

MINUTES
PALM BEACH COUNTY
BUILDING CODE ADVISORY BOARD (BCAB)
MARCH 21, 2018

1. CALL TO ORDER

Vice Chair Greg Miller called the meeting to order at 2:04 p.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:

Greg Miller, Aluminum Contractor, Vice Chair	Joe Byrne, Roofing Contractor
Robert Brown, Building Official	Scott Worley, General Contractor
Wayne Cameron, Building Official	Tom Hogarth, Engineer
Jacek Tomasik, Building Official	Kristin Materka, Architect
Bill Bucklew, Building Official	Donald Sharkey, Electrical Contractor
	James Carr, HVAC Contractor

Members Absent:

Roger Held, Building Official, Chair	Shane Kittendorf, Building Official
Gary Kozan, Plumbing Contractor	

Others Present:

Shannon Fox, Assistant County Attorney	Robert P. Banks, Chief Land Use County Attorney
Doug Wise, Building Official (PBC)	Brad Brown, Deputy Building Official (PBC)
Michael Fox, CPT Supervisor	Bob Nicholls, CPT Coordinator
Jacquelyn Anderson, Recording Secretary	

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF MINUTES

- a. Mr. Worley made a motion to approve the November 15, 2017 meeting minutes. Mr. Byrne seconded the motion. The motion passed unanimously.

2. ADDITIONS AND DELETIONS

- A. Item 5A – Wind Loads (Windows, Doors, Garage Doors, Shutters, Skylight Retrofits) was deleted from the agenda
- B. Item 5B – Wind Loads (Roof System Reroofs or One Time Roofovers) was deleted from the agenda

- C. Item 5E – Blower Door Test/Required Ventilation was deleted from the agenda at the onset of the meeting and added again during discussion of Item 5C at the request of a member of the public

3. COMMITTEE REPORTS

- A. **Code Interpretation** - No report.
- B. **Code Amendments** – No report.
- C. **Product Evaluation** - No report.
- D. **Six Pillars Committee** - No report.

4. OLD BUSINESS - NONE

5. NEW BUSINESS

- C. FBC 6th Ed (2017), Energy Section R402.1.2 vs. F.S. 553 Part V, Thermal Efficiency Standards

Mr. Wise stated the issue is the conflict or interpretation issue that exists between the new Florida Building Code and the statutory requirement for window replacements. Mr. Wise presented a PowerPoint that enumerated various sections of prior and current code sections, which demonstrate when a conflict between general and specific requirements exists, the specific requirement shall govern. The presentation also included paths to compliance by prescriptive method, area-weighted average, or simulated performance method.

Mr. Wise requested that the Board hear what industry has to say on the matter and give guidance in the form of a technical advisory to issue to the entire county. The Board's action can be do nothing, consider adopting one of the rules, or send the question up to the Florida Building Commission for them to interpret.

Ms. Fox requested the record reflect that Mr. Robert Brown arrived a few minutes after roll call.

Ms. Fox advised the public that comments would be limited to three minutes.

Mr. Gary Orman, window-manufacturing industry, commented that IWASA (Impact Window Affordability and Safety Association) decided that the 30 percent rule was to apply. Renovation of high-rise building through 40-year recertification creates a checkerboard effect in condominiums with different colored windows, which is contention for condominium owners. Mr. Orman's contention with the rule is the requirement to install energy efficient windows in an older home that is not energy efficient.

Discussion ensued.

Mr. Robert Brown discussed Section R101.4.2 regarding exempt buildings that appears to indicate that

everything is exempt except a renovated building, and if you are not at 30 percent then you are exempt. He stated that he does not think that it is the intent of the Code. He believes the intent of the statute is one new window would have to comply, but the statute refers to the rule in the Code, and the Code says exempt.

Discussion ensued.

Mr. Scott Burman, Florida Window and Door, commented on his concern from the perspective of reselling windows. The cost benefit to the homeowner from non-insulated to insulated is about a 20 percent increase in cost. Based upon the average utility bill of \$100 according to FPL, the return on investment is 51 years.

Sean McGuirk, Royal Palm Aluminum, commented on windows as an aesthetic component. Historic board reviews define some requirements regarding colors, styles, types and materials. The 30 percent rule is necessary and important for business. Having energy efficient products is good if it can be worked into the budget to meet the code, but there also needs to be flexibility to meet customer's request.

Discussion ensued.

Mr. Bucklew discussed the definition of a renovated building in the Energy Code in the statute, in order to qualify as a renovated building the cost has to exceed 30 percent of the assessed value of the renovated structure. The definition of an alteration in the Energy Code is anything that requires a permit. Most jurisdictions require a permit for window replacements regardless of the number of windows being replaced. Mr. Bucklew stated the correct definitions must be applied to renovations versus alterations. In the Town of Palm Beach it has been interpreted that one window replacement is an alteration and has to meet the code requirement for the energy code.

Discussion ensued.

Brian Brown asked when the new code is adopted when it will be in effect. He wants to know how to proceed.

Mr. Wise stated the code went into effect December 31st. Industry will be notified when a specific standard will be enforced.

Discussion ensued.

