

MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
BUILDING CODES COMMITTEE

April 21, 2004  
Maricopa Association of Governments Office  
Cholla Room  
Phoenix, Arizona

COMMITTEE MEMBERS

Bob Lee, Cave Creek	*Unappointed, Mesa
Ken Sowers, Avondale	V - Armando Rivas, Paradise Valley
Phil Marcotte, Buckeye	David Nakagawara, Peoria
*Mike Tibbett, Carefree	Derek Horn, Proxy, Phoenix
*Alex Banachowski, Chandler	Tim Wegner, Queen Creek
*Jeff Sterling, El Mirage	*Rusty Thompson, Salt River Pima Indian Community
*Unappointed, Fountain Hills	David Potter, Scottsdale
*Unappointed, Gila Bend	Forrest Fielder, Surprise
* Jo Rene DeVeau, Gila River Indian Community	Roger Vermillion Proxy, Tempe
A – Ray Patten, Gilbert	Mario Rochin, Tolleson
*Deborah Mazoyer Glendale	*Skip Blunt, Wickenburg
Steve Burger, Goodyear	Bob Cooperider, Youngtown
*Chuck Ransom, Litchfield Park	Tom Ewers, Maricopa County
	*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, City of Peoria	David Lunn, Gallagher & Kennedy
Jeffery Fecteau, City of Peoria	Autumn Hartsoe, City of Goodyear
Robert Palmer, Southwest Gas	Michelle Green, MAG
Phil Allen, Insulfoam	Constance Kish, MAG
Jack McGuire, Insulfoam	

1.

## Call to Order

The chair called the meeting to order at 2:00 p.m.

### 2. Introductions

Members of the Committee introduced themselves.

### 3. Approval of Meeting Minutes for January 21, 2004

Mario moved to accept the minutes; Ken seconded the motion. Mr. Lee asked if there were any comments prior to taking a vote. One change was noted in the first paragraph on page 3, the reference should be R.403.1.7 not R.403.17 as the minutes indicated. In addition, at the end of that same paragraph, the words “in relation to sloping lots” should read “on sloping lots”. With that, the chair took a vote and the motion passed unanimously.

### 4. Call to the Audience

No members of the audience spoke.

### 5. Comments From the Committee

The chair asked if any member of the Committee had any comments they would like to make.

David Nakagawara asked the chair if he could give his time to one of his staff members to present an issue of importance. The chair conceded and Jeffery Fecteau of the City of Peoria spoke regarding an issue with the Installation of boxes, conduit bodies, fittings and unused openings. Mr. Fecteau referred specifically about the requirement that openings through which conductors enter shall be adequately closed. The issue, Mr. Fecteau explained, is that this area of the code is not being enforced.

Bob replied by stating that this activity has been approved for so long that people are installing it under the mistaken impression that it is ok. He then added that if the group were to decide to enforce this, it would require a great deal of education and there would be other difficulties.

Bob also stated that this is a good time to address this issue because the process of adopting the 2003 I-codes has begun and he suggested that time be given to implement change.

Forrest then asked about the technique for achieving adequately enclosed openings through which, conductors enter a space.

Jeffery Fecteau replied by stating that all the tools to do it correctly are available, it's just not current practice.

Bob then asked if enforcing this would require any framing changes.

Jeffery stated that it really depends on the design adding that there are many possibilities.

Bob then asked Jeffery to come back to the committee with a resolution for the committee to review and possibly adopt.

Ken then asked if there is any data on how many problems are caused by this kind of installation.

Jeffery said that specific statistics are hard to get because once the cause of fires is listed as electrical, there is typically no more research done to determine what the specific electrical problem was. He also added that it seemed logical to assume that if there was a fire, and it remained in the enclosure where it started then there is likely to be less damage done to the house.

Phil Marcotte then asked if LB with fire caulking would suffice.

Jeffery responded by stating that if the solution met the intent of the code, which is containment, then, it is possible that option could work.

Bob provided more explanation as to what the committee would like to see in a resolution; for example, alternatives and a timeline.

Jeffery then noted that some companies are doing this correctly.

Bob added that the photos are a difficult way to disseminate information because of the distortion of faxing or photocopying etc.

David Nakagawara said that the resolution should first identify the code issues, begin enforcement, and add a grace period. It should also include a couple of agreed upon alternatives.

Bob Lee then moved on to the subject of ADA sales offices. He indicated that the latest handout discussed at previous meetings should be brought back before the committee in June so that it could be voted on and potentially adopted as a standard.

Bob raised the subject using manual J as a guide for sizing air conditioning units for residential buildings. He then showed the committee a copy of the manual and recommended that it not be used because of the complicated and lengthy nature of the manual.

Bob then discussed HB 2559, which establishes fire districts and codes and changes the reference to a nationally recognized code as opposed to a uniform code. He indicated that this is a positive step.

Steve Burger added that the Arizona Fire Marshals Association also supported the bill.

Bob referred to the Post Tension Round Table standards. He informed the committee that an engineer who had participated in the roundtable was now less supportive of the idea than he had once been. The issue, he explained, is that the 7" thickness limits the movement to  $\frac{3}{4}$ " and is often used in areas where there are expansive soils where the movement would typically exceed  $\frac{3}{4}$ ".

As an information item, Bob announced that the Arizona Chapter of the ICC is building Habitat for Humanity homes. Forrest was identified as the point person for information if anyone is interested in assisting.

The Chairperson then extended thanks to Ann Palmer with the City of Scottsdale for preparing and sharing a list of approved Truss Manufacturers.

The Chairperson moved on to discuss the fact that someone attending the Building Inspectors and Plans Examiners forum was critical of ventless attics and tried to present evidence to support this position. Bob noted that in cases such as these where the committee has taken a position on the topic, it would be more beneficial to everyone involved if these issues were raised at the committee level.

