**Technical Building Codes and Standards Board Meeting Minutes**

**November 19, 2015**

**9:00 a.m. in Fallen Heroes Conference Room, Dept. of Public Safety**

Meeting opened at 9:10 a.m.

**BOARD MEMBERS PRESENT**: Bob Ellis, Dick Lambert, Barry Chase, Mike Pullen, Eric Dube, Russ Martin, Steve Wintle, Dick Tarr and Roger Rossignol

**EXCUSED**: Jeff Ohler and Marc Veilleux

**STAFF MEMBERS PRESENT**: Chair Rich McCarthy and Secretary Kathy Robitaille

**REVIEW OF THE OCTOBER 8, 2015 MINUTES**

Motion: Mike Pullen motioned to accept the minutes as presented.

Seconded: Dick Lambert

Vote: unanimous vote with two abstentions

**FINANCIAL UPDATE**: $314,953.00 in the Building Codes account as of today.

**REPORT FROM BOARD CHAIR - RICH MCCARTHY**

Rich advised that Legislature is not in session until January, but 390 proposed bills were sent out and there were 400 that were not heard during the last session. 200 were taken off the proposed 390 bills and sponsors get a second change to ask for their inclusion. There is nothing drastic on MUBEC as of yet for a bill(s).

There were many unanswered questions from the last Board meeting which we will go through during this morning’s meeting.

**LEGISLATIVE UPDATE – RICH MCCARTHY**

No Legislative Update available.

**CONTINUED DISCUSSION ON ADOPTION OF 2015 CODES AND STANDARDS**

**Review of the 4 MUBEC “Chapters” of Rules to update according to the 2015 ICC Codes that will be adopted.**

**Chapter 3 – Maine Uniform Building Code - Commercial Building Code (IBC)**

**IBC Chapter 3, Sec 5 #32 Table 1018.1** should “B” be deleted? **Discussion ensued and decision to put “B” back in our Rules.**

**Section 4** – Incorporation by Reference – Chapters renumbered in 2015. Chapter 11 Accessibility added in. Chapter 30 Elevators and Conveying Systems added in. Chapter 34 (existing structures) deleted. **\*\*Question – If that is now included – does the Human Rights Commission agree? Answer: Rich talked with them. Their statute adopts by reference with the 2010 ADA requirements which comes in line with the Building Codes.**

**Chapter 4: Maine Uniform Building Code – Existing Building Code (IEBC)**

**IEBC Chapter 4, Sec 5** (formerly Chapter 3 Prescriptive Compliance Methods). \*Eric and \*Roger asked to read through Section 403 to see if we need to keep this in or make any changes to it.

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**1012.5.1** contains a change of occupancy classification – discussed needed on this? **Answer: with the change of occupancy classification, the exception provided for high rise buildings from the more restrictive height and area restrictions of the current IBC for buildings greater than 420 feet. Probably less than 10 of those in the State of Maine that would be affected. If it met before, the columns would not be changed.**

**Chapter 5: Maine Uniform Building Code - International Residential Code (IRC)**

\*\***Question**: Why is Chapter 42 – Pools staying in?” **Answer: Chapter 42 was formerly Appendix G in the 2009. 2015 eliminated Appendix G and it’s more about the wiring. The pools moved to its own code book – International Pools and Spas?\*\*\*\*\*\***

\*\***Question** - Table M1507.3.3 (1) should it still be deleted? **Answer: The mechanical ventilation rate had been changed to match ASHRAE 2007. That’s why it was formerly deleted.**

**Chapter 6: Maine Uniform Energy Code – Energy Conservation Code (IECC)**

**Starting with Section 5 – Chapter/Section 402.2** – **there are many new changes and requirements in insulation values, mechanical ventilation system for Whole House and many other issues to be further discussed by the Board.**

Steve Wintle, board member did a Power Point presentation for the board on the 2015 Energy Code updates. This included the various states and which version of the IECC they have or are looking to adopt: Connecticut, New Hampshire, Pennsylvania and Maine currently have the 2009 version in place. New York is looking to go to the 2012. Rhode Island, Massachusetts, District of Columbia and Delaware all have the 2012 version in place. Rhode Island adopted the 2012, but not one code enforcement office requires duct testing. Maryland, Vermont and New Jersey have the 2015 Energy Code in place. In Vermont, the ERI was down to 54 and they amended it to 65. Texas is looking to adopt the 2015 code. He also discussed Rhode Island’s Utility claimed savings, Cost effectiveness tools, and a query as to whether training can result in a measurable increase in energy efficiency. Steve is sensitive to the major requirements in the 2015 IECC and what they would mean for the State of Maine. The 2015 changes are going to be very aggressive and continue through the 2030 code, with a national requirement that requires net zero energy by 2030. He advised that Kevin Rose, from NEEP, is willing to talk with the Board on the 2015 Code. NEEP has great resources to try and help enforce 2012 and 2015 changes. The 2015 code would be a 10% return in three areas: R-10 Foundation Insulation, Blower Door testing, and 1” exterior rigid insulation. Steve had contacted both the Natural Resources Council and Efficiency Maine to get some numbers/statistics from them but hasn’t heard from either yet.