Abe Lopez, SIW Window and Door Manufacturing, commented that windows being made today are more efficient than the ones in homes, so customers are not being cheated if they have a good tint instead of low-e. The customers save money and get a very efficient window that have been tested for air filtration. It is more affordable for consumers to buy impact windows.

Charles Bale commented that mahogany wood doors cannot accept insulated glass in them. The designs would be impacted, and it would force the design to change from 1-3/4 door to 2-1/4 door, which would increase the cost. The other issue is the implementation and enforcement of the code without notice.

What is industry to do with the products if they cannot pass inspection?

Brian Tepper, JVR Windows, presented a sample of an impact, insulated, low-e piece of glass. To make impact glass energy efficient requires placing a breakable piece of glass on the outside of the impact glass.

Customers do not want breakable glass. Customers have to bear cost of impact and insulated glass without any energy cost return.

Ed Morris commented that the U factor was removed on residential, but commercial over four stories requires meeting the U factor. Mr. Morris also discussed the problem of glass fogging and glass breaking with insulated glass.

Discussion ensued.

Tad Newman, Newman Windows, commented that energy efficient windows are not an easy sale to homeowners. He also requested notification with a target date when the code will be enforced.

Andrew Piedra, Engineering Express, commented on how the window will perform if it is modified to make an insulated unit. He discussed aspects of testing coatings, regular laminated glass and insulated laminated glass.

Discussion ensued.

Mr. Hogarth made a motion that Staff prepare a Dec Statement from the Building Code Advisory Board. Mr. Carr seconded the motion.

Discussion ensued.

Mr. Hogarth restated the motion that the Building Code Advisory Board direct County Staff to draft a Dec Statement question to be submitted to the Florida Building Commission with the condition that it be returned to this Board at the next available meeting to review the question prior to sending it out.

Mr. Brown seconded the motion.

Discussion ensued.

The motion passed unanimously.

D. Swimming Pool Electrical Safety – Brett Holland, FSPA Chapter President

Mr. Wise stated he met with Mr. Holland to discuss electrical devices on swimming pools changes in the code with regard to the low contact threshold, and maybe the Board could offer a technical advisory on that.

Mr. Holland presented before the Board the 2014 NEC 680.22.6 for low-voltage luminaires, and the 2017 NEC 680.22(B)(7) code is a clarification of the code, not necessarily a code change. Automatic fire

such as fire bowls or fire trays are permitted within five feet of the water's edge. Mr. Holland asked the Board to make recommendation to the jurisdictions to allow use of automatic fire per the 2017 NEC.

Discussion ensued.

Mr. Worley made a motion to direct Staff to write a technical advisory indicating that it is not "not allowed" under the 2014 and the 2017 specifically allows it, and we should interpret that it is allowed under the existing code. Mr. Sharkey seconded the motion.

The motion passed unanimously.

E. Blower Door Test / Required Ventilation

Richard Avon, All Purpose Consultants, inquired what the County's intent is for the volume for measuring during testing or inspection, such as requiring the architect to show it on the plans.

Discussion ensued.

Mr. Wise recommended that since the item had originally been deleted from the agenda it would be best that the topic be tabled until the next meeting. Staff could come back with a draft technical advisory and bring it back for the Board to review and discuss further if the Board desires.

Discussion ensued.

[There was no action taken by the Board. The Board will entertain the topic at the next scheduled meeting.]

F. 40 – 50 Year Building Recertification – Daniel McGrady, P.E., Consulting Engineer

Mr. McGrady inquired what Palm Beach County should do with regard to 40 and 50 year building safety inspections. He discussed the programs in place in Broward and Miami-Dade counties.

Discussion ensued.

[There was no action taken by the Board.]

G. SOLATUBE Product Approval and Letter of Equivalency – Tim Graboski

Mr. Graboski, Graboski Roofing, stated recertification of product approvals happen every three years with the new code cycle. He presented information regarding solar components that the manufacturer was tardy in submitting for recertification. The product has not changed and is scheduled for review at the April 10 product oversight committee review meeting. Mr. Graboski has requested a letter of equivalency from the engineer stating the product is compliant to be submitted with the prior product approval.

Discussion ensued.

[There was no action taken by the Board.]

H. Election of New Chair and Vice Chair

Mr. Byrne made a motion to elect the current vice chair (Greg Miller) as the chair. Mr. Worley seconded the motion. The motion passed unanimously.

Mr. Worley made a motion to elect Mr. Bucklew as the new vice chair. Mr. Cameron and Mr. Tomasik seconded the motion. The motion passed unanimously.

6. FUTURE BOARD MATTERS - NONE

7. BOARD COMMENTS

Mr. Miller commented on the need for a solution to conflict with window energy efficiency.

Discussion ensued.

8. STAFF COMMENTS


Mr. Wise thanked the Board for hearing the issue on window energy efficiency.

Discussion ensued.

9. ADJOURNMENT

Chair Greg Miller adjourned the meeting at approximately 4:58 p.m.

Signed for the board by,



Greg Miller, Chair

Respectfully submitted,
Jacquelyn Anderson, Recording Secretary