

SOUTH CAROLINA BUILDING CODES COUNCIL

***SC Fire Academy
Denny Auditorium
Columbia, South Carolina
Minutes***

Thursday, November 18, 2010

10:30 a.m.

Called To Order:

Chairman Frank Hodge called the meeting to order at 10:30 a.m. Other members participating in the meeting included Thomas Brock; Frank Hill; Van McAlister; John Reich; Lloyd Schumann; Chris Cullum; Richard Sendler; Gable Stubbs; and John White.

Staff members participating during the meeting included: Sheridan Spoon, Assistant Deputy General Counsel; Gary Wiggins, Administrator, Jennie Meade, Program Coordinator; Angela Scott, Administrative Assistant; and David Blackwell, Fire and Life Safety.

Others present participating during the meeting included: John Humphries; Douglas Smits; Tommy Holcombe; Bruce Spicker; Brad Rice; Shawn Martin; Chris Stover; Don Houck; Darbis Briggman; Allen Hutto; James Akins, Jr; Stephen Abernathy; Charles Stewart; Adrienne Montare; John Wangles; Vaughn Wicker; Mike Lowman; Ray Hoshall; Clark Frady; Buddy Skinner; Donny Phipps; Tom Scholtens; John Wasson; Gary Bass; Donald Bravo; T. Lee Cave; Melissa Hopkins; Phil Elliott; Ken Kerber; Ward Braswell; Rick Hallman; Billy Sawyer; John England; Edye Graves; Chris Lee; Michael Smith; Bruce Boulineau; Rich Palmer; Sondra Senn; Michael Smith; Patrick Brown; Keith Sanders; Bob Klein; Joheida Fister; and Michelle Hawkins.

Chairman Hodge announced that public notice of this meeting was properly posted at the Building Codes Council office, Synergy Business Park, Kingstree Building, and provided to all requesting persons, organizations, and news media in compliance with § 30-4-80 of the South Carolina Freedom of Information Act.

Approval of Agenda:

MOTION:

Mr. Hill made a motion to approve the November 18, 2010, Agenda. Mr. Schumann seconded the motion, which carried unanimously.

Approval of Minutes - Wednesday, August 25, 2010 Meeting:

MOTION

Mr. Reich made a motion to approve the August 25, 2010, meeting minutes with the following correction page 3. Mr. White seconded the motion, which carried unanimously

MOTION:

Mr. Parsons made a motion amend the motion to delay the installation of fire sprinkle systems in one-family or two family dwellings. Mr. Reich seconded the motion, which carried with two nay votes, Mr. Sendler and Mr. McAlister.

Mr. Mark Nix, Home Builders Association of South Carolina, sprinklers is not apart of the amendment, and they do not want the language added in the Code.

John England, England Enterprise, stated whatever the General Assembly does with the sprinklers is going to affect the ISO ratings in the future.

MOTION:

Mr. Sendler made a motion to allow the South Carolina Building Code Council submit the 2009 IRC, IBC, IPC, IMC, IFGC, and IFC to the General Assembly to be promulgated as regulation. Mr. McAlister seconded the motion, with two nay votes, Mr. Sendler and Mr. McAlister.

Approval/Disapproval of Absent Members:

Mr. Greg Parsons and Mr. Jedzinink received excused absences.

Chairman’s Remarks:

Chairman Hodge stated that Council that there will be a “No Burn Training” Four Hours Continuing Education Training Session being held at 1:00 p.m.

Administrator’s Remarks for Information:

Office of Investigations and Enforcement (OIE):

Gary Wiggins

Mr. Wiggins gave the following statistics concerning the number of investigations and open complaints.

21 – Open Cases	5 - Active Investigations	5 – Closed Cases	1 – Pending Board Hearing
1 – Pending Consent Agreement		2 - Pending IRC	1 – Pending Investigation

Office of General Counsel (OGC):

Mr. Wiggins reported the number of complaints as of November 17, 2010:

3 – Open Cases	1 – Pending Actions	2 – Pending Final Orders	4 – Closed
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Office of information Services (OIS):

No report made.

