

EXISTING BUILDING CODE OF New York STATE TECHNICAL SUBCOMMITTEE MEETING

Minutes of the meeting of the technical subcommittee reviewing the 2009 and 2012 International Existing Building Code (IEBC) and the 2010 Existing Building Code of New York State (EBCNYS) held via conference call originating from 99 Washington Avenue, Albany on August 9, 2012.

PRESENT: Ray Andrews (Chair)
Cathy Karp
Steven Rocklin
Eric Bradshaw
Steve McDaniel
Jim Brzezinski
Dan Nichols – DOS Fire Protection Engineer - Guest

MEETING MINUTES – MEETING 8

July 5 meeting minutes - motion by Jim, seconded by Eric, vote unanimous to accept.

July 26 meeting minutes - motion by Eric, seconded by Steve, vote unanimous to accept.

Ray noted that Dominic Marinelli of the United Spinal Association will be attending the next meeting on August 23 so be prepared to discuss accessibility issues.

Old business

402.5 & 403.6 – smoke alarms required in existing building when an addition is added. Dan explained that this requirement is already in the Property Maintenance Code and the Fire Code, so is not a new requirement, it is a coordination issue. Chart will be changed because this issue is not a change and thus does not require a vote.

603.2 – foam plastics in night clubs. Dan requested that these requirements be added to the performance and prescriptive chapters of the EBC, not only the work area method. Ray requested a vote. Motion by Steve, seconded by Jim to approve Dan's request, vote unanimous to accept. (Also 503.2, 802.3 and 902.3).

703.2.1 Exception 5, 9 and 11 – Dan said these sections need to be coordinated with Chapter 11 of the Fire Code. He will look at Chapter 11 to determine what should be retained and inform the subcommittee.

704.2.2 / 804.2.2 – sprinkler requirements – 2012 IEBC added B occupancy to those occupancies that must be sprinklered and then references the Fire Code. Dan explained that the only B occupancy that requires sprinklering in the 2012 International Fire Code is ambulatory care facilities. Thus not all B occupancies need to be sprinklered, but someone reading the EBC will not know that until they go to the Fire Code. Motion to accept the 2012 text that adds B occupancy made by Steve R, seconded by Eric, vote unanimous to accept.

804.2.2 Exception 2 – If insufficient water, must have smoke detection. Dan said he will provide information for SAPA as he was the proponent of this section at the ICC hearings.

704.2.4 / 804.2.4 - additional sprinkler requirements. Dan will let this group know if the Fire Code Subcommittee makes any changes so there will be coordination between the two codes.

704.3 Exception 1/ 804.3 Exception 1 - different requirement for standpipes, from 30 feet to 50 feet. Dan wanted a NY modification to not allow occupant hoses to fight fires. Dan also thought the ICC code language said one thing but meant another in that a pump should not be required for a 4 story building up to 55 feet high. Ray said this section will be re-written based on Dan's recommendation. Vote to accept the idea in concept, motion by Steve R seconded by Jim, vote unanimous to accept.

New business

705.3.1.1 / 805.3.1.1 - single exit buildings. Dan wants to work with the EBC and the Fire Code so there will be common language. Not ready to vote on this – Dan will coordinate and report at a future meeting.

705.3.1.2.1 / 805.3.1.2.1 - fire escape and egress windows. Is this a practical requirement for New York State? New square foot requirement for the size of egress windows that lead to a fire escape. Steve R was of the opinion that there will be a tremendous number of variances because NYS did not require windows this big, so there are many buildings that have windows that would have to be made larger. Dan made a recommendation to limit the larger windows only for new fire escapes. Steve R thought this issue was controversial and others should weigh in. Several subcommittee members asked that the issue be tabled and brought back at another meeting and Ray agreed.

705.7.2 - emergency illumination. This section was removed in the 2012 IEBC, but it is in Chapter 10 in the Fire Code, so this issue will be addressed during fire inspections. Accept 2012 deletion from the EBC.

705.7.3 / 805.7.2 - emergency means of egress lighting. This section was removed in the 2012 IEBC. Dan recommended waiting for voting on the issue at the ICC hearings coming up and then he will get back to this group.

Dan Nichols –Chapter 11 issues

1. Dan explained that Chapter 11 of the 2012 International Fire Code contains retroactive requirements and that is new to the 2012 code. There are several problems in that some of the requirements were never required in New York State.

He recommended making reference in Chapter 4 of the EBC to Chapter 11 in the Fire Code. Steve McD said there are also references to the Fire Code in Section 301.2 but that is too subtle. Steve thought people would use the work area method instead of Chapter 4. The decision was made to wait for the Fire Code to come up with a proposal to this issue for this subcommittee.

Dan Nichols 8/3/12 e-mail:

1. 704.2.2 /804.2. Exception – sprinklers in Group R occupancies. Dan questioned why R-3 occupancies weren't exempted while all other R occupancies were. A motion was made by Steve R seconded by Cathy to change Section 804.1 to exempt all R occupancies from sprinklering requirements when undergoing Alteration Level 2 alterations, vote unanimous to accept.

Dan recommended adding a requirement for R occupancies to be sprinklered when a building undergoing Level 3 alterations meets the requirements in Tables 705.3.1.1(1) and 705.3.1.1(2). He said presently mixed use occupancy buildings (Main Street buildings with retail on the ground floor and residential above) are required to sprinkler. Ray asked Dan to write proposed code language and it would be discussed at a future meeting.

2. Dan asked how to determine how damaged a building was before it should be required to meet the requirements for new building construction. He remembered Appendix K had good language that could be reused for the 2012 EBC. He thought people were using the Repairs Chapter of the EBC for gutted buildings which is not appropriate.
3. Dan asked the group to think about allowing life safety features to be removed in existing buildings if they are no longer required by the code for new construction, such as kitchen separations and smoke hatches over 3 story stairwells. The Fire Code Section 106 now states that if there is a non-required system it can be removed. He said Appendix K contained a sentence that should be added to the next EBC that states:

***Existing systems.** Elements, components and systems of existing buildings with features that exceed the requirements of the codes for new construction and that are not otherwise required as part of the conditions for prior variances granted shall not be prevented by this appendix from being altered provided they remain in compliance with the applicable codes for new construction.*

Steve McD argued that just because it is no longer required by code doesn't mean the item isn't still part of the life safety system of the building. Dan will come up with proposed code language for discussion by the group.

4. Dan requested adding all I occupancies except I3 (or all Chapter 4 uses) to the Special Use and Occupancy section in Section 902.1 in the Change of Occupancy chapter, so they would have to be sprinklered. He said NFPA 101 will be phased out. Dan will submit proposed text to the group for consideration.
5. Unisex bathrooms. Dan brought up the issue of existing buildings which often have limited space to expand existing bathrooms, and many CEOs are requiring two accessible buildings, one for each sex. He proposed allowing one unisex accessible bathroom. Steve R supported one unisex bathroom approach because there were many variance requests and had been dealt with as an administrative variance. Ray said we will re-write this section after confirming that there are no ADA restrictions on this approach.

Next meetings

Ray noted the next meetings are as follows:

Ninth meeting – August 23 at 1:30 p.m. (Eric can't make it)

Tenth meeting – September 6 at 1:30

Eleventh meeting – September 27 at 1:30

Twelfth meeting – October 11 at 1:30

Thirteenth meeting – October 25 at 1:30

Vote to adjourn - motion by Eric, seconded by Steve R unanimous to accept.