Russ Martin, who sits on the Maine ASHRAE Chapter advised that whatever Rick Meinking, Commercial Manager for Efficiency Maine does depends on what the ASHRAE Chapter will do, but he believes that Rick is not looking commercially to go above and beyond the 2015 IECC. Commercially, Efficiency Maine would provide incentives to go beyond whatever code is set at by the Board.

**UNFINISHED BUSINESS**

**Conflict on Ground Improvement versus Piles by Dean Sciaraffa, P.E. from H.B. Fleming.**

**2012 IBC Section 1705 and 1810, page 385, 408-420**

Eric Dube advised to send this to the IBC TAG to consider this conflict. Date will be set up for the TAG.

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**NEW BUSINESS**

Nick Adams, Poland CEO and Chebeague Island TPI submitted material to the Board for consideration and addressed the Board as well.

Nick advised that he would like to see the Board stay with the 2009 IECC. If they go with the 2015, he fears that we will lose the whole building code with Legislature. Can the Board work on a reasonable alternative to what we have now? Mike Pullen, board member, advised that he thinks commercial contractors working with the IECC have been doing a lot of this already. It will be the residential contractors who show up at the Legislative work sessions to shoot it down.

Nick introduced Steve Carr, Regional Building Service Manager for Top Build (insulation company) and is a third-party tester who works nationally with the energy codes. He submitted a multi-page report he had done on Ventilation for New Low-Rise Residential Buildings that he had presented in July 2015. Steve advised that if we do adopt the 2015 IECC, could the board do some tweaking/amending in some places so it’s not so restrictive? There are several areas he could see that could be amended to make the 2015 work which included wall prescriptive, U-Value and ERI. He also recommended under “Ventilation Code Change” IRC M1507.3 to use this instead of ASHRAE 62.2 for residential homes. The ICC has made ventilation codes more adequate, he said.

Dick Tarr, board member, said that he knows that Energy Code is needed, but it needs to be common sense approach. He has no problem with the commercial side, but applying it to the residential….he knows there will be a lot of resistance if the 2015 is adopted. Dick also discussed a new product called a Zip-R System, which is insulated OSB-sheathing. Contractors only have to go around a house once instead of twice, so less labor and materials cost. Manufacturers are now catching up with the Energy Code. The energy code might force people to build smaller or not all at once. Justin Brown, CEO from Falmouth offered that using these new products – what will the house look like in ten years?

Paul Demers, CEO from Kennebunkport, advised that the 2009 Code uses the Prescriptive method that many CEOs use. If you use RESCHECK, it will let you bring down the R-Value requirements.

Russ Martin, board member, weighed in about the Energy Code and offered that it’s about Performance and Participation. If the code is too strict, the laws will be changed and/or repealed. Compliance won’t be what it should be. Make it simple, make it understandable. He would rather perfect what we have with a need to educate instead of adopting new code and “dumbing it down.” He would be against adopting the 2015 Energy Code. Roger Rossignol, board member also remarked that if we go to the 2015 IECC, he is afraid there won’t be ANY energy code, because it will all be killed. Mike Pullen, board member asked again for the numbers or data for the pro or con side of adopting the 2015 Energy code. We need to see the numbers. What would the costs be?

Paul Baines, Durham CEO addressed the board. He would keep the 2009 Energy Code, require blower door at 7.5, and continue to educate the Code Enforcement Officers. On the residential side, the Board will get buried if they adopt the 2015. Need to have more education on the Energy code, more training. Durham did adopt MUBEC. If by adopting the 2009 code, only 50% of the houses are compliant now. So stay with the 2009 and maybe get 50% compliance up to 80% compliance.

Steve Carr advised that he did do a training on Energy for MBOIA. The class was packed, the education has not been here. His agency offers training for free. Maine is the only state going from the 2009 – 2015, no other is doing so.

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**Motion**: by Steve Wintle to utilize the NRC and Efficiency Maine Resources available to us and get more data. Do an evaluation as to what it would mean for Maine. The Energy TAG should meet with major stakeholders such as the Natural Resources Council, Efficiency Maine and others.

**Seconded** by Mike Pullen

**Unanimous Vote**

**\*\***Steve also advised that the Energy Tag should meet on Residential Energy and get their input as to the endorsement of either the 2012 or the 2015 to adopt? Russ Martin agreed.

**PUBLIC COMMENT**

Paul Demers, MBOIA President and Kennebunkport CEO addressed the board. MBOIA is working with DECD and the FMO to put on training in December. Steve Thomas, ICC instructor from Oregon will be the speaker. He was the instructor for last year and does a great job. Perhaps a suggested idea for a class would be blower door tests to educate CEOS and others.

Meeting ended at 12:00 p.m.

Next meeting will be Thursday, January 7, 2016.

Respectfully submitted,

Kathy Robitaille, Secretary