OKLAHOMA UNIFORM BUILDING CODE COMMISSION

REGULAR MEETING MINUTES
CONSTRUCTION INDUSTRIES BOARD/UNIFORM BUILDING CODE COMMISSION
CONFERENCE ROOM
2401 NW 23RD STREET, SUITE 2F
OKLAHOMA CITY, OK 73107
SEPTEMBER 15, 2015 - 1:30 P.M.

BOARD MEMBERS PRESENT:
Amber Armstrong, Ross Barrick, Jim George, Danny Hancock, Chris Henderson, Curtis McCarty, Joe McKenzie, David Timberlake, and Cary Williamson

BOARD MEMBERS ABSENT:
David Hall and Larry Herzel

OTHERS PRESENT:
Billy Pope (OUBCC Staff), Shawnta Mitchell (OUBCC Staff), Bryan Neal (Attorney General's Office), Steve Funk (Office of Management and Enterprise Services, Agency Business Services Division - OMES ABS), LaTisha Edwards (OMES ABS), John Staires (OUBCC Residential Electrical Technical Committee), Ron Morris (Construction Industries Board, Electrical Supervisor), Steve Nivar (A-1 Electrical and Air, Inc.), John Harrod (OUBCC Residential Fuel Gas, Mechanical, and Plumbing Technical Committee), Mike Means (Oklahoma State Home Builders Association), Rhonda Harding-Hill (Oklahoma Department of Commerce), Jack Snoddy (OUBCC Residential Electrical Technical Committee)

CALL TO ORDER:
Mr. David Timberlake called the regular meeting of the Oklahoma Uniform Building Code Commission to order at 1:30 p.m. in the Construction Industries Board/Uniform Building Code Commission Board Room at Shepherd Mall, 2401 NW 23rd St., Suite 2F, Oklahoma City, OK 73107.

STATEMENT OF COMPLIANCE:
The following statement was read into the record:
"This regular meeting of the Oklahoma Uniform Building Code Commission scheduled to begin at 1:30 p.m. on this 15th day of September, 2015, has been convened in accordance with the Oklahoma Open Meeting Act, Title 25 Sections 301 through 314.

Further, this meeting was preceded by an advance public notice that was sent to the Secretary of State electronically specifying the date, time, and place of the meeting here convened.

Notice of this meeting was given at least twenty-four (24) hours prior hereto. To date, eighty (80) people have filed a written request for notice of meetings of this public body.

REPORTS
<u>CEO Report:</u>
Mr. Billy Pope gave his report to the Commission. He reported he had given a speech to the Oklahoma Roofing Contractors Association to bring them up-to-date on the code changes. He added he and Mr. Joe McKenzie had given a presentation to the State Fire Marshal’s Association. He noted both groups

had approximately 100 people at their events and were interested in the education training that was provided to inspectors. He noted he made a third presentation to the Southwest Code Conference to about 60 inspectors. He noted there were a lot of new inspectors and they had a lot of questions. He stated Vo-techs were handling training for contractors, but none were providing any training for inspectors. He noted the financial statements behind his report showed a significant increase from July, but that part of it was from payments that were due for July that had not posted before the end of the month.

Financial Report:
Ms. LaTisha Edwards with OMES ABS greeted the Commission. She reviewed the August financial reports. She noted the Commission was operating under budget so far for the current fiscal year. There were no questions for Ms. Edwards at the end of her report.

Education Committee Update
Ms. Armstrong noted since the July commission meeting, the Education Committee had two meetings, one in person and one via teleconference. She noted the Committee was working on rules for the regional continuing education which would be presented in the next couple of months. She noted they were fine-tuning the Letter of Agreement for groups asking the Commission to sponsor educators for training classes. She noted there had been ten classes already with two more scheduled on the 2009 code. She added the committee was working on a list for 2015 classes to be offered after November 1, 2015.

Residential Building Technical Committee Update:
Mr. McCarty noted the Building Committee had wrapped up all of their meetings and the chapters had been amended and voted on. He noted they would be giving their presentation next month to the Commission.

Residential Fuel Gas, Mechanical, and Plumbing Technical Committee Update:
Mr. McKenzie noted the next meeting for the Fuel Gas, Mechanical, and Plumbing Committee was scheduled for September 23, 2015 to cover Chapter Eleven after the joint meeting with the other committees to make sure the Committee was going in the same direction as the others. He noted the Committee would be reviewing their presentation and a final meeting was scheduled for October 19, 2015 to review the complete presentation. Mr. Timberlake asked if there were any significant changes. Mr. McKenzie replied, to him there were no significant changes.

