



BROWARD COUNTY

BOARD OF RULES AND APPEALS

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BOARD OF RULES AND APPEALS MEETING

Thursday, December 8, 2005

MINUTES

CALL TO ORDER

Its Chairman, Mr. Kozich at 7:45 p.m., called a published meeting of the Board of Rules and Appeals to order.

ROLL CALL

Present

A. Kozich, Chairman
S. Giles
W. Flett
A. Korelishn

P. London
B. Madge
D. Rice
J. Smith

J. Somers
H. Zibman
D. Zimmer

The presence of a quorum was announced.

APPROVAL OF MINUTES –

Mr. Madge **MOVED** the motion to approve the December 8, 2005 Board meeting minutes. Ms. Giles seconded and the **MOTION PASSED UNANIMOUSLY**.

CONSENT AGENDA

1. Certifications

Ft. Lauderdale

Craig Stevens, Chief Electrical Inspector

Sunrise

Michael Lang, Plumbing Plans Examiner

REGULAR AGENDA

2. Appeal #05-05 – Andreu & Associates Project Location: 2401 NE 65 Street, Fort Lauderdale, Florida.

Tarry L. Baker, Chief Electrical Code Compliance Officer, addressed the Board in regards to Appeal #05-05. Mr. Baker stated that he was in agreement with the appellant for the following reasons:

Section 701.1 Scope of the 2001 Florida Building Code “provisions of this chapter govern the fire resistance materials and assemblies used for structural fire resistance and fire resistant separation of adjacent spaces, including construction, opening protectives, penetrations, fireblocking and draftstopping”.

Electrical Staff Opinion: This does not cover non-fire rated interior partitions of the individual units/apartments.

Section 707.1 Exception 5 of the 2001 Florida Building Code states “conduit or raceway systems complying with 706”.

Section 706 of the 2001 Florida Building Code states “Combustibles in fire rated assemblies”.

Electrical Staff Opinion: This does not cover non fire rated assemblies.

Section 707.1 Exception 8 of the 2001 Florida Building Code states “Combustible piping within partitions or enclosed shafts installed in accordance with the provisions of this code.”

Electrical Staff Opinion: This covers non-fire rated assemblies and allows the use of PVC in interior partitions of the individual units/apartments.

Section 603 of the 2004 Florida Building Code “Combustible Material in Type I and II Construction”

Section 603.1.3 Electrical. “The use of electrical wiring methods with combustible insulation, tubing, raceways and related components shall be permitted when installed in accordance with the limitations of Chapter 27 of the Florida Building Code, Building.”

Electrical Staff Opinion: This covers non fire rated assemblies and allows the use of PVC in interior partitions of the individual units/apartments.

Section 717.5 of the 2004 Florida Building Code “Combustibles in concealed spaces in Type I and Type II construction. Combustibles shall not be permitted in concealed spaces of buildings of Type I and Type II construction.”

Exception: 4 Combustible piping within partitions or enclosed shafts installed in accordance with provisions of this code.”

Electrical Staff Opinion: This covers non fire rated assemblies and allows the use of PVC in interior partitions of the individual units/apartments.

2002 National Electrical Code Section 352.10 Uses permitted. (A) Concealed. In walls, floors and ceilings.

Electrical Staff Opinion: This covers non fire rated assemblies and allows the use of PVC in interior partitions of the individual units/apartments.

Mr. Rusty Carroll, Chief Structural Code Compliance Officer, addressed the Board in regards to Appeal #05-05. Mr. Carroll stated that he was in agreement with the City of Fort Lauderdale. Mr. Carroll made reference to Section 609 of the 2004 Florida Building Code; 1999 Standard Building Code Commentary; 2004 Florida Building Code, Section 705 and 706.

The appellant, Mr. Art Silveira, Vice President Andreu & Associates, Inc. stated he concurred with Mr. Bakers staff review in that the use of PVC schedule 40 (combustible piping) within non-fire rated walls and/or partitions in a Type II building.

Mr. Curtis Craig, Building Official, of the City of Fort Lauderdale, addressed the Board in regards to the stated appeal. Mr. Craig referred to FBC Section 604-Type II Construction, “For provisions governing combustibles in concealed spaces, see 707.” FBC 707.1 does not permit combustibles in concealed spaces.

The Board discussed this appeal and questioned staff and the appellant as necessary.

Mr. Zimmer **MOVED** to approve the use of PVC schedule 40 (combustible piping) within non-fire rated walls and/or partitions in a Type II building. Mr. Korelishn duly seconded and the **MOTION CARRIED.**

MOTION CARRIED (Eight (8) to Three (3))

Affirmative votes: W. Flett, S. Giles, A. Korelishn, P. London, R. Madge, D. Rice, H. Zibman and D. Zimmer.

Negative votes: J. Somers, J. Smith and A. Kozich

3. Board of Rules and Appeals 2006 Schedule of Meetings

Mr. James DiPietro, Administrative Director, referred to the 2006 schedule of meeting enclosed in the agenda packets and requested the Board make changes as necessary.

Mr. Flett **MOVED** to approve the 2006 Schedule of Meetings. Mr. Somers duly seconded and the **MOTION CARRIED UNANIMOUSLY.**

4. **December Holiday Work Schedule**

Mr. DiPietro referred to the December Holiday work schedule of meeting enclosed in the agenda packets and requested the Board make changes as necessary.

Mr. Zibman **MOVED** to approve the December Holiday work schedule. Mr. Somers duly seconded and the **MOTION CARRIED UNANIMOUSLY.**

5. **Director's Report.**

No discussion.

6. **General Discussion**

The Chair lead the Board in a conceptual review of the two ordinances pending in Hallandale Beach relating to:

- a. Emergency generators in certain multifamily residential dwellings, including condominiums, to ensure that at least one elevator is operable for 72 hours minimum.
- b. Generator connection hook up capabilities at gas stations.

Following discussion, the members of the Board of Rules and Appeals felt it appropriate to ask Mr. DiPietro to contact the City of Hallandale Beach and invite them to work with the Broward League of Cities and the Broward County Commission for the purpose of implementing or recommending Countywide standards.

7. **Election of 2006 Board Chair and Vice-Chair**

Item was introduced by the Chairman Mr. Kozich; Mr. Madge entertained a nomination for next cycle Chair, nominating Ms. Shalanda Giles to be elected as Chair of the Board.

There being no negative votes presented the nomination was accepted by Ms. Giles and the election was approved by a roll call vote.

MOTION CARRIED (Ten (10) to Zero (0))

Affirmative votes: W. Flett, S. Giles, A. Korelishn, A. Kozich, P. London, R. Madge, D. Rice, J. Smith, J. Somers, H. Zibman and D. Zimmer.

Negative votes: None.

For Vice Chair Mr. Korelishn nominated Mr. Phil London. This nomination was seconded by Ms. Giles.

There being no negative votes presented the nomination was accepted by Mr. London and the election was approved by a roll call vote.

MOTION CARRIED (Ten (10) to Zero (0))

Affirmative votes: W. Flett, S. Giles, A. Korelishn, A. Kozich, P. London, R. Madge, D. Rice, J. Smith, J. Somers, H. Zibman and D. Zimmer.

Negative votes: None.

8. **Passing of the Gavel**

Ms. Giles presented a plaque to Mr. Kozich in appreciation for his performance as Chair of the Board of Rules and Appeals during the year 2005 and Mr. Kozich passed the Gavel to the newly appointed Chair, Shalanda Giles.

Adjournment: The meeting adjourned at 8:36 p.m.