

DHCD, DBFR 2009 Code Change Process

Summary of the November 19, 2009 Workgroup 1 Meeting

Administrative and Selected Technical Issues

Summary Notes:

There was a very good attendance and very thoughtful discussions on 19 code changes and issues. There will be 9 code changes that will be moved onto the Codes and Standards Committee's meeting on December 14, 2009 to be held here at DHCD, 600 East Main Street Room 1210 starting at 10:00 to 3:30.

- 1. USBC 102.3 Manufacturing equipment:** Consensus to move forward for the December 14th Codes and Standards Committee dealing with hazardous materials to be covered even when the processing equipment is exempted. AS recommended.
- 2. USBC 102.3 Exemption #7 federally owned buildings:** Consensus to move forward December 14th Codes and Standards Committee dealing with USBC exemption for federal buildings except underground tanks. Has been taught this way, but now would be stated in regulations. AS recommended.
- 3. USBC 102.3(1) Public utilities:** Exemption is clarified to include right of entry and occupancy for private property by agreement. Code change needs to be revised after much discussion on intent and need. Likely to have support once revised. If it can be submitted by December 1st, it would put on Codes and Standards December 14th meeting.
- 4. USBC 103.2 Grace period:** No consensus so will carry over to March 2010. Proponent needs to restrict only to R-3, R-4 and R-5 occupancies if hope to gain consensus. Revised code change needs to be submitted by January 25, 2010
- 5. USBC 103.5 Reconstruction and alterations:** Multiple code changes. Catlett code change on configuration of handrails and guardrails is in proposed regulations. The code change is limited in scope and may be in need of additional work if the intent is to comply with loading requirements that was the stated reason for the code change, but the way it is in the section it may not achieve the intended result. Rest of section needs work that Ray Pylant has submitted revised code change that will be attached. Catlett withdrew fire rated code change. Carry over to March of 2010.
- 6. USBC 103.10 #3 References:** Adds IRC testing and construction requirements that was consensus to move forward to the Codes and Standards Committee December 14th. AS recommended.
- 7. USBC 108.2 #2 Accessory structures and 1808.1 Foundations:** Consensus to move forward to Codes and Standards December 14th changing 150 to 200 square feet for

permit exemption and adding foundations for 256 square feet into the IBC. AS recommended.

8. USBC 109.3.1 Egress: No consensus for two code changes Thomas and Payne submitted. Currently, USBC does allow Thomas and Payne changes to be done by the BO. Perhaps intent can be clarified in 109.3.2 to include architectural detail and data. VS-AIA and some building officials thought Thomas change was too broad for spaces and non-habitable spaces or rooms under 50 persons and why would one want for tenant spaces so scope seems far too expansive and unnecessary. What is the problem voiced by industry and designers. Another part of Thomas code change dealt with public way. Example of public way being impacted later can be taken care of by the VMC or the SFPC so what is the problem? ICC did do a code change. Glenn Dean to submit new code change regarding public way as separate code change by January 25th. Glenn was asked to work with Ken Payne, Dave Thomas and Ron Clements. Carry over March 2010.

9. USBC 115.2 Violations: Withdrawn.

10. USBC 118 Unsafe buildings: Multiple code changes. No consensus. Carry over March 2010. Redifer code change broader definition of unsafe to include if permit is revoked is problematic. Catlett code change would allow building official to enforce unsafe buildings beyond what is allowed by legislation. OAG will be asked if can do by regulations that staff has advised cannot provide BO powers beyond USBC VCC for the VMC without legislation. If OAG agrees then can withdraw or VBCOA can file legislation.

11. USBC 119.9 Appeals: Code change is seeking to have DHCD and the STRB do all appeals within 90 days unless agreed upon by parties to continue. Staff indicated would need legislation that OAG would be asked for opinion. Continue to March of 2010. VBCOA might seek legislation in either case.