Alternative Fuels Program Technical Committee Update:
Mr. Williamson noted the Alternative Fuels Committee did not have a quorum for the August 24th meeting and all the items would be carried over to next Monday's meeting on September 21, 2015. He noted they would be looking at comparing NFPA 59A against the International Fire Code® and International Fuel Gas Code®.

ACTION AND DISCUSSION ITEMS:
Discussion and possible approval of the July 21, 2015 regular meeting minutes
Mr. Timberlake noted the minutes were in the Commission books under tab "G" and asked if there were any additions or corrections, and if not he would entertain a motion to approve.

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MR. ROSS BARRICK TO APPROVE THE MINUTES AS WRITTEN

VOTING AYE:	Amber Armstrong Ross Barrick Danny Hancock Chris Henderson Curtis McCarty Joe McKenzie Cary Williamson David Timberlake
VOTING NAY:	None
ABSTAIN:	Jim George
ABSENT:	David Hall Larry Herzel

Discussion and possible action on the proposed meeting schedule for 2016

Mr. Timberlake noted the schedule was under tab "H" in the book. He asked if it continued to follow the same format of meeting on the third Tuesday of the month at 1:30 p.m. Mr. Pope confirmed that was correct.

MS. AMBER ARMSTRONG MADE A MOTION WITH A SECOND BY MR. CARY WILLIAMSON TO APPROVE THE 2016 MEETING SCHEDULE

VOTING AYE:	Amber Armstrong Ross Barrick Jim George Danny Hancock Chris Henderson Curtis McCarty Joe McKenzie Cary Williamson David Timberlake
VOTING NAY:	None
ABSTAIN:	None
ABSENT:	David Hall Larry Herzel

Discussion and possible action on the FY17 Budget Request

Mr. Timberlake asked Mr. Pope if he wanted to comment on the budget. Mr. Pope replied he was turning the floor over to Ms. Armstrong who was the spokesperson on the request. Ms. Armstrong noted the Budget, Fees, and Rules Committee had a conference call on the budget and noted it was in line with the FY16 budget. She stated it allowed for approximately sixteen training classes and the potential for a new employee if needed. She noted the overall differences were minor and totaled $661.00. Mr. Timberlake asked if there was any discussion and if not, he would entertain a motion to approve.

MR. ROSS BARRICK MADE A MOTION WITH A SECOND BY MS. AMBER ARMSTRONG TO APPROVE THE FISCAL YEAR 2017 BUDGET REQUEST

VOTING AYE:	Amber Armstrong Ross Barrick Jim George Danny Hancock Chris Henderson Curtis McCarty Joe McKenzie Cary Williamson David Timberlake
VOTING NAY:	None
ABSTAIN:	None
ABSENT:	David Hall Larry Herzel

Presentation by the Residential Electrical Technical Committee (ETC) on the 2015 edition of the International Residential Code®

Mr. John Staires addressed the Commission. He noted the Electrical Committee had reviewed all the provisions of the 2015 edition of International Residential Code® (IRC®) that could potentially have an impact on the electrical industries and noted the slides would summarize those findings. Mr. Staires noted the Committee created and looked at several public comment forms. He noted some of the forms went to other committees and should be seen as part of their presentations.

Mr. Stairs noted the Committee voted unanimously to accept Chapter One as published.

Mr. Staires stated the modification made to Chapter Two should be familiar to the Commission members because it was submitted as part of the adoption of the National Electrical Code®. He noted the change defined a Nationally Recognized Testing Laboratory and the Committee voted unanimously to approve the change.

Mr. Stairs noted the Committee voted unanimously to accept Chapter Three as published.

Mr. Staires noted the Committee looked at Chapter Eleven. He stated in the OUBCC's adoption of the 2009 IRC® a modification was included in the Oklahoma rules that exempted recess (can) lights from the provisions of Chapter Eleven as energy efficient lamps. He noted he was not on the 2009 committee but he thought a lot of it had to do with the type of energy efficient lamps available at the time. He added there were now a number of energy efficient lighting sources that were more suitable for the use and the committee reviewed Public Comment Form E-10 and voted unanimously to remove the exception to Section N1104.1 for can and recessed lights. He noted Public Comment Form E-11 was submitted to align the IRC® with the National Electrical Code (NEC®). He noted three code cycles ago, the NEC® removed the term "lighting fixture" and replaced it with the term "Luminary". He stated the wording Section N1104.1 was not updated but was in several other locations in the IRC®. He noted committee voted unanimously to approve the change. He reviewed public comment form E-12 and noted in Section 1101.6 there was list of energy efficient lamps used in residential

luminaries at 75 percent. He stated LED lamps were not included on the list, but were becoming more prevalent and the committee unanimously voted it be added to the list.

