

APPROVED
MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
BUILDING CODES COMMITTEE

February 16, 2005

Maricopa Association of Governments Office
Cholla Room
Phoenix, Arizona

COMMITTEE MEMBERS

Bob Lee, Cave Creek	*Unappointed, Mesa
*Dennis Dixon, Apache Junction	*Armando Rivas, Paradise Valley
Ken Sowers, Avondale	David Nakagawara, Peoria
Phil Marcotte, Buckeye	*Tom Wandrie, Proxy, Phoenix
*Mike Tibbett, Carefree	Tim Wegner, Queen Creek
Alex Banachowski, Chandler	*Larry Francis, Salt River Pima Indian Community
*Art Swanson, El Mirage	Michael Clack, Scottsdale
*Unappointed, Fountain Hills	Forrest Fielder, Surprise
V - Lynn Farmer, Gila Bend	Michael Williams, Tempe
A - Jo Rene DeVeau, Gila River Indian Community	Mario Rochin, Tolleson
A - Ben Cox for Ray Patten, Gilbert	*Lyle Murdock, Wickenburg
Jim Fox for Deborah Mazoyer, Glendale	Bob Cooperider, Youngtown
Steve Burger, Goodyear	Tom Ewers, Maricopa County
*Chuck Ransom, Litchfield Park	Rus Brock, Home Builders Association

*Those members neither present nor represented by proxy.

A-Those members participating via audioconference

V-Those members participating via videoconference

OTHERS IN ATTENDANCE

Cheryl Levandowski, Peoria	Steven Hether, City of Mesa
David Thomas, Thomas Electric	Mike Devereux, Ryland Homes
Ray Hugill, Mitchell Electric	Bob Jones, City of Mesa
R. Mackenna, Mitchell Electric	Bruce Willex, Custom Choice Electric
Mike Gallop,	Bob Greifzu, General Electric
Rumlen Eagan, Farnsworth Homes	Brent Smith, Montalboro Homes
Mike O'Meara, APS	David Raphael, Montalboro Homes
Brian Jordan, APS	Ken Hussain, MAG
Erin Patterson Home Builders Association of Central Arizona	Michelle Green, MAG
Robert Schmidt, Haskins Electrical	Constance Kish, MAG
John Kight, Haskins Electric	Elaine Trammell

1. Call to Order

The Chairperson, Bob Lee, Town of Cave Creek, called the meeting of the MAG Building Codes Committee to order, at 2:00 p.m.

2. Introductions

Members of the Committee introduced themselves.

3. February 16, 2004 Meeting Minutes

Tom Ewers made the motion to accept the minutes; Ken Sowers seconded the motion. The chair asked if there was any discussion on the minutes, hearing none, a vote was taken by the chair and the motion passed unanimously.

4. Call to the Audience

No members of the audience commented.

5. Comments From the Committee

It was announced that this would be the last meeting that Constance Kish would be attending. The Chairperson then introduced Elaine Trammell who would take her place. The chair explained that reason for the change is that the Regional Development Division was becoming a part of the Information Services Division.

The chairperson then noted that the State Energy Code Bill was heard this morning. Bob Lee added that there is no update at this time except to say that it was a quick meeting with low attendance.

6. Affordable Housing

The Chairperson then introduced Dr. Howard Bashford with the Housing Research Institute at ASU to give a presentation on Building Codes and Affordable Housing. A copy of the presentation is available on the MAG website.

Dr. Bashford outlined the topics his presentation will address which include a summary of affordable housing in Arizona; Code Barriers; Solutions, and incentives.

Dr. Bashford then explained that there was a study completed by Pollak & Associates that looked at the issue of affordability in Maricopa County in terms of an affordability gap. An affordability gap, he explained is the shortage of affordable housing units at each household income level compared to the supply of housing.

Dr. Bashford then explained that the Gap is calculated as the difference between the number of households within each income range and the number of housing units affordable to those households.

Dr. Bashford then moved to the role of building codes in affordable housing, making note of the phrase “through affordability” in Section R101.3 of the International Residential Code.

Dr. Bashford then discussed types of code barriers as either substantive, such as restricting the use of cost saving materials, or administrative such as paper work requirements.

Dr. Bashford then explained some solutions to the substantive barriers that he presented. One solution he explained is adopting a rehabilitation code, and to be aware of and accepting of new materials and technologies. In addition, he added that accepting standard plans as the Regional Plan Review Program does reduces costs. Dr. Bashford asked that Building Officials use caution when mandating requirements that will require professional assistance.

Dr. Bashford discussed some of the solutions to the administrative barriers including more consistency among jurisdictions, continued training of staff and better communication.

