**DRAFT - 4/21/17 Meeting Minutes**

**Technical Codes and Standards Board (MUBEC)**

**Champlain Conference Room**

**09:00 a.m.**

Meeting opened at 9:10 a.m.

**Board members present**: Eric Dube, Richard Tarr, Mike Pullen, Jeff Ohler, Robert Ellis, Russ Martin, Marc Veilleux and Dick Lambert

**Staff present**: Board Chair Richard McCarthy and Secretary Kathy Robitaille

**Review of the 3/23/17 meeting minutes**

Russ Martin remarked that his name was not listed, but he was in attendance.

**Motion** made by Mike Pullen to accept as amended.

**Seconded** by Marc Veilleux

**Vote**: Unanimous with two abstentions

Financial Update: Currently in the Building Codes Account is $337.819.00.

**Legislative Updates – Rich McCarthy**

**LD #746 “Resolve, to Increase the Permissible Size of Bed and Breakfasts”**

Public Hearing today at 1:00 p.m. Rm 209. If we are required to change either MUBEC or NFPA, we can do it to match the outcome of this hearing. Towns can adopt NFPA 101 to match this. Bed and Breakfasts don’t exist in the Code.

**LD #873 “An Act to Adopt Tiny Houses Standards in the Maine Uniform Building and Energy Code.”** This bill is out there, waiting the outcome of our Rule-Making and adding in the Tiny House language to the 2015 IRC. Rich has spoken to Rep. Seth Berry who sponsored the bill who is aware that we are adding this in, pending on our Public Hearing.

**LD #1140 “An Act to Preserve the Economic Viability of Maine’s Historic Properties”**

There was a hearing on 4/19 on this. Board member Mike Pullen, wrote a letter to the LCRED committee. Both MUBEC and the Fire Code currently apply to Lodging and Historic buildings.

Mike advised that he found no benefit to historic properties in the proposed bill as this bill would mean losing the benefits applied to historic structures by both of these codes and he cited which codes currently do apply in the IBC, IEBC and NFPA**.**

**LD# 1392 “An Act to Allow Municipalities to Opt Not to Enforce the Maine Uniform Building and Energy Code.”** The title of this is misleading. It isn’t to Opt out completely of enforcing the Building Code, it’s that towns can choose to either have the MUBEC in its entirety, the MUBC (without the Energy Code) or just the MUEC (just the Energy Code) for the towns 4,000 and up in population. There is a Public Hearing on Wednesday 4/26 at 1:30 pm. The bill is sponsored by Rep. Esperling. Much discussion ensued by the Board and attendees Paul Demers from MBOIA and Deb Johnson from DECD, who participated as well. Agreed that the language needs to be tweaked in this bill to have more clarification in it.

Commissioner Morris addressed the Board to advise them that due to changes in the upcoming Budget that as of 7/1/17, Rich McCarthy will be removed at the Board Chair and MUBEC is being moved to DECD. Brianne becomes the Director of MUBEC. Kathy’s job will be cut as of

**-2-**

7/1/17. Deb Johnson, Director of the program where MUBEC will reside, also addressed the Board. She advised the Board that they will do all they can to make this a good transition, to

answer the questions that need to be answered, she has a background in building code and deals with Block Grants for Maine Communities as well as other programs. DECD, she said, can hire consultants if they need to, to meet the demands of Code Questions by CEOS and all others. There will not be a full time Code person hired to do this job. They are also working on an online test and it’s almost ready, for CEOs to be able to take when needed. The Board asked several questions of Ms. Johnson, who assured them that all would be well with this transition. Commissioner Morris advised that the Board meetings can continue here at the Dept. of Public Safety. DECD can also contribute a place too at the Cross Building (state office building).

**Unfinished Business**:

**Rulemaking:**

**Chapter 5**: Rich advised that we got the Rules “back” from the Governor’s Office so he can make the changes as previously discussed at our March Board meeting. This will include In Section 4 of Chapter 5 (IRC), will be added language that adds the Tiny House Appendix V as “H.” NFPA is also applying the Building Codes to Tiny Houses. As of March 2017, the NFPA does make roof windows considered to be a 2nd egress. Towns can also pass a Land Use ordinance to accept Tiny Houses. They are not considered to be recreational (like a camper) nor a manufactured home.

**Chapter 5 Rule-Making Changes (IRC)**:

**Motion**: by Jeff Ohler to submit this as presented with changes for Rule-making

**Seconded**: by Dick Lambert

**Unanimous vote**

**Chapter 6**: The changes here will be to remove the requirement of blower door tests, keeping the IECC at the 2009 (both residential and commercial) and removing the requirement for higher insulation levels.Russ advised that going to the 2013 ASHRAE 90.1 would be problematic with the 2009 IECC.

**Chapter 6 Rule-Making Changes (IECC):**

**Motion** by Dick Lambert to accept this as presented with changes for Rule-Making.

**Seconded**: by Russ Martin

**Unanimous vote**

Eric Dube addressed the Board and advised that he thinks the Board, MBOIA, everyone get on board with more education on Energy. He feels we are barely covering the 2009 IECC as it is.

We weren’t asking much in terms of changes to the Energy Code (for Rule-Making), making houses leak-proof and more energy efficient at not a lot of cost. We need to educate the public/consumers on Energy.

**Code Books**:

Rich has talked with the Commissioner about the possible purchase of the ICC memberships for the towns over 4,000 who have to enforce the Code and for those under 4,000 who have adopted the Code as well. He will let the Board know.

**-3-**

Training Committee should meet to discuss the online training DECD is coming up with along with other issues.

Rich asked when the Board would like the new code to take effect once it has gone through Public Hearing and Rule-making. Discussion ensued and a date of October 1st was decided upon. Then builders etc. have the option of using the 2009 or the 2015 until Oct 1st, and then it would only be the 2015. Agreed.

Meeting ended at 11:25 a.m.

Respectfully submitted,

Kathy Robitaille

Secretary