

MINUTES
BUILDING CODE ADVISORY BOARD
July 20, 2011

- I. The Chairman, Jacek Tomasik, called the meeting to order at 2:00 p.m. in the Vista Center 1st Floor Conference Room 1W-47, Palm Beach County Planning, Zoning & Building Department, 2300 North Jog Road, West Palm Beach, Florida.

A. **MEMBERS PRESENT:**

Jacek Tomasik, Chair
William Higgins, Vice Chair
Steven Kennedy
Doug Wise – 2:10
Michael Fichera
Rebecca Caldwell
Gary Kozan
Joe Byrne
Scott Worley
Howarth Lewis
Maury Jacobson
Greg Miller

MEMBERS ABSENT:

Bette Lowe

OTHERS PRESENT:

Sherita White, Recording Secretary
Bob Boyer, PBC, CPT Coordinator
Ken Nida, PBC, Chief Mechanical Inspector
Chris Roog, Gold Coast Builders
Michael Taylor, Covenant Services

Gentry Benjamin, Asst. County Attorney
Michael Fox, PBC, CPT Supervisor
Richard Gathright, PBC, DBO
Chris Schulte, Latite Roofing
Ray Padron, Latite Roofing

- B. A motion was made to approve the minutes of the May 18, 2011 meeting. The motion was seconded and carried unanimously.

II. **ADDITIONS & DELETIONS**

- Add announcement of George Diaz's resignation under New Business.
- Add OSHA Requirements for Fall Protection under Future Board Matters for September.

III. **COMMITTEE REPORTS**

A. Code Interpretation – NONE

B. Code Amendments – NONE

C. Product Evaluation – NONE

D. Regulatory Climate Oversight Committee – SEE BELOW

IV. **OLD BUSINESS**

1. **Regulatory Climate Survey – Universal Permit Application – Doug Wise & Chris Roog**

- Mr. Wise introduced the universal permit application, and explained the process thus far. He says several different building officials have worked together to get a draft that would be acceptable throughout.

- Mr. Roog explained that the industry was excited for such an application to come out due to the consistency that would come with it. He said that the draft was passed around Gold Coast Builders Association and the comments of members have been reflected in the current draft.
- Mr. Wise continued that there was a lot of discussion on who could sign the form. He pointed out that the signature line says "(Signature of Owner/Agent)", which was determined by FS 713.135.
- Ms. Caldwell made a motion to review and make comments to staff to approve or amend the draft by next meeting to take a vote to approve for use. Discussion followed.
- Mr. Kozan asked how the sub-permit process will work with the application.

Ms. Caldwell reinstated her motion, to take into consideration comments such as Mr. Kozan's, and make amendments on the draft to either approve or deny at the next meeting. The motion was seconded and carried unanimously.

2. Storm Water Retrofit Drain Sizing Follow-Up

- Mr. Byrne spoke with his local association and found that there was no issue within his association because they do take calculations into account.
- Mr. Fox explained that the information Mr. Wise provided reflect the Florida Building Code, which is already enforced.
- Mr. Wise stated that, however, it would be beneficial to send a notice to make people aware that retrofit drains do have sizing requirements that are different from when the building was constructed.

Ms. Caldwell made a motion to draft a technical advisory to provide awareness of the need for calculations for retrofit drain sizing. Discussion followed. The motion was seconded and carried unanimously.

V. NEW BUSINESS

1. Announcement of George Diaz's Resignation

- Mr. Tomasik announced that George Diaz has resigned from his position as building official, and therefore, resigned from the board.

2. Solar Assisted Air Conditioning System – Ken Nida & Mike Fox

- Mr. Nida explained that the system is a solar air conditioning system that is being presented for permitting, which is not a photovoltaic system but a solar collector that is mounted on the roof. The contractor says that heat is collected on the roof and is added to the refrigerant, prior to the condensing unit. The permitting issue is that it is considered a hybrid system and it does not have an AHRI rating, but instead used a FL-registered engineer to prove that it meets the efficiency requirements. Upon reviewing the field reports, several inaccuracies were found.
- Mr. Wise had a case brought to him in West Palm and found through his research that engineers claim that these types of solar panels can not generate enough heat to superheat the Freon to the necessary temperature for efficiency gains. However, he is unsure that they can refuse permits if owners are aware that the warranty may be void and an engineer signs off on it because then an AHRI is no needed.
- Ms. Caldwell said the concern came because the code says that you are to install equipment in compliance with the manufacturer's specifications, which this system does not do. Upon considering list and label requirements, she determined that she could not permit the system as proposed.
- Mr. Wise made a motion that staff draft a letter of caution to send out to municipalities that our research does not support their claims.
- Mr. Byrne noted that given the inaccuracies in their research, we need further information before making a decision on permitting or giving advisories.