Old Business:

International Association of Plumbing and Mechanical Officials – (IAPMO):

Mr. Ron Lord, Regional Manager for International Association of Plumbing and Mechanical Officials, presented Council with information regarding IAPMO’s Green Plumbing and Mechanical Code Supplement for review. He stated that Green Plumbing and Mechanical Code Supplement was created by IAPMO as a way for jurisdictions to implement green plumbing and mechanical systems based on the best possible methods of installation. In addition, the supplement is designed to work with any plumbing and mechanical code that is nationally recognized.

Mr. John Wasson; Mr. Bruce Boulineau; Mr. Andy Barber; Mr. Keith Sanders; and Ms. Leslie Holt opposed the adoption of the IAPMO as a permissible code.

International Green Construction Code (IGCC):

Chairman Hodge stated at the last meeting he asked that Council consider the adoption of the IGCC as a code that may be adopted by local jurisdictions. Council tabled making a decision on the adoption of the IGCC because not all members had received a copy of the International Green Construction Code.

Mr. Vaughn Wicker stated that the scope of the IGCC is under the direction of the Board of Directors. At the conclusion of ICC Board Annual Business Meeting, they voted to remove the ICC 700 from the IGCC. The ICC700 is a joint ICC NAHB publication but the NAHB owns copyright. He stated the scope of the IGCC will be the same as the IBC and will apply to residential, but only the residential occupancies that are not in the IRC.

Mr. Chris Cullum asked whether the IGCC, as a permissible code, does not have to go through the process as the other codes that were adopted. In addition, he asked whether a study committee had been formed to review any analysis for this code. He suggested this study committee should be formed prior to the adoption of the IGCC.

Chairman Hodge stated that there was no study committee formed, there are three permissible codes on the books to be adopted locally, and they have not been reviewed by anyone.

Mr. Wiggins stated that the law has two types of codes, one is mandatory codes, which is mandatory for every jurisdiction in the state and the other is permissible codes, which are codes that are listed in the Statute.

Mr. Sandler asked whether the concerns listed in the letter from the Home Builders Association of South Carolina were addressed in the IGCC.

Ms. Leslie Holt asked whether more information could be listed on the Council's webpage when the local jurisdictions adopt the IGCC. She stated that she is not opposed to the adoption of the Green Code but she has some concerns regarding requirements and training.

Mr. John Wasson; Keith Sanders; and Bob Klien are in favor of the adoption of the IGCC.

MOTION:

Mr. Sendler made a motion that a study committee be formed to review the IGCC. Mr. Stubbs seconded the motion, which carried unanimously.

Chairman Hodge stated that he would get with Mr. Wiggins and staff and a committee will be formed and the IGCC be placed on the February 2011 Agenda.

New Business:

Proposed Emergency Amendment – Mr. Vaughn Wicker:

Mr. Vaughn Wicker introduced Mr. Shawn Martin, of the ICC Plumbing Mechanical Division. Mr. Wicker stated that in accordance with §2.4 9F Council Policy #28 Code Development, the ICC membership is being notified of the ICC Board's official action to approve an Emergency Amendment to the fuel gas purging requirements of the 2009 International Fuel Gas and Residential Codes (IFGC and IRC). This section is taken as a result of the action taken by the ANSI Z223.1 committee to issue an amendment to §8.3 of ANSI Z223.1 – 2009 National Fuel Gas Code which is the basis for the provisions found in §406.7 of the IFGC and §G2417.7 of the IRC. The action taken by Z223.1 committee is in response to the investigation performed by the U.S. Chemical Safety Board of the natural gas explosion that occurred at the ConAgra Slim Jim production facility in Garner, North Carolina on June 9, 2009. **(A copy is attached and become part of record.)**

MOTION:

Mr. Hill made a motion to approve the proposed emergency amendment as written. Mr. Reich seconded the motion, which carried unanimously.

Fire Sprinkler Code Provision:

Mr. Charles Stewart

Mr. Charles Stewart, of South Carolina Plumbers Association asked Council to review the Fire Sprinkler Code Provision and provide a statement stating what procedure will be used.

Mr. Wiggins stated Council cannot make a recommendation or decision on this issue. The decision would have to be made by Contractors Licensing Board and Residential Builders Commission. Staff has determined that the statute covers the fire sprinkler issue in the Contractor's Practicing Act. It states that a sprinkler contractor must install all sprinkler systems and it references residential sprinklers. Mr. Wiggins stated that staff of Building Codes Council; Residential Builders; Contractors Licensing State Fire Marshall and two of LLR Attorneys addressed this issue as a group to see what could be done statutorily. They were looking for ways to allow plumbers to install sprinkler systems in single-family residences if they go through a specific training course. They are seeking to find a method of getting a joint resolution between Residential Builders Commission and Contractors Licensing Board that would have the Boards agree that the plumbers for residential side and plumbers that received their license through examination, be allowed to take a 40 hours course and install residential sprinklers. Mr. Wiggins suggested that Council allow Residential Builders and Contractors Licensing Boards make the decision.

Mr. John Reich presented Council with information that was discussed at a meeting he held with Mr. Gary Wiggins; Michael Anderson; Stan Bowen; Sharon Dantzler; Sheridan Spoon; and David Blackwell. At the meeting, he presented a residential multi-purpose consensus statement to members of the Residential Builders Commission and Contractors Licensing Board. The document dealt with residential sprinkler systems, specifically multi-purpose piping systems. Both the Residential Builders Commission and the Contractors Licensing Board have tabled the issue. The consensus document was intended to be an interim solution providing reasonable qualification requirements for residential plumbers to install multi-purpose residential fire sprinklers. They felt it was necessary for public safety until the applicable statutes or regulations could be revised.

MOTION:

Mr. White made a motion to table making a decision regarding Fire Sprinkler Code Provision until Residential Builders Commission and Contractors Licensing Board render a decision. Mr. Reich seconded the motion, which carried unanimously.

Public Comments:

John Wasson, City of Greenville stated that he was hoping that Council would have adopted the amendments that the Home Builders Association proposed. In addition, he asked Council to consider adopting the International Building, Plumbing Gas and Mechanical Codes 2009; and split the issue and send forward the adoption of the International Residential taking the Residential out of the body of the code and split the motion.

Mr. Reich asked staff to give an update on the APA process and any comments received.

Mr. Wiggins stated that the notice of drafting has been filed and published in the State Register. Staff is in the process of compiling all the amendments and having them published in the State Register. Afterwards the comments are received and public hearing would be held. Mr. Wiggins stated at point a public hearing would not be held until January or February 2011.

Mr. Mark Nix, Home Builders Association asked Council to reconsider the adoption of the 2009 IRC by taking out the mandated language of fire sprinklers.

Mr. Sandler stated that when Council originally received the Agenda several of the items discussed was not listed. He stated that there should be a deadline for information to be received to be placed on the Agenda.

Mr. Wiggins stated that information to be placed on the Agenda should be received two weeks prior to the meeting.

Chairman Hodge stated that the deadline to have information into staff to be placed on the agenda is two weeks prior to Council Meeting.

Mr. Alan Hutto, General Counsel of Public Affairs of Modular Housing Institute asked Council to reconsider filing another sprinkler bill.

Date of Next Meeting:

The next meeting of the Building Codes Council is scheduled for Wednesday, February 23, 2011.

Adjournment:

Mr. Reich made a motion that the meeting be adjourned. Mr. Sandler seconded the motion, which carried unanimously. The November 17, 2010 meeting was adjourned at 12:30 p.m.