses that are no longer structurally sound, and this is not allowed without the appropriate CO. Finally, she said that in the coming years they will be doing more integrated licensing with assisted living facilities, which will require more regulatory flexibility to allow the different types to operate together.

#### 7. International Green Construction Code Primer for Final Action Hearing

Anthony Floyd discussed the final action hearing for the International Green Construction Code (IGCC). He said that the first green construction codes will be ratified at the upcoming International Code Council (ICC) hearings that will take place in Phoenix in November. He said that the IGCC is an overlay code, and is not designed to replace building codes. He said Scottsdale and Phoenix have adopted the current IGCC as a voluntary code.

Anthony Floyd outlined the basic schedule for the hearings, including discussion of the administration chapter on the first day of the hearings. He said that one of the new things in the IGCC includes site development, including landscaping, alternative vehicle parking, and preservation of natural resources. He highlighted a few of the proposed code changes from among the 361 code change comments.

Tom Paradise asked when he plans to adopt the IGCC. Anthony Floyd said that the code was originally released as public versions, rather than drafts, and that Scottsdale adopted public version 2 in 2010. He said that Scottsdale plans to adopt the 2012 I-codes, and will adopt the 2012 IGCC as part of that process. Julie Belyeu said that Phoenix is also planning to adopt the 2012 I-codes and will adopt the 2012 IGCC as well, with an effective date of July 2013. Ken Sowers asked if the IGCC will still be a voluntary code when adopted. Anthony Floyd and Julie Belyeu said that their cities intend to keep the IGCC voluntary.

Julie Belyeu thanked Anthony Floyd for putting together the document outlining the possible changes to the IGCC. Randal Westacott asked about the upcoming ICC sustainability committee. Anthony Floyd said that there will be two topics discussed: energy and water.

#### 8. Updated MAG Building Codes Committee Membership

There were no updates to the Building Codes Committee Membership

#### 9. Update on Survey of Code Adoption Document

Michael Williams said that Tempe has adopted the 2009 I-codes with an effective date of October 24, 2011 and a grace period until January 1, 2012.

#### 10. Topics for Future Agendas

Ken Sowers announced that there will be no Building Codes Committee meetings in November and December, and that this will be his last meeting. He said that Michael Williams will be the new chair starting in January.

#### 11. Adjournment

Mike Baxley made a motion to adjourn and Julie Belyeu seconded the motion. The meeting was adjourned at 3:19 PM.