

February 4, 2013 Meeting of the Residential Sprinkler Task Force

Draft Meeting Minutes

In attendance:

John Hofelich
Tim DeRuyscher
Annemarie Mitchell
Steve McDaniel
David Kaufmann
Julius Ballanco
Dominick Kasamauskas

Staff:

Ray Andrews
Jonathan Worden
Miriam McGiver
Cathy Karp
Ron Piester

Approval of January 17, 2013 Meeting Minutes. Tim requested the proposed code text he had e-mailed the group be included in the meeting minutes. Motion to accept Jan. 17 meeting minutes with proposed code text added from Julius, seconded by Annemarie, unanimous to accept, except John abstained because he had not received the minutes.

Ray explained that he had spoken with DOS Counsel Joe Ball regarding Tim's proposal. Joe had a problem with the exceptions (for an interim period of time, supplemental smoke or fire detection systems were required and then after a period of time, sprinklers instead of the detection systems). This is inappropriate because supplemental smoke or fire detection systems does not provide the equivalent safety of sprinklers. An interim requirement should provide the same level of safety as the permanent one. The model homes being sprinklered and literature handed out to potential homebuyers would also not be practical for code enforcement officials to enforce. Regarding a grace period, Joe said one or two years is reasonable, but four years is the equivalent of not wanting it to happen.

Ray went over the four bullet points that were discussed at the last meeting, which all task group members agreed to. They are:

- It is appropriate to add the requirement for sprinklers, NFPA 13D and P2904 from the 2012 IRC from the 2012 IRC in the Residential Code of New York State because sprinklers are required now for three story single family homes. If the requirement for residential sprinklers are expanded to include townhouses the ICC text should be changed to allow 13D as well as P2904.
- Requiring residential sprinklers in townhouses appears more acceptable to the group as a whole than one and two family homes. Townhouses by their nature are adjacent to other townhouses and would be impacted by a fire in a neighboring structure. However,

it was noted that the I codes allow lesser separation provisions when the buildings are sprinklered.

- Establishing a sprinkler requirement for large homes of a specific size is not appropriate because it is a life safety issue. This approach only protects those who can afford a larger home. Other states have attempted to introduce residential sprinklers through the approach of size. This has not led to sprinkler systems in smaller or all homes in states such as Massachusetts.

- If residential sprinklers are to be adopted a grace period is necessary. California chose a period of two years before the requirement became effective. While some argued for a longer period most agreed on one to two years.

The first bullet all agreed to.

Ray asked the group what they wanted to report to the Code Council. He asked how much time should be given for a grace period if residential sprinklers were approved.

Tim said he had just e-mailed a second code text proposal. As it was sent after the meeting began members did not have a chance to read it but it was discussed. It reads as follows:

Subject: Proposal #2 - Code language IRC Sprinkler RE: Task Force statements for the Feb. 13 Code Council meeting.

4feb2013 Version 2.0 - Submitted for discussion by Tim DeRuyscher, PE (GHD Consulting Engineers)

2012 IRC

SECTION R313 AUTOMATIC FIRE SPRINKLER SYSTEMS

R313.1 Townhouse automatic fire sprinkler systems.

An automatic residential fire sprinkler system shall be installed in townhouses.

Exception: *An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.*

R313.1.1 Design and installation.

Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with Section P2904 or NFPA 13D.

R313.2 One- and two-family dwellings automatic fire systems.

An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings.

Exception #1: *An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.*

Exception #2: *Prior to [insert date], an automatic residential fire sprinkler system shall not be required for a detached one family dwelling.*

R313.2.1 Design and installation.

Automatic residential fire sprinkler systems shall be designed and installed in accordance with Section P2904 or NFPA 13D.

Dom wanted a grace period of two years and thought all housing being discussed (one family homes, two family homes and townhouses) needed to be sprinklered.

Tim recommended a two year grace period for one-family detached homes. Two family homes and townhouses should require sprinkles when the next code goes into effect. Ray explained there would be a 90 day transition period between the code editions. He proposed inserting a specific date within the code text.

Annemarie was not in favor of sprinklers, but if they were required thought 90 days was too short a period of time as there are townhouses in design and major design changes would be needed. There would also need to be a training period for installers. Dom said there would be sprinkler installers to do the work, but in NY there are no licensing or certification requirements. Dom mentioned requiring a NCCI rating, but said it hadn't been set up yet.

Julius was in favor of townhouses having to have sprinklers immediately upon the next code going into effect and a 2 year grace period for one- and two- family homes.

Dave thought there should be a one year grace period for townhouses and two or three years of longer for one- and two- family homes because the economy has not rebounded and there were still layoffs going on in the construction industry

John thought the economy in New York is very difficult and townhouse development will suffer if the added cost of sprinklers is required. He said the builders he represents want to delay the sprinkler requirement as long as possible.

Steve thought the four bullet points were accurate. He agreed with Tim's proposal.

Annemarie stated she was opposed to the mandate altogether.

Ray explained that in his position he was a neutral party on the issue. He planned to report to the Code Council what the group agreed to. He said members could speak at the Code Council meeting and represent themselves if they wanted to and welcomed everyone to attend because of their technical expertise. Dom and Annemarie said they planned to be there. Tim will try and John cannot but someone from his office will represent the homebuilders.

Ray explained that the Code Council meeting on Feb. 13 is open to the public. There is a public comment period. If there are many speakers there will be a time limit per speaker. Information should not be repeated and all speakers should provide only new information the Council has not heard before. If a statement is prepared he would appreciate it being forwarded to him. The meeting will take place in three locations (Buffalo, Albany and New York City) and people can speak from any one of those sites. Speakers make statements but there is no discussion or questions.

Ray mentioned there will be a new Code Council member at the Feb. 13 Code Council meeting: Judy Kennedy, the mayor of Newburgh.

Tim brought up the issue of buildings with R-3 occupancy classifications were going to be required to have sprinklers if the Residential Sprinkler Task Group decided to require sprinklers for one and two family homes and townhouses. Ray said that he had talked to the chairman of the Building Code Task Force and sprinklers were going to be required for R-3 occupancies in

the Building Code of New York State independent of the work on the Residential Sprinkler Task Group.

Regarding when the new codes will go into effect, the schedule calls for the commercial portion of the Energy Code to go into effect July of 2013. The rest of the Uniform Code is scheduled for May of 2014. It may be delayed by Hurricane Sandy issues.

Ray also mentioned there may be new Code Council members in the near future. The Council could decide to hold the residential sprinkler issue to the next meeting for a vote. There will not be a builder's representative at the February meeting. The Code Council could also ask more questions of the Task Force and if that is the case the Task Force will meet again. Otherwise this is the last meeting of the group.

Ray thanked all members for their time and expertise.