Mr. Jacobson made a motion to draft a letter to AHRI and copy the manufacturers of the air conditioning systems to get their advice. Mr. Wise withdrew his motion, and seconded Mr. Jacobson's motion. Discussion followed. The motion carried unanimously.

3. Roof Coatings – Rebecca Caldwell

- Ms. Caldwell presented a situation with a specific roof coating product that came to her which was at first was thought to be considered as a white reflective coating. However, the manufacturer claims that it is a repair to a roofing system; therefore they have determined that it should be permitted. Because there appears to be an issue with consistency for the need of a permit, she would like to discuss it amongst the board.
- Mr. Michael Taylor introduced himself from the audience, as the party being discussed in the anonymous scenario, and explained that he did not seek a permit because he has not needed one in any previous situation with roof coating products. He requested uniformity across the county in the enforcement of the code. He asked that action be tabled until the new code addresses it when it is released in January.
- Mr. Tomasik clarified that the board does not have the ability to make these types of decisions, and that they are left to each building official. The board does contain several building officials and opinions can be expressed here, but the goal is to enforce code uniformly.
- Mr. Wise stated that he has required permits for elastomeric coatings in various municipalities that he has worked in since 1994 because the very reason that it is a grey area within the building code.
- Mr. Byrne noted that very often roof coatings alone are not sufficient for repair and restoration purposes, and that they are a part of a component of a roofing system.
- Ms. Caldwell continued that it is listed in 1507 acrylic coatings as a component of a built-up roofing system and that Miami-Dade accepts it as a roof coating system. Additionally, she said though Mr. Taylor says he does not need a permit in Broward County, the Chief Structural Inspector said the ruling put out by Broward County Board of Rules & Appeals states that permits are based on the contract stating if it is for repair purposes or solely reflective paint.
- Mr. Worley asked what the cost of the permit is.
- Ms. Caldwell said it is approximately \$600.

Mr. Wise made a motion that staff draft a letter that elastomeric coating utilized for repair or waterproofing are regulated systems and should be reviewed as such by the building official. The motion was seconded. Discussion followed. The motion carried unanimously.

4. Changes to ASCE 7 – BOAF Class – Bob Boyer

- Mr. Boyer announced that the projected implementation date of the 2010 Florida Building Code is now March 15, 2012. Simpson will be hold a free 7 CEU class on October 6th in West Palm and BOAF is also hosting a class for CEUs in October, and he will provide more information as it becomes available.

VI. FUTURE BOARD MATTERS FOR SEPTEMBER

1. OSHA Requirements for Fall Protection – Scott Worley

- Mr. Worley stated that OSHA fall protection exemption that we used to have, has been eliminated and now all people working above six feet must have fall protection in residential homes – an extra cost for contractors, which is in turn, passed on to builders. He would like to have a presentation to explain the new precautions and processes for awareness.
- Mr. Chris Schulte, the Chair of the Roofing Technical Advisory Committee and Latite Roofing, would like to get support from general contractors and provide all the information possible, while working with OSHA.

- Mr. Ray Padron, from Latite Roofing, said that Darlene from OSHA offered to come to the next meeting and answer any questions.

2. Chapter 1 Amendments to the FBC

- Mr. Tomasik moved to discuss the topic at September's meeting due to time constraints.

3. Ridge Vent Failure Industry Follow-Up – Joe Byrne

- Mr. Tomasik moved to discuss the topic at September's meeting due to time constraints.

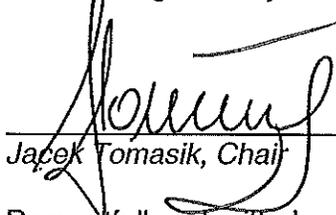
VII. BOARD MEMBER COMMENTS

1. Next meeting – September 21, 2011

- Mr. Byrne said he would speak to Darlene at OSHA to arrange a presentation at the next meeting.
- Mr. Wise wanted to announce the NFIP changes, approving five-year extension of a 20% increase.
- Ms. Caldwell said that there are changes to the CRS manual, and if you would like to submit comments, they are due August 31st.

VIII. STAFF COMMENTS – NONE

The meeting was adjourned at 4:27 p.m.



Jacek Tomasik, Chair

Respectfully submitted,
Ashley Salvati, Recording Secretary