

MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
BUILDING CODES COMMITTEE

January 21, 2009

Maricopa Association of Governments Office
Cholla Room
Phoenix, Arizona

COMMITTEE MEMBERS

Michael Clack, Scottsdale, Chairperson
Ken Sowers, Avondale
Phil Marcotte, Buckeye
*Mike Tibbett, Carefree
A-Mike Baxley, Cave Creek
A-Alex Banachowski, Chandler
Mary Dickson, El Mirage
*Peter Johnson, Fountain Hills
*John Smith, Gila Bend
*Jo Rene DeVeau, Gila River Indian
Community
A-Ben Cox for Ray Patten, Gilbert
Bryan Woodcox for Deborah Mazoyer,
Glendale

Ed King for 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
*Dean Wise, Queen Creek
Forrest Fielder, Surprise
A-Michael Williams, Tempe
Mario Rochin, Tolleson
John Stigsell, Youngtown
Rus Brock, Home Builders Association

OTHERS IN ATTENDANCE

Kendall Baxie, HBACA
Beth Nelson, SWEEP
Jeff Schlegel, SWEEP
Drake Nelson, DuPont
Sandy Bahr, Sierra Club
Theresa Weston, DuPont
Rick Atkinson, Highland Materials
Nic Ferrantello, Star Plastering
Mark Wogan, Attlo B/M Highland

*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 January 21, 2009 meeting of the MAG Building Codes Committee (BCC) at 2:02 p.m.

2. Introductions

Voting members Mike Baxley, Alex Banachowski, Steven Hether, Michael Williams and proxy Ben Cox attended via telephone conference call. All members introduced themselves.

3. November 19, 2008 Meeting Minutes

It was moved by Ken Sowers, seconded by Bryan Woodcox and unanimously recommended to approve the November 19, 2008 meeting minutes.

4. Call to the Audience

No comments from audience members.

5. Comments From the Committee

Tom Wandrie said that the Structural Engineers Association of Phoenix and the City of Phoenix Advisory Board would like to know the MAG jurisdictions code adoption dates. He said the City of Phoenix has a moving target of June to September 2010 for adopting the 2009 I-Codes.

Tom Ewers noted that at the November meeting the committee agreed to July 1, 2010 as a target date but left open the effective date.

Ken Sowers said that budget constraints will hold back a lot of jurisdictions from adopting the new set of codes.

Bob Lee commented that jurisdictions should consider potential long term affects of not adopting the new set of Codes. Mr. Lee noted that not adopting the new codes could affect a jurisdiction's ISO ratings.

Michael Clack said that Scottsdale will probably not adopt the 2009 codes until 2010 in order to have budget savings in 2009.

Tom Wandrie pointed out that he talked to ISO and you have a 4 year period before you have to adopt a code. In other words, if you are on the 2006 code then you have through 2010. It will affect you in 2011 and you would need to have the new code effective by 2011.

Tom Ewers said that Maricopa County is planning to adopt by July 1, 2010.

Mario Rochin said that the City of Tolleson will be looking at the budget to determine when they can adopt the new set of I-Codes.

Bob Lee announced that the Central Chapter of the International Code Council (ICC) has scholarship money available to send people to training.

Forest Fielder added that the ICC is aware of the budget environment and is working to establish cost effective training programs such as webinars.

Ken Sowers said that the AZBO education committee is training on the 2006 codes, not 2009. He said AZBO would like to have a class on the differences between the 2006 and 2009 codes.

Tom Wandrie summarized that jurisdictions will try to adopt by 2010 not 2009. He said the actual effective date, however, is undetermined at this time. He said the ISO looks at the effective date because that is when the code is actually enforced, not the adoption date.

Tom Wandrie commented on an issue between the design engineer and the construction design with regards to steel fabricators for steel joist. The designs are different so cannot get sign off on the final design. He said he would contact the Board of Technical Registration He asked if anyone else had this issue.

Bob Lee announced that at the last MAG BCC meeting, gas pressure tests were discussed. Mr. Lee provided the specific codes: 2006 IRC section G2417.4.1 and 2006 International Fuel Gas Code section 406.4.1 stating the test should be conducted at 1.5 times the maximum pressure or a minimum of 3 PSI for ten minutes.

