

Building Code Board of Appeals

Agenda

March 16, 2016

City Hall, Council Chambers

749 Main Street

6:30 PM

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Public Comments on Items Not on the Agenda
- V. Regular Business
 - 2014 National Electric Code (NEC) Adoption
- VI. Discussion
 - Wind Speed Clarification
 - Roof Snow Load Code Amendment
- VII. Update
- VIII. Staff Comments
- IX. Board Comments
- X. Date of next meeting
 - May 19, 2016
- XI. Discussion Items for Next Meeting
- XII. Adjourn

Building Code Board of Appeals

Meeting Minutes

January 21, 2016
City Hall, City Council Chambers
749 Main Street
6:30 PM

CALL TO ORDER – Chairperson Geise called the meeting to order at 6:35 PM.

ROLL CALL was taken and the following members were present:

Board Members Present: Peter Geise, Chairman
Matthew Berry, Vice Chair
Robert Van Pelt
Thomas Ramsey
Heidi Triebelhorn
Steve Knapp

Staff Members Present: Ken Swanson, Chief Building Official
Monica Garland, Senior Administrative Assistant

APPROVAL OF AGENDA

Van Pelt moved and Berry seconded the motion to approve the agenda. Motion passed by all members present.

PUBLIC COMMENTS

None heard.

REGULAR BUSINESS

Introduction of New Board Member

Ramsey and Tribelhorn were introduced as new members. Both have been appointed until December 2018.

Election of Officers

Van Pelt nominated Giese to remain as Chairman and Berry seconded the nomination. Nomination was passed by all members present.

Giese nominated Berry to remain as Vice Chairman and Ramsey seconded the nomination. Nomination was passed by all members present.

Berry nominated Swanson to remain as Secretary and Van Pelt seconded the nomination. Nomination was passed by all members present.

2016 Meeting Location Notice

No changes were made to the meeting location notice since last year. Resolution was signed by 2016 Chairman Geise and Vice-Chairman Berry.

2016 Meeting Dates

Geise talked about the meeting every other month and the alternant meetings dates as needed. Staff will update the Board when the City Council study session is scheduled.

Open Government Training and Handout

Staff will send meeting notices to the members who need to attend once the date has been set.

DISCUSSION

Document Scanning

Staff gave a brief over view of how the scanning project is going, starting with the budget which has been approved each year since 2012. Scanned documents are currently on the LaserFiche program and will most likely be converted over to Tyler Content Management to tie into the new software system that is currently being implemented.

The department is working toward the public having access to these documents with the new software system. Documents initially on microfilm will not be available to the public until the metadata and quality check has been completed.

Contractor's licenses are currently scanned. Since ICC test do not expire, they have been scanned separately for easy access. Electrical and plumbing licenses have been scanned with each license since they have an expiration date and copies are required at each renewal.

Overflow permits which had not been filed due to lack of room have been scanned and the records management scanning team is working on the files which have been filed. During this process, the permits are being organized and any duplicate items are not being scanned. Any set of plans which may have safety concerns, are being looked at closely and should there be any information that may have a safety concern, will be redacted per the city attorney.

Planning documents will be scanned next.

Berry asked if permit documents will be electronic at the time of submittal. Staff replied, at this time there is not a process in place for the permitting aspect. Planning already requires a set of electronic plans at the time of submittal for plan cases. Berry stated budgetary wise, going electronic may be the way to go. Staff replied it is possible for electronic plan review is possible through the citizen access through the new software system. It is currently being updated with the software company. Once this has been shown to staff, a procedure can be put in place and it is just a matter of when it will go live.

Geise asked if the County will still require a paper set of plans for permit submittal. Staff replied they will accept electronic copies in place of paper copies.

Staff added for larger projects electronic plans are sent to Colorado Code Consulting, a contracted 3rd party, for plan review. Once they plans have been approved, the application will have to print the plans with the notes off to have on site for the project.

Permit Software

Staff explained the process staff and the Tyler Tech implementer has gone through with an expected go live date of July 1, 2016. Staff is creating the software system, EnerGov, from the ground up to make sure it has everything we need. So far 49 permit types have been created include the Public Works permits. Staff explained with the new system, sub permits can be created off of the main building permit.

