

MINUTES
BUILDING CODE ADVISORY BOARD
May 21, 2014

The Chairman, Michael Fichera, called the meeting to order at 2:05 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.

1.A. Roll Call

Members Present:

Michael Fichera, Chair	Greg Miller, Aluminum Contractor
Andrew Mack, Building Official	William Ray Higgins, Electrical Contractor
Doug Wise, Building Official	Gary Kozan, Plumbing Contractor
Mike Grimm, Building Official	Tom Hogarth, Engineer
Roger Held, Building Official	Scott Worley, General Contractor
Steven Tobias, Building Official	Howarth Lewis, Architect

Members Absent:

Joe Byrne, Vice Chair	Jacek Tomasik, Building Official
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Others Present:

Vickie Day, Recording Secretary	Robert Melancon, Contractors Certification
Richard Gathright, Deputy Building Official	Jack Badalamenti, Contractors Certification
Mike Fox, CPT Supervisor	
Shannon Fox, Asst. County Attorney	

1.B. Pledge of Allegiance

1.C. Approval of Minutes - *The motion was made to approve the minutes of the November 20, 2013 meeting. The motion was seconded and carried unanimously.*

2. ADDITIONS & DELETIONS – NONE

3. COMMITTEE REPORTS

3.A. Code Interpretation – NONE

3.B. Code Amendments – NONE

3.C. Product Evaluation - NONE

3.D. Six Pillars Committee – NONE

4. OLD BUSINESS

4.A. SES SucraSeal Polyurethane Spray Foam - Mike Fox

Follow up Presentation by Jim McDougall

Mr. Fox – there has been no new developments on my side, so I will refer to Mr. McDougall.

Mr. McDougall - no further changes since the November presentation. Part of the issue at that time is the acceptance of testing because of the end-use statement in the FBC; Mr. Fox said there was not an end-use for the foam, so the Appendix X is not valid as it is not end-use. That end-use test was developed as the worst case scenario for Appendix X. Appendix X is accepted by ICC, under Special Approval. Appendix X has become an accepted criteria for that particular part of the FBC; we are looking at SES has passed without an ignition barrier. We are looking to have it approved on a case-by-case basis; or approval based on the Appendix X. Discussion ensued.

Mr. Fox – Appendix X was created to bring in the product of plywood and compare the flash-over

Mr. Wise – one of the discussion points from our last meeting was for the members to look into what their municipalities are doing. I would value the other Building Officials' input as to what they are

doing in regards to this product and other foam products.

Mr. Fichera – in my jurisdiction I haven't had any dealings with this product specifically, it is unique. If I read this report, and I had to make the call – I would have allowed this product.

Mr. Grimm – in my jurisdiction we do not get much of this. But I have done a lot of research- In my opinion the language in the ICC and the FBC are the same and it allows the foam without an ignition barrier, if it passed certain tests; which includes other tests and configurations. The ICC evaluation services and the Foam Industry worked on for several years and developed the AC377 test; for the acceptance criteria for these tests. They decided on one prescriptive, ¼ inch plywood; to include all slopes. If ICC decided at that time that it included all slopes, then it should – ICC is very reputable.

Mr. Hogarth – asks Mike Fox if you are ok with certain application.

Mr. Fox – I would refer back to the FBC and the Code specifies Prescriptive ignition barriers and the only time ignition barrier is not required, is for an inaccessible attic. Where the slope comes into play – taking a flat roof and a vertical wall and that a test meets everything in between. They do put that in the verbiage, but there is no substance to what they are saying.

Mr. Wise – PBC has not approved it in the past. However, with the new products and the ignition barrier coating there is other things to look at. Palm Beach County is inconsistent and it has been going on for almost 15 years.

The motion was made as the opinion of this Board that a foam product which has passed the acceptance criteria of AC377 and Appendix X be allowed in Palm Beach County without the use of any additional ignition barriers.

Mr. Wise requested the motion maker add the statement "consistent with the limitations in the ESR"

Mike Fox – it is a new product and sometimes new testing is needed to properly assess the new product.

Mr. McDougall – added that this product also has a UL product approval on all five property types

The motion was seconded and carried unanimously. The motion was passed

5. NEW BUSINESS

CILB Contractor Categories – Tom Hogarth

Mr. Hogarth – as a member of the Construction Industry Licensing Board; I have several change proposals from the staff which, I want to know how they are permitted and how the licensing requirements would apply.

A) 12- FABRIC AWNINGS/(add) TENT CONTRACTOR: those who are qualified to manufacture, install, maintain, repair, alter or extend detachable cloth/synthetic cover material over a rigid metal frame(add) supported/erected from a building wall or maybe self supporting tents over 3,000 sq. ft. to be used as a protection against sun and weather. Electrical wiring required for the purpose of lighting the awning may be included in the contract for work, but must be subcontracted to a Certified Electrical Contractor.

Mr. Wise, PB County – suggestion to add other criteria, if holds over 500pp and/or 5,000 sq ft. Refer to FBC, Chapter 33 for permitting tents over 120 sq ft.

