

MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
BUILDING CODES COMMITTEE

June 19, 2002  
Maricopa Association of Governments Office  
Saguaro Room  
Phoenix, Arizona

COMMITTEE MEMBERS

Leon Manuel, Chairman, El Mirage	Crystal Pearl, Mesa
Ken Sowers, Avondale	T Armando Rivas, Paradise Valley
T Mike Tibbett, Carefree	Neil Burning, Peoria
T Bob Lee, Cave Creek	Rick Doell, Phoenix
**Alex Banachowski, Chandler	Tim Wegner, Queen Creek
* Unappointed, Fountain Hills	Anthony Floyd, Scottsdale
*Ralph Vasquez, Gila Bend	Forrest Fielder, Surprise
*JoRene Deveau, Gila River Indian Community	**Nancy Wood, Tempe
**Ray Patten, Gilbert	* Mario Rochin, Tolleson
Bill Griffiths for Deborah Mazoyer, Glendale	* Skip Blunt, Wickenburg
Steve Burger, Goodyear	Unappointed, Youngtown
*Chuck Ransom, Litchfield Park	Tom Ewers, Maricopa County
	*Rus Brock, Home Builders Association

\*Those members neither present nor represented by proxy.

\*\*Those members participating via audioconference

T Those members participating via videoconference

OTHERS IN ATTENDANCE

Carl White, Mesa	Courtney Gilstrap, Gilstrap & Associates
Orion Goff, Mesa	Michelle Green, MAG
Joe McElvaney, Phoenix	Harry Wolfe, MAG
John Wayne Gonzales, Phoenix	Heidi Pahl, MAG

1. Call to Order

The meeting was called to order at 2:05 p.m. by Chairman Leon Manuel. Mr. Manuel introduced Videoconferencing participants Bob Lee, Mike Tibbetts and Armando Rivas; and audioconferencing participants Nancy Wood, Ray Patten and Alex Banachowski.

## 2. Approval of May 21, 2002 Meeting Minutes

Tom Ewers noted that the date of the minutes – May 15, 2002 -- was inaccurate and needed to be changed to reflect the actual May 21, 2002 meeting date.

Bob Lee said that in item #2 in the minutes, reference should be made to Cave Creek (not Carefree) not having an agreement with the State on inspecting mobile homes.

Steve Burger said that item #12 in the minutes should make reference to HB 2628 not SB 2628.

Crystal Pearl said that item #10 in the minutes should state that the discussion of backflow devices related to dialysis water supply (not potable water) and that the discussion was deferred to the June 19<sup>th</sup> meeting of the MAG Building Codes Committee.

It was moved by Tom Ewers, seconded by Forrest Fielder and unanimously recommended (vote of 17-0) to approve the minutes as amended.

## 3. Call to the Public

Leon Manuel indicated that an opportunity would be provided to members of the public and Committee to address the Building Codes Committee for non-agenda items.

Harry Wolfe stated that Jim Bourey, the Executive Director of MAG had submitted his resignation effective August 1, 2002. He said that Dennis Smith was acting as Interim Executive Director until Regional Council decides on a replacement.

Chairman Manuel allowed the following item to be heard because it was previously requested to be placed on the agenda and was inadvertently omitted from the Agenda. Ms. Crystal Pearl came prepared to give a presentation and brought supporting speakers.

Crystal Pearl introduced Mr. Carl White who gave a presentation addressing issues associated with the installation of backflow devices on dialysis machines.

Crystal Pearl summarized the issue. She said that she wanted to follow-up and obtain input from MAG Building Codes Committee members on the issue of requiring backflow devices on dialysis machines. She indicated that Mesa interpreted the Uniform Plumbing Code to require that such devices be installed on each dialysis unit. Additionally, Mesa received an IAPMO interpretation that supported the requirement for these devices at each machine. But she added that the Center for Disease Control had indicated that adding such a device on each individual dialysis machine would potentially impair the functioning of the machines such that contaminants could be trapped in the backflow prevention device thereby tainting the fluids therein. It did not, however, cite one instance in which this tainting had ever occurred although Mesa requested it. The FDA/UL rating on the Fresenius machines in question stipulates that a backflow prevention device is integrated internally in the machine.

Since that agency is a federal entity that supercedes local inspection, whatever occurs inside of the machine is off limits. Therefore, Mesa recently took the stance that it would abide by both of the agencies (IAPMO and FDA/UL) by requiring the backflow prevention at each machine, and utilizing the existing device inside each machine. As a result, an additional backflow prevention device would not be required between each machine. A device is definitely required at the source (i.e. main service line).

Rick Doell said that Phoenix addressed this issue a year ago. He said that Phoenix attorneys conferred

with the FDA and that as a result of the communications, Phoenix does not require a backflow device for each dialysis unit. Everyone agrees that a backflow device is required; the question is whether or not you place it on the main line servicing the machines or on each individual machine. There was also concern about the ability of the pressure reducing valves ability to adequately flush Mr. Doell also said that Phoenix received conflicting interpretations from IAPO regarding the requirement for a backflow device.

Crystal Pearl said she wanted to take an informal poll to determine which other cities were requiring the devices and experienced this same problem. The comments received are noted below:

El Mirage - No	Glendale - Uncertain
Mesa - Yes	Carefree - No
Maricopa County - Uncertain	Cave Creek - No
Avondale - No	Paradise Valley - No
Goodyear - No	Chandler - No
Scottsdale - Uncertain	Gilbert - No
Peoria - Uncertain	Tempe - Uncertain
Surprise - No	
Queen Creek - No	

#### 4. City of Phoenix Presentation on NFPA 5000

Rick Doell indicated that the City of Phoenix is currently reviewing the National Fire Protection Association Building Code (NFPA 5000) for adoption in the first Quarter of 2003. He noted that Phoenix staff were adopting the NFPA code based upon the direction provided by the Development Advisory Board and the Phoenix City Council. He said that Joe McElvaney would give a presentation explaining the code adoption process; and that the presentation had already been given to other organizations. Please see attached copy of Power Point presentation.

