

MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
BUILDING CODES COMMITTEE

May 16, 2012

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

COMMITTEE MEMBERS

Michael Williams, Tempe, Chair

Randal Westacott, Avondale

*Phil Marcotte, Buckeye

*Mike Tibbett, Carefree

Mike Baxley, Cave Creek

*Martin Perez, Chandler

Mary Dickson, El Mirage

*Jason Field, Fountain Hills

A-Tim Simanton for Ray Patten, Gilbert

*Tom Paradise, Glendale

Ed Kulik, Goodyear

*Chuck Ransom, Litchfield Park

Tom Ewers, Maricopa County

Steven Hether, Mesa

Bob Lee, Paradise Valley

*Dennis Marks, Peoria

*Julie Belyeu, Phoenix

A-Dean Wise, Queen Creek

Dustin Schroff for Michael Clack, Scottsdale

Dale Crandell, Tolleson

Rick DeStefano, Wickenburg

*Jim Fox, Youngtown

*Jackson Moll, Home Builders Association

Sharon Bonesteel, Salt River Project

OTHERS IN ATTENDANCE

Scott Wilken, MAG

Steve Gross, MAG

Bill King, Goodyear

*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 May 16, 2012 meeting of the MAG Building Codes Committee (BCC) at 2:00 p.m.

2. Introductions

Voting members Tim Simanton and Dean Wise attended via telephone conference call. All members and guests introduced themselves.

3. March 21, 2012 Meeting Minutes

Steven Hether made a motion to approve the minutes. Tom Ewers seconded the motion, and the minutes were approved unanimously.

4. Call to the Audience

There were no comments from the audience.

5. Comments From the Committee

Bob Lee said that the AZBO Annual Business Meeting will take place July 17-19, in Payson at the Best Western. He said there will be a golf tournament the first day, with chapter meetings that evening. He said that the business meeting will be held the morning of the second day. He said that there will be professional development in the afternoon of the second day featuring Dr. Paul Melendez of the University of Arizona. He said the third day will include a roundtable discussion on the changing face of building inspections. He said that after lunch on the third day there will be a demonstration of a blower door test.

Michael Williams welcomed Sharon Bonesteel, SRP as a non-voting member to the committee.

6. SB1598 – Building Inspections

Steven Hether discussed the meeting the City of Mesa held on March 21, 2012, regarding SB1598 and its effects on building inspections and building plan review. He said that Mesa's position is that building inspections are not affected by SB1598 because they are requested by the applicant. He said that the city's position is that plan review is affected by SB1598. He said that Mesa examined current plan review practices to see what needs to be done to come into compliance, and found that a number of their practices are already compliant. He said that any changes needed for compliance have to be in place by December 31, 2012. He said that the bill requires an administrative review process and a substantive review process, as well as the establishment of turn-around times for plan review. He said that the city code already requires the establishment of turn-around times, called Penalty Times, and if those times are not met, the review fee is refunded to the applicant. He said that the city is still discussing creating a waiver that would allow an applicant to waive their rights under SB1598, and there is discussion within the city about when in the process to offer such a waiver. He said that for the administrative review, they are going to have the owner and design professional certify that everything on the required deliverables checklist is included in the submittal.

Randal Westacott asked what the city will do if the application is found to be incomplete after the applicant has certified that it is complete. Steven Hether said that if something is missing from the application, the application will be rejected during the substantive review, and the applicant will have to start the process over again. He said that their applications will be very clear that every required deliverable must be present or the application will be rejected.

Steven Hether said that during the substantive review, they will have the opportunity to ask one round of questions, and if those questions are not answered the application will be rejected. He said that applicants may choose to waive their rights under SB1598 and allow reviews beyond the second review, but if they do not, and the comments are not addressed at the second review, the application will be rejected. He said that if applicants request reviews that are expedited or super-expedited, the waiver will be required.

Steven Hether discussed the criteria used for setting review times for the substantive review process. He said that some things that can be taken into consideration when setting review times include the complexity of the review, the economic impact of a delay, and the impact on public safety. He said that, based on the criteria in the legislation, their top priorities will be all commercial and new residential projects; their second priority will be all commercial addenda, residential addenda, deferred submittals, and sign permits; their third priorities will be all residential projects, such as pools, additions, and remodels. He said that they took the current turn-around times and adjusted them based on the priority of the project type. He said that the existing review times include a time of 10 business days for the third review. Under the revised review times, he said, third review will be 18 business days, but will only be allowed if the waiver is signed.

Randal Westacott asked if the waiver will be shared with the group when it is available. Steven Hether said that he will share everything they have with the group.

Steven Hether said that they have added an option to their online customer contact service to allow customers to ask for an official interpretation of code. He said that they are also in the process of establishing a catalog of official interpretations on the website.

Bob Lee asked if this was the presentation given to other jurisdictions at the March meeting held at Mesa. Steven Hether said that the March meeting was in regard to inspections. He said that the questions about building inspections under SB1598 seemed to be settled quickly, that building inspections are requested and, therefore, don't fall under the requirements of the bill.

