

**STATE FIRE PREVENTION AND BUILDING CODE COUNCIL  
TECHNICAL SUBCOMMITTEE MEETING**

Minutes of the meeting of the technical subcommittee reviewing the **2006 International Existing Building Code and the 2007 Existing Building Code of New York State** held via conference call originating from 41 State Street, Albany on November 7, 2007.

**PRESENT:** Raymond Andrews (Chair)  
Joseph McGrath  
Cathy Karp  
Linda Volpe  
John Hofelich  
James Brzezinski  
Eric Di Sarro  
John Bonafide  
Steve McDaniel  
Wheldon Abt  
Eric Bradshaw

**ABSENT:** Marilyn Kaplan  
Robert Drexler

Welcome by Ray Andrews

Roll call

**MEETING MINUTES**

October 31 meeting minutes – Eric Di Sarro voted to accept, seconded by Steve McDaniel - unanimously accepted with no changes.

The Oct. 24, 2007 meeting minutes need to be corrected, because ASCE 31-03 is not listed as a Referenced Standard in that document, but was voted on by the Subcommittee to be included. The minutes will be corrected and then posted on the DOS website.

**STATUS OF SUBCOMMITTEES & CODE DEVELOPMENT**

Ray reported that the chairs of all the subcommittee met and all are on schedule to finish by mid-November. The referenced standards need to be collated to establish which editions will be adopted. The draft code should be done by late January or early February of 2008.

At the next Code Council meeting on December 12, 2007, each chairperson will explain to the Code Council the most significant changes being proposed for the

next edition of the New York State codes. The last time this was done both text and SAPA documentation were submitted to the Council. It is expected that at this meeting the proposals will consist of text and a narrative with some SAPA information included.

## **OLD BUSINESS**

### **Retention of New York Specific modifications – annotations in E-Solutions**

**Chapter 3** - A motion was made to retain the new Chapter 3, but removing the Historic Building section, the glazing section and discretionary powers of code enforcement officials. Also included in the motion was the adoption of Reference Standard ICC 300. Motion made by Steve McDaniel, seconded by Eric Bradshaw, unanimous to accept.

**912.5.1** – the “Joe McGrath” proposal going before the 2008 ICC Codes Forum only affects an existing building being changed to higher hazard occupancy. There was discussion of wanting to include buildings being changed to equal or lesser hazard occupancies. Joe McGrath explained that those situations were already allowed in the code. Wheldon Abt proposed not allowing I or H occupancies to be part of this proposal, as these occupancies had precedent in model codes as requiring more life safety features than other occupancies. John Hofelich was concerned that not allowing I occupancies could impact community residences.

There was also discussion of why this proposal, which was passed by the last Subcommittee, is not in the 2007 EBCNYS. It was explained this proposal did not have a SAPA document, so was not able to go further. John Hofelich said there is information in the case studies done by the last Subcommittee which can help justify this proposal.

Motion by Wheldon Abt, seconded by Eric Di Sarro to adopt the proposal that will be presented to the ICC but delete any reference to H and I occupancies. Vote unanimous to accept, except John Hofelich, who voted no.

### **Chart with Items in Bolded Font (changes between 2003 and 2006 IEBC)**

**301, 302-308** – see discussion of Chapter 3 above.

**704.2.1** – After much discussion it was determined that the 2006 ICC text was less restrictive than the 2007 EBCNYS. Both John Hofelich and John Bonafide wanted code requirements to allow renovation, not hinder it. Motion by John Hofelich to keep the 2006 text, seconded by Steve McDaniel, unanimous to accept.

**705.3.1.1. (2) and (4)** – There was discussion regarding the 2007 text and related tables in the EBCNYS. The last Subcommittee had spent much time creating the tables, but there appeared to be conflicts between the text and the tables. It was decided to defer this issue until the next meeting. Steve McDaniel, Joseph McGrath and Cathy Karp will work on resolving the conflicts and correlate the table to the 2006 ICC text with any NY modifications.

**804.2.1** – It was decided that the language was just made clearer, there was no change in requirements, so it did not need to be voted on. Keep 2006 text.

**807.5.2** – The exceptions were not deleted, just moved. The entire section was reorganized, and there was no change in requirements, so it did not need to be voted on. Keep 2006 text.

**807.7** – There are two parts to this section: 1) new text in the 2006 code improved the clarity of what is included in a project. 2) Change clarifies, and as in other 2006 code sections, uses the 10% figure as a clear cut-off. Motion by Jim Brzezinski, seconded by Wheldon Abt, vote unanimous to accept 2006 text.

**901.1** – The group had decided to keep the 2006 text as is at the last meeting.

**901.2** – It was decided to remove all references to certificate of occupancy in this section. This information belongs in 19 NYCRR Parts 1203 and 1204.

