

NEW HAMPSHIRE STATE BUILDING CODE REVIEW BOARD

APPROVED – Public Hearing & Regular Meeting – September 11, 2015

Attendance:

Shawn Bergeron Sr., Chairman
Bill Benard, NH Electrical Contractors Business Association
Thomas Clark, NH Municipal 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
Mariellen MacKay, Governor's Commission on Disability Roger Maynard, P•FGF•HVAC of NH
Linda McNair-Perry, Vice-Chair, NH Board of Engineers (Structural Engineer)
Wayne Richardson (Vice Chair), CBO, NH Building Officials Association
John Tuttle, AIA, NH Home Builders Association
Sean Toomey, NH Association of Fire Chiefs

Absent:

Jonathan Mitchell, NH Bureau of Electrical Safety & Licensing
Bradley Ober, NH Association of Fire Chiefs Mary Maloney, Assistant Attorney General

Guests:

Mary Maloney, Assistant Attorney General
Dean Sotirakopoulos, Chief Electrical Inspector, NH Electrician's Board
Ron Anstey, NH State Fire Marshal's Office
John Starr, Starr Construction, Inc.
Laura Richardson, Executive Director, Jordan Institute
Matt LaBonte, NH State Fire Marshal's Office
Bruce Buttrick, Town of Bow Inspector/ Code Enforcement Officer and
Co-Chair NH Bldg Energy Code Collaborative
Paul Leveille, High Performance Buildings Specialist, Resilient Buildings Group, Inc.

The meeting was called to order at 10:00am by Chairman, Shawn Bergeron Sr. A quorum was declared. Members were introduced.

The board observed a moment of silence in memory of the events of September 11, 2001 and the innocent lives that were lost that day.

MOTION was made by Wayne Richardson to adopt the August 14, 2015 minutes as written.

SECONDED by John Tuttle

Motion Carried

NEW BUSINESS

MOTION was made by Wayne Richardson for the Board to adopt the 2015 IECC amendments that were presented at the August 14, 2015 public hearing.

SECONDED by Linda McNair-Perry
Motion Carried

MOTION was made Linda McNair-Perry to bring forward the 2015 IPC and IRC amendments for discussion.

SECONDED by Tedd Evans
Motion Carried

Amendment PL-15-01-15, change to the rules that would adopt the 2015 edition of the International Plumbing Code (IPC).

Amendment PL-15-02-15, Section 101.1, Title, amends the title so it's known as the International Plumbing Code of the State of New Hampshire.

Amendment PL-15-03-15, Section 101.2 Scope, eliminates the reference to International Fuel Gas Code and replaces it with the NH Fire Code Saf-C 6000 which includes NFPA 54.

Amendment PL-15-04-15, Section 106.6.2 Fee Schedule, carry over amendment that eliminates the fee schedule from the code language.

Amendment PL-15-05-15, Section 108.4 Violation Penalties, offenses and amounts of fines, number of days in jail, have all been deleted with substitute language that would revert to subject to penalties as described by law.

Amendment PL-15-06-15, Section 108.5 Stop Work Orders, any person ignoring a stop work order shall be subject to penalties as described by law.

Amendment PL-15-07-15, Section 305.4.1 Sewer Depth, longstanding amendment requiring sewers have a minimum depth of 48" below grade if served by a public sewer - private sewerage to conform to the state statute.

Amendment PL-15-08-15, Section 403.2 Separate Facilities, an exception to the rule on separate facilities for men and women in food service facilities.

Amendment PL-15-09-15, Section 404.1, Where Required – ref to the State of NH Architectural Barrier Redesign. Communication was received from Cheryl Killam suggesting that this amendment not be approved. The AB code is now a redundant requirement.

MOTION was made by Linda McNair-Perry to strike amendment PL-15-09-15
SECONDED by Tedd Evans
Motion Carried

Amendment PL-15-10-15, Section 701.2 Sewer Required – sewer requirements and another deletion of a reference to International Private Sewage Disposal Code and replacing it with referenced RSA 45-a.

Amendment PL-15-11-15, Section 705.11.2, Solvent Cementing, regarding use of purple primer for draining waste and vent piping, the word purple has been deleted in front of the word primer.

Amendment PL-15-12-15, Section 903.1 Roof Extension, vent pipes extending through a roof shall not be less than 18 inches.

Amendment PL-15-13-15, Adopt Appendix B, pertaining to rainfall for various cities.

Amendment PL-15-14-15, Adopt Appendix C (formerly Appendix F) re structural safety.

MOTION was made by Tedd Evans to approve all the remaining IPC amendments.

SECONDED by Shawn Bergeron

Motion Carried

Three amendments affect the 2015 International Residential Code (IRC), plumbing section.

Amendment RE-15-13-15, Section P2903.10, Hose bibb – exception removed (new construction only)

MOTION was made by John Tuttle to strike this amendment. This amendment is unwarranted.

SECONDED by David Lage

Motion *NOT* Carried – Amendment RE-15-13-15 shall remain
(12 Ayes – 2 Nays)

Amendment RE-15-14-15, Section P3003.9 PVC Plastic – regarding the use of purple primer, the word purple has been deleted in front of the word primer.

Vote was taken to accept amendment RE-15-14-15 – **Motion Carried**

Amendment RE-15-15-15, Section P3103.1, Roof Extension, vent pipes extending through a roof shall not be less than 18 inches.

Vote was taken to accept amendment RE-15-15-15 – **Motion Carried**

PUBLIC HEARING – Comments/consideration of the adoption of the 2015 International Mechanical Code (IMC)

MOTION was made by Wayne Fillion to bring the 2015 IMC into public hearing (10:40 am)

SECONDED by Bill Benard

Most of the IMC amendments are procedural, relative to adoption of the 2015 replacing the 2009 edition.

Amendment ME-15-01-15, Bcr 301 Purpose, language that we recommend to the legislature that the 2015 IMC be brought into action, versus the 2009 edition.

Amendment ME-15-02-15, Section 101.1, Title, language that would identify the State of NH.

Amendment ME-15-03-15, Section 101.2, Scope, relates to design, installation, maintenance of systems, but specifically language replacing the International Fuel Gas Code with the NH Fire Code, Saf-C 6000 (NFPA 54).

Amendment ME-15-04-15, Section 106.3, Fee Refunds, delete entire section.

Amendment ME-15-05-15, Section 106.5.2, Fee Schedule, suggested that this should read as determined by local jurisdiction.

Amendment ME-15-06-15, Section 108.4, Violation Penalties, suggested that language be replaced with subject to penalties as prescribed by law.

Amendment ME-15-07-15, Section 108.5, Stop Work Orders, suggested that amounts are not listed and it be replaced with subject to penalties as prescribed by law.

Bruce Buttrick, Town of Bow Inspector, testified in favor of proposed amendments.

Public Hearing will remain open until 11:45a.m.

Wayne Fillion explained his memo of September 1, 2015, containing nine (9) items that were not brought forth as amendments.

1. Section 606.2 relative to smoke detection, the 2015 covers the need for smoke detection. The NFPA covers the need for smoke detection in duct work.
2. Section 607.5.4, relative to corridors/smoke barriers - believe this was taken care of in the language in the 2015 edition.
3. Section 607.5.5 relative to shaft enclosures – believe this was also taken care of in the language in the 2015 edition.
4. Section 928.1, relative to Solid Fuel-Burning Boilers – the 2015 edition has added Bio-Mass.
5. Section 1002.2.2, relative to combination potable water heating and space heating temperatures. There was discrepancy between plumbing and mechanical. The stated temperature is 130. This doesn't need to be carried through.
6. Section 1002.4 relative to water temperatures from faucets. Water temperature in faucets was adjusted by 10 degrees. This was reconciled in the 2015.
7. Section 1003.1 relative to pressure vessels labeling – in this country ASME dictates what thickness of metal is going to be for boilers. Since a lot of the bio-mass boilers are manufactured in Europe they may not meet the steel thickness that is required by ASME.
8. Section 1004.1 relative to Solid Fuel-Burning Boilers listing/labeling. Added language – in the 2015 edition this has been recognized and addressed.
9. Chapter 15, Reference Standard for European Committee for Standardization. Added language – in the 2015 edition this has been recognized and addressed.

The board may want to reconsider items 1, 8 and 9.

Mr. Richardson's concern is that code officials would not allow the use of the European Boiler.

Stephen Eckberg questioned if item 7 shouldn't also be reconsidered. Wayne Fillion believes that the language in item 7 is covered in items 8 and 9.

Tedd Evans questioned how the board would proceed if they chose to move these amendments back into the stream.

New amendments would have to be posted and continue today's meeting at another time. Items 1, 8 and 9 have not been posted. Will need to create an amendment for these 3 items,

post them on the website and continue this public hearing for another 30 days. David Lage believes we need to review the amendments again.

Bruce Buttrick is in agreement with Mr. Richardson. The smoke detector issue has come up because the building code and the fire code don't always agree. This amendment should be carried forward. Item 4 was to address new technology that the code hadn't picked up yet. It is addressed in the 2015 edition. The Board should have further discussion on item 7. Bruce will submit an electronic draft on the duct smoke detector supply side.

Ron Anstey provided his comment, representing the State Fire Marshal's Office.

Laura Richardson, Jordan Institute, concurs with the direction the board is going in.

Wayne Fillion will submit additional amendments for discussion/consideration of the board. Wayne suggested going through one more cycle of the IMC prior to dropping the language relative to European standards.

Seven proposed amendments to the 2015 IMC have been brought up for discussion/consideration.

MOTION was made by David Lage to bring forward the 7 proposed amendments to the 2015 IMC as submitted. The Public Hearing will be extended until the boards October 9, 2015 meeting.

SECONDED by Thomas Clark

PUBLIC HEARING – Comments/consideration of the adoption of the 2015 International Existing Building Code (IEBC)

MOTION was made by Linda McNair-Perry that the board open the public hearing for the 2015 International Existing Building Code's amendments.

SECONDED by Wayne Richardson.

Linda McNair-Perry discussed the 2015 International Existing Building Code's recommended amendments to the 2015 IEBC.

Ron Anstey gave his comments in re to the proposed amendments to the 2015 International Existing Building Code (IEBC).

MOTION was made by Wayne Richardson to close the public hearing on the 2015 IEBC and hold it open for comment at the October 9 meeting.

SECONDED by Linda McNair-Perry

Motion Carried

Subcommittee update on Bcr 100 and Bcr 200 rules – no update

Update on legislative items

HB 288, energy conservation code, a subcommittee work session scheduled for September 17 @ 10:00am in LOB room 301. It was suggested that board members attend if possible.

HB 633, arc fault, a subcommittee work session has been scheduled for September 15 @ 11:00am in LOB 306. An Executive Session has been scheduled for October 21 @ 10:00am in LOB 306. The NH Electrical Contractor's have an amendment in place. Language is still being worked on.

HB 580, mileage reimbursement for BCRB members – still in the budget, HB 2.

SB 18, pvc piping – there have been some propose changes to NFPA 54 that will be directed to the Fire Control Board. Meeting is scheduled for Wednesday at the Fire Academy.

The Board has received a request from Cronin, Bisson & Zalinsky, Attorneys At Law. They wish us to hear and overturn a decision of the Joint Board of Licensure in regards to the electrical license of David H. Cantin. This individual's master electrician license has been suspended for a period of one year. Mr. Cantin's counsel has asked for a rehearing by the Electrician's Licensing Board. The Electrician's Licensing Board at this time has not come to a decision. Mr. Cantin's hearing is scheduled for Friday, October 2. ***(PLEASE NOTE, THIS HAS BEEN RESCHEDULED FOR FRIDAY, OCTOBER 16)***. Chairman Bergeron has suggested that all board members review the rules (particularly Bcr 215 Appeals) prior to the scheduled hearing. The board is merely determining if the decision made by the Electrician's Licensing Board is appropriate.

MOTION was made by Wayne Richardson to close the public hearing on the 2015 IMC, along with exhibits ME-15-01-15 through ME-15-07-15, with public comments taken until the next meeting for deliberation.

SECONDED by Bill Benard

Chairman Bergeron thanked everyone for their efforts.

MOTION TO ADJOURN