

IDAHO DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSES

IN RE: )  
BUILDING CODE )  
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TRANSCRIPT OF RECORDED  
BUILDING CODE COLLABORATIVE MEETING  
JULY 27, 2022

TRANSCRIBED BY:  
JEFF LAMAR, C.S.R. No. 640  
Notary Public

1 (Begin transcription at 1:43 of audio  
2 file.)

3 MICHAEL HYDE: Go ahead and get started.

4 Thank you, everyone, for coming today.

5 A few housekeeping items that we just want  
6 to go over. We are in our new facility. This is the  
7 largest boardroom that we have. This is called the  
8 Thunderbolt Room. Most everyone that I watch come in  
9 came in through this exit. We do have two exits.  
10 Through these doors, you'll have an open hallway that  
11 just kind of circles the building, and front exit  
12 doors, way the entrance of the building that direction.

13 We have two different sets of bathrooms.  
14 Bear with us. The women's restroom on this side is  
15 under construction, so women's restroom is out this  
16 door, hang an immediate right. Men's restroom is out  
17 this door, because this side, men's restroom is under  
18 construction. So we're working through it -- a few  
19 items here. We're almost finished. But that was a few  
20 housekeeping items.

21 If you could, please silence your cell  
22 phone. This meeting is being recorded and transcribed.  
23 Minutes will be provided to the public, included in the  
24 Board packet, and presented to the Board at the  
25 August 16th meeting. So we appreciate any comments,

1 any feedback, any suggestions.

2 And when you wish to speak or present a  
3 comment, if you could, please stand at the podium,  
4 state your name, who you represent, and then the  
5 details of your comments. We are going to take notes.  
6 We may ask you to reiterate a few items, but they are  
7 being transcribed and they will be provided to the  
8 Board.

9 This first meeting portion, if you look at  
10 the agenda, what we're going to go over is the draft  
11 redline specifically in relation to the IBC and the  
12 IRC.

13 I don't see this taking the full three  
14 hours. We've scheduled it to allow for open forum  
15 comment for every single topic. So please feel free to  
16 take your time, present what you -- what you feel, what  
17 you suggest, what you recommend.

18 Those of you online, we will be watching.  
19 Please raise your hand. We'll -- we'll give you the  
20 mic, give you the floor, and allow you to present.  
21 We'll be watching for any raised hands there.

22 With that being said -- yes, ma'am.

23 TERRY AUTENS: Normally in these types of  
24 meetings there could be back-and-forth conversation  
25 between the attendees --

1           MICHAEL HYDE: Uh-huh.

2           TERRY AUTENS: -- you know, on a specific item.

3           MICHAEL HYDE: Uh-huh.

4           TERRY AUTENS: Do we have to get up to the  
5 podium every time we want to respond to somebody, or  
6 can we have those types of conversations?

7           MICHAEL HYDE: I think -- Terry, I think that's  
8 a good question. What can do -- if you could stand up  
9 so the Board, those taking minutes, can record who's  
10 speaking and who's responding for the minutes, I think  
11 that's fine.

12          TERRY AUTENS: Okay.

13          MICHAEL HYDE: I don't think you'd have to,  
14 unless you're the one actually presenting an initial  
15 comment. If you're just responding, if you could just  
16 stand up, that way --

17          TERRY AUTENS: Okay.

18          MICHAEL HYDE: -- if they need to know who's  
19 speaking, or anybody online for that matter. But great  
20 question.

21          TIM FROST: To clarify, Terry, we want this to  
22 be that opportunity --

23          MICHAEL HYDE: Yes.

24          TIM FROST: -- of talking back and forth.  
25 Questions back and forth, in between back-and-forth of

1 individuals in the room. We do want to be respectful,  
2 and we just want to make sure that people are detailing  
3 their name for the record, things like that.

4 TERRY AUTENS: All right. Great. Thank you.

5 MICHAEL HYDE: And with that being said, once we  
6 conclude with this agenda and these topics, we will  
7 take a recess, because we're not scheduled to discuss  
8 the Energy Code until one o'clock. There are certain  
9 parties, associations, and stakeholders out there that  
10 only want to come to the Energy Code portion, so we  
11 want to give that them that respect and allow them that  
12 opportunity to be here.

