

MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
BUILDING CODES COMMITTEE

November 21, 2006

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

\*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

Bob Lee, Paradise Valley

\*Dennis Marks, Peoria

Tom Wandrie, Phoenix

A - Dennis Street, Queen Creek

A - Randall Westacott for Forrest Fielder,  
Surprise

A-Michael Williams, Tempe

A – Dale Crandell for Mario Rochin,  
Tolleson

\*Lyle Murdock, Wickenburg

Bob Cooperider, Youngtown

Rus Brock, Home Builders Association

OTHERS IN ATTENDANCE

Mike Izzo, Cave Creek

Jim Fox, Citizen

Heidi Pahl, MAG

Bob Goodhue, Phoenix

Mike Baker, Prescott

\*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 November 21, 2006 meeting of the MAG Building Codes Committee (BCC) to order at 2:00 p.m.

2. Introductions

Voting members Ray Patten, Steven Hether, Dennis Street, Michael Williams and proxies Randall Westacott and Dale Crandell attended via telephone conference call. All members introduced themselves.

3. November 15, 2006 Meeting Minutes

It was moved by Bob Lee, seconded by Ken Sowers and unanimously recommended to approve the November 15, 2006 meeting minutes.

4. Call to the Audience

No comments were made from the audience.

5. Comments From the Committee

No comments were made from the committee.

6. AZBO Code Amendments to the 2006 International Codes

Michael Clack asked Heidi Pahl to read the motion made at the November 15, 2006 meeting. Heidi Pahl read Forrest Fielder's friendly amendment to Bob Lee's original motion. She said Mr. Fielder amended the motion to read that the MAG BCC recommend to the MAG Management Committee to accept the Arizona Building Officials (AZBO) Code Amendments to the 2006 I-Codes and recommend that member jurisdictions adopt them as part of their AZBO 2006 I-Codes adoption package. She said that Tom Ewers seconded the motion.

Michael Clack summarized comments from the last meeting and invited Tom Wandrie to share the city of Phoenix rationale for each of the AZBO I-Code amendments.

Tom Wandrie said that Phoenix formed a committee to review the AZBO amendments. He said the Phoenix committee reason for accepting or not accepting the amendments is noted in blue text in the document that was e-mailed to each committee member a day prior to the meeting. Mr. Wandrie said that at the time Phoenix was putting together this document they were considering the International Plumbing Code (IPC) and since then it has been decided that they will use the Uniform Plumbing Code (UPC).

Tom Ewers asked if Phoenix has other amendments to these codes that are not addressed by AZBO. Tom Wandrie replied yes.

Bob Lee said that in his recollection the city of Phoenix has never voted in favor of the AZBO amendments which are reviewed every 3 years. Bob Lee invited agencies to follow

their own path rather than following the lead of one agency. He also encouraged agencies to think of the AZBO amendments as a package, noting that other parts of the State are accepting them as a package. Bob Lee said that when he addresses the committee of reference November 28, 2006 he will do so as the Chairman of the AZBO Board and it would be unfortunate to say that the AZBO amendment package was adopted in part but not in whole. Mr. Lee added that he voted against the AZBO amendments originally and Dave Nakagawara, past Chair, reminded him that we need to show united support for these amendments.

Tom Wandrie said that one of the amendments regarding housing more than 10 persons that require assistance is not supported by Phoenix because changing I-2 from 5 persons to R-4 for 6-10 persons increases liability for the city. Bob Lee said that this particular amendment was offered by the city of Surprise and written in conjunction with the Arizona Department of Health Services to bring the code into alignment with Arizona state law. Tom Ewers said these R4 amendments were the same codes adopted 3 years ago, so if there was a liability issue he thought it would have surfaced already. Randall Westacott said the intent is to be in line with state statutes and he noted that within Maricopa County there are an increasing number of these facilities with an I-2 of 5 or more persons. Mr. Westacott asked how Phoenix addresses these residences in their community. Tom Wandrie said that this AZBO amendment is less restrictive than the national building code. Mr. Wandrie said that in the past, the city of Phoenix has tried to align their zoning ordinances with the code.

Michael Clack introduced Mike Baker, chief building official for the city of Prescott and Chairman of the AZBO Code Review and Development Committee. Mr. Baker said that approximately 22 states throughout the country amend this section of the code. Bob Lee reported that the International Code Council (ICC) formed a code technology committee to review items such as climbable guards and adult care issues, noting that the I-2 AZBO amendment is one of the things they are considering for addition to the future codes. Tom Wandrie said it is up to the jurisdiction to decide how they want to adopt the codes. He said the MAG BCC considers proposals, they do not adopt proposals. Bob Lee asked Mr. Brock to give the Home Builders Association (HBA) viewpoints.