**907.3.1** – There are three parts to this section. 1). There was a mistake from the 2003 code text, so the text was changed to “and a change of group M occupancy” to “or a change to Group M occupancy.” The language has to be changed because it is incorrect. The new language may be more restrictive. 2) Deletion of Section 4 – Jim Brzezinski did not know why this section was in the 2003 text, so he thought the fact that it was removed in the 2006 text was appropriate. 3) The reference standard “Guidelines for Seismic Retrofit of Existing Buildings” is not allowed for essential facilities in the 2006 code. Jim Brzezinski thought this was a good change. Motion by Jim Brzezinski to adopt the 2006 code text, seconded by Eric DiSarro, vote unanimous to approve.

**912.1 & 912.1.1** – The 2006 text imposes requirements not only when there is a change of occupancy classification, but when there is a change of occupancy within a group (such as A-1 through A-5). There are also new requirements within the same occupancy when there is a “change in the purpose or level of activity within buildings that involves a change in application of the requirements of this code.” A requirement for approval by the code enforcement official and a new certificate of occupancy is also new. In the 2006 code, when there is a change of occupancy with a separation, Alterations – Level 3 requirements must be met, which was not a 2003 code requirement.

In the 2003 text there were specific requirements for occupancies I-1, R-1, R-2, R-4, I-2, I-3, and R-3 occupancies. The 2006 text does not have specific requirements for these occupancies, but instead requires sprinklers and fire alarms in all occupancies that are required to have these items in the Building Code. Motion by Steve McDaniel, seconded by Eric Di Sarro, vote unanimous to approve.

**912.1 .4** – It was decided that the 2006 text is simply a clarification and is better than the 2003 text. No vote necessary.

**912.3** – Additional requirements in the 2006 code – interior finish requirements for all buildings undergoing a change of occupancy classification. In the 2003 text interior finish requirements existed only when there was a change of occupancy to an equal or lesser occupancy. Eric Di Sarro made a motion, seconded by Steve McDaniel to accept the 2006 text. All voted yes except John Hofelich who voted no.

**912.5.1** – The 2003 exception was eliminated in the 2006 code, which allowed one story buildings changed to Group E occupancy to not have to meet the area limitations of the Building Code. The group did not think that this occupancy should be allowed less restrictive requirements. Motion by Steve McDaniel, seconded by John Bonafide to adopt the 2006 code text, vote unanimous to accept.

**Old section 812.6** – Jim Brzezinski said this section was not deleted in the 2006 text, but was found in 912.1 and was written in a clearer manner. As this was a clarification, no vote was necessary and 2006 text will be used.

**1001.1** – After discussion it was determined that the issues in this section were clarifications, so no vote was necessary and 2006 text will be used.

**1003.3** – This issue was a clarification, and the 2006 text was deemed clearer, so no vote was necessary and the 2006 text will be used.

**1003.3.2** – Language was deleted, but the requirement still exists. The 2006 text was deemed clearer, no vote was necessary and the 2006 version will be used.

**1004** - This issue was a clarification, and the 2006 text was deemed clearer, so no vote was necessary and the 2006 text will be used.

**1005** – This accessibility requirement was changed from the 2003 text, which required accessibility provisions to apply to additions and an addition that affects the accessibility to, or contains an area of primary function, shall comply with requirements for accessible routes. The 2006 requirements are for all the accessibility requirements of Section 605, which includes platform lifts, ramps,

and dining areas. Linda Volpe made a motion to adopt the 2006 requirements, seconded by Eric Di Sarro, unanimous to accept.

**1104.14** – the old requirement in the 2003 text is now in chart format, and the 2006 text was deemed clearer, so no vote was necessary and the 2006 text will be used.

### **NEXT MEETING**

Ray said only Item 13 in the chart remained, and Steve McDaniel, Joseph McGrath and Cathy Karp are to have the issue ready to be voted on at the next meeting.

Ray also asked subcommittee members to go through the code and check for any other issues they would like to consider modifying.

He also asked if anyone had specific issues they wanted to bring up. John Hofelich said he and Joseph McGrath would like to propose new text regarding ceiling height, based on variances that have been granted. Ray asked that the proposal be sent to subcommittee members several days before the meeting so people have time to look at it.

Ray asked Jim Brzezinski if he could attend the Code Council meeting, present information about the proposed seismic requirements and answer any questions. He also announced that all subcommittee members were invited to the December 12, 2007 Code Council meeting, and if funding was needed to do that to contact him as soon as possible.

**Adjournment** at 12:15 pm

**Next meeting** on Wednesday, November 14, from 1pm – 3 pm. A reminder will be sent out before the meeting.