13 So if we do get through quickly, we'll  
14 recess until 1:00. So just kind of an overview of this  
15 initial meeting and code collaborative discussion. So  
16 please, open forum, open comment, feel free to  
17 correspond and work. Again, we'll be taking notes.  
18 We'll be asking questions to get more details, or any  
19 thoughts, suggestions that we have based on the  
20 comment.

21 So diving in, if we could, Board support,  
22 pull up -- we do have the redlines on the screen.  
23 Packets have been provided as well as agendas. Please  
24 feel free to grab one to follow along. We're just  
25 going to walk through redline by redline, starting with

1 Section -- Code Section 305.2.3.

2 A little details on where the redlines came  
3 about. You know, we are going through the zero-based  
4 regulation process, as we have discussed at numerous  
5 meetings. It's a -- it's a method of repeal and  
6 replace process in order to identify any  
7 over-regulatory, unnecessary barriers that are felt or  
8 being enforced by what codes have been adopted or what  
9 our rules govern when it comes to all facets of the  
10 IDAPA rule chapter related to building safety.

11 So what we've done is we took a look at  
12 this rule chapter and went through a perspective  
13 analysis where we had to ask -- answer six different  
14 questions that we went through and detailed in our last  
15 Board meeting. And a large part of that focus for  
16 today is we are looking at the life-safety parameters  
17 that the codes that we have amended or have adopted  
18 enforce or are being enforced upon those within the  
19 industry as builders or Idahoans as homeowners or  
20 commercial building owners.

21 So looking at the statutes, Carlotta, if  
22 you could share the screen, if you could share my  
23 screen really quick. I'd like to pull up the statute  
24 on where our direction and approach is where it  
25 outlines in 39-4101.

1 CARLOTTA: [Unintelligible.]

2 MICHAEL HYDE: Where it discusses the Board's  
3 intent. So looking at this section here, it is -- let  
4 me zoom in a little bit -- the focus -- our primary  
5 focus was to ensure that what we are enforcing, what we  
6 have adopted, what we have amended over the years  
7 fulfills the statutory requirements given by the  
8 legislature to the Building Code Board and us as DOPL  
9 or local enforcing agencies. We are looking to promote  
10 the intent of the welfare and safety of the occupants  
11 and users of residential and commercial structures here  
12 in Idaho.

13 So going back to -- going back to our  
14 redlines -- did that go back to you, Carlotta?

15 UNIDENTIFIED SPEAKER: [Unintelligible.]

16 MICHAEL HYDE: That was the approach that we  
17 took. We looked at any duplicative language, any areas  
18 that we can reduce rules or the language to make it  
19 more concise, and also looking at any way that we can  
20 reduce unnecessary barriers or over-regulatory code  
21 items that are non-life-safety or do not protect  
22 occupant welfare.

23 And with that, I'll go ahead, and we'll  
24 jump into the first code section, which is the  
25 amendment to Section 305.2.3, Group E, five or fewer

1 children in a dwelling unit.

2           What we've done is we've extracted the  
3 duplicative or redundant code language between the IBC  
4 and what our rules have been approved or written as to  
5 reduce the word -- replace the word "five" with the  
6 word "twelve" for that particular code section.

7           Are there any comments in relation to this  
8 rule amendment or proposal?

9           JASON BLAIS: Remember we were talking about --  
10 this is Jason Blais -- the section number and then  
11 maybe putting the title after it? Is that not on the  
12 table anymore?

13           MICHAEL HYDE: Still on the table. Still open  
14 for discussion --

15           JASON BLAIS: Okay.

16           MICHAEL HYDE: -- if that's [unintelligible] --

17           JASON BLAIS: I mean that's just a  
18 recommendation so we know what we're talking about,  
19 just because these code numbers change quite frequently  
20 every time we do an addition. So it would be nice to  
21 know just what the title is.