Forrest Fielder announced the ICC Board of Directors did make a determination on an appeal filed by the National Association of Homebuilders. He said the Board heard the appeal in December 2008 and they denied the appeal for the RB 64 and RB 66 code change provisions related to sprinklers in single family residential and townhouses.

Ken Sowers announced that House Bill 2267 will be heard January 28, 2009. He said it is sponsored by the Home Builders Association and pertains to sprinklers in residential buildings and certain mandates for municipalities.

Mr. King polled the group on whether anyone was seeing vapor barriers under slabs in residential construction. No one reported they were seeing this.

Mr. King also polled the group on whether anyone has a maximum size requirement for submitted plans. Most responded that they limit to D Size (24"x36"). Michael Clack reported that Scottsdale encourages folks to submit in digital format to eliminate the issue.

6. Southwest Energy Efficiency Project (SWEET)

Jeff Schlegel of SWEET gave a presentation on "Building Energy Codes and Beyond Code Standards." The presentation was focused on just the building *energy* codes.

Bob Lee gave a Minnesota example regarding the 30 percent solution proposal. He asked if there was a document that MAG BCC could adopt to enforce the higher provisions in the instance that it is beyond the 2009 Code.

Jeff Schlegel responded that their suggestion would be to not necessarily make it prescriptive but leave it flexible. He suggested putting in performance measures such as “you need to meet X on the performance standard.” This would give more flexibility to adopt a performance level.

Tom Wandrie asked which builder had the most energy efficient home. Mr. Wandrie asked if builders are using something other than wood frame.

Jeff Schlegel answered that Pepper Viner, Richard Barna, is the builder in the Tucson area. He said they claim they were able to do the 30 percent solution with no incremental cost.

Michael Clack asked if the adoption of the 2009 building codes or residential code is contingent on using the 2009 energy code. Jeff Schlegel answered that a jurisdiction can adopt the building or residential code without adopting the energy code.

Forest Fielder talked about the Minnesota example again and how the codes are different from each other and can be adopted separately. He said it was a two-track approach.

Ed King commented that if an agency adopts the 2009 Codes that they will need to adopt Chapter 11.

Ken Sowers asked for the Home Builders Association perspective on this issue.

Rus Brock responded that the codes seem to be costly and even minimal increases in cost are not good for home builders in this market. He asked that municipalities understand the costs before adopting the new set of I-Codes.

Ken Sowers asked how disgruntled the Home Builders Association would be if the 2009 codes were adopted with this provision. Jeff Schlegel responded that the slightly better energy efficient homes combined with a marketing program are selling.

7. The 2006 International Residential Code (IRC) Drainage Requirement for One-Coat Stucco

A presentation was given on this agenda topic by Theresa Weston of Dupont.

Michael Clack asked if the issue was the grooved Styrofoam. Theresa Weston responded no, she believes that flat foam is being used which does not meet standards. The question is whether or not it is going to be enforced. Drake Nelson from Dupont added that in Northern Arizona they are starting to enforce the code, and builders are not meeting it so Dupont is fielding the questions now for when the MAG jurisdictions start to enforce the code.

Michael Clack asked if Northern Arizona is requiring the application to submit the form at the end of the ES report. Theresa Weston responded that she did not know if they are requiring the form. Drake Nelson added that at this time there is only one house being built in Sedona.

Bob Lee asked if the issue is that moisture seeps in and does not work its way down and exit through the weep screed. Theresa Weston responded yes. Bob Lee commented about this not being an issue in Phoenix due to the dry climate, but he could see it as an issue on the East

Coast, in more humid environments. Theresa Weston said that Wilmington, North Carolina was the centerpoint for this code.

Drake Nelson commented that they are inspecting houses in Arizona now and finding some newer built homes with issues regarding drainage and enforcement.

Rus Brock commented that it is already in the code, whether or not it is being enforced right now. He asked that members provide notice to builders in their jurisdictions if they intend to enforce it. He also said that he sent an e-mail to some members of HBACA regarding this stucco issue and that some of them are present today and would like to comment.

