

NEW HAMPSHIRE STATE BUILDING CODE REVIEW BOARD

APPROVED – Regular Meeting – July 10, 2015

Attendance:

Shawn Bergeron Sr., Chairman
Bill Benard, NH Electrical Contractors Business Association
Stephen Eckberg, NH Public Utilities Commission
Tedd Evans, Mechanical Licensing Board
Wayne Fillion, PE, NH Board of Engineers (Mechanical Engineer)
Edward J. Gibson, PE, NH Board of Engineers (Electrical Engineer)
David Lage, Associated General Contractors of NH, Inc.
Frederick Matuszewski, Board of Architects
Roger Maynard, P•FGF•HVAC of NH
Linda McNair-Perry, Vice-Chair, NH Board of Engineers (Structural Engineer)
Bradley Ober, NH Association of Fire Chiefs Mary Maloney, Assistant Attorney General
Wayne Richardson, CBO, NH Building Officials Association
John Starr (Vice Chair) - CGB, NH Home Builders Association
Sean Toomey, NH Association of Fire Chiefs

Absent:

Thomas Clark, NH Municipal Association
Mariellen MacKay, Governor's Commission on Disability
Jonathan Mitchell, NH Bureau of Electrical Safety & Licensing

Guests:

Lauren Noether, Senior Assistant Attorney General
Dean Sotirakopoulos, NH Joint Board, Electrician's Board
Ron Anstey, NH State Fire Marshal's Office
Cheryl L. Killam
Chris Rueggeberg – NH Council on Developmental Disabilities
John Tuttle, AIA
Laura Richardson, Executive Director, Jordan Institute
Matt LaBonte, NH State Fire Marshal's Office
Tim Dupont, Mechanical Safety Board

The meeting was called to order at 10:04 am by Chairman, Shawn Bergeron, Sr. A quorum was declared. Members were introduced.

MOTION was made by John Starr to approve the minutes of the June 12, 2015 meeting as revised.

SECONDED by Wayne Richardson

Motion Carried

2 Abstentions

The June 12 Public Hearing remained open for a period of 30 days to allow the public to submit further testimony or comments. As of this meeting no additional information has been received.

Board Members to vote on the proposed amendments of the 2015 International Residential Code (IRC) exhibits from the June 12, 2015 Public Hearing.

MOTION was made by John Starr to put the 2015 International Residential Code (IRC) on the table for discussion.

SECONDED by Wayne Richardson
Motion Carried

Prior to voting, John Starr and the IRC Subcommittee Members presented a financial impact report to the board members, including a summary of costs. Mr. Evans was in disagreement with the numbers in the report. Board Member discussions followed.

Chairman Bergeron quoted Chapter 242:15 IV (HB 137), which reads: “The board shall meet to review and assess the application of the state building code and shall recommend legislation, as the board deems necessary, to amend the requirements of the state building code in order to provide consistency with the application of other laws, rules, or regulations, to avoid undue economic impacts on the public by considering the cost of such amendments, and to promote public safety and best practices.” Board Member discussions followed. This will be discussed further at a later date.

Chairman Bergeron would like to present to the legislature, the board’s recommendation with the amendments that we have publicly promoted, discussed, and voted on.

Wayne Richardson: For information purposes, when you go through the legislative process you need to understand and recognize that there is an effective date somewhere down the road. Once the board does the initial work, by the time it gets to the legislature, the board still has adequate time to make amendments and make them effective at the time before the actual enforcement date occurs. The Board cannot restrict or put deadlines on amendments. The Board needs to remember that within 2 years of the date of our adoption, or if an effective date is set, the board needs to go back to the legislature for them to ratify the amendments which will never change.

Tedd Evans’ concern is if we go to the legislature with the code with just the carry forward legacy amendments, the ones arguing against the cost are going to be arguing with the legislature, and our bill goes down in flames. Another of Tedd’s concerns is people have already testified that they are going to support this, if and only if, certain amendments are adopted.

How long does the board wait for those amendments???

Board members had lengthy discussion on the legislative process and on the timing for submitting to the legislature. What the board is recommending today is adoption of the 2015 codes with legacy amendments. The Board’s opinion of the economic impact of the 2015 International Residential Code is relatively insignificant to the benefits that it would bring forward.