Bob referred to the fact that ASU and six different jurisdictions inspected a home in Gilbert as part of an educational event. This event was well attended, well received and worthwhile according to participants. Tim Wegner added that he had been working with Jacqueline Thompson on this event if anyone needed information.

#### 6. Report From BI/PE Forum

Cheryl Levandowski gave the report from the Building Inspectors/Plans Examiners Forum. Cheryl said that the Forum researched the  $\frac{1}{2}$ " R-Tech Gable Guard and found that the ICC report approved of the use  $\frac{1}{2}$ " R-Tech Gable Guard.

She also reported that the group agreed to require landings on all exterior doors.

Bob Lee then asked about the  $\frac{1}{2}$ " R-Tech Gable Guard and its relationship to the other Insulfoam products. Cheryl replied by stating that the  $\frac{1}{2}$ " R- Tech Gable-Guard, with a weather resistant barrier, is intended to replace the Tongue and Groove approach.

The chairperson then asked if there were any questions or comments from the members of the Audience regarding this issue.

There were no comments from the audience.

Tim Wegner noted that there seemed to be some hesitation in using the product even though the ICC report approved its use.

He asked if this committee needed to "approve" the product or if the ICBO ES Report did that. The consensus seemed to be that no "approval" was necessary. They moved on to the next agenda item.

#### 7. Valuation For The Purposes of Setting Fees

Forrest explained that he would like to work with committee members to develop a common method of valuation for the purposes of setting fees. He presented a summary of the concept that he and Steve Burger developed. Forrest then indicated that he would like to know if they have support for this kind of project from the MAG management structure. Michelle agreed to look into what kind of pre-approvals might be appropriate and make a report to the committee.

Bob then asked Derek Horn what he thought of the idea and Mr. Horn indicated that Phoenix would be happy to participate in the project.

Steve Burger indicated that he had checked with the ICC and they would be publishing the Valuation Table twice a year.

Forrest added that the table is not going to be published in the magazine anymore as it has been in years past. Instead, it will be made available on the website.

#### 8. Adobe Code Amendments

David Potter seemed to remember Pima County doing some amendments. He offered to do the research and get back to the committee.

#### 9. Water Heater Permits

David Nakagawara indicated that his item is a follow up on a previous discussion about retailers collecting permit fees for hot water heaters. Mr. Nakagawara said that this has become an issue for his city because some people who have paid for permits are asking council members questions about the process. The goal is to clarify the process and make sure that consumers know what they should expect from having paid for a permit. David explained that he had been asked by his council to develop informational materials that would be available to people when they purchase hot water heaters. David added that of 600 permits, only 30% were

finalized. He then raised the issue of combustion from improper instillation as a possible reason to act on this. David asked if this is something that the committee would be interested in assisting with.

Mario asked what the process is for collecting and purchasing permits.

David explained that the retailer collects the money and a plumbing contractor bundles permits and then purchases them when they feel they have the appropriate number to warrant a trip to City Hall. He explained that timing is an issue because the permit request can sit for quite a while sometimes when the hot water heater have been installed.

Mario asked if this is just for contractors or if individuals pay for the permits as well.

David explained that it is for anyone purchasing a hot water heater where a permit is required. He added that the process is not the issue as much as the lack of knowledge about the process.

Steve added that the Registrar of Contractors might be of assistance.

David then stated that his council members asked him to reach out to the community because they felt that consumers should understand the process and the potential consequences of not following it.

Bob then raised the issue of someone who currently lives in a city that requires a permit being charged for a permit even though they are building a house in a city that does not require a permit. He indicated that the Town of Cave Creek does not require a permit.

David Potter added that a generic flyer might be a good way to educate people.

Forrest suggested that the focus of this issue be expanded to look for other instances where retailers are collecting for permits. He then added that Building Officials and Building Inspectors interest is really in safety.

#### 10. Update on the State Plumbing Commission

Steve reported that there was no meeting last month because they could not get a quorum. He then invited the committee to attend the meeting scheduled for next Thursday.

#### 11. MAG Work Program FY 2004/2005

Michelle explained that work is continuing on the work program for the next fiscal year. She then added that MAG accounting staff was asked to report to the

management committee at its May meeting regarding the consequences of delaying the project for a year. She explained that she had spoken with Bob Lee and came up with suggestions such as, the impact on member agencies when they have to review plans and do inspections two and three times because the applicant is not aware of an amendment or policy. In addition, the industry would save money because plans could be prepared in compliance with the appropriate programs, policies and that would be made available to them through a website. She then asked that any further comment on this issue be forwarded to her.

12. Update Survey of Code Adoption

The chairperson noted two changes. Michelle stated that an updated copy of the survey would be circulated to the Committee. Phil Marcotte noted that Buckeye is working towards adopting the 2003 I-codes.

13. Updated MAG Building Codes Committee Membership

No changes were noted and a new roster will be circulated next month.

14. Topics For Future Agendas

The chair suggested that the Adobe Codes be on next month's agenda for review by the committee since Mr. Potter recalled that the standard he was thinking of was related to Straw Bale Construction.

Bob also noted that the narrow wall bracing method might be worth looking at again.

Forrest noted that the committee might want to consider adopting the 2004 supplement. He then asked what ICC's position was on this, adding that the supplement will presumably be adopted in the 2006 version. He asked if the committee should adopt the supplement.

David Potter added that it would require input from the Attorney General's office.

15. Adjournment

The next meeting will be held on June 16, 2004 at 2 pm in the Cholla Room. Mario Rochin made the motion to adjourn, Steve seconded the motion, and the meeting was adjourned at 3:40 pm.