Minutes – Regular Meeting

BUILDING CODES ADVISORY COMMISSION

**Held on Thursday, January 16, 2014 at 5:30 p.m.**

**In Room 215 of the Oak Park Village Hall**

**ROLL CALL AND CALL TO ORDER**

PRESENT: Commissioners, Floody, Hamer, Hudson, Liles, Nussbaum and Visteen

Chairman Gilchrist

Trustee Barber

Staff Liaison Witt

Absent: Tim Kelly

Guests: Tammie Grossman, Steve Touloumis and Eduardo Barajas

QUORUM: The meeting was called to order at 5:37 p.m. and a quorum was declared.

**AGENDA**

A voice vote was taken and the agenda was approved as written.

**INTRODUCTIONS**

1. Tammie Grossman introduced herself as the new Director of Community and Economic Development. She indicated that the new department would be composed of the following divisions: Housing & Community Development Block Grants, Planning, Building & Property Standards and Business Services. She gave a brief background on herself as well as outlined some of the larger projects the department would be working on in 2014 including relocation of department personnel to improve customer service, replacement of the permitting software, and adoption of the building codes.
2. Eduardo Barajas indicated he was present tonight to review the commission’s work as a potential new member.
3. Ken Floody was introduced as the newest member of the commission.

**MINUTES**

Minutes from the meeting held on September 26, 2013 were reviewed and unanimously approved as written.

**PUBLIC COMMENTS**

As there were no members of the general public in attendance, there were no public comments.

# **NON-AGENDA PUBLIC COMMENTS**

As there were no members of the general public in attendance, there were no non-agenda public comments.

**REGULAR AGENDA**

The following items were discussed:

1. Review of proposed building code adoption schedule
   1. At the last Village Board meeting, a decision was made to break up the review of the proposed codes into smaller sections, one or two code books at a time.
   2. A review of the proposed plumbing code and the electric code would be scheduled to occur on February 3, 2014. Members Gilchrist, Visteen and Liles would speak about the proposed amendments.
   3. Member Hudson expressed the commission’s approach to reviewing the proposed codes to Trustee Barber. He indicated that they do the best for the citizens of Oak Park, understand the economics of the business community, based the proposed amendments on model codes that were developed by 45,000 members of the code community, and did not make willy-nilly decisions. Chair Gilchrist added that commission worked under the premise of making as few amendments as possible to the model codes, trying to maintain continuity between adjacent communities for contractors. Noting that the housing stock in Oak Park is unusual, some amendments are needed. The model code language was kept unless there was some proof of a local amendment being necessary because of the building stock or beneficial to the community. Member Hudson indicated that the proposal is a product of citizens and the building department was bad-mouthed during the process.

Ms. Grossman indicated that she wanted to move gently forward in the process. Chair Gilchrist indicated that amendments related to fire sprinklers and certificates of occupancy have been put aside. He felt that concerns over the fire code provisions for sprinklers made people feel the whole process was bad. Ms. Grossman indicated that alternatives should be laid out for the Village Board’s consideration. She noted that notifications to the business community were needed. Chair Gilchrist indicated that was already done. Ms. Grossman indicated that there needed to be an explanation of the proposals. Member Nussbaum indicated that Steve Witt already did that.

1. Steve Touloumis resurrected a request from BPS staff at the last meeting to consider an amendment to the electrical code related to swapping out light fixtures in existing buildings. Of concern is the rating of older wiring systems versus temperature rating requirements of modern fixtures. Mr. Touloumis indicated that the 2008 NEC 410.21 does not allow fixtures to be mounted to boxes with old cloth wiring because the wiring needs to be rated for 90°C or greater. Cloth wiring is not rated for 90°C.

Mr. Touloumis indicated that he spoke with Underwriter’s Laboratory (“UL”) about this situation and they agreed that the code would require the circuit to be required or a new tap to be fished to a nearby junction box. Mr. Touloumis indicated the problem is an issue for non-raceway wiring and felt that the commission’s decision last month may have been premature as LED fixtures can run hot as well. He indicated he is looking for a suggestion from the commission on how to make fixture replacement code compliant and easy for customers.

Member Nussbaum raised concern that requiring additional work would cause people to not pull a permit. He suggested that an old fixture can be just as hot; if not hotter than a new fixture. He felt the code language was the problem and was willing to strike the NEC requirement if it is an issue.

Member Liles discussed Section 410.21 clarifications related to wire rating < 75°C. Recessed light fixtures have overcurrent protection. Surface mounted fixtures require wiring rated < 75°C to connect to.

Steve Touloumis stated that UL indicates that any wires in a box should be rated for the temperature of the fixture.

Member Hudson asked Steve Touloumis how many fires were he aware of that were caused by wires subject to higher temperatures that what they were rated for. Mr. Touloumis indicated there were none in the past 25 years.

Member Hudson made a motion to strike the first paragraph of NEC 410.21 or add the following exception for existing construction:

“Exception No. 1: In existing construction, conductors in a non-raceway system.”

The motion was seconded by Member Liles. Vote on the matter was deferred to talk about NEC Section 210.12.

1. Member Hudson discussed NEC Section 210.12. He suggested that if a device was installed on a circuit that had no ground conductors and was installed in a raceway system it could be allowed to not be AFCI. Romex (NM) wiring was not part of the proposed exception. He indicated that the potential savings could be from $500 to $750 per house.

Member Nussbaum suggested it was not worth making the change because lighting fixtures can be easily changed.

Mr. Touloumis indicated that when first introduced, many people felt that AFCIs were just industry driven. He said he was “on the fence” as to how much safety they provide.

Member Hudson felt that there is a lot of talk at Village Board meetings about the cost of the proposed amendments and this was one item where people could save money with limited risk. He then made a motion to amend NEC 210.12 (B) with a new Exception No. 3 as follows:

“Exception No. 3: Where RMC, IMC, EMT or steel armored cable, Type AC meeting the requirements of 250.118 using metal outlet and junction boxes is installed, providing there are no cable or cord-connected devices.”

The motion was seconded by Member Floody. A voice vote was taken. Members Hudson, Gilchrist and Floody voted aye, the rest voted nay. The motion was defeated 4-3.

1. The commission went back to the motion on NEC Section 410.21 and the commission made a unanimous vote to accept the proposed language.
2. The topic of insect screens was discussed. Steve Witt indicated that that Property Maintenance Code Section 304.14 requires insect screens on every door, window and other outside opening required for ventilation of habitable rooms. A building owner raised the question if the language meant every opening or just those required to provide minimum code-required ventilation. Part of the concern was, does a kitchen with windows have to have a screen on an exterior door from the kitchen. The base code language was reviewed. Member Hudson made a motion to change the language to read, “...every window and other outside opening required for natural ventilation of habitable rooms…” The motion was seconded by Member Nussbaum and approved unanimously.

# **OTHER BUSINESS**

1. The next meeting date was noted to be February 20, 2014.

**ADJOURNMENT**

It was moved and seconded to adjourn the meeting. A voice vote was taken and the motion was approved. The meeting adjourned at 7:41 p.m.

By: Stephen Witt

Staff Liaison,

Building Codes Advisory Commission