7. MAG Building Code Amendments and Standards Book

Scott Wilken said that at the March meeting, the committee discussed the first six items on the list. He said that Item 7 required utility companies that are installing lighting on private property to get all required permits and inspections. He said that this item was adopted by Regional Council in 1996. Bob Lee said that he has never experienced this situation, but thinks that the rule is still applicable. Mike Baxley said he agrees. Tom Ewers said that in unincorporated areas, there are a lot of streets that are tracts, and utility companies are exempted from building code requirements by state statute when they install lights in those tracts. Michael Williams said that when this was originally discussed, SRP wanted to provide lumens to a church project in Gilbert. He said that they did not want to follow the National Electric Code (NEC), but wanted to follow their own code, and install and power light poles without a service point, like they do in the public right of way (ROW). He said at that meeting, they discussed what would be

required, and determined that SRP would have to follow then NEC. He said that the City of Phoenix developed a standard that would allow a utility to install without a compliant service or meter, but would have one fuse disconnect typically underground and a special handhold that could only be opened by SRP. He said that Tempe adopted that standard, but to his knowledge it has not been used.

Sharon Bonesteel said that she would like to talk to her staff at SRP and do more research and discuss this item again at the next meeting. Randal Westacott made a motion that Item 7 be tabled to the next meeting. Ed Kulik seconded the motion, and the motion passed unanimously.

Scott Wilken said that Item 8 addressed the requirements of fireplace construction and air quality. Tom Ewers said that this was adopted by Maricopa County in response to PM-10 regulations, and is still in effect. He made a motion that the document be adopted as-is. Steven Hether seconded the motion. Michael Williams noted that the copy of the standard included is an out-dated standard, and was last revised in 2008. Tom Ewers said that the language was taken from state statute, and applies to certain townships and ranges that are in the non-attainment area. He said that the standards referenced by the state statute might be out of date. Randal Westacott suggested ensuring that the standards that are referenced by this document are up-to-date. Tom Ewers withdrew his earlier motion. Randal Westacott made a motion that Item 8 be tabled to the next meeting in order to ensure that the standards referenced are current. Mike Baxley seconded the motion, and the motion passed unanimously. Tom Ewers said that he would research the item and provide an updated version at the next meeting.

Scott Wilken said that Item 9 was regarding plastic tags on wood trusses, and that there is no document related to this in the packet. Randal Westacott said that all trusses are still required to be labeled, and Dustin Schroff sends out quarterly reports of truss manufacturers who are in compliance with the standards. He said he's not aware of any plastic tagging requirements. Michael Williams asked if this item ties into Item 11. Scott Wilken said that Item 11 requires that the truss identify the manufacturing company, the truss load, and the spacing of trusses. Randal Westacott suggested checking in the field to see if the needed information is being provided, and if a standard like this is even necessary any more. Scott Wilken said that it's possible that if a standard like this is still needed, only Item 11 is needed, and Item 9 could be left out. Michael Williams said that, because the document references the UBC and most jurisdictions are using the IBC, it should at least be updated to the current code. Sharon Bonesteel said that a standard like this could be more useful during remodels, to provide a homeowner more information about the truss if original plans aren't available. Bob Lee made a motion that Item 9 and Item 11 be tabled to the next meeting in order to update the code reference and determine if these standards are still necessary. Dale Crandell seconded the motion, and the motion passed unanimously. Dustin Schroff volunteered to research the standard and bring the information to the next meeting.

Michael Williams said that Item 10 dealt with straw bale construction, and the standard adopted was the Pima County standard. He asked Sharon Bonesteel if the standard had been updated. Sharon Bonesteel said that it has been updated, and that she thought an addendum to the IRC or IBC has been added to address this. She added that the standard is still being used today. Mike Baxley made a motion to table Item 10 to the next meeting in order to examine the updated Pima County standard. Randal Westacott seconded the motion, and the motion passed unanimously. Mike Baxley volunteered to find the updated standard and send it to Scott Wilken.

Scott Wilken said that Item 12 recommended compliance with the accessibility standards in the Fair Housing Act or the 1997 UBC Chapter 11. Michael Williams said that the IBC after the 2006 edition is a fair housing safe harbor, meaning those standards are adopted as part of the IBC. Tom Ewers made a motion that Item 12 be included in the Historic section of the book. Ed Kulik seconded the motion, and the motion passed unanimously.

Bob Lee said that Item 13 has been incorporated into the IMC. He made a motion that Item 13 be included in the Historic section of the book. Randal Westacott seconded the motion, and the motion passed unanimously.

Scott Wilken said that Item 14 was from the 1997 UBC and was about pressure-treated sill plates on interior and exterior applications. Bob Lee said that the IRC and IBC have clarified this issue. He made a motion that Item 14 be included in the Historic section of the book. Mike Baxley seconded the motion, and the motion passed unanimously.