Mr. McElvaney discussed how Phoenix came to adopt the NFPA 5000 Code. He reviewed the subjects that would be addressed in the NFPA Code. He also stated that it would be available on the NFPA web page.

Mr. McElvaney said that there is a standard in the code to address in-home lifts because we are seeing more and more of these.

Steve Burger asked why Phoenix was adopting the UMC when that was not a consensus code.

Rick Doell responded that the UMC would be used until a consensus code was available in 2003.

Steve Burger said that more than half of the MAG member agencies were going to be adopting the International Codes, but that Phoenix had taken a different path. Rick Doell responded that “that was your interpretation.”

Anthony Floyd asked for clarification on the composition of the Development Advisory Board.

Rick Doell said that the Development Advisory Board is currently the Building Safety Advisory Board expanded.

Anthony Floyd asked whether planning and zoning was involved.

Rick Doell said that Planning is an ex officio member of the Advisory Board.

Rick Doell pointed out that Phoenix could not be less restrictive on amendments, but rather would need to add clarifying language.

Neil Burning asked about 19015: namely that any code or technical document be consensus based.

Bob Lee asked whether Phoenix would take amendments to NFPA to have them included. Joe said that NFPA has a group that would consider amendments. He added that the City of Phoenix is the only city of its size and the first city to adopt the NFPA 5000 Code.

Bob Lee cited language in Chapter 4 of the NFPA 5000 that said “The safety from structural failure goals of this Code are to provide a high confidence of a low probability of structural failure....”

Rick Doell responded that all the Building Officials had issues with Chapter 4. He said that the language was supposed to provide a guideline and that they were going to work on cleaning up the language.

Bob Lee asked how much more building would cost as a result of the NFPA Code. Rick Doell said he wouldn't know the answer to that until the fall.

Neil Burning commented that through the DAB that you are required to know the impact on cost. Rick Doell said that it was not required, but that some analysis would be done.

Rick Doell said that NFPA would be referenced as a base document for single family units.

Bill Giffiths said that chapter on electric refers to NFPA and asked whether NFPA was trying to do an electric code. It was noted that the NEC would be used as the electrical code.

Rick Doell pointed out that the NFPA Codes will be available for free on the Internet along with updates.

5. Status Report on Adoption of Building Codes

Harry Wolfe reported that he had prepared an updated table showing which Codes have been adopted by MAG member agencies and which codes are scheduled to be adopted has been prepared and circulated. He said that if anyone had any changes to the table to please forward those changes to him.

6. Status of the Regional Plan Review Program

Neil Burning reported that the Intergovernmental Agreement had been approved by all the participating

jurisdictions with the exception of Avondale and Goodyear.

Steve Burger stated that the group had been meeting monthly but now meetings are bi-monthly. He said that things were going well and that the group is now dealing with issues related to interpretation of the codes. He said that some plans had already been reviewed using the Regional Plan Review system.

Anthony Floyd said that we had also adopted the International Energy Conservation Code.

Steve Burger said that we had, but that the way the adopting ordinance was drafted, it only included residential buildings and not commercial buildings.

Harry Wolfe encouraged members of the Regional Plan Review group to make use of MAG's audio conference and videoconferencing capabilities.

7. Legislative Issues

Bob Lee pointed out that there had been a Code Review meeting in Oro Valley and that Spencer Kamps of HBAC made a presentation on why the organization entered into an agreement regarding House Bill 2628 with the subcontractors Association. He said that HBAC supports consistency over time.

8. Desert Peaks Award Banquet to Be Held on Wednesday, June 26, 2002

Harry Wolfe announced that each year the Maricopa Association of Governments hosts a Desert Peaks Awards Banquet to recognize individuals and organizations that have made contributions to the advancement of our region. He added that this year one of the finalists for the Regional Partnership Award is the Regional Plan Review Program developed through the hard work of eight members of the MAG Building Codes Committee and other staff from Goodyear, Avondale, Cave Creek, El Mirage, Gilbert, Litchfield Park, Peoria and Surprise. He urged members to attend the banquet and pointed out that registration can be done through the MAG Website.

9. Plumbing Code Commission

Steve Burger indicated that the next meeting of the Plumbing Code Commission would be held on August 22, 2002 at 1:30 p.m. He noted that William Sullivan from the City of Phoenix replaced Mike Brown on the Plumbing Code Commission and that the Chairman will be replaced.. He also mentioned that at the last meeting, the Commission voted 8-7 to consider IPC 2000; but that there was a possibility that the vote might be overturned at the next meeting.

10. Updated MAG Building Codes Committee Membership

Harry Wolfe noted that Fountain Hills and Youngtown have not yet appointed a representative to serve on the MAG Building Codes Committee. He requested that any changes on the membership roster be forwarded to him via e-mail.

11. Topics for Future Agendas

Potential topics for the next meeting will include: consideration of SRP's request to have their Energy

Program added to the list of approved Energy programs;??????; the Attic Ventillation issue; etc. It was noted that the next meeting of the MAG Building Codes Committee, scheduled for July 17, 2002, would conflict with the annual AZBO conference. It was recommended that the July 17, 2002 meeting be cancelled and that the next meeting be held on August 21, 2002.

## 12. Adjournment

The meeting adjourned at 3:35 p.m.