22           MICHAEL HYDE: Okay.

23           TIM FROST: So, Jason, you're thinking that when  
24 new code cycles update, numbers are changing, so  
25 therefore it's going to be harder for us to track it



1 without [unintelligible] --

2 JASON BLAIS: Just have to remember and go back  
3 to the old versus the new. It could be the same  
4 section, but new number, but we don't -- it would be  
5 nice if the titles matched, you know.

6 TIM FROST: Uh-huh. And in that instance, that  
7 comment would apply to any -- any of these that we work  
8 through.

9 JASON BLAIS: Yeah. Section number and then  
10 just title of section.

11 One other thing, back on the IBC up on  
12 where you have the 2018 edition, including appendices  
13 thereto pertaining to building accessibility, there's  
14 really only one appendix in the IBC.

15 Should we just call that appendix out  
16 specifically there?

17 MICHAEL HYDE: I think we could. I think that's  
18 a great comment. I think that would make it clear and  
19 concise.

20 JASON BLAIS: It kind of assumes there's more  
21 than one, and there's really only one.

22 UNIDENTIFIED SPEAKER: [Unintelligible.]

23 UNIDENTIFIED SPEAKER: Can just quote it  
24 verbatim.

25 MICHAEL HYDE: Does anybody else have any

1 comments to that? Maybe why it's written as such?

2 JASON BLAIS: I know there was a time where it  
3 was optional and supplementary, you know, that  
4 appendix.

5 MICHAEL HYDE: Uh-huh.

6 JASON BLAIS: So I kind of remember when we  
7 adopted that full time, I guess. Probably when the  
8 [unintelligible] changed.

9 MICHAEL HYDE: Okay. Jumping down to the next  
10 section of 308.2.4, which is five or fewer persons  
11 receiving custodial care.

12 What we have done here on these sections --  
13 and I will just go ahead and add 308.3.2 and 308.5.4,  
14 that we received a request from the state fire  
15 marshal's office asking -- asking for us to amend this  
16 and follow along with the 2018 IBC due to the fact that  
17 there's an inconsistency between the Fire Code and  
18 our -- our amendment here as it relates to fire  
19 sprinklers in those occupancies that are not considered  
20 a one or two-family dwelling that apply here.

21 So the thought process here that we were  
22 looking to lax the requirements of fire sprinklers and  
23 these -- that lax of fire sprinklers here apply to  
24 commercial-type structures outside of one or two-family  
25 dwellings. And that created the contradiction between

1 the Fire Code and our IBC. So they had made the  
2 request if we could stick to that.

3 And then if anybody that wants to follow  
4 suit for this and they fall under a one or two-family  
5 dwelling, the thought process was fire sprinklers are  
6 exempt due to statute and rule in one and two-family  
7 dwellings.

8 But those other are three occupancies or  
9 commercial-type occupancies that fall under this  
10 classification, they would have to have fire  
11 sprinklers.

12 So open for comment.

13 PATRICK SULLIVAN: Patrick Sullivan, City of  
14 Nampa.

15 When I was going through this, the -- we  
16 just want to be clear on when we can have the exception  
17 or make -- I mean the reason we've amended these  
18 sections is because in Idaho we typically -- you know,  
19 we don't need the sprinklers in the R-3 in a single  
20 family or duplex.

21 So I think that just for clarity we  
22 probably need to address it in the IBC rather than just  
23 in the IRC. And I think you're right, it probably does  
24 have some conflict with the Fire Code.

25 MICHAEL HYDE: Okay.

1           PATRICK SULLIVAN: But I think we just need to  
2 figure out on these the goal when we made these  
3 revisions when we adopted 2018 code was to basically  
4 allow -- make sure that we could allow these types of  
5 custodial care in -- to be built under of the IRC --

6           MICHAEL HYDE: Okay.

7           PATRICK SULLIVAN: -- without sprinklers. So  
8 that's the goal --

9           MICHAEL HYDE: The goal?

10          PATRICK SULLIVAN: -- the high-level goal.

11          MICHAEL HYDE: Okay.

12          PATRICK SULLIVAN: So as long as we can have  
13 that so we don't have -- we don't leave conflicting  
14 language in 308.2.4 which still after International  
15 Residential Code it says provide an automatic sprinkler  
16 system is installed in accordance with  
17 Section 903.3.1.3 and Section P2904 of the  
18 International Residential Code.