Dr. Bashford suggested incentives for encouraging affordable housing. He identified designating an affordable housing advocate to facilitate code compliance, offering financial incentives in the form of reduced permit fees and expedited permitting.

Dr. Bashford then ended his presentation by suggesting that the best approach is for everyone to work together.

Bob Lee noted that most of the suggestions that Dr. Bashford offers would be useful in more areas than just affordable housing.

It was then noted that the Planning and Zoning regulations also add to the cost because of certain standards they impose.

Dr. Bashford said that the Stardust Center for Affordable Housing is looking at the social aspects of providing affordable housing. Bob Lee said that their needs to be more collaboration between Building Inspectors and Plans Examiners and that there should be training for homebuilders as well as inspectors. He added that the high turnover in construction staff creates a difficulty in maintaining an educated staff that is equipped to do the job.

Dr. Bashford then noted that at the focus group that was held to assist in identifying issues, one of the biggest issues identified was design and inconsistencies in the plans.

7. Effective Date for NEC Enforcement Resolution

The chairperson decided to combine item #7 and item # 8 for discussion because he felt that it was important to hear the concerns that might be raised in item #8 prior to taking action on item #7.

Steve Burger then made a motion to table the item until we have more information to base a decision on. Mario Rochin seconded the motion. Forrest then added a friendly amendment to the motion to interpret April 1, 2005, the effective date of the resolution, as the date for applications as opposed to applying this resolution to applications for building permits made prior to April 1, 2005. The chairperson asked if there was any discussion on the motion, hearing none, a vote was taken and the motion passed unanimously.

8. HBA Issues Regarding the NEC Resolution Enforcing Certain Sections of the Code

The Chairperson opened the floor for discussion on items seven and eight.

Rus Brock introduced Jon Kight, an estimator, who presented his arguments against the NEC Resolution passed by the committee at its December meeting. His comments were read into the permanent record.

Cheryl Levandowski then asked how the resolution would impact the cost of electrical panels.

Mr. Kight said he did not have enough information to reach a conclusion.

Tim Wegner then asked Mr. Kight if he was an electrical engineer and noted that Mr. Kight's comments were written in the form of an opinion and that decisions should be made based on sound judgment.

Mr. Kight noted that although the installation method is not code compliant that there is evidence that it is safe.

Rus Brock said that an engineer would look at the installation, if that would make people feel more comfortable.

Bob Lee then noted that apparently Denver installs electrical conduit boxes the way that we do now. Mr. Kight responded by stating that the important thing is whether the installation is safe, not whether other States are using it.

Mr. Brock then noted that there are other people available to speak on the issue and suggested that the committee use 90.4 and go through that process which allows alternatives to the code as long as it is assured that equivalent objectives can be achieved by establishing and maintaining effective safety.

It was noted that the current method of installation is approved by a nationally recognized body.

Bob suggested that GE and Square D write a letter stating that this method of installation is appropriate for their products.

Forrest Fielder noted that involving manufacturers might not shed light on the issue.

Steve Burger then noted that his understanding is that most electrical people do not like 90.4, and that this method did not comply with the manufacturers instructions.

Mr. Kight stated that the current installation method is better than or equal to the code and Mr. Brock provided evidence that there hadn't been any failures in a long time.

Rus then read a letter from Bruce Seedall, an electrical contractor. These comments expressed concern regarding the NEC Resolution that was passed by the Committee at its December meeting. Mr. Seedall's comments were read into the permanent record.

Bob Lee then noted that what influenced his decision on the installation method is that it would be an inexpensive solution and easy to implement.

Forrest Fielder then noted that he would prefer to find a solution that is code compliant and he raised concerns with using 90.4.

Mr. Brock then noted that it is important to hear from panel manufacturers.

9. Building Codes Compilation and Web Addition Project

Michelle Green explained that Ken Hussain is in the process of collecting the background information for the project and that she will provide an update at the next committee meeting.

10. Updated MAG Building Codes Committee Membership

Updates were provided following the meeting and will be incorporated into next months list as appropriate.

11. Update Survey of Code Adoption

There were no updates provided during the meeting.

12. Topics for Future Agendas

Topics suggested for future meetings include: Energy Code talk, Water Hammer Arrestors, Medical and Dental Gas requirements, and appendix F and a talk regarding the 2003 IPC and UPC concerning greywater because ADEQ does not regulate this.

13. Adjournment

Tom Ewers made the motion to adjourn, David Nakagawara seconded the motion, and the meeting was adjourned at 4:25 pm. The next meeting will be held on March 16, 2005 at 2 pm in the Cholla Room.