Scott Wilken said that Item 15 was from the 2000 IRC, and was regarding wind loads. Bob Lee questioned what the current standard is for this topic. He said that the document itself doesn't reference the 2000 IRC, and that he still uses this today. Mike Baxley said that the document references the wrong temperature, but the spreadsheet mentions a 2002 update to 34 degrees. He suggested that this item be updated to reflect the new temperature. Bob Lee made a motion that Item 15 be updated to 34 degrees winter design temperature. Mike Baxley seconded, and the motion passed unanimously. Scott Wilken said that if the table reference is correct, and the only change is the winter design temperature, he would make the change in the table as part of the final formatting process.

Scott Wilken said that Item 16 is standard language of an agreement with Southwest Gas to relocate a gas line without permit or clearance. Bob Lee said that he thought this provision allowed Southwest Gas to relocate by up to 10 feet without a permit. He said that if it allowed blanket permission to move gas lines, he would not vote for it, but if it allowed up to a maximum of 10 feet he could. He made a motion that Item 16 be updated to include a 10 foot maximum distance. He said he has used this recently, and may have a letter with current language that could be used to replace this item in the book. Ed Kulik seconded the motion, and the motion passed unanimously.

Scott Wilken said that Item 17 was a proposal that explains alternatives for complying with Chapter 11 of the 2000 IRC, the Energy Chapter. Randal Westacott made a motion that Item 17 be included in the Historic section of the book. Mike Baxley seconded the motion, and the motion passed unanimously.

Scott Wilken said that Item 18 references the 2000 IMC, allowing an exception when evaluating outdoor ventilation systems for schools. Randal Westacott said that he would accept something like this today if it could be properly documented. Tom Ewers said that he thinks this applies more to schools with gymnasiums, which want to use a different occupancy load for the gymnasiums themselves. Sharon Bonesteel said that she thinks with all the changes occurring in the energy calculations, this should either be Historic or updated. Bob Lee said that when this originally was discussed, it was because schools were receiving federal money to upgrade mechanical equipment. He questioned whether this item has any use anymore. Mike Baxley said that it is not needed as one adopts the energy code. Bob Lee made a motion to include Item 18 in the Historic section of the book. Ed Kulik seconded the motion, and the motion passed unanimously.

Scott Wilken said that Item 19 and Item 20 referenced the 1999 NEC and was regarding permitting requirements for commercial and residential solar photovoltaic installations. Bob Lee said that he uses these all the time, but they need to be updated. Mike Baxley said that they need to be updated to reflect current state statute. Sharon Bonesteel said that if the committee votes to update these two items, she will volunteer to write an updated version. Michael Williams said that it sounds like the committee wants to bring these two items into accordance with state law and update the references. Bob Lee added that acknowledgement letter requirements on both items need to be eliminated. Mike Baxley made a motion that Item 19 and Item 20 be updated to reflect the current state law and current NEC. Dale Crandell seconded the motion, and the motion passed unanimously.

Randal Westacott made a motion to include Item 21 in the Historic section of the book. Steven Hether seconded the motion, and the motion passed unanimously.

Bob Lee said that Item 22 is now in the code. He made a motion to include Item 22 in the Historic section of the book. Randal Westacott seconded the motion, and the motion passed unanimously.

Scott Wilken said that Item 23 is in regards to solar water heater systems requiring a permit. Bob Lee made a motion that Item 23 be included without changes. Mike Baxley seconded the motion, and the motion passed unanimously.

Scott Wilken said that Item 24 was for the 2000 IRC and disallowed foam products for fireblocking unless they are a listed material. Bob Lee said that this topic came up originally because a new foam product was available that some contractors wanted to use as a fireblock, but the product itself was flammable. Mike Baxley said that he still sees similar products today. Sharon Bonesteel said that there was recently discussion at the code hearings regarding foam products and fireblocking. Bob Lee said that the section number referenced may need to be updated. He made a motion to table Item 24 to the next meeting in order to do more research and update the text. Ed Kulik seconded the motion, and the motion passed unanimously.

Randal Westacott made a motion to include Item 25 in the Historic section of the book. Tom Ewers seconded the motion, and the motion passed unanimously.

Michael Williams said that that will be the last item the committee will discuss today. Scott Wilken thanked everyone who volunteered to research and update the tabled items. He said that the agenda for the next meeting will be sent out on June 13th, so he will need the updated text or a status update by Monday June 11th.

8. Updated MAG Building Codes Committee Membership

There were no updates.

9. Update Survey of Code Adoption

There were no updates.

10. Topics for Future Agendas

Michael Williams said that the July meeting will be canceled. He said that the Masonry Guild will present new engineered designs for fences at the next meeting.

There were no additional suggestions for future agenda items.

11. Adjournment

Dale Crandall made a motion to adjourn and Tom Ewers seconded the motion. The meeting was adjourned at 3:24 PM.