Rick Atkinson with Highland Materials in Phoenix said that he just finished a five month process with Michael Beaton at ICC and that there is no other accepted method. He said the ICC will not accept anything other than a positive means of drainage. It will be a few months before it gets into reports and Michael Beaton recommended waiting until July before it goes into effect. He said the drainage test on the materials/process that they have was passed here and given to ICC but was still disallowed. He said they also manufacture foam and the foam companies will have a problem with this issue. Rick Atkinson said that Highland Materials is willing to visit member agency sites to answer questions or discuss.

Mark Wogan asked how the jurisdictions will be enforcing this. He said the groove is on the inside back and it is difficult to inspect. Michael Clack replied that the ES report form could be used and the installer could indicate they have installed the foam with the groove on the back. Ken Sowers suggested that foam with the grooves in it get a special marking on the out-facing side for inspectors to easily identify. Rick Atkinson said that could be done.

Ken Sowers commented on the different thickness of the foam and the R-values, stating that the foam could be sold for energy efficiency as well (at different thickness). Rick Atkinson stated that they are currently working on that but it has to get through the IRC because staples do not work on the 2.5 inches, half an inch is it.

Bob Lee asked if the grooves are linear or hatched. Rick Atkinson replied that they are linear going across the short side of the sheet.

Nick Ferrantello expressed some confusion on the issue. He said his company primarily works on high-end custom homes and they are not having a problem currently. Nick Ferrantello asked for a description of acceptable weather resistance barriers. Theresa Weston responded that to meet the weather resistance barrier requirement, there are about 40 approved house representatives. Ms. Weston said to meet the needs of drainage you need to use grooved foam or flat foam if you have another means of drainage and one of the other means of drainage is a textured weather resistance barrier. She stated that two of them have approvals through ICC ES. She said there are differences between approvals for water resistance barrier and for drainage. Nick Ferrantello commented that this will increase the cost, although this is not a bad thing, it is not comfortable for builders in today's economy.

Theresa Weston said that the reason they wanted to come and discuss this is that they did see this coming and wanted to start a discussion about it. She thanked those who showed up and spoke up to discuss the issues. She added that the acceptance criteria have been approved and the first reports with this provision included started coming out last fall. She said reports will continue to roll out month by month.

Michael Clack asked if there is any intent to take this back to the committee. Theresa Weston said that they often do go back to the committee, but this already went through three to five rounds and they are pretty firm right now about what they want to adopt so it will not be going back to the committee.

Michael Clack polled the committee on what they would like to do regarding this item.

Ken Sowers said that he would like to see some sort of designation on the outward facing side of the foam indicating that it is grooved.

Tom Wandrie asked if this is something that the ICC-Evaluation Service (ES) report will address. Michael Clack stated that once the acceptance criteria are ready they send it to the ES reports.

Forrest Fielder suggested waiting until a majority of member agency building departments have the report before the MAG BCC recommends using it.

Michael Clack said he could contact Michael Beaton to ask if something can be done and bring a response to the next meeting.

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

There was nothing to report at this time.

9. 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.

10. Update Survey of Code Adoption

Michael Clack reminded members of the survey that was done by MAG staff referring to the spreadsheet in the agenda packet. He asked that members be sure to update their information as necessary.

11. Topics for Future Agendas

Bob Lee pointed out that the future meeting dates of April 15 and October 21 conflict with Arizona Education Institute dates.

Forrest Fielder said that last fall the city of Surprise waived fees for solar. He said Surprise has been working on solar photovoltaic (PV) and solar thermal plan standards. He said, if there is interest, he would ask the Plans Examiners Forum to review this topic. Forrest Fielder said he would email Michael Clack a copy of the Surprise draft document on solar. Ed King asked if he could also have a copy of the draft. Ed King said he will also send a copy of his checklist to Forrest Fielder.

Steve Gross gave an announcement for the SWEEP representatives who had to leave prior to adjournment. He said the SWEEP members wished to express their thanks to the committee for allowing them to present today.

12. Adjournment

Mario Rochin made a motion to adjourn. The meeting adjourned at 4:05 p.m.