Mr. McCarty asked when questions could be asked, either during or at the end of the presentation. Mr. Timberlake asked Mr. Staires if he was okay with questions as they went through the presentation. Mr. Staires noted he was fine with answering them as he was going through the presentation. Mr. McCarty stated Chapter Eleven was reviewed by the Building Committee and would have another presentation on the Chapter from them. He stated he wasn't sure why the Commission was reviewing Chapter Eleven now. Mr. Staires noted there were Public Comment Forms regarding the Chapter that were addressed by the Committee and that's why it was in the presentation.

Mr. Staires addressed Chapter Nineteen. He noted the first item was Public Comment Form E-9, an addition to Section M1903.1.1 which dealt with Fuel Cell Systems. He noted the current language directed the user to the NFPA 853® for the systems. He noted the standard contained some very rudimentary electrical requirements that were not as comprehensive as the requirements for the fuel cells Article 692 of the NEC®. He noted form E-9 added a new section requiring compliance with Article 692 of the NEC®. He noted the Committee voted unanimously to make the proposed change.

Mr. Staires addressed Chapter Thirty-Four. He noted Public Comment Form E-1 was submitted to correct errata that first appeared in the 2009 IRC®. He noted the errata directed the user to an incorrect section. He added the Committee voted unanimously to approve the change to the correct section. He noted Public Comment Form E-2 added language to Section 3403.3 Listing and labeling. He stated it was a companion proposal to a change made to the 2014 NEC®. He noted the IRC® had a blanket statement to list all electrical equipment and that the NEC® had a more specific list that did not require everything to be listed. He added the Committee voted unanimously to approve the modification to limit the listing of electrical equipment to the ones noted in the NEC®. Mr. Staires stated the next item was Public Comment Form E-3 dealing with Section 3404.7 Integrity of Electrical Equipment. He noted neither the IRC® nor the NEC® contained any language about reuse or refurbishing electrical equipment. He noted there were guidelines on what types of electrical equipment that could be reconditioned and reused. He noted it probably wouldn't be an issue as much as it was in large commercial and industrial locations. He stated the Committee voted unanimously to approve adding the requirement in to match the change made to the 2014 NEC®.

Mr. Staires noted the Committee unanimously voted to accept Chapters Thirty-Five and Thirty-Six as published.

Mr. Staires addressed Chapter Thirty-Seven. He noted Public Comment Form E-4 was another companion form to bring the IRC® into alignment with a change made to the 2014 NEC®. He noted the Committee unanimously voted to approve the proposed change. He explained the Commercial Electrical Technical Committee took the provisions from Article 220 relating to general purpose branch circuits and did the calculations and put the values into the NEC® so the user would not have to calculate the information. Mr. McCarty asked if the modification was different than what was currently being done in Oklahoma. Mr. Barrick stated it should not be, if it was being done correctly. Mr. Staires noted it would not be different if they were complying with the NEC®.

Mr. Staires noted the Committee voted unanimously to accept Chapter Thirty-Eight as published.

Mr. Staires addressed Chapter Thirty-Nine. He noted Public Comment Form E-8 requested deletion of Section 3901.11 Lighting equipment. Mr. Staires reviewed the submitters concern with additional requirements for plugs in foyers and that the code did not provide a definition of a foyer versus an entry hallway. Mr. Staires noted the language in the section was permissive in both the NEC® and IRC®. He stated it was added to the NEC® in 2011 to deal with large homes that had a grand entry that could be the size of any other room. He noted the issue was if it should be treated as any other room as far as receptacle spacing. He added the NEC® determined it should not be, and put in the permissive code that if you walk into a foyer (defined in the code as 60 square feet or larger), if there was a wall surface three linear feet or more than it had to have a receptacle to serve the wall space. He noted if the wall in a foyer was thirty feet long, it would only require one receptacle and not one within six feet of the start of the wall and another every twelve feet in between like any other habitable room in the dwelling unit. Mr. Barrick stated Section 3901.1 was a list of habitable rooms such as bedrooms, kitchen, laundry rooms, etc. and did not list hallways and foyers. Mr. Staires noted the Committee voted unanimously to reject public comment form E-8.