Rus Brock explained that the city of Phoenix uses a committee structure to derive proposed recommendations for the AZBO amendment package and once all the proposals are ready the package is then brought before city council. Mr. Brock noted that during the committee meetings, the home builders expertise was relied upon in some areas and in other areas advice from city of Phoenix staff was needed. He said the HBA considered each and every amendment and did not consider the AZBO amendments as an all or nothing package. He noted that the committee accepted the amendments that made sense and made revisions to the amendments that did not seem appropriate.

Bob Lee said Rus Brock participated in a fair number of AZBO Code Review and Development Committee meetings and Mr. Lee characterized Mr. Brock's participation as support of the AZBO amendments. Rus Brock said he did go to some of the AZBO meetings and he tried to stay involve in the AZBO efforts. Mr. Brock said he participated in the Phoenix and AZBO committees in good faith. Michael Clack clarified that at the last MAG BCC meeting, he asked about the level of participation from the HBA at AZBO meetings. Mike Baker said Rus Brock was not involved in the last couple AZBO meetings and he was not aware of the final AZBO Code Committee Amendments recommended for the 2006 I-

Codes. Bob Lee noted that the AZBO package has been available since May 2006. Mr. Baker said that Phoenix has minimal participation in AZBO. Tom Wandrie said that when they went with NFPA5000 that pushed the city of Phoenix away from AZBO but now they seem to be moving back to the I-Codes and feel that they can participate more in AZBO. Mr. Wandrie reported that the city of Phoenix is giving an honest look at everything in the AZBO amendments package.

Michael Clack pointed out that a member of the Phoenix Fire Department, Barbara Koffman, was elected to an ICC Board. Tom Wandrie said that the city of Phoenix currently has minimal participation in AZBO because resources are limited and they have internal learning obligations that need to be met first. Bob Goodhue noted that Phoenix is also going through a potential restructuring of the department that should allow them to participate more on the state and national level committees. Mr. Goodhue reported that a number of Phoenix staff is beginning to participate on these committees. Mr. Goodhue said that it is going to take Phoenix some time to get back into the swing of things. He reported that Phoenix will be doing some more training internally. He said he understands the need for consistency but wants to be sure that a state organization does not dictate what is best for Phoenix. Michael Clack said that his experience working for a large city, San Antonio, allows him to empathize with a city the size of Phoenix dealing with so many issues in order to get the codes adopted. Bob Goodhue said that when Phoenix went through their ISO rating, they fell from a 2 to a 3 on the residential side and one of the stipulations was that they adopt the AZBO amendments by April 2007 to get the better ISO rating.

Tom Ewers reminded the MAG BCC that one of their goals is to promote uniformity across cities and towns in Maricopa County. Mr. Ewers said to meet this goal, the AZBO model codes should be adopted with little or no changes. He said the AZBO Code Review and Development Committee have done a good job as shown by the very few amendments proposed to the 2006 I-Codes.

Bob Lee withdrew his original motion from the November 15, 2006 MAG BCC meeting and Tom Ewers seconded.

Tom Wandrie moved to recommend these amendments be forwarded to the MAG member agencies for their consideration, Bob Lee seconded, and the motion passed unanimously.

Mike Baker asked if they were adopting these amendments. Michael Clack said they are not adopting the amendments, noting that the MAG BCC does not have the authority to adopt. Mr. Clack said that every agency should adopt the codes as they work best for their community.

Ken Sowers said he will continue to preach uniformity with the goal of attaining a similar set of codes and amendments. Michael Clack said that would be an ideal goal but there are certain influences in each community that need to be considered.

Steven Hether said this committee encourages member jurisdictions to consider the package of AZBO recommended amendments to the 2006 International Code Council (ICC) codes. The purpose of these amendments is to promote a reasonable level of consistency throughout the metro Phoenix area and Arizona. The amendments may be adopted in whole or part or may be amended as appropriate for each jurisdiction. These amendments represent only one

of many different approaches that provide an acceptable level of life and fire safety for the unique challenges each member jurisdiction must evaluate during their code adoption processes. Mike Williams suggested that the MAG BCC look back to Steven Hether's comments the next time they recommend a new set of AZBO ICC Code Committee Amendments.

Phil Marcotte said there is a typographical error in the AZBO amendment package, the 2003 IRC should be 2006 IRC.

7. Adjournment

The meeting adjourned at 3:02 p.m.