Mr. Fichera, City of Boca Raton – more than a 20ft. span, a GC or a reciprocal license needs to pull the permit. In the assembly-type structures, we also require an Engineer certification. We also issue Special Event Permits which covers from 120 sq.ft up to the threshold

Mr. Mack, City of Boynton Beach – I would definitely support this regulation.

Mr. Worley - Fabric Awning was an existing category, they added Tent Contractors in lieu of adding a new category. Would you think separate the categories by a threshold, say 3,000sq ft.?

Mr. Hogarth – Would anyone like to offer a threshold to offer direction to our municipalities?

Mr. Wise – The threshold in the FBC is 144 sq. ft., beyond that if it is an assembly tent to get a General Contractor. ICC has a standard for temporary seating – if you haven't seen it, it is an excellent guide to review. Over 50 feet, 5000 sq ft and 500 people is the threshold.

Mr. Hogarth – One recommendation is "120 sq.ft. up to Building Threshold – Special stand-alone Tent Contractor license. Suggest staff to contact Miami-Dade for their description of Tent Contractor- very good standard.

The motion was made that the Board recommends the Contracting Licensing Board CILB staff to modify the licensing criteria to create a separate Tent Contractor License which would allow this category to construct tents from 120 sq. ft to the Threshold Building requirements in the Florida Building Code. The motion was seconded and carried unanimously.

B) WATERFALL CONTRACTOR: those who are qualified to install; maintain, repair, alter, or extend to construct forms and framework for the casting and shaping of concrete and injected footing, place and finish concrete base, to select to cut and lay rocks, dress stones, and artificial stones, to build retaining walls including placement of rock materials, pond liner, underlayment, and hardware in connection therewith. Electrical maybe included in the contract for the work but must be subcontracted to a Certified Electrical Contractor.

Mr. Hogarth- a waterfall can be constructed by a Swimming Pool Contractor when attached to a swimming pool. What license is required is NOT attached to a swimming pool.– Municipalities are inconsistent in what type of license is required; swimming pool contractor.

Mr. Wise – Contractor installing fountains; in the Florida Statute there is not a scope for a Fountain Contractor. I think fountains and waterfalls should both be a category.

Mr. Kozan – suggest to add water features to the Swimming Pool Contractor; that contains both fountains and waterfalls.

Mr. Worley – is the Swimming Pool Contractor competent to do "structural items"? Wide scope to attempt to be an exclusive category.

Mr. Miller – anything new should possibly be added to existing category. Categories are created so you do not have to have a General Contractor, to create another license to address these smaller water features makes sense – but limitations have to be drawn.

Presentation by Sal Ceraulo, Universal Landscape – In favor of the Special Licensing Requirements; there is a lack of testing. And to on how can these waterfalls be permitted? One thing there is no Code of Construction for building waterfalls. I am a Landscaper; waterfall construction was the evolvment of the Company. In my opinion, Landscapers should be considered for this – if it is a new waterfall license, you will have a means to test and evaluate the standard of work. Landscapers cannot be shunned – we build most of the waterfalls and design. The larger scope of work; they should be Engineer designed.

The motion was made that the Board recommends the Contracting Licensing Board CILB creates a Waterfall Contractor Classification Category with the additional request that they include the description fountain, or water features. Suggest they amend the Swimming Pool Contractor to include waterfall and fountain. The gap for fountains, needs to be included in both descriptions.

The motion was seconded and passed by 6:4.

favor – Doug, Andrew, Hap, Ray, Mike G., Steve

oppose = Rodger, Gary, Mike F., Tom

abstaining – Scott

Mr. Hogarth – I am going to vote against, it is too specialized and not deserving of a Specialty License. Swimming Pool Contractor is clearly qualified of doing the waterfall attached to the pool. The local jurisdictions can make an opinion on what license is required based on the size and design of the waterfall. Discussion ensued.

C. Counter top Contractors – newly created category; many consumers are being harmed by scrupulous marble and tile contractors. They will have more protection if a license is required.

5.C. Election of New Chair and Vice Chair – Michael Fichera

The motion was made to elect Joe Byrne as the next Chair. The motion was seconded and carried unanimously.

The motion was made to elect Andrew Mack as the next Vice-Chair. The motion was seconded and carried unanimously.

6. FUTURE BOARD MATTERS

7. BOARD MEMBERS COMMENTS

7.A. Next meeting is July 16, 2014

Mr. Wise – there is a new Code Cycle, you can vote on-line as an ICC Member.

BOAF picnic in August, date TBD

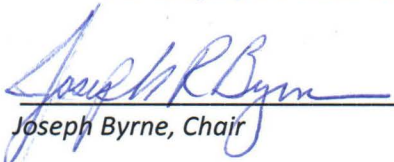
Joint Association Luncheon – August 28th

8. STAFF MEMBERS COMMENTS

Mr. Boyer – review House Bill 7147 as pertains to the Fire Marshall for tents – Building Code still remains the same.

9. ADJOURNMENT

At 4:15pm, the Chair adjourned the meeting



Joseph Byrne, Chair

Respectfully submitted,
Vickie Day, Recording Secretary