Staff will start converting the current permits in Permits Plus over to EnerGov shortly. Staff explained what will be converted and what will be manually entered in. Contacts (contractor's licenses included) and elevators will not be converted due to duplicate entries and issues with pulling the correct data for conversion.

The department hired a temporary permit technician to cover the front counter during this process. Staff is hoping to make the temporary position more permanent when the new director is hired.

Finance and Human Resources is implementing a new system, Munis, at the same time with the same expected go live date. Both systems will be able to work together.

Staff will also be working on verifying addresses and making sure our addresses match up with what Boulder County has on record.

Over the Counter Plan Review

Staff stated over the counter plan review on January 21, 2015. This takes place every Tuesday from 8-12. Between January 21st and December 31st, approximately 259 permits have been processed over the counter. This has helped out the permit load for minor permits. Now instead of waiting for the three week plan review process, permits can be done while the applicant waits as long as all the contractors are licensed and no further information is needed. Plan review can still be completed, but the permit cannot be issued until the items are completed.

Residential additions, new builds, demos, all commercial and any historic property permits cannot be done as over the counter plan review due to a couple of reasons. Either more work is required for the plan review to take place or other departments need to review the plans prior to approval.

Staff added there are changes being implemented in the historic review process including changing the date from 50 years to anything built prior to 1955. Geise asked staff on how the inspect size for size windows and verifying the insulation. Staff replied they look at the manufactures specs, if there are no specs then an architect may be called on.

Review of the 2015 ICC Codes

Staff is bring forth the review of the 2015 codes to ask if the previous and new board members would like to review them. Last year the board voted to table the review of the changes for the following reasons: the 2012 codes were just adopted, there

weren't major significant changes between the 2012 and 2015 codes and to wait and see how other jurisdictions were going to handle the 2015 code adoption.

Conversation was had regarding the code for drywall for storage areas in basements.

Ramsey motioned to table the 2015 ICC code and review the significant changes to the 2018 ICC codes as soon as they are made available. Van Pelt seconded the motion. Motion passed by all members present.

2014 National Electric Code (NEC) Adoption

Staff will be looking at adopting the 2014 NEC. The state is currently under the 2014 NEC and staff feels the city should be on the same code. The electrical inspector is currently reviewing the code and will be looking at any amendments which will be necessary. They are also reviewing the currently adopted amendments in the Louisville Municipal Code (LMC) to see if they are still needed. These will be brought forth at the March meeting.

Permit Totals

Berry asked about the spike in revenue in July was. Staff replied it was the issuance of the Centre Court Apartments. Every year the department does an estimate of valuation increase for 2016, this estimate should be met or exceeded with the large projects coming in. Permits already in for review will cover about half the estimate alone. Kestrel (Boulder County Housing Authority) currently has 15 multi-family buildings in for review.

Permits and inspections will most likely increase from last year. When available, the department has had help from Colorado Code Consulting to help inspect due to the increase in inspections.

The department signed a contract with a new elevator company, PEI, which will decrease the cost of permit reviews and inspections, both for new permits and the annual elevator inspections.

UPDATE

None heard.

STAFF COMMENTS

None heard.

BOARD COMMENTS

Berry asked for a discussion at the next meeting regarding the wind speeds and possible changes, if needed.

NEXT MEETING

March 17, 2016

DISCUSSION ITEMS FOR NEXT MEETING

- 2014 NEC Adoption Update
- Wind Speed – Design Criteria Handout

ADJOURN

The meeting adjourned at 7:49 PM.

MEMORANDUM

To: Honorable Chair and Members of the Building Code Board of Appeals

From: Building Safety Division

Subject: 2014 National Electric Code (NEC) Adoption

Date: **March 16, 2016**

The City is currently under the 2011 National Electric Code (NEC). The State adopted the 2014 NEC in July of 2015. Staff is looking to adopt the 2014 NEC to bring the city to the state level.

Staff is looking to adopt the 2014 NEC in its entirety and will remove previous 2011 NEC amendments in the Louisville Municipality Code (LMC) sections 15.48.070 and 15.48.080. See the attached LMC with changes.

