

APPROVED
MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
BUILDING CODES COMMITTEE

August 18, 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	*Salt River Pima Indian Community
*Unappointed, Fountain Hills	*David Potter, Scottsdale
V – John Smith, Gila Bend	Forrest Fielder, Surprise
*Jo Rene DeVeau, Gila River Indian Community	A - 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	Michelle Green, MAG
Robert Palmer, Southwest Gas	Constance Kish, MAG
John Armstrong, Vanguard Pipe	
Del Johnson	

1.

Call to Order

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

2. Introductions

Members of the Committee introduced themselves. Please note that two members of the committee were late Tim Wegner and Forrest Fielder.

3. Approval of Meeting Minutes for June 16, 2004

Mario moved to accept the minutes; Tom Ewers seconded the motion. Mr. Lee asked if there were any comments prior to taking a vote. There were no comments, a vote was taken and passed unanimously.

4. Call to the Audience

Hearing no comments from the audience, the Chairperson moved to the next item on the agenda.

5. Comments From the Committee

Bob Lee began the comments from the committee by explaining that there would be a conference call on August 30th to discuss the possibility of a State Energy Code. Cheryl then added that she thought the intent was to look at a State Commercial Energy Code. He noted that additional information would be forthcoming when available.

Rus Brock informed the committee that Tom Wandrie is the new Building Official for the City of Phoenix.

Bob then raised the issue of natural disasters, with the recent Hurricane that went through Florida in mind. He then asked if the committee should look at having a mutual aid agreement in place to deal with natural disasters. Bob referred to an agreement that he found but the agreement, he explained, does not include everyone.

Tom Ewers then referred to the County's Emergency Management Department. He said that he would check with them to see what has been done.

Steve then asked if the agreement Bob referred to had expired.

Bob said that it expires June 30th 2005.

Ken then added that he thought the agreement had been updated about one year ago.

Tim then asked how communities that are interested in participating in the agreement could become involved.

Tom said that he would do some research and bring it back to the committee.

Bob then referred to a letter he received from the Certified Steel Fabricators suggesting that the City of Phoenix had adopted the Certified Steel Fabricators Law. He went on to say that the letter encouraged other jurisdictions to follow suit. Bob asked the committee if anyone had received a similar letter, or if they could explain the letter.

Steve indicated that he remembers it coming up but the result is not clear.

Bob then referred to Fran's survey regarding ventless gas fireplaces, noting that member agencies are inconsistent on this issue. He then asked committee members to share any reasons they have for not allowing ventless fireplaces.

Tom Ewers said that he went over this issue with his Mechanical person and they could not find anything in the code to allow it.

The Chairperson then recognized Cheryl Levandowski, of the City of Peoria, who noted that there is a gas section in the upcoming Supplement to the I-Codes.

Bob then also referred to ANSI Z 21.91 Ventless Fireboxes for decorative purposes, adding that they have to be tested by a third party.

Bob then moved on to the issue of ventless attics. Bob Johnson of Queen Creek did a survey similar to Fran's ventless fireplace survey and found similar results, some allow them and some do not. He then added that it appears in the supplement to the 2003 IRC and will be in the 2006 IRC with the caveat that certain criteria such as climatic conditions, and vapor barriers must be met.

Bob then asked a question regarding when the code applies. For example, he explained if something is not required by the code but it is installed anyway; does it still have to be installed according to code?

Ken said that if it is installed it should still be installed to code whether it is required or not.

Steve then described a scenario in which an architect adds stairs that are not required for ingress or egress and posed the question as to whether or not they should be subject to the code.

Bob then relayed a story of a sprinkler system that was installed in a home where it was not a requirement. He added that the homeowner undoubtedly got a break on

insurance for having the system installed. It was noted that someone could hypothetically put in just one sprinkler and call that a system.

Steve then referred to the buildings that are constructed to the 5B construction. He added that it is important not to penalize someone for going above and beyond the code. Mr. Burger also referred to the ICBO interpretation: if it is better than it is under the code then that is considered an improvement and should be accepted.

Tim Wegner then made the point that subsequent homeowners expect improvements to be consistent with building codes and they expect a certain level of protection because of that.

Forrest then raised the issue of electrical outlets that are not required, asking the committee if those would be subject to the code.

The answer was yes because of the nature of the change.

Tim added that it really should be decided on a case-by-case basis.

Ken added that an attorney might say that if it is constructed, then it should be constructed according to the applicable codes.

6. Resolution On Ceiling Applications To Receive a Water-Based Texture Material, Either Hand or Spray Applied

Mr. Lee read the resolution including a change that was suggested by Tom Hedges. He then explained that the purpose of the resolution is to not enforce the footnote. Bob asked if there was support from the committee to pass such a resolution. There was none. Bob explained that he presented the issue this way to bring some levity to the meeting.

Ray responded by stating that they are enforcing the footnote in Gilbert.

The Chairperson recognized Cheryl and she noted that Peoria is enforcing the footnote as well.

Seeing no support for such a resolution, the Chairperson noted the general consensus of the committee is to enforce the footnote related to this item, he then moved on to the next item on the agenda.

7. ADA Accessible Sales Office

Mr. Lee explained that this issue has been around for a while yet the committee has not taken formal action to adopt an interpretation. Bob then moved to adopt the Peoria model removing the logo and address and adding a MAG logo.

The Chairperson then noted that this allows for the use of temporary alternatives for a sales office that will eventually become a home.

Rus then described the process that he went through in Phoenix where he had to submit a code modification request and get it signed off in order to work around it. The original interpretation was that once the sewer was connected then the ADA facilities had to be provided inside the home. He wanted to let the committee know that the issue had been worked out with the City of Phoenix.

