



MINUTES  
PALM BEACH COUNTY  
BUILDING CODE ADVISORY BOARD (BCAB)

JULY 18, 2018

**I. CALL TO ORDER**

Vice Chair Greg Miller called the meeting to order at 2:01 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**

**1. Members Present:**

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

**2. Others Present:**

Shannon Fox, Assistant County Attorney	Anne Helfant, Assistant County Attorney
Doug Wise, Building Official (PBC)	Bob Nicholls, CPT Coordinator
John Blake, Assistant Deputy Director of Inspections	Richard Avon
Jacquelyn Anderson, Recording Secretary	Manuel Oyola

**II. PLEDGE OF ALLEGIANCE**

**III. APPROVAL OF MINUTES**

Mr. Byrne made a motion to approve the **July 18, 2018** meeting minutes. Mr. Brown seconded the motion. The motion passed unanimously.

**IV. ADDITIONS AND DELETIONS**

Mr. Bucklew requested that the Minutes be sent to the board two weeks prior to meeting. Mr. Wise stated that there is a shortage in staff. He clarified that an approval does not have to be bestowed on the same day.

**V. COMMITTEE REPORTS**

- A. **Code Interpretation** – The fore building code development process is underway.
- B. **Code Amendments** – No report.
- C. **Product Evaluation** - No report.
- D. **Six Pillars Committee** - No report.

**VI. OLD BUSINESS**

NONE

## VII. NEW BUSINESS

### A. FBC 6<sup>th</sup> Ed (2017), Energy Section R402.1.2 vs F.S. 553 Part V Thermal Efficiency Standards Florida Building Commission's Request for Revised Declaratory Statement Petition – PBC Staff

Mr. Brown stated that he reviewed the "Declaratory Statement Petition" regarding section R101.4.2 on exempt building. He requested that the document include the definition on "renovated building" in chapter 2. According to Mr. Brown, since replacing a single window is not 30% of the value of the property the energy code is not applicable. A project on a renovated building is exempt for the requirements of the energy code.

Mr. Bucklew added that the definition of alterations should be included.

Mr. Kozan clarified that declaration will be forwarded to building commission, which will have a staff member assigned to research. The Building Commissioners staff will make further recommendations, but the concern is what the board would like to have answered.

Mr. Worley believes there are conflict with the codes and they should be referenced.

Mr. Wise offered to have question one rephrased to incorporate Mr. Brown's suggestions.

Mr. Worley advised that the question is too generalized and that a specific example would help in the main focus of the question and not be misinterpreted.

Mr. Miller inquired on how to apply 30 % rule into the question.

Mr. Wise suggested that two provisions of law exempt those components to which thermal efficiency are set. He wanted the question to include on whether or not the 30 % rule applied when thermal efficiency for components are set.

Mr. Brown ask that the question include the example.

Mr. Bucklew suggested that a window installation requires an alteration permit, therefore should be referred as an alteration. Does that fall into the 30% standard of renovation?

Mr. Hogarth questioned on whether it was is it necessary to include specific provisions in general questions, since it may be construed as leading.

Discussion ensued.

Ms. Worley requested that the question include the example of a building that does not meet the renovated building criteria, take priority over the general statement that exempts existing buildings found in the section. Would the single window alteration fall under the requirements?

Mr. Brown called a Motion to approve question as modified, which was supported by Mr. Cameron.

Discussion ensued.

The Board agreed to strike question three from the document.

Motion to approve the letter as written was granted unanimously.

Mr. Wise will add two definitions and send the document to Mo Madani.

✓ **MOTION TO APPROVE REVISED DECLARATORY STATEMENT PETITION – GRANTED**

Respectfully submitted,  
Giselle L. Badillo, Recording Secretary



### B. Swimming Pool Safety Technical Advisory

Mr. Wise stated that the local President of the Swimming Pool Contractor Association for Palm Beach County contacted the board, regarding his concerns over inconsistent inspection results. National Electrical Code (2017) 680.22 was related to the board.

Mr. Wise went on record and stated that if equipment is UL listed and below the low voltage contact threshold there is no reason that a fire bowl cannot be less than five feet from the edge of the water.

Mr. Sharkey did not have any concerns with the request and felt the more relevant and permissive code of 2017 be the standard.

Mr. Worley motion to approve technical advisory. Sharkey was the second. Motion was carried unanimously.

### ✓ MOTION TO APPROVE TECHNICAL ADVISORY – GRANTED

### C. Blower Door Test

Mr. Rich Avon was present to follow up and get information on whether there is anything new that must be adhered.

Discussion ensued.

Mr. Brown promote consistency throughout the county nothing is mandatory recommendation.

Mr. Wise suggested in drafting a technical advisory.

Mr. Brown calls a motion to prepare an advisory that recommends that the architect or design professional include measurements in the permit plans and if there is a field change that spray foam reflected in the plans. Mr. Sharkey second the motion. Mr. Worley expressed his argument against the motion due to its lack of persuasiveness.

Four in favor of motion and nine against. Motion does not carry.

Mr. Wise recommended inviting BOAF's Arlene Stuart, energy consultant, to the next board meeting to provide guidance, along with Mr. Rich Avon.

### × MOTION TO PREPARE TECHNICAL ADVISORY RECOMMENDING THAT ARCHITECTURE OR DESIGN PROFESSIONAL INCLUDE MEASUREMENTS IN PERMIT PLANS – DENIED.

### D. Notice of Commencement eFiling

Mr. Carr proposed a long-term plan to update coder statute to eliminate certified copy for a recorded copy of notice. The temporary recommendation is to have an equivalency between certified copy, or a recorded copy of the notice of commencement along with an affidavit that states the notice of commencement has been or will be filed for recording.

Mr. Miller vocalized that the county currently accepts the recorded copy of the notice of commencement with affidavit with a notice of commencements and/or affidavit without notice.

commencement before scheduling an inspection. Notice of Commencement is required for mechanical work once it reaches the \$7500 threshold. All other jobs requires a \$2500 threshold. The statute also states that the first inspection can be done with a letter that was been recorded. A technical advisory with a PPM.

Mr. Wise recommended writing a letter to the Building Officials Association of Florida to recommend a change.

Mr. Carr withdrew his request.

**6. FUTURE BOARD MATTERS**

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- Expedited roofing permits.

**7. BOARD COMMENTS**

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Mr. Miller thanked the county for their work.

**8. STAFF COMMENTS**

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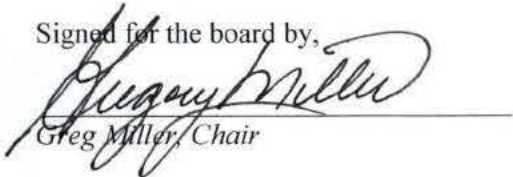
Mr. Wise notified the board the Building Officials Association of Palm Beach County will hold an Annual Joint Meeting with Industry on the Thursday, August 4, 2018 at 11:30 am the Jupiter Convention Center.

Discussion ensued.

**9. ADJOURNMENT**

Chair Greg Miller adjourned the meeting at approximately 4:20 p.m.

Signed for the board by,



Greg Miller, Chair