

January 17, 2013 Meeting of the Residential Sprinkler Task Force

Draft Meeting Minutes

In attendance:

John Hofelich
Tim DeRuyscher
Annmarie Mitchell
Steve McDaniel
David Kaufmann
Julius Ballanco
Tom White

Staff:

Ray Andrews
Jonathan Worden
Miriam McGiver
Cathy Karp

More people called into the teleconference than the system could handle so there was a hold up getting everyone on. The meeting began at 10:11.

Motion to accept Jan. 7 meeting minutes from Annmarie, seconded by Julius, unanimous to accept.

Ray explained that he would be presenting the Residential Sprinkler Task Force recommendations or bullet points at the February 13, 2013 Code Council meeting. All are welcome to attend. He will send details about attending the meeting at one of the three videoconferencing sites. The Code Council may want to ask specific questions of the members. Tim and Annmarie said they were planning to attend.

Ray said the Governor's Office may want to add additional items to the next version of the Uniform Code in response to problems that surfaced with Hurricane Sandy. This may affect the adoption date of the next edition of the New York codes.

Tim had sent proposed text regarding residential sprinklers this morning. All group members had received it except John. Ray thought it could be read over the phone and be understandable. The issues of providing promotional materials to the public and requiring the sprinkling of model homes in the proposal were questioned. Ray needed to discuss with Counsel's office to confirm if the Code Council had the authority to impose those requirements.

John asked Tim how many months he thought was appropriate before the sprinkler requirement went into effect if it were to happen. Tim thought from 12 - 24 months. The grace period allows the industry to get geared up and the public to be informed and educated. Ray mentioned that at the last meeting the opinions ranged from one to four years. One factor was the recession, which makes it harder to sell new houses because they are typically more expensive than existing homes.

John asked if the Residential Subcommittee could weigh in on Tim's proposal for additional smoke detection requirements. Tim explained the proposed language was only for detached single family homes. During the grace period, if you don't sprinkler, additional smoke or heat detection must be added. Regarding the promotional material to give to the potential home buyer, Tim thought it should be written by a national sprinkler organization, acknowledged by the builder and buyer and the CEO. There would be a grace period for model homes to be sprinklered. Annmarie agreed to additional heat and smoke detection instead of sprinklers but not in lieu of sprinklers.

Julius said smoke and heat detection do not put out fires like sprinklers do for life safety and the preservation of the building. Jonathan Worden had questions for Tim regarding whether the smoke alarm system he proposed was a system or stand alone detectors? He didn't know if there were stand alone heat detectors on the market. Tim said he did not intend to require a panel and he will look into this more.

Ray said the Codes Division can write Tim's proposal in a more code -appropriate manner if the Code Council says to go ahead with the idea. John said he represents 3500 builders and he didn't think they would mind the smoke and/or heat detection systems even with panels, which makes it easier to know where problems are. He will do a poll.

Ray said he would like to find consensus within the group because it may be impossible to come up with specific recommendations for the Code Council.

Tim's proposal would require sprinklering of townhouses, which group members were more open to at the last meeting. A multi- family housing organization has endorsed sprinklers.

Tim went on to say that the use of Section P2904 is a simple sprinkler system. Annmarie said it wasn't simple because pipes would have to be installed where they have never been installed before such as cathedral ceilings that are prone to freezing. It is expensive and technically difficult. She is more accepting of sprinklers in townhouses because of the concern of fire spreading from one home to another.

Tim said there may be problems in timber frame homes, but they are a small portion of the market and the group should look at the bigger picture. Annmarie said it is typical for new homes to have open floor plans and cathedral ceilings and she would appreciate a better sense of costs of sprinklers in these open spaces. She also said insulation is rarely installed correctly which is necessary to keep sprinkler piping from freezing.

Tim asked if the Task Group was creating a report or recommendations. Ray said it isn't a balanced group and the homeowner was not even represented. He was looking for a recommendation and/or consensus items on residential sprinklers. The group seemed to all agree on the following:

- It is appropriate to add the requirement for sprinklers in the Residential Code of New York State because sprinklers are required now for three story single family homes.
- ICC language would need to be changed for New York because of unclear language regarding the options for sprinklering townhouses.

- Sprinklering townhouses appears more acceptable to the group as a whole.
- Establishing a sprinkler requirement for large homes of a specific size is not appropriate (though many MRLS in New York do that) because it is a life safety issue.
- It is appropriate to have a grace period if a sprinkler requirement goes into effect.

Tim asked for a summation of issues the entire group agree with so they can look at it before the next Task Force meeting on Feb 4. Ray agreed to do that.

Ray explained the Code Council was made up of individuals who represented different interests than the Task Force, including trade unions and elected officials. If New York adopted sprinklers, the City of New York would have to adopt sprinklers, because by law NYC codes are supposed to be equally restrictive as the State Code. There are a lot of single family homes in the five boroughs. Also, there are several Code Council seats that are presently empty, so any recommendation must be reasonable or there won't be enough votes to pass it.

Tim said that's why he offered his proposal, to help frame the issue and people can respond to actual code text. Ray said he wanted everyone comfortable with an issue and so voting was not appropriate

Julius asked if the homebuilders felt a grace period before requiring sprinklers should occur, or will they never accept them? John said he can't speak for the entire homebuilding industry in the state. Also, it is the public that has to pay for it, they should have their say. Ray said the Governor's Office may decide to take the issue off the table. He also expects hundreds of comments during the public comment period, which will have to be assessed and reported on to the Code Council before they determine the issue for the last time.

Tim said the public needs to understand the benefits of residential sprinklers and if the Code Council does not have the authority to require promotional materials be given to potential homebuyers it could be done legislatively. Ray will ask Counsel if such a requirement is under the authority of the Code Council but he did not think it was.

Dave Kauffmand asked Julius who was installing residential sprinklers in California. Julius said they were licensed residential sprinkler installers, not plumbers, and the inspectors there were fire inspectors, code officials and plumbing inspectors. The sprinkler organizations provided training. Ray explained New York is one of the few states that don't license contractors. Hurricane Sandy has brought this issue to the attention of the Governor's Office. John was concerned about who would be liable if an installed sprinkler system didn't work.

Ray asked the group how long the grace period should be if it is decided to require sprinklers in one family home in New York. John said business is not good and so it is not a good time to add cost to new homes. Steve said the bad economy is also impacting the fire service and thus slowing down response times. Annmarie said it is older homes where the fires are occurring and she would be more open to sprinklers in a stronger economy.

Steve said only Tim has a proposal on the table. Annmarie asked if Tim's proposed code text for additional smoke and heat detection could be an alternative to sprinklering?

Tim said if New York doesn't adopt residential sprinklers it is not respecting the work of the ICC and will not be moving forward like other states. John said it is only California that has adopted them and MD is working on it. No other states have adopted them.

Ray said he will go through meeting minutes and come up with all the statements that were agreed on by task group members to provide to the Code Council - that is the most positive thing that can be done. Tim said he would work on improving the language of his proposal and will wait for Ray to get back regarding the Councils' authority to deal with Exceptions 2 and 3 from Joe Ball, the DOS Counsel.

John said he spoke to homebuilders in CA but they said it is too soon to tell how the requirement for residential sprinklers is affecting their market. It is also hard to distinguish between the sprinkler mandate and the economic downturn. Ray said he will call Steve Orłowski of the Association of Home Builders and California. He asked John to provide the phone number.

Annamarie said if the public wanted sprinklers they would ask for them. Ray said the more reasonable the recommendations for the Code Council are the better chance of success.

Next meeting, February 4 from 10 am to noon.