

MINUTES
PALM BEACH COUNTY
BUILDING CODE ADVISORY BOARD
JUNE 26, 2015

1. CALL TO ORDER.

Chairman Joe Byrne called the meeting to order at 10:00 a.m. The meeting was conducted in Room 1W-47 at the Vista Center located at 2300 North Jog Road in West Palm Beach, Florida.

A. Roll Call.

Members Present:

Joe Byrne, Chairman	Roger Held, Building Official
Andrew Mack, Vice Chairman	Scott Worley, General Contractor
Doug Wise, Building Official	Steven Tobias, Building Official
Michael Fichera, Building Official	James Carr, HVAC Contractor
Tom Hogarth, Engineer	Donald Sharkey, Electrical Contractor

Members Absent:

Mike Grimm, Building Official	Jacek Tomasik, Building Official
Howarth Lewis, Architect	Gary Kozan, Plumbing Contractor
Greg Miller, Aluminum Contractor	

Others Present:

Amanda Myer, Recording Secretary	Anne Helfant, Assistant County Attorney
Richard Gathright, Deputy Building Official	Shannon Fox, Assistant County Attorney
Rebecca Caldwell, Executive Director, PZB	Mike Fox, CPT Supervisor

Assistant County Attorney Fox indicated that the board had a quorum.

2. PLEDGE OF ALLEGIANCE.

3. APPROVAL OF MINUTES.

The Chairman requested a motion to approve the minutes of the board meetings on November 19, 2014, and March 18, 2015. A motion was made and seconded to approve the minutes for both meetings. The motion passed.

4. ADDITIONS & DELETIONS TO THE AGENDA.

There were no additions or deletions to the agenda.

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.

No old business was discussed.

7. NEW BUSINESS.

A. Introduction of new board members.

New board member James Carr introduced himself as a HVAC contractor.

New board member Donald Sharkey introduced himself as an Electrical Contractor.

B. Policy advisory regarding zero lot construction

Board member Doug Wise introduced the proposed policy by indicating that it was intended to clarify the applicable regulations in new Florida Building Code, 5th Edition (2014), that pertain to zero lot residential construction. A draft of the proposed policy had been provided in the background material for this meeting. Mr. Wise indicated that issues needing clarification consist of the definition of lot, the fire separation distance between buildings, the number of openings and allowing projections next to the area separating buildings, and an alternative method to address the fire-rating requirement on the non-zero wall of a single-family dwelling.

The Chairman allowed members of the public and staff provided comments regarding the proposed policy.

Discussion ensued among the members of the board. Amendments to the proposed policy were made based on this discussion.

A motion was made and seconded to authorize the Chairman to sign the amended Technical Advisory regarding zero lot line construction. Assistant County Attorney Fox indicated that only the building officials on the board may vote on this motion. The motion passed 5-0.

A copy of the executed Technical Advisory dated June 26, 2015, is attached.

C. Motion to reorder the agenda and to add an agenda item.

A motion was made and seconded to reorder the agenda to add the "blower door test" required by the Florida Building Code as the next item on the agenda. The motion passed.

E. Blower door test.

Board member Scott Worley discussed the new "blower door test" required by the Florida Building Code, 5th Edition (2014), which became effective on June 30, 2015. He indicated that no background material for this agenda item had been provided to the board. Mr. Worley stated that the issues with this new test are: (1) there are no qualified testers in South Florida; (2) local building officials and inspectors don't know the test; and (3) builders may or may not be able to pass this test. He recommended that a task force be created to develop a standardized policy regarding this test so everyone in the local construction industry can work together to meet this requirement. He added that the construction industry needs to make sure new construction complies with this requirement.

Board member Doug Wise indicated the test is only needed if required by a building official, there is no certification required to conduct the test, and the test needs to be done by a third party. He added that mechanical contractors may be used to conduct this test.

Chairman Byrne allowed comments from the public regarding this matter. A representative of GL Homes offered its new homes for use in this new testing.

Discussion ensued among the members of the board. It was the consensus of the board that a standardized policy is needed to address this new requirement in the building code.

A motion was made and seconded by the board to create a committee to develop a Technical Advisory on how local building departments should implement the blower door test requirement. The motion passed.

The following members of the board and staff were selected to serve on the committee:

Doug Wise
Don Sharkey
Michael Fichera
Roger Held
Jim Carr
Scott Worley
Mike Fox

Scott Worley was selected to be the Chairman of the committee.

F. Energy efficiency issues.

Board member Doug Wise introduced this agenda item. He indicated there is uncertainty pertaining to a new requirement in the Florida Building Code, 5th Edition (2014), regarding the need to replace windows that meet new energy efficiency standards, and that the uncertainty pertains to the threshold requirement of 30% of the assessed value of the building. The interpretation is effect now is:

- if the proposed construction is less than or equal to 30% of the assessed value, then only the windows included in the improvement must be replaced to meet the new energy efficiency requirements; and
- if the proposed construction is greater than 30% of the assessed value, then all the windows in the building would need to be replaced to meet the new energy efficiency requirements.

Richard Gathright indicated that the applicable provisions in the Florida Building Code and in Florida Statutes are not consistent. He stated that these requirements were changed in the Florida Building Code, but not in Florida Statutes. He added that the Florida Building Code requires every window replaced comply with the new energy efficiency requirements, while the Florida Statutes indicate something different.

The members of the board inquired about requesting a declaratory statement from the Florida Building Commission to clarify this issue. Mr. Gathright responded that a declaratory statement regarding this issue has been requested by another organization. However, the next time that the Florida Building Commission is scheduled to meet is in August 2015, and the requested declaratory statement may be issued at that time.

A motion was made and seconded to table this item to the next regular board meeting so background information may be provided to the board. The motion passed.

G. Annual election of Chairman and Vice Chairman

A motion was made and seconded to elect Andrew Mack as Chairman for the upcoming year. The motion passed.

A motion was made and seconded to elect Gary Kozan as Vice Chairman for the upcoming year. The motion passed.

8. FUTURE BOARD MATTERS.

There were no future board matters discussed.

9. BOARD COMMENTS.

Board member Doug Wise indicated that the new Florida Building Code, 5th Edition (2014), has a significant amount of new regulations that are not marked as new, as has been done in past editions. He added that the 2010 version of the Florida Building Code indicated in the margins where text had been deleted, and that much of the deleted text is back in the 2014 version. He said that board members can compare the 2010 version with the 2014 version to determine the differences between the two codes.

Chairman Byrne inquired as to how the building officials on the board would determine the finished surface of a roof. He said the top of a "plumbing stack" is required to be six (6) inches above the top of the roof. Doug Wise indicated the top of the roof would be the highest point of the outer layer of the roof.

A recent report regarding corrosion resistant fasteners was discussed. It was the consensus of the board that this matter needs to be brought back for further discussion.

10. STAFF COMMENTS.

There were no staff comments.

11. ADJOURNMENT.

Chairman Byrne adjourned the meeting at approximately 11:45 a.m.

Signed for the board by,



Gary Kozan, Vice Chairman

Respectfully submitted,

Amanda Myer, Recording Secretary

Attachment