Mr. Staires addressed Chapter Forty. He noted the public comment form E-5 was submitted on Section 4002.14 Tamper-resistant receptacles. He noted the request was to delete the amendment made to the 2009 IRC®. He noted the language existed in the IRC® 2015 and was no longer necessary to carry the amendment forward. He stated the Committee voted unanimously to approve the proposed change.

Mr. Staires noted the Committee voted to accept Chapter Forty-one as published.

Mr. Staires addressed Chapter Forty-Two. He noted Public Comment Form E-6 requested modification of the language in Section 4206.4.1 Maximum voltage to align the amendments of NEC® and IRC®. He stated there were several documented instances of electrocutions due to faulty pool equipment. He added there a number of low-voltage LED, incandescent, and fiber-optic luminaires that could be used for swimming pools. He noted the language limited the low-voltage contact information to the limits designed in Section E4201.2. Mr. Barrick added this was for new installation and replacement and was not a retrofit requirement. Mr. Staires noted the Committee voted unanimously to approve the proposed change. Mr. McCarty asked if he had a pool that had a 110-volt lamp would the change mean it had to be replaced with a low-voltage light. Mr. Staires replied no. Mr. Barrick stated he was not talking about replacing the light; he was talking about if the entire luminary had to be replaced because there were not parts to fix it and the repair would become a new installation. Mr. Stairs confirmed it was not intended to cover re-lamping.

Mr. Staires noted the committee voted to accept Chapter Forty-Three as published and recognize Chapter Forty-Four and the appendices A through U as published.

He stated that concluded his presentation and asked if there were any questions. Mr. McCarty stated he thought the Committee had several Public Comment Forms that were denied and he didn't see them in the presentation. Mr. Staires replied the only one was denied and it was in the presentation. Mr. McCarty stated he thought there was some talk about non-accessible plugs, GFIs and things like that. Mr. Barrick noted nothing was submitted to the Committee. Mr. Staires noted the presentation was a summary of everything submitted to the Committee for consideration by someone at the meeting or as Public Comment Form. Mr. Steve Nivar with A-1 Electric and Heat and Air, asked on the change for the unlisted material that directed back to the NEC®, could materials not listed in the NEC® still be used. Mr. Staires noted that modification was made to correct the blanket statement in the IRC® that required all electrical equipment, materials, etc. to be listed. He noted a lot of fittings particularly

support fittings were not listed. He noted change to direct back to the NEC® was to make it more specific on which items had to be listed. Mr. Staires noted if the NEC® required it to be listed than it had to be listed, but if the NEC® was silent on it, it did not have to be listed. Mr. Staires thanked the Commission for their time. Mr. Timberlake thanked Mr. Staires and Mr. Jack Snoody, Chairman of the committee, for their time and effort.

Discussion and possible action on the presentation by the ETC on the 2015 edition of the International Residential Code®

Mr. Timberlake asked if there was any discussion on the presentation.

MR. MCCARTY MADE A MOTION FOR APPROVAL WITH AN EXCEPTION TO THE REMOVE THE COMMENTS ON CHAPTER ELEVEN FROM THE PRESENTATION

Mr. McCarty noted the changes on Chapter Eleven should be heard by the Building Technical Committee and all the items have been addressed. He stated he did not want to have an inconsistent crossover.

MR. DANNY HANCOCK SECONDED THE MOTION

Mr. Timberlake asked if the comments on Chapter Eleven in the presentation were electrically related. Mr. McCarty noted there had been confusion the whole time and noted Chapter Eleven was appointed to the Building Technical Committee and if a Public Comment Form came in it should have gone to them not to the Electrical Committee. Mr. Timberlake asked if the Building Committee had received the Public Comment Form. Mr. McCarty noted they had not, but Mr. Barrick had presented the changes to the Building Committee at one of their meetings and they made all the changes proposed today. He added he wasn't sure why they would have gotten Chapter Eleven Public Comment Forms. Mr. Timberlake noted that would provide consistency. Mr. Barrick noted the Public Comment Forms were submitted to the Electrical Committee to consider and provide a recommendation to forward to the Building Committee, which was done. Mr. McCarty noted he thought Mr. Barrick would agree that everything was addressed by the Building Technical Committee.