19                    So that little sentence in here, if you  
20 don't amend that, that section, will remain and will be  
21 a conflict, then, for enforcement.

22          MICHAEL HYDE: Okay. That's a good point.  
23 Thank you, Mr. Sullivan.

24                    What I'd like to do, rather than writing  
25 code on the floor, I mean if you have any suggestions

1 or on what this language should look like, we don't  
2 have to come up with it right here at this very moment,  
3 but if you do have a suggestion or a comment that you'd  
4 like to e-mail and send in on what it should read, I'll  
5 take a crack at it as well, and we'll -- we'll put  
6 another draft, a version three draft out there for  
7 everyone to review.

8           But I can -- I think that's something that  
9 is a valid point and that we can -- we can incorporate  
10 to capture as a -- are you thinking maybe an  
11 exception -- an exception to this occupancy  
12 classification that says, you know, if it is a  
13 residential R-3 one or two-family dwelling you are  
14 exempt, and then refer back to the statute that exempts  
15 fire sprinklers?

16           PATRICK SULLIVAN: Yeah, I think something like  
17 that would probably be the easiest way to do it.

18           The other way to do it, what Jason and I  
19 did --

20           MICHAEL HYDE: Uh-huh.

21           PATRICK SULLIVAN: -- is we basically -- I did  
22 the IRC, he did the IBC, and we just lined up these  
23 uses --

24           MICHAEL HYDE: Okay.

25           PATRICK SULLIVAN: -- the exceptions, and -- and

1 we -- we made these amendments so they aligned.

2 MICHAEL HYDE: Okay.

3 PATRICK SULLIVAN: And so there was no conflict.  
4 And then we took out all the conflicting language, so  
5 it's very clear that if you add, you know, five people  
6 under custodial care, you could be an R-3 and be built  
7 under the IRC. And the IRC already exempts sprinklers.

8 JASON BLAIS: Yes. These sections here  
9 cross-reference with those IRC exception sections in  
10 the beginning.

11 MICHAEL HYDE: Yeah.

12 JASON BLAIS: And by deleting just that language  
13 on the sprinklers on these three sections, they align  
14 with the IRC.

15 UNIDENTIFIED SPEAKER: Yeah.

16 MICHAEL HYDE: So --

17 JASON BLAIS: It's really -- because the ICC  
18 puts some language in some of these that added specific  
19 sprinklers for these uses that are in single family,  
20 but there are other uses. So there's kind of a  
21 conflict there where people read, oh, IBC says  
22 sprinklers. We're going to make them sprinklers. But  
23 then you got the IRC that says [unintelligible] --

24 MICHAEL HYDE: Right.

25 JASON BLAIS: -- so we just matched the language

1 to make it clear.

2 MICHAEL HYDE: Okay. And I think from the fire  
3 marshal's office, their concern is okay, outside of  
4 that -- because they didn't want to go into  
5 residential.

6 JASON BLAIS: Yeah.

7 MICHAEL HYDE: I think they're looking at us to  
8 clean up this language to say exactly that. We can --

9 JASON BLAIS: I mean it does, because -- so if  
10 you're -- if you're an -- it says R-3 occupancy --

11 MICHAEL HYDE: Uh-huh.

12 JASON BLAIS: -- which that would be  
13 [unintelligible].

14 MICHAEL HYDE: Uh-huh.

15 JASON BLAIS: And then it says, "or shall comply  
16 with the IRC." And if it's an "or shall comply with  
17 the IRC," you just struck the sprinkler section on all  
18 three of those. That way they line up with the IRC  
19 section.

20 Because you're right, if it's an R-3 and  
21 you're in the IBC, it's going to be sprinklered, and it  
22 will be sprinklered in the Fire Code too.

