

MINUTES
PALM BEACH COUNTY
BUILDING CODE ADVISORY BOARD
July 20, 2016

1. CALL TO ORDER

Chairman Gary Kozan called the meeting to order at 2:05 p.m. The meeting was conducted in Room 1E-60 at the Vista Center located at 2300 North Jog Road in West Palm Beach, Florida.

A. Roll Call.

Members Present:

Gary Kozan, Chair	Roger Held, Vice Chair
Michael Grimm, Building Official	Wayne Cameron, Building Official
Michael Fichera, Building Official	Bill Bucklew, Building Official
Joe Byrne, Roofing Contractor	Scott Worley, General Contractor
Tom Hogarth, Engineer	Donald Sharkey, Electrical Contractor
James Carr, HVAC Contractor	

Members Absent:

Jacek Tomasik, Building Official	David Chase, Architect
Greg Miller, Aluminum Contractor	

Others Present:

Shannon Fox, Assistant County Attorney	Anne Helfant, Assistant County Attorney
Doug Wise, Building Division Director	Brad Brown, Deputy Building Official
Michael Fox, CPT Supervisor	Manny Oyola, Eagle Roofing Products
David Porter, AIA	David Burrows, Net 0 Energy Homes

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

A motion was made to approve the March 16, 2016 minutes. The motion was seconded and the motion passed unanimously.

4. ADDITIONS & DELETIONS TO THE AGENDA

Doug Wise requested to add recognition of a Board member who is retiring to the agenda.

There were no objections. The item was placed as an item under Staff Comments.

Joe Byrne requested to add a Letter from the Tile Roofing Institute regarding Solar Panels to the agenda.

There were no objections. Chairman Gary Kozan added the item under "Old Business".

5. COMMITTEE REPORTS

A. Code Interpretation - No report.

B. Code Amendments - No report.

C. **Product Evaluation** - No report.

D. **Six Pillars Committee** - No report.

6. **OLD BUSINESS**

A. **Fastener Corrosion Update – Joe Byrne**

Mr. Byrne received the final report from the University of Florida regarding Corrosion of Roofing Fasteners. All electrogalvanized fasteners failed testing while other types of fasteners did well. A separate study by Building Products of America showed similar results.

Roofers are aware of Miami-Dade's suspension of approval of most roof fasteners. Each jurisdiction is handling the situation differently. Typically a permit application with product approval does not list nail types and at inspection, the numbers are not on the boxes at the job site. Even though the problem is known, it may be difficult to enforce.

Discussion ensued.

A motion was made to write a Technical Advisory indicating to industry of the issue and advising it is not recommended to use the electrogalvanized fasteners until a more definitive study indicates they are acceptable. The advisory will be a recommendation, not a requirement, and users can proceed at their own risk. The motion was seconded with an addendum to recommend use of hot dipped galvanized or stainless steel fasteners. The motion carried 6 to 5.

Staff will create a draft Technical Advisory and bring back to the Board for review.

B. **All-Access Float Switches – Michael Fox**

Mr. Fox spoke to inspectors mechanical contractors regarding float switches, and most concurred there is no issue if the products are installed correctly above the drain and below the rim of the overflow.

Mr. Kozan stated the Board had come to the same conclusion, it appears okay. There is some confusion in the way the Code is written.

C. **Impact of Spray Foam Insulation on Durability of Plywood and OSB Roof Decks – Doug Wise**

Mr. Wise provided a copy of the full final report from the University of Florida regarding the Impact of Spray Foam Insulation on Durability of Plywood and OSB Roof Decks dated June 29, 2015.

Mr. Kozan suggested everyone review the report, and the item will be scheduled for discussion at the next meeting.

D. Solar Panels – Joe Byrne

In follow up to discussions at previous meetings regarding solar panels being attached to roof tiles, Mr. Byrne presented a letter from the Tile Roofing Institute. The letter stated the attachment of solar panels or brackets directly to the roof tiles is prohibited, and solar panels must be attached to the roof deck.

A motion was made to write an Advisory based upon the letter from TRI that attachment of solar panels to tile is prohibited and panels must be attached to the roof itself. The motion was seconded and passed unanimously.

Mr. Byrne will draft the Advisory and bring to the Board for review.

7. NEW BUSINESS

A. Code Compliant Plans Project – David Porter, AIA

Mr. Porter stated a subcommittee was formed called Code Compliant Plans. The AIA Florida would like to work with Building Officials and establish a pilot program in Palm Beach County for a two to four hour continuing education program for architects and Building Officials. The idea is to teach what is required for a set of plans to get a permit. The training sessions will be to teach, for example, how to develop a life safety plan and means of egress and similar topics. The information will be placed in a PowerPoint or other graphic presentation.

Discussion ensued.

Mr. Fichera stated his jurisdiction uses checklists for larger projects that can be used to check off any issues and identify the pages. The checklists are available on the website, and Mr. Fichera will provide copies of the checklist to the Board and Mr. Porter.

Mr. Porter was encouraged to contact the different jurisdictions to discuss developing a joint group of plan reviewers and architects to discuss standardizing checklists to help educate and train architects on the requirements of the Building Departments.

Mr. Kozan invited Mr. Porter to come back before the Board at a future meeting to revisit the topic.

B. Solar Permitting and Inspection Process – David Burrows, Net 0 Energy Homes

Mr. Burrows stated that as a solar contractor he has seen problems on tile roofs that are nailed down because when a tile is removed, it impacts the one above it. The only time he has seen leak problems was with tiles nailed down. He stated his solution is to cut the tile and removing a portion of it, which seems to work and prevent any problems.

Mr. Burrows discussed permitting in other jurisdictions with standard permit packages, and things work smoothly. He stated as a small business contractor, it hurts his business financially when there is a 10-day lag in the permitting process.

Discussion ensued.

Mr. Burrows suggested the permitting process be expedited, permit fees be reduced and solar permitting be standardized.

The Board did not take any action.

C. HB535 Effects to County Contractor's Certification Operations – Doug Wise

Mr. Wise discussed one of the changes resulting from HB535 amended Florida Statute 553.80 and the permit fees collected by Building Departments, and makes it clear that local jurisdictions cannot charge for enrollment of credentials or worker's comp insurance when a contractor is registered. Prior to July 1st, Palm Beach County was charging \$50 to enroll state contractors and obtain permits, which came from the Six Pillars project to begin a countywide enrollment program to allow contractors to enroll one time and other participating municipalities would accept the enrollment and streamline the process.

After discussing with the County Attorney's Office, there may still be an opportunity to allow the Countywide Enhanced Enrollment program to continue and provide the service to contractors. Fees will need to be approved by the Board of County Commissioners and make sure the municipalities are going to participate. Each jurisdiction will need to discuss what measures to take now that they cannot charge for enrollment. The County is in the position to continue and would like to continue.

The CILB set the fee at \$100 for county contractors, but the Special Act may not allow the CILB to set fees for state contractors.

Discussion ensued.

Building Officials were encouraged to go to their jurisdictions to discuss this and join in to participate in Countywide Enhanced Enrollment.

D. BCAB as Town of Palm Beach's Building Board of Adjustments and Appeals – Bill Bucklew

Mr. Bucklew spoke to Mr. Wise regarding having the County's Construction Board of Adjustments and Appeals act as the Town's Board of Adjustments and Appeals, and he suggested the BCAB could possibly act in that capacity. The Town of Palm Beach's Board has not met since 1996. There has not been anything for the Board to do. With the new Ethics rules that are in place, it has become difficult trying to get all the Board members to get the necessary training and get them reappointed.

The makeup of the BCAB would meet the requirements for a Building Board of Adjustments and Appeals. Although there has not been anything for the Board to meet about, the Code and Amendments require a Board, and therefore the Town must maintain a Board. Mr. Bucklew asked if there was any interest or consensus from the BCAB to act as the Town of Palm Beach's Building Board of Adjustments and Appeals.

Discussion ensued.

Items brought to the Board would be for informal interpretations and would not be binding unless the parties involved agree it would be binding.

The Board members had no objections to acting in the capacity of the Town of Palm Beach's Building Board of Adjustments and Appeals. The attorneys will need to discuss the viability and legal details of the request.

8. FUTURE BOARD MATTERS

None.

9. BOARD COMMENTS

Joe Byrne stated he was having a problem with multifamily building with fire-treated plywood called Blaze Guard. The product is a sheet of plywood that has fire-retardant sprayed on top of it, and when it is installed it is flipped upside down and the fire-retardant is on the bottom side of the sheet. The plywood is structurally sound, but over time it begins to slip and droop down causing a fire hazard.

Mr. Byrne stated a Building Official in another area stated that as long as the plywood is structurally sound, the fire-treated plywood does not have to be replaced. Mr. Byrnes stated he considers the drooping plywood a liability because there is no longer a fire break. He asked for the opinion of the Building Officials on the Board.

Discussion ensued.

The consensus of the Building Officials is the Code does not require replacement. If something is observed, it can be reported to the property owner, but there is no requirement for replacement.

Scott Worley stated there have been eleven months of negotiations, and they are very close to a deal on workforce housing with not-for-profit builders in both unincorporated and incorporated areas of the County. They may be four months away from a final negotiation.

Mr. Worley stated the impact fee review was supposed to be completed September 2015, but appears it will not be complete until April 2016. The recommended impact fee increase more than doubled with the new consultant thus far. It could be several months before the impact fee review is finalized.

Mr. Hogarth inquired about vacancies on the Board.

Mr. Wise indicated there are vacancies, however, the Special Act currently requires nominations be obtained from an organization that is now defunct. The Special Act will need to be revised to remove that requirement.

Mr. Hogarth asked if the number of members required for a quorum could be reduced when the Special Act is opened and revised.

Mr. Wise stated the request would be presented to the attorneys for consideration during the legislative review process.

10. STAFF COMMENTS

Mr. Wise stated staff received Michael Fichera's resignation from the Board due to his impending retirement. He stated he would like to recognize Mr. Fichera for his service on the Board.

A motion was made to recognize Mr. Fichera's service on the Board. The motion was seconded and passed unanimously.

Mr. Wise presented Mr. Fichera with a Certificate of Appreciation for his service on the Board from 2009 to 2016.

Mr. Wise stated the Building Official's Association of Florida is having their annual meeting with industry August 25, 2016 at the Riviera Beach Marina Center beginning at 11:30.

Mr. Wise introduced Wayne Cameron as the new District 3 Building Official on the Board.

11. ADJOURNMENT

Chairman Kozan adjourned the meeting at approximately 4:05 p.m.

Signed for the board by,



Gary Kozan, Chairman

Respectfully submitted,

Jacquelyn Anderson, Recording Secretary