Mr. Timberlake noted a commenter was at the podium and asked if their comments had anything to do with the motion on the floor. Mr. John Harrod, Chairman of the Fuel Gas, Mechanical, and Plumbing Technical Committee addressed the Commission. He noted there was a comment in the presentation that related to Chapter Nineteen which was assigned to the FGMP Committee for consideration and had not yet been accepted or reviewed by the Committee. He suggested along the same point that would be under the purview of the FGMP committee.

MR. MCCARTY AMENDED HIS MOTION TO REMOVE THE COMMENT FROM CHAPTER NINETEEN FROM THE PRESENTATION AND LET THE FUEL GAS, MECHANICAL AND PLUMBING COMMITTEE ADDRESS IT

MR. DANNY HANCOCK AMENDED HIS SECOND TO MATCH

VOTING AYE: Amber Armstrong
Ross Barrick
Jim George
Danny Hancock
Chris Henderson

	Curtis McCarty Joe McKenzie Cary Williamson David Timberlake
VOTING NAY:	None
ABSTAIN:	None
ABSENT:	David Hall Larry Herzel

NEW BUSINESS:
There was no new business.

PUBLIC COMMENTS:
Mr. Timberlake asked if there were any public comments to be made. Mr. Mike Means with the Oklahoma State Home Builders addressed the Commission. He stated he did not know if his issue had been discussed before, but he wanted to address that several chapters were accepted as published and wanted to know if any kind of cost analysis was done for any additional costs associated with the acceptance. He added he wanted to know so it could be published and associations could use it to work with and educate their members. He noted he wasn't asking for an answer immediately, but that it becomes part of the consideration as the proposals move forward.

Mr. Timberlake noted the Commission would take that under advisement and thanked him for his remarks. He added as a general observation, the Commission's charge was for establishing a statewide uniform code in the best interest and safety of the public. He noted while the committees could consider cost, that was generally not a factor on making a decision on applying or not applying a code if it was in the best interest of the public. Mr. Means replied the discussions on Chapter Eleven by the Building Technical Committee generated a lot of attention, but there were a lot of things that were either being moved out or put into an appendix and that the reason why was the additional cost and the benefit to the public was very negligible. He said he was there for those discussions but didn't hear any of that regarding the presentation just given and he didn't know if those discussions took place. Mr. McCarty stated to elaborate on what Mr. Means was stating; was that new codes were not always better and changes were often because of new products that entered the industry. He noted those new products were not always necessary and could cost more money. He added he heard it a lot from the consumer, was the cost of the items had gotten very expensive to build. He noted what he thought Mr. Means was asking if were there things put into the code that were not really necessary. He cited an example of that GFI plug under a dishwasher would now be required. He asked why there was a need for that since there was no documentation of someone being killed by not having a GFI under a dishwasher. He noted those were the comments the builders received from the public. He added he thought it was prudent for the Commission to think about those things.

Mr. Barrick noted most of the changes on the electrical items were grammatical in nature but did not change the language. He noted the changes, that were not grammatical in nature, were because of a death, fire, or health hazard. He stated there was a question on the Public Comment Form that asked the submitter if they felt the proposed change would affect the cost of construction. He added in his experience, when changes were made to the electrical code, cost was not considered as it was the result of loss of life or property. Mr. McKenzie noted in one of the Fuel Gas, Mechanical and Plumbing

Committee meetings, there was a situation where a change was presented and there was no question that the cost drove the action of the Committee. He thought the volunteers were aware of costs. He noted in the change requested, there was no question it would drive up the cost of the code and it was denied. He added the question was on the form and all of the Committee members did need to look at it. Ms. Armstrong noted there were customers willing to make an upsell, such as putting in the granite countertops and trying to save money elsewhere. She added she wasn't sure safety was the right place to save that money.

ADJOURNMENT:

MS. AMBER ARMSTRONG MADE A MOTION WITH A SECOND BY MR. CHRIS HENDERSON TO ADJOURN

VOTING AYE:	Amber Armstrong Ross Barrick Jim George Danny Hancock Chris Henderson Curtis McCarty Joe McKenzie Cary Williamson David Timberlake
VOTING NAY:	None
ABSTAIN:	None
ABSENT:	David Hall Larry Herzel

Minutes approved in the regular meeting on the 20th day of October, 2015

LARRY HERZEL
Larry Herzel, Vice-Chairman

PREPARED BY: KATHY HEHNLY
Kathy Hehnly, Executive Assistant
Oklahoma Uniform Building Code Commission

OFFICIAL COPY - *Original with signatures in office file*