Wayne Richardson: When Board Members testify at the hearing, you need to bring all this information forward to the board. The board will offer its own written testimony. Typically

when you see an LSR there is cost impacts as it relates only to state and local government. It's imperative when the hearings are scheduled that people attend the hearings and testify.

Laura Richardson, of the Jordan Institute, provided the board an explanation of the legislative process. An LSR is a Legislative Service Request. An LSR is just a headline about what the intent of the bill will be about, it does not require any deeper content. An LSR for this could be something along the lines relative to the adoption of building codes, and that's it. The fiscal statement typically relates to the impact to either state agencies or municipalities. Laura's understanding from HB 137 the request to address the financial impact is something that would be provided in commentary but would not need to be part of the bill.

House Schedule

1st day to file an LSR for the 2016 House Session is Wednesday, September 2, 2015
Last day to file an LSR for the 2016 House Session is Friday, September 18, 2015
Last day to sign off LSRs for the 2016 House Session is Friday, October 30, 2015

Senate Schedule

First day to file an LSR for the 2015 Senate Session is Tuesday, October 13, 2015
Deadline for the Office of Legislative Services to accept drafting of a Senate Bill with complete information for the 2016 Session is Tuesday, November 3, 2015
Deadline for prime sponsors to sign off on legislation is Tuesday, December 1, 2015
Deadline for co-sponsors to sign off on legislation is Tuesday, December 8, 2015

MOTION was made by David Lage to recommend to the legislature to bring forth the 2015 International Residential Code with exhibits RE-15-01-15 through RE-15-12-15 subject to any further amendments.

SECONDED by John Starr
Motion Carried

MOTION was made by Wayne Richardson that the board recommend to the legislature the adoption of the 2015 International Building Code with exhibits BD-15-01-15 through and, including BD-15-08-15.

SECONDED by David Lage
Motion Carried

Legislature will provide the effective dates. An LSR does not have an effective date written in the language. When the legislature starts their hearings and they actually start writing legislation, they will put in an effective date. Tedd – the bill will have an effective date on it and that should be recommended by the board. The LSR will not have an effective date on it.

Tedd Evans provided the board with a description/explanation of the proposed amendments to the 2015 International Plumbing Code. Discussions were held by the Board and exhibit numbers were assigned.

PL-15-01-15 – Rule change language that would adopt the 2015 International Plumbing Code.

PL-15-02-15 – Section 101.1, Title, was given the name the International Plumbing Code of the State of New Hampshire.

PL-15-03-15 – Section 101.2, Scope, removed the reference to the International Fuel Gas Code and substituted it with the NH Fire Code Saf-C 6000 (NFPA 54) document.

PL-15-04-15 – Section 106.6.2, Fee Schedule, has been deleted in the past.

PL-15-05-15 – Section 108.4, Violation Penalties, where the code asked for a specific dollar amount for a fine, and a specific number of days of imprisonment, or both fine and imprisonment.

PL-15-06-15 - Section 108.5, Stop Work Orders, add subject to penalties as prescribed by law.

PL-15-07-15 – Section 305.4.1, Sewer Depth, in the existing code, previous amendment was 305.6.1. This is a carry forward, longstanding amendment. This amendment puts in the depth below grade for which building sewers have to be connected (public or private).

PL-15-08-15 – Section 403.2, Separate Facilities. The amendment is to add exception #4, separate facilities shall not be required in assembly occupancies that serve food, including employees and customers of less than 25.

PL-15-09-15 – Section 404.1, Where required, adds a reference in addition to the IBC that we also have to comply with the State of NH Architectural Barrier Free Design Standards.

PL-15-10-15 – Section 701.2, Sewer required, takes out reference to the International Sewage Disposal Code and replaces it with a reference to RSA 485-A:29-44.

PL-15-11-15 – Section 705.11.2, Solvent Cementing, deals with drainage waste and joint connections, simply deletes the word purple in front of the word primer. This amendment allows any kind of primer to be used prior to the cement for PVC.