Steve seconded the motion to adopt the ADA Accessible Sales Office interpretation allowing for temporary use of Port-A-Johns among other things. A vote was taken and the motion passed unanimously.

8. Weep Screed Requirements

Bob referred to section R 703.6.1 of the 2003 IRC, which does require weep screed. The drawing and explanation, he explained, was based on the 2000 code.

Steve noted that the attachment sent out with the agenda does not comply with weep screed. He did some research and found that it is a metal piece, with holes, that is bent and that the stucco goes into holes and plugs them. He added that the purpose of the holes is to hold the stucco rather than to provide for the weeping as one might think. He explained that the metal should be at a 30-degree angle and underneath that angle is where the weeping occurs. He added that he could not find a 90-degree angle that is weep screed. .

Bob then said that the item would be tabled and the drawing may be modified and brought back to the committee for consideration.

Steve then added that the first question he would ask is what does the manufacturer recommend, although they may provide a conservative answer due to a fear of law suits related to mold and moisture.

Forrest expressed interest in the subject and then added that they require it to be flush at entry points.

Bob said that Steve looked at the City of Scottsdale requirements for weep screed and found that their requirements are that if an area under a covered patio or other overhang is more than three feet horizontally from the edge of the roof then it does not need to have two inches of clearance to paving.

11. Water Heater Permits

David Nakagawara reported that the pamphlet is being prepared. He explained that the first page includes typical questions such as, who do to call for an inspection etc.

He then asked the committee for assistance with information regarding which jurisdictions require permits and which do not, the cost of the permit and a contact phone number. With the committees assistance he hopes to have a draft pamphlet for the next meeting. Then, he explained that graphics would be added to make it more like a pamphlet you would expect to see.

Bob asked why a permit would be required to replace a water heater.

Cheryl responded by stating that the requirement for a platform is important and the original home may not have had one, also combustion air vents are an issue.

David added that it is possible to ask if the change is a conversion to gas or just a swap out.

Tim added that it is possible that the connector vent could be improperly installed. He then asked if the committee wanted to expand the focus of the concept to apply to other things.

David responded by saying yes, that is something that could be looked at where appropriate explaining that the original direction given to him by his council was to be very focused.

Rus then asked if the platform was not always a requirement, does the committee still want people to put them in.

Bob responded saying yes, ideally and practically.

David added that he forgot about the change in ANSI standards that requires new water heaters to have a safety feature added that would negate the need for water heater platforms. This change in the standards, he explained, was presented before this committee some months ago. He then added that this is one of those issues that should be left up to the judgment of each jurisdiction. As much as we would like to be uniform, we need to recognize that each agency deals with different circumstances and that a uniform interpretation is not always appropriate.

Mario added that people change hot water heaters that have been sitting outside on dirt, unprotected so Tolleson requires a permit in order to rectify some of these issues and unsafe conditions.

Bob agreed referring to an e-mail exchange regarding requiring fire sprinklers in all buildings. While this may be appropriate in one jurisdiction, it may not be in

another. He explained that it highlighted the fact that jurisdictions are inherently different and should be treated that way in some cases.

12. Update on State Plumbing Code Commission

Mr. Burger stated that the Commission had a quorum for their meeting on June 17th. He explained that much of the discussion focused on the appropriate means of taking minutes for meetings. He also added that Terry Vosler from Oro Valley worked towards a 60-day extension for code change submittals, making the new deadline August 17, 2004. Mr. Burger stated that the July 21st meeting was cancelled due to a lack of a quorum. He indicated that a meeting was going to be scheduled in the next month or so.

13. MAG Work Program FY 2004/2005

Michelle explained that the project to compile the actions of the committee and make them available online. This project she explained includes conducting a survey of what codes, amendments and MAG standards member agencies have adopted. This information she explained, will also be made available online. The MAG Executive Committee approved the project in July. The project, she explained, will be completed with the assistance of an intern. She added that she has been communicating with individuals at the ASU School of Construction regarding the process for getting an intern. The next step is to develop a job description and hire someone. She then asked the Chairperson if he would sit on an interview panel. The Chairperson responded in the affirmative.

14. Update Survey Code Adoption

When asked, Rus spoke about the process for adoption of the International Codes for the City of Phoenix. Rus explained that the Council had not yet adopted the codes but that they intended to go through a five-step process similar to the one they embarked on for the NFPA 5000 adoption. This could take a while he explained. He is currently working with an IRC committee that meets weekly to work on getting the Residential codes adopted. He indicated that there may be other committees working on other codes but he is only involved with this one.

15. Updated MAG Building Codes Committee Membership

Changes were noted and an updated roster will be circulated next month.

16. Topics For Future Agendas

Dust Control in your jurisdiction

The chair then asked if there was anything else for the good of the order.

Steve Burger responded by asking to speak about the AZBO Educational Institute, which will be held from October 25th to 29th. He explained that it will be held in Tucson and tuition will be \$100. He also indicated that the Chapter is looking at ways to increase revenues to allow them to do more scholarships and activities such as habitat for humanity. For this reason he explained, they are going to have vendors for two days, sponsors for lunches and breaks etc.

Forrest then asked about requiring special inspections for high pot testing for electric services over 1000amps. He asked if Building Officials still require the special inspections.

Tim Wegner then announced that the AZBO web site is now live at the same address azbo.org

17. Adjournment

The next meeting will be held on September 15, 2004 at 2 pm in the Cholla Room. Bob Lee made the motion to adjourn, Ken seconded the motion, and the meeting was adjourned at 3:23 pm.