

BUILDING AND FIRE CODE BOARD

Building and Fire Code Board of Appeals AMENDED MINUTES

REGULAR MEETING
November 4, 2009

The Building and Fire Code Board of Appeals convened in a regular meeting on November 4, 2009 at City Hall, Board and Commission, Room 1101.

Alan Schumann called the meeting to order at 2:19 PM.

Board Members in Attendance: Alan Schumann, Frank Haught, Michael Cannatti, Steven King and Scott Stookey.

Staff in Attendance: Dan McNabb, Leon Barba, Katherine Clark, Richard Morgan, John Umphress, and Michael Husted.

- 1. APPROVAL OF MINUTES** – Vice Chair Michael Cannatti made a motion to approve the minutes from meeting held on October 14th. Scott Stookey seconded the motion with a vote of 4-0-1. Board Member James Sullivan was absent and Board Member Frank Haught abstained.

Scott Stookey made a motion to approve the minutes from meeting held on October 21st. Chair Alan Schumann seconded the motion with a vote of 4-0-1. Board Member James Sullivan was absent and Vice Chair Michael Cannatti abstained.

- 2. CITIZEN COMMUNICATIONS** – None

- 3. CONDUCT A PUBLIC HEARING** –

- a. 2009 International Energy Conservation Code – Jerry Garza (*Chair of Mechanical Plumbing and Solar Board*) discussed batch testing for residential. MPSB has not taken a vote on batch testing.
 - **403.2.8** Single family batch testing (*page 7 of 15 of IECC*)
 - **503.2.5** – Energy Code regarding commissioning (*page 11 of 15*) Richard Morgan (AE) explained why additional information was changed in regards to square footage (or energy load)
 - **503.2.9.1** - mechanical systems completion for new buildings of less than 5,000 changed to 10,000 gross square feet.
 - **503.2.9.2** – mechanical systems and energy code commissioning completion changed from 5,000 to 10,000 gross square feet *of conditioned space* or greater.
 - **503.2.9.2.6** / (*page 13*) - Board Member Scott Stookey doesn't want the engineer of record limited by discipline. Does not want the passing of the mechanical rough inspection to be mandated only by the building official. Questioned whether or not this change would take the burden off building officials "back" to avoid having to have building official issue certificate of occupancy. Wants it noted on record the word "*mechanical*" should be stricken from this sentence and replaced with just "*engineer of record*". Also wants noted he didn't like the language in the last sentence regarding provisions of the currently adopted energy code and amendments "*as of the date of inspection*" and wants this portion stricken from the amendments. AE agreed to comply.

- **503.2.9** – Suggested amendment Energy Code to state: “*mechanical systems completions for buildings*” versus “... *for new buildings*”
- (3:14 PM) Harry Savio w/Home Builders Association –Feels as though it would be wise to get a consolidation of codes. Expressed concern regarding existing batch testing.

3. PUBLIC HEARING CLOSED - Frank Haught made a motion to close the public hearing. Alan Schumann seconded the motion and the public hearing was closed at 3:22 PM with a vote of 5-0-1. Board Member James Sullivan was absent.

- Chair Alan Schuman noted only two areas the board may have concerns. Batch testing and commissioning. Would also like to review the language the board is considering for commissioning
- Scott Stookey suggested section **403.2.8** be deleted in its entirety and amend commissioning requirements. Stott Stookey made a motion to move forward for Council to approve 2009 IECC as amended. Chair Alan Schumann seconded the motion and agreed to strike **403.2.8** in its entirety. Chair Alan Schumann required to review the language BFCBOA is considering regarding commissioning.

4. ACTION: Unanimous decision made by board members to recommend to Council to move forward and approve amendments as amended with a vote 5-0-1. Board Member James Sullivan was absent.

5. DISCUSSION: 2009 International Residential Code

- **Expired Permits R105.5.3** –Amendments to this language will include an added fee if a contractor allows a permit to expire. Goal of this language will simply be to make a contract aware there will be a penalty if they allow their permit to expire. At this point it’s not confirmed if this will be a legal issue or an administrative issue. Legal will make this decision.

6. NEW BUSINESS

- a. Postponed public hearing discussion regarding 2009 International Residential code until next meeting. **Next Meeting:** Tuesday, November 17, 2009

3. ADJOURN – Frank Haught made a motion to adjourn and Scott Stookey seconded the motion with a vote of 5-0-1. Board Member James Sullivan was absent. Meeting adjourned at 4:01 PM