Chapter 15.48 - NATIONAL ELECTRICAL CODE^[1]

Footnotes:

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Editor's note—Ord. No. 1652-2013, § 10, adopted Feb. 18, 2014, repealed the former ch. 15.48, §§ 15.48.010—15.48.080, and enacted a new chapter as set out herein. The former ch. 15.48 pertained to similar subject matter and derived from Ord. No. 1562-2009, § 8, adopted Dec. 1, 2009.

Sec. 15.48.010. - Adoption.

Pursuant to C.R.S. Title 31, Article 16, as amended:

The National Electrical Code, 201~~4~~⁴⁴ Edition, published by the National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, MA 02269-9101, is adopted by reference thereto and incorporated into and made a part of the Louisville Municipal Code. The purpose and subject matter of the National Electrical Code include minimum regulations for the practical safeguarding of persons and property from the hazards arising from the use of electricity and minimum standards relating to the installation of electrical conductors and equipment within or on public and private buildings and other structures, including mobile homes, recreational vehicles, and floating dwelling units, and other premises such as yards, carnivals, parking and other lots, and industrial substations.

(Ord. No. 1652-2013, § 10, 2-18-2014)

Sec. 15.48.020. - Section 80.13(13) revised.

Section 80.13(13) of the 201~~4~~⁴⁴ Edition of the National Electrical Code is amended to read as follows:

Whenever any installation subject to inspection prior to use is covered or concealed without having first been inspected, the authority having jurisdiction shall be permitted to require that such work be exposed for inspection. The authority having jurisdiction shall be notified when the installation is ready for inspection and shall conduct the inspection within three (3) days.

(Ord. No. 1652-2013, § 10, 2-18-2014)

Sec. 15.48.030. - Section 80.15 deleted.

Section 80.15 of the National Electrical Code, regarding the Electrical Board, is deleted in its entirety.

(Ord. No. 1652-2013, § 10, 2-18-2014)

Sec. 15.48.040. - Section 80.19(F)(3) revised.

Section 80.19(F)(3) of the 201~~4~~⁴⁴ Edition of the National Electrical Code is amended to read as follows:

When any portion of the electrical installation within the jurisdiction of an Electrical Inspector is to be hidden from view by the permanent placement of parts of the building, the person, firm, or

corporation installing the equipment shall notify the Electrical Inspector, and such equipment shall not be concealed until it has been approved by the Electrical Inspector, provided that on large installations, where the concealment of equipment proceeds continuously, the person, firm, or corporation installing the equipment shall give the Electrical Inspector due notice in advance, and inspections shall be made periodically during the progress of the work.

(Ord. No. 1652-2013, § 10, 2-18-2014)

Sec. 15.48.050. - Permit fees.

The permit fees for electrical work within the City of Louisville shall be calculated in accordance with the fee adopted by resolution of the City Council from time to time.

(Ord. No. 1652-2013, § 10, 2-18-2014)

Sec. 15.48.060. - Interpretation.

In case of a dispute or a question regarding the interpretation of the National Electrical Code where the matter is not specified by ordinance of the city, the interpretation of the state electrical board and their policies shall prevail and be enforced as part of the National Electrical Code by the city.

(Ord. No. 1652-2013, § 10, 2-18-2014)

~~Sec. 15.48.070. — Article 225 amended.~~

~~Article 225 of the 2011 Edition of the National Electrical Code is amended by the addition of a new section 225-32 to read as follows:~~

~~225-32. Location. The disconnecting means shall be installed at an approved, readily accessible location nearest the point of entrance of the conductors either directly inside an exterior door at grade level or at grade level outside of each building or structure served. This disconnect location shall apply to conductors that pass through the building or structure in Article 225-31.~~

~~(Ord. No. 1652-2013, § 10, 2-18-2014)~~

~~Sec. 15.48.080. — Section 230-70(a) amended.~~

~~Section 230-70(a) of the 2011 Edition of the National Electrical Code is amended to read as follows:~~

~~230-70(a). Location. The service disconnecting means shall be installed at an approved, readily accessible location outside of a building or structure at grade level.~~