12. USBC VMC 105.1: Unsafe code changes with list of what is unsafe from the current performance and less specific scope. DHCD points out what is the problem and cases are won in court. In fact what is unsafe is based on the USBC VCC which the building is built for structural, gas, plumbing, electrical, fire and being open. List still has some problems and problematic vague language as point out by Catlett. 2nd code change 105.4.1 from Farrell is a clean-up coordination change with the USBC VCC and will be on Codes and Standards December 14th agenda recommended AS if fixes done and submitted to DHCD by December 1st.

13. USBC IRC duct testing: To WG 2 for December 1st. Need to get ICC code change passed for sampling as possible 2009 USBC IRC code change. Would cut cost considerably.

14. USBC NEC construction requirements: Is fixed so off-table.

15. USBC IBC 913.1 Exception 2 emergency communication: For WG 2 December 1st. Ron Clements pointed out a flaw with big box stores that can be built in Types 4 and 5 constructions. His fix would only allow all wood buildings. This would mean any 1-3 story building with some steel framing members such as steel wall studs used in a strip center or apartment would now have conduit required of any square footage. To fix the problem with big box stores is rather simple by saying for both 4 and 5 construction: "In other than buildings constructed in accordance with Section 507" that is the unlimited area buildings.

16. USBC IRC accessory dwelling: Taken off the table as it is clear the 3,000 s.f. is for the entire building and not per floor.

17. USBC/SFPC IFC chapter 46 retrofit measures: Consensus to delete. Taking out of the IFC would avoid misapplication and also reduce the VSFPC by a good number of unnecessary pages. Move forward to the Codes and Standards Committee December 14th with AS recommendation.

VADR:

1. Code change 13VAC5-50 to increase CEU's from 16 hours to 32 hours recommended for Denial. Just instituted the CEU requirement in 2009 and it is too early to add or double new requirement and the associated cost. WG 1 agreed with VADR advisory committee. On December 14th agenda of Codes and Standards with D recommendation.

2. Issues on electrical generators, zip lines, mall trains, open to public, moved in unusual manner, rock climbing wall, inflatables and fees will be on the March/April 2010 agendas.

IBSR and USBC:

Unregistered buildings like sheds, container boxes converted to habitable occupancies and temporary buildings on trucks to be discussed for possible legislative changes to the USBC or IBSR or a policy developed to deal with these buildings used commonly now across the state. How to permit, how to enforce and inspect or do plan review is still not commonly understood. Most would be IBSR unregistered buildings that might have alterations or site work done covered under the USBC. March 2010 carry-over.

SFPC:

1. SFPC 107.6 Fees: Clarifies permit fees. Consensus to move forward December 14th Codes and Standards with AS

2. SFPC 107.13 and 14 Fees SFMO: Raises current fees and adds new fees for inspection of licensed facilities. Will need supporting statement to address budget and economic impact for stakeholders and vet with each effected party. What will be the revenue produced and what if fees are not approved since are doing now these functions

assuming with current staff. Will there be new FTE's added or was FTE's lost in the budget reductions? If fees aren't approved would inspections be stopped or just some annual inspections might be 14-18 months? What are the numbers of inspections involved? Carry-over to March/April 2010 since this was 1st time seen. DHCD will send these code changes out to stakeholders. SFMO should meet and confer with each impacted stakeholder.

3. SFPC Appendices: Deleted appendices in 2006 SFPC except those necessary and would plan to do so for the 2009 VSFPC as it cuts out unnecessary pages. Local FO's can by local ordinances adopt appendices in their local fire prevention code that would be necessary to enforce. Some FO's wanted fire flow, fire hydrants and fire access roads to remain. Another option is for the BHCD to include these appendices in the SFPC either as is or amended as is suggested for incentives for sprinklers in the IRC. This would be a solution of having baseline requirements in the SFPC and locals could amend them as allowed by law now. Carry over to March 2010.

Work Group 1 will meet March 25, 2010 at 9:30 at DHCD. Agenda and meeting location to be posted in early March.