23 PATRICK SULLIVAN: It can be in the same short  
24 note for each one of those.

25 MICHAEL HYDE: For each one?

1 PATRICK SULLIVAN: Or you could have a reference  
2 note that, you know, for custodial -- you know for  
3 educational custodial care --

4 MICHAEL HYDE: Uh-huh.

5 PATRICK SULLIVAN: -- in, you know, under -- in  
6 sections blank through blank when built under the IRC  
7 sprinklers are not required. Something that just kind  
8 of is a catchall.

9 MICHAEL HYDE: Okay.

10 PATRICK SULLIVAN: Otherwise, you're going to  
11 have to do redundant language on each one.

12 JASON BLAIS: Yeah. I mean I see what you're  
13 saying from your point on the proposal. But it just --  
14 it will still be confusing if you use that language in  
15 there with sprinklers and the IRC.

16 MICHAEL HYDE: Okay.

17 JASON BLAIS: You'll just have conflicting  
18 language that might have different [unintelligible].

19 MICHAEL HYDE: No, I appreciate that comment,  
20 because that -- that gives me direction on what the  
21 intent of this amendment is. And that's what we -- we  
22 don't want to lose that through unintended  
23 consequences. So I appreciate that. We'll take  
24 another crack at that one and see what we can do, along  
25 with that in the section header we discussed



1 previously. Yeah.

2 Is there any other comment in relation to  
3 these three or any suggestions on what the new language  
4 should read specifically, outside of what has been  
5 discussed?

6 CHARLIE ALLEN: Mr. Hyde.

7 MICHAEL HYDE: Yes, sir.

8 CHARLIE ALLEN: This is Charlie Allen with the  
9 City of Ammon.

10 MICHAEL HYDE: Hi, Charlie.

11 CHARLIE ALLEN: So yeah, I -- I do think we need  
12 to just make note that the Idaho legislature, through  
13 the Building Code Board, did exempt sprinklers from the  
14 IRC. So it did create this conflict. And we all agree  
15 that sprinkler exemption -- or the deletion should have  
16 happened with single-family dwellings.

17 So yeah, I don't -- I think there -- what  
18 was mentioned above as "or shall comply with the  
19 International Residential Code" wouldn't be in  
20 conflict. And if the fire marshal's office, you know,  
21 follows the legislation on deleting sprinklers, I think  
22 they would be in agreeance, too, I think once they  
23 realize the path what we can get there to take these  
24 out. I think they would agree with it too.

25 MICHAEL HYDE: Okay. Thank you, Mr. Allen.

1           If we may proceed down to the next section,  
2 bottom of page 1, Section 310.4, the thought process  
3 here for residential group R-3. Rather than reiterate  
4 everything that was already listed in the 2018 IBC, we  
5 amended this section to read -- to add the following,  
6 and adding dwelling units providing daycare for 12 or  
7 fewer children as something that would be an R-3  
8 occupancy.

9           Are there any comments on this draft  
10 proposal or this particular section?

11           Mr. Blais.

12           JASON BLAIS: Jason Blais.

13           Yeah, the one thing -- other thing we did  
14 amend is at the top where it says Group R-1, R-2, R-4 E  
15 or I --

16           MICHAEL HYDE: Uh-huh.

17           JASON BLAIS: -- in the IBC it doesn't have G.  
18 We've added G --

19           MICHAEL HYDE: Okay.

20           JASON BLAIS: -- because of that thing we added  
21 there, the dwelling units of 12 or fewer children for  
22 daycare, so the G was added.

23           MICHAEL HYDE: Based on the amendment that we  
24 did --

25           JASON BLAIS: Yeah.

1           MICHAEL HYDE: -- up above?

2           JASON BLAIS: Yes.

3           MICHAEL HYDE: Now, because of that amendment  
4 from up above, will we also need to include it here  
5 again, do you think?

6           JASON BLAIS: Yeah. You probably need to say,  
7 add Group E occupancy into the list, and then add, you  
8 know, what you got below.

9           MICHAEL HYDE: Okay.

10          JASON BLAIS: Because as printed in the IBC, it  
11 doesn't have E in it.

12          MICHAEL HYDE: No, I appreciate that. And my  
13 thought process was, okay, if we have it covered under  
14 section A, do we need to reