



BROWARD COUNTY

BOARD OF RULES AND APPEALS

955 S. FEDERAL HIGHWAY, SUITE 401, FORT LAUDERDALE FLORIDA, 33316

PHONE: (954) 765-4500 FAX: (954) 765-4504

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BOARD OF RULES AND APPEALS MEETING

Thursday, June 8, 2006

MINUTES

CALL TO ORDER

A published meeting of the Board of Rules and Appeals was called to order by its Chairperson, Shalanda Giles at 7:00 p.m..

ROLL CALL

Present

S. Giles, Chair
P. London, Vice Chair
G. Elzweig
W.Flett

A.Korelishn
A. Kozich
J. Shechter
J. Smith
J. Somers

D. Zimmer
B.VanKirk
H. Zibman
S.Kastner

Excused: M. Synalovski

The presence of a quorum was announced.

APPROVAL OF MINUTES –

Mr. Kozich MOVED the motion to approve the April 20, 2006 Board meeting minutes. Mr. Korelishn seconded and the MOTION PASSED UNANIMOUSLY.

Special Recognition –

The Board Chairperson, Shalanda Giles recognized Josh Crockett. The Chair invited Mr. Crockett to the dais where he was presented with a plaque for his years of service and expertise.

CONSENT AGENDA

1. **Certifications.** Staff recommended. Mr. Elzweig excused himself due to a conflict of interest.

REGULAR AGENDA

2. **Board of Rules and Appeals Building Code Lobbyist's Legislative Update.** Report by Larry Smith

The Board's Lobbyist, Larry Smith addressed the Board regarding the legislative session. Two bills relating to the House and Senate 1187 & 1774 directed at high velocity wind standards for the areas of the Panhandle, taking away exemption that previously existed and brought it into line with the rest of the State. Another bill would have provided for use of private inspectors under certain circumstances. The bill ultimately died on the calendar.

Mr. Smith thanked Mr. DiPietro for his input as well as his immediate feedback and availability.

The generator bill which was of significant interest related to emergency operations, procedures and hurricane related problems. The big legislative package was HB 7121 which incorporated a number of House bills and Senate bills. The generator bill deals with two issues: gas stations and high-rises,

as well as gasoline distributors. The law requires all new construction of gasoline stations to be pre-wired for accepting and using generators and for the formerly built to get substantial renovations to be pre-wired to support the use of generators. The law also requires generators for stations within a half mile from an interstate, or having 16 or more pump positions, that are on an evacuation route to have access to a generator within 24 hours, but not actually one on site. Owners of 10 or more gas stations or outlet distribution facilities must be able to provide fuel 36 hours after a storm by June 1, 2007. They must have one generator available for a period of 72 hours, beginning with 36 hours after a storm. This new law preempts any county or local ordinance. Mr. Smith stated that he believes there are defects in the legislation. The Bill also includes requirements for pre-wiring for generators for residential multi-family units for buildings in excess of 75 feet high. The owners must post a notice at the elevator for an electrical contact to have a generator provided within 24 hours of an event. The elevator with generator must be available to provide resident's access for specified hours for a 5 day period following an event and must be capable of providing emergency lighting for the fire alarm and fire suppression system. For existing buildings the owner must have new plans approved for pre-wiring by December 31, 2006 and complete the work by December 31, 2007. All new buildings must comply. House Bill 1363 is an affordable housing bill which was sponsored by Representative Mike Davis. The Bill has a provision that allows the counties and eligible municipalities to include within their local housing assistance plan, provisions for housing assistance to essential service personnel. It allows the County to define what essential service personnel are; the basic definition of the bill states it is a person in need of affordable housing who are employed in occupations or professions in which they are considered essential service personnel: police, fire, nurses, ambulance drivers, paramedics. Mr. DiPietro suggested the possibility of including in the definition, Building Inspectors, because, after a hurricane, they might be considered essential personnel. The definition was not going to be legislated as expanded; however, a good claim could be made by asking the County to designate certain Building Officials as essential service personnel for the post-hurricane situation.

3. Proposed Amendments to the FBC Appendix "F" FBC Plumbing. Proposed by the Plumbing Committee.

Mr. Kevin Fennell, Chief Plumbing Code Compliance Officer presented the item to the Board, he gave an update on these amendments originally presented by the Florida Irrigation Society. He stated that during the compiling of the Florida Building Code, Consulting Engineer in Lawn Sprinkler Disasters, Mike Perkins, derived regulations on them to become part of the Code. Those regulations became Appendix F and in 2001 were adopted by Broward County. Mr. Perkins ignored that the code was minimum standard so Appendix F ended up being too technical and not interpreted uniformly. Now the local Chapter of the Florida Irrigation Society is submitting these amendments so the Appendix F is less critical and the interpretation more uniform. These Amendments have been reviewed and accepted by the Plumbing Committee and the local Chiefs. Madam Chairperson opened the floor to Bob Sanford of Best of Broward Sprinklers, who spoke on behalf of the amendments.

Modification 1464

Add verbiage for velocity of liquid.

The floor to the public hearing was opened, seeing no one approached, the public hearing was closed.

Mr. Korelishn MOVED, and proposed a MOTION to approve Item. This motion was duly seconded by Mr. Somers ; the MOTION CARRIED UNANIMOUSLY.

Modification 1465A

Simply depth of cover table, to pipe size and minimum depth.

The floor to the public hearing was opened, seeing no one approached, the public hearing was closed.

Mr. Korelishn MOVED, and proposed a MOTION to approve Item. This motion was duly seconded by Mr. Flett; the MOTION CARRIED UNANIMOUSLY.

Modification 1466

Correct formula for allowable leakage of pipe.

The floor to the public hearing was opened, seeing no one approached, the public hearing was closed.

Ms. Kozich MOVED, and proposed a MOTION to approve Item. This motion was duly seconded by Mr. Somers ; the MOTION CARRIED UNANIMOUSLY.

Modification 1541A

Add paragraph to allow for field modification to approve plan.

The floor to the public hearing was opened, seeing no one approached, the public hearing was closed.

Mr. Kozich MOVED, and proposed a MOTION to approve Item. This motion was duly seconded by Mr. London; the MOTION CARRIED UNANIMOUSLY.

Modification 1542A

Add verbiage to clarify type of allowable backfill.

The floor to the public hearing was opened, seeing no one approached, the public hearing was closed.

Mr. Korelishn MOVED, and proposed a MOTION to approve Item. This motion was duly seconded by Mr. Somers ; the MOTION CARRIED UNANIMOUSLY.

Modification 1543A

Add paragraph to clarify condition of job for inspection and test.

The floor to the public hearing was opened, seeing no one approached, the public hearing was closed.

Mr. Kozich MOVED, and proposed a MOTION to approve Item. This motion was duly seconded by Mr. Korelishn; the MOTION CARRIED UNANIMOUSLY.

June 9, 2006 Effective Date Approved

4. Proposed Changes to Chapter 1 Section 109.14 and Policy # 05-05 Section C, relating to the 40 years Building Safety Inspection Program.

Sponsored by Board Member Allan Kozich, P.E. Mr. Kozich recommends deleting the portion in reference to building occupancy due to difficulty in enforcing code provision.

Public hearing was opened and closed seeing that no one approached.

Mr. Somers MOVED, and proposed a MOTION to approve Item. This motion was duly seconded by Mr. Kozich; the MOTION CARRIED UNANIMOUSLY.

5. Proposed amendment to Chapter 1 Section 105.2.19 – Amendment consisted of addition of a subsection as recommended by Florida Building Commissioner, Steve Bassett, as follows:
105.2.19 The installation, alteration or repair of any screen enclosure.

Effective date of June 9, 2006.

Public hearing was opened and closed seeing that no one approached.

Mr. Kozich MOVED, and proposed a MOTION to approve Item. This motion was duly seconded by Mr. Korelishn; the MOTION CARRIED UNANIMOUSLY.

Public hearing was opened and closed seeing that no one approached.

6. Proposed Formal Interpretation RAS 115 Section 10 Soil Stacks and Vent Pipes.

Mr. William Flett, presented the item to the Board Members. He discussed putting flanges over the top and shingle around them so that interpretations between the 2001 and 2004 codes would be consistent. Would like the option to put the flange back on and nail it to the deck and seal it. Effective date June 9, 2006.

Mr. Kozich MOVED, and proposed a MOTION to approve Item. This motion was duly seconded by Mr. Somers; the MOTION CARRIED UNANIMOUSLY.

7. Director's Report.

8. General Discussion

Member Allan Kozich mentioned he had noted a problem since he observed a lot of reroofing without renailing the plywood sheathing. He requested the Roofing Committee come up with a way inspections could be made with the affidavit requirement and with a certain number of photographs per thousand square feet to ensure the plywood sheathing was being renailed. Roofs have never been renailed; they are being left nailed the old way and in some cases they may have only 2 nails in a whole sheet of plywood or possibly staples, as they are in Miami. Mr. Kozich stated that the out of State and out of County contractors have never seen the special renailing requirement. He requested the Chair have the Roofing Committee recommend a solution to this problem. Shalanda Giles was in agreement and asked the Administrative Director to so notify the Roofing Committee.

9. Adjournment

There being no further business; the meeting was adjourned at 8:28 pm.