PL-15-12-15 – Section 903.1, Roof Extension, modify to read open vent pipes that extend through a roof shall be terminated not less than 18 inches above the roof.

Proposed Amendment to Section 2903.10, Hose bib, removes the exception. The exception does not exist in the IPC.

MOTION was made by Wayne Richardson that this amendment be assigned an exhibit number and send it forward for hearing.

SECONDED by Linda McNair-Perry
(1 Opposition)

Amendment has been assigned Exhibit No. RE-15-13-15.

RE-15-14-15 – Section P3003.9, PVC Plastic, remove the word purple in front of primer, for draining waste and vent piping only.

RE-15-15-15 – P3103.1, Roof Extension, modify to read open vent pipes that extend through a roof shall be terminated not less than 18 inches above the roof.

Back to the 2015 IPC - There were several appendices that were adopted in recent editions, however some of the appendices have moved into the text of the code and therefore unnecessary. The following are still necessary:

PL-15-13-15 – Adopt Appendix B – Add rates of rainfall for various cities.

PL-15-14-15 – Adopt Appendix C in its entirety. Formerly Appendix F, structural safety, was brought in this time as Appendix C. The Appendix letter has changed but it is still structural safety.

Under structural they refer to floor joists, nominal dimension. There is no description regarding what is nominally used nowadays, the TJI's. This information is located in the manufacturer's literature, but there is no reference in the structural. This is based upon each engineered board manufacturer. Each manufacturer has slightly different requirements. It was suggested that this be addressed in the structural appendix. TJI's cutting and notching should be referenced to the manufacturer's literature. It was suggested that this be brought forward as an amendment at a later date.

MOTION was made by Wayne Richardson that the Board bring forth the Plumbing Subcommittee proposed amendments (above) for public hearing on August 14, 2015.

SECONDED by John Starr
MOTION CARRIED

MOTION was made by Wayne Richardson to put the 2015 International Energy Conservation Code proposed amendments on the table for discussion.

SECONDED by Bill Benard
Motion Carried

EN-15-01-15 – 2015 IECC, PART Bcr 301, Purpose, adopt the 2015 IECC

EN-15-02-15 – 2015 IECC, Section C101.1 Title, reference the same code portion. The Energy Code is broken up between residential and commercial for the State of New Hampshire.

EN-15-05-15 – 2015 IECC, Section C101.5, Title Compliance, brings forward the amendment for the exception of log structures regarding meeting the ICC-400 2012 Standards.

MOTION was made by Wayne Richardson that the Board bring forth the International Energy Conservation Code Subcommittee proposed amendments (above) for public hearing on August 14, 2015.

SECONDED by John Starr
MOTION CARRIED

Update on Legislative Items

HB 286, relative to permits issued by building inspectors
Bill has been killed

HB 288, relative to the code for energy conservation in new building construction
no update since April board meeting – retained in Committee

HB 533, relative to the arc-fault circuit-breaker protection in residential construction
Subcommittee and full committee work sessions were held in May and June.
This bill has been sent to study.

SB 18, prohibiting the use of PVC piping as a flue material for venting combustion gases
Tedd Evans provided the board with an update. Jeff Cyr established a committee of various knowledgeable people about PVC and the problems that exist. The problem seems to be the use of PVC for venting material with hot water boilers, especially when the boilers are used in a retrofit situation. Through the input of various people in the industry, they are trying to come up with a code amendment to the NFPA 54 fuel gas code that would essentially put the requirement on the installer to determine the correct venting material for the application.

Public Hearings have been scheduled for Friday, August 14, 2015, on the proposed amendments to the 2015 International Plumbing Code and the 2015 Energy Conservation Code, with 3 additional 2015 International Residential Codes, as amended.

Also on the agenda for the August 14 BCRB meeting, the Board will review for adoption the proposed amendments to the 2015 International Mechanical Code and the 2015 International Existing Building Code.

The proposed amendment to the NEC-14 (NFPA 70) Section 210.12 will be reviewed at the August 14 meeting.

MOTION was made by Bill Benard to nominate Wayne Richardson as Vice-Chair of the Building Code Review Board.

SECONDED by David Lage
Motion Carried

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