~~EXCEPTION NO. 1: The service disconnecting means may be installed inside the building or structure provided it is directly inside an exterior door at grade level immediately adjacent to the entrance of the service conductors and metering equipment.~~

~~EXCEPTION NO. 2: A remote keyed switch may be installed in an approved location adjacent to the fire department's emergency access to the building or structure, provided, ground-fault protection for equipment is installed in accordance with the provisions of section 230-95.~~

~~(Ord. No. 1652-2013, § 10, 2-18-2014)~~

Informative Annex H Administration and Enforcement

Informative Annex H is not a part of the requirements of this NFPA document and is included for informational purposes only. This informative annex is informative unless specifically adopted by the local jurisdiction adopting the National Electrical Code®.

80.1 Scope. The following functions are covered:

- (1) The inspection of electrical installations as covered by 90.2
- (2) The investigation of fires caused by electrical installations
- (3) The review of construction plans, drawings, and specifications for electrical systems
- (4) The design, alteration, modification, construction, maintenance, and testing of electrical systems and equipment
- (5) The regulation and control of electrical installations at special events including but not limited to exhibits, trade shows, amusement parks, and other similar special occupancies

80.2 Definitions.

Authority Having Jurisdiction. The organization, office, or individual responsible for approving equipment, materials, an installation, or a procedure.

Chief Electrical Inspector. An electrical inspector who either is the authority having jurisdiction or is designated by the authority having jurisdiction and is responsible for administering the requirements of this Code.

Electrical Inspector. An individual meeting the requirements of 80.27 and authorized to perform electrical inspections.

80.3 Purpose. The purpose of this article shall be to provide requirements for administration and enforcement of the National Electrical Code.

80.5 Adoption. Article 80 shall not apply unless specifically adopted by the local jurisdiction adopting the National Electrical Code.

80.7 Title. The title of this Code shall be NFPA 70, National Electrical Code®, of the National Fire Protection Association. The short title of this Code shall be the NEC®.

80.9 Application.

(A) **New Installations.** This Code applies to new installations. Buildings with construction permits dated after adoption of this Code shall comply with its requirements.

(B) **Existing Installations.** Existing electrical installations that do not comply with the provisions of this Code shall be permitted to be continued in use unless the authority having jurisdiction determines that the lack of conformity with this Code presents an imminent danger to occupants. Where changes are required for correction of hazards, a reasonable amount of time shall be given for compliance, depending on the degree of the hazard.

(C) **Additions, Alterations, or Repairs.** Additions, alterations, or repairs to any building, structure, or premises shall conform to that required of a new building without requiring the existing building to comply with all the requirements of this Code. Additions, alterations, installations, or repairs shall not cause an existing building to become unsafe or to adversely affect the performance of the building as determined by the authority having jurisdiction. Electrical wiring added to an existing service, feeder, or branch circuit shall not result in an installation that violates the provisions of the Code in force at the time the additions are made.

80.11 Occupancy of Building or Structure.

~~(A) **New Construction.** No newly constructed building shall be occupied in whole or in part in violation of the provisions of this Code.~~

(B) **Existing Buildings.** Existing buildings that are occupied at the time of adoption of this Code shall be permitted to remain in use provided the following conditions apply:

- (1) The occupancy classification remains unchanged
- (2) There exists no condition deemed hazardous to life or property that would constitute an imminent danger

80.13 Authority. Where used in this article, the term *authority having jurisdiction* shall include the chief electrical inspector or other individuals designated by the governing body. This Code shall be administered and enforced by the authority having jurisdiction designated by the governing authority as follows.

- (1) The authority having jurisdiction shall be permitted to render interpretations of this Code in order to provide clarification to its requirements, as permitted by 90.4.
- (2) When the use of any electrical equipment or its installations is found to be dangerous to human life or property, the authority having jurisdiction shall be empowered to have the premises disconnected from its source of electric supply, as established by the Board. When such equipment or installation has been so con-

demned or disconnected, a notice shall be placed thereon listing the causes for the condemnation, the disconnection, or both, and the penalty under 80.23 for the unlawful use thereof. Written notice of such condemnation or disconnection and the causes therefor shall be given within 24 hours to the owners, the occupant, or both, of such building, structure, or premises. It shall be unlawful for any person to remove said notice, to reconnect the electrical equipment to its source of electric supply, or to use or permit to be used electric power in any such electrical equipment until such causes for the condemnation or disconnection have been remedied to the satisfaction of the inspection authorities.

