

**NEW YORK STATE DEPARTMENT OF STATE  
DIVISION OF CODE ENFORCEMENT AND ADMINISTRATION  
TECHNICAL SUBSUBCOMMITTEE - RESIDENTIAL CODE**

**DRAFT**

Minutes of the third meeting of the Technical Subcommittee reviewing the 2009 and 2012 *International Residential Codes* for adoption by New York State, commencing at 10:00 a.m. on Tuesday, October 16, 2012, at the Albany office of Department of State and by teleconferencing.

**PRESENT:**

Julie Nemeth-Weisser (Chair)  
Kevin Ezell  
John Hofelich  
William Knickerbocker  
Erika Krieger (DOS)  
Gil Moniz  
W. Roy Scott (Present at the meeting from 11:00 a.m. to 11:45 p.m.)

**ABSENT:**

Nicholas Carparelli  
Miriam McGiver (DOS)

**Acronyms:** Following is a list of Acronyms that attenders used during the meeting, and which are in these minutes.

CC Codes Council of NYS (which votes to implement NYS building codes)  
DCEA Division of Code Enforcement and Administration  
ICC International Code Council  
IRC International Residential Code  
RC Residential Code of New York State – proposed 2014 unless otherwise stated  
Uniform Codes New York State Uniform Fire Prevention and Building Code

**MEETING MINUTES:**

1. The chairman opened the meeting at 10 a.m. At roll call, William Knickerbocker had sent a message he had responded to a fire call and would be joining the meeting shortly. The other members listed were present by teleconference link.
2. The chair briefly talked about the information distributed to the subcommittee on Section R101 regarding grade plane and the clarity of Figure R301.2(4)A from the Significant Changes to the International Residential Code 2012 Edition book. It was decided by those present that any discussion of Lodging Houses should be reserved until the entire subcommittee could participate.
3. Because there wasn't a quorum in Mr. Knickerbocker's absence, the remaining members agreed to begin their review of items in the Ballot Chart with the understanding that if any item was not a consent item for the group, it would be tabled until the return of Mr. Knickerbocker. It was also agreed that Mr. Knickerbocker would be afforded the opportunity to reopen any consent item covered in his absence.
4. Item 3-7 through item 3-10. With some discussion, these were approved by consent of the subcommittee.
5. Item 3-11. Nicholas Carparelli had asked that this item be tabled until the next meeting when he was present and could participate.
6. Item 3-12 through item 3-14. With some discussion, these were approved by consent of the subcommittee.
7. During discussion of item 3-15, William Knickerbocker joined the teleconference and there was a quorum. Mr. Knickerbocker was given the opportunity of reopening items 3-7 through 3-14, which had been approved through consent of the participating subcommittee members.
8. Item 3-15 through item 3-31. With some discussion, these were approved by consent of the subcommittee.

9. Item 3-32. Because this item is related to the installation of automatic fire sprinklers, it was tabled by the subcommittee.
10. Item 3-33. The subcommittee agreed that the language on “habitable attics” has to be deleted, consistent with the action taken on item 2-6, and also agreed to continue the NYS modification not to require emergency escape and rescue openings in basements that do not have habitable space or sleeping rooms.
11. Item 3-34 through item 3-37. With some discussion, these were approved by consent of the subcommittee.
12. Item 3-38, item 3-39, item 3-43 and item 3-44. Kevin Ezell introduced into consideration dropping New York's modification of stair geometry, specifically riser height and tread depth, in favor of that used by the International Codes. John Hofelich and Roy Scott both spoke for keeping the NYS modification, citing the increase in floor area that stairways conforming to the IRC would require. The difficulty in changing the current stair geometry for modular home and stair manufacturers in New York State was also brought up. A vote was taken on item 3-38 to retain the NYS riser height modification of 8¼”. The vote was tied (aye - John, Gil, Roy; Nay- Kevin, Bill, Erika). The Chair declined to cast a vote to break the tie, stating that the rest of the membership should be involved in the decision. Because there were many sources cited, both for and against, retaining NY's modified riser height and tread depth, all of the related items on the Ballot Chart were also tabled to allow the members to assemble documentation supporting their positions for presentation to the entire subcommittee at the next meeting.
13. At this point, because it would be the next to last meeting, the Chair stated that the next meeting would be dedicated to resolving and/or dealing with any items subcommittee members wanted to address, or any provisions in the 2009/2012 IRC's not listed in the Ballot Charts that they wished to introduce.
14. Item 3-40. This was approved by consent of the subcommittee.
15. Item 3-41. After some discussion by the subcommittee, there were some questions about the application of the provision in regard to basements. The item was tabled until the next meeting to allow the Chair the opportunity to send the Code Commentary on the section out to the subcommittee for their review.
16. Item 3-42. This was approved by consent of the subcommittee.
17. Item 3-34 through item 3-37. With some discussion, these were approved by consent of the subcommittee.
18. Item 3-49. With some discussion, the continued deletion of the provisions for window guards was approved by consent of the subcommittee.
19. Item 3-51 and 3-52. With some discussion, these were approved by consent of the subcommittee.
20. Item 3-53. This item was tabled to allow Gil Moniz to submit a proposed language modification for consideration at the next meeting.
21. OPEN BUSINESS: There were no public visitors, nor any additional written or submitted documents to consider.
22. The subcommittee adjourned at 12:00 p.m. The next meeting will be via teleconference call on October 23, 2012, at 10:00 a.m., with the phone set up at the DCEA conference room at 99 Washington Avenue, Albany. The public and those subcommittee members located nearby are invited to attend. Those members that cannot attend in person will phone in to participate.

Action items:

- Forward to the subcommittee:
  - Information on Section 311.4 Vertical Egress
  - Information on Section R311.7.6 Landings for Stairways