- (3) The authority having jurisdiction shall be permitted to delegate to other qualified individuals such powers as necessary for the proper administration and enforcement of this Code.
- (4) Police, fire, and other enforcement agencies shall have authority to render necessary assistance in the enforcement of this Code when requested to do so by the authority having jurisdiction.
- (5) The authority having jurisdiction shall be authorized to inspect, at all reasonable times, any building or premises for dangerous or hazardous conditions or equipment as set forth in this Code. The authority having jurisdiction shall be permitted to order any person(s) to remove or remedy such dangerous or hazardous condition or equipment. Any person(s) failing to comply with such order shall be in violation of this Code.
- (6) Where the authority having jurisdiction deems that conditions hazardous to life and property exist, he or she shall be permitted to require that such hazardous conditions in violation of this Code be corrected.
- (7) To the full extent permitted by law, any authority having jurisdiction engaged in inspection work shall be authorized at all reasonable times to enter and examine any building, structure, or premises for the purpose of making electrical inspections. Before entering a premises, the authority having jurisdiction shall obtain the consent of the occupant thereof or obtain a court warrant authorizing entry for the purpose of inspection except in those instances where an emergency exists. As used in this section, *emergency* means circumstances that the authority having jurisdiction knows, or has reason to believe, exist and that reasonably can constitute immediate danger to persons or property.
- (8) Persons authorized to enter and inspect buildings, structures, and premises as herein set forth shall be identified by proper credentials issued by this governing authority.
- (9) Persons shall not interfere with an authority having jurisdiction carrying out any duties or functions prescribed by this Code.
- (10) Persons shall not use a badge, uniform, or other credentials to impersonate the authority having jurisdiction.
- (11) The authority having jurisdiction shall be permitted to investigate the cause, origin, and circumstances of any fire, explosion, or other hazardous condition.
- (12) The authority having jurisdiction shall be permitted to require plans and specifications to ensure compliance with this Code.
- (13) Whenever any installation subject to inspection prior to use is covered or concealed without having first been inspected, the authority having jurisdiction shall be permitted to require that such work be exposed for inspection. The authority having jurisdiction shall be notified when the installation is ready for inspection and shall conduct the inspection within ___ days.
- (14) The authority having jurisdiction shall be permitted to order the immediate evacuation of any occupied building deemed unsafe when such building has hazardous conditions that present imminent danger to building occupants.
- (15) The authority having jurisdiction shall be permitted to waive specific requirements in this Code or permit alternative methods where it is assured that equivalent objectives can be achieved by establishing and maintaining effective safety. Technical documentation shall be submitted to the authority having jurisdiction to demonstrate equivalency and that the system, method, or device is approved for the intended purpose.
- (16) Each application for a waiver of a specific electrical requirement shall be filed with the authority having jurisdiction and shall be accompanied by such evidence, letters, statements, results of tests, or other supporting information as required to justify the request. The authority having jurisdiction shall keep a record of actions on such applications, and a signed copy of the authority having jurisdiction's decision shall be provided for the applicant.

80.15 Electrical Board.

(A) **Creation of the Electrical Board.** There is hereby created the Electrical Board of the _____ of _____, hereinafter designated as the Board.

(B) **Appointments.** Board members shall be appointed by the Governor with the advice and consent of the Senate (or by the Mayor with the advice and consent of the Council, or the equivalent).

- (1) Members of the Board shall be chosen in a manner to reflect a balanced representation of individuals or

such certificates shall be issued to expire at a time to be stated therein and shall be revocable by the Electrical Inspector for cause.

(3) When any portion of the electrical installation within the jurisdiction of an Electrical Inspector is to be hidden from view by the permanent placement of parts of the building, the person, firm, or corporation installing the equipment shall notify the Electrical Inspector, and the equipment shall not be concealed until it has been approved by the Electrical Inspector or until _____ days have elapsed from the time of such notification, provided that on large installations, where the concealment of equipment proceeds continuously, the person, firm, or corporation installing the equipment shall give the Electrical Inspector due notice in advance, and inspections shall be made periodically during the progress of the work.

(4) At regular intervals, the Electrical Inspector having jurisdiction shall visit all buildings and premises where work may be done under annual permits and shall inspect all electrical equipment installed under such permits since the date of the previous inspection. The Electrical Inspector shall issue a certificate of approval for such work as is found to be in conformity with the provisions of Article 80 and all applicable ordinances, orders, rules, and regulations, after payments of all required fees.

(5) If, upon inspection, any installation is found not to be fully in conformity with the provisions of Article 80, and all applicable ordinances, rules, and regulations, the Inspector making the inspection shall at once forward to the person, firm, or corporation making the installation a written notice stating the defects that have been found to exist.

(G) Revocation of Permits. Revocation of permits shall conform to the following:

(1) The authority having jurisdiction shall be permitted to revoke a permit or approval issued if any violation of this *Code* is found upon inspection or in case there have been any false statements or misrepresentations submitted in the application or plans on which the permit or approval was based.

(2) Any attempt to defraud or otherwise deliberately or knowingly design, install, service, maintain, operate, sell, represent for sale, falsify records, reports, or applications, or other related activity in violation of the requirements prescribed by this *Code* shall be a violation of this *Code*. Such violations shall be cause for immediate suspension or revocation of any related licenses, certificates, or permits issued by this jurisdiction. In addition, any such violation shall be subject to any other criminal or civil penalties as available by the laws of this jurisdiction.

(3) Revocation shall be constituted when the permittee is duly notified by the authority having jurisdiction.

(4) Any person who engages in any business, operation, or occupation, or uses any premises, after the permit issued therefor has been suspended or revoked pursuant to the provisions of this *Code*, and before such suspended permit has been reinstated or a new permit issued, shall be in violation of this *Code*.

(5) A permit shall be predicated upon compliance with the requirements of this *Code* and shall constitute written authority issued by the authority having jurisdiction to install electrical equipment. Any permit issued under this *Code* shall not take the place of any other license or permit required by other regulations or laws of this jurisdiction.

(6) The authority having jurisdiction shall be permitted to require an inspection prior to the issuance of a permit.

(7) A permit issued under this *Code* shall continue until revoked or for the period of time designated on the permit. The permit shall be issued to one person or business only and for the location or purpose described in the permit. Any change that affects any of the conditions of the permit shall require a new or amended permit.

(H) Applications and Extensions. Applications and extensions of permits shall conform to the following:

(1) The authority having jurisdiction shall be permitted to grant an extension of the permit time period upon presentation by the permittee of a satisfactory reason for failure to start or complete the work or activity authorized by the permit.

(2) Applications for permits shall be made to the authority having jurisdiction on forms provided by the jurisdiction and shall include the applicant's answers in full to inquiries set forth on such forms. Applications for permits shall be accompanied by such data as required by the authority having jurisdiction, such as plans and specifications, location, and so forth. Fees shall be determined as required by local laws.

(3) The authority having jurisdiction shall review all applications submitted and issue permits as required. If an application for a permit is rejected by the authority having jurisdiction, the applicant shall be advised of the reasons for such rejection. Permits for activities requiring evidence of financial responsibility by the jurisdiction shall not be issued unless proof of required financial responsibility is furnished.

80.21 Plans Review. Review of plans and specifications shall conform to (A) through (C).

(A) Authority. For new construction, modification, or rehabilitation, the authority having jurisdiction shall be permitted to review construction documents and drawings.

MEMORANDUM

To: Honorable Chair and Members of the Building Code Board of Appeals

From: Building Safety Division

Subject: Wind Speed Clarification & Roof Snow Load Code Amendment

Date: March 16, 2016

Discussion will be had for the following items:

- Wind Speed - Further clarification of the wind speed adopted by the city in the last code cycle
- Roof snow load codes – Review of a possible code amendment for the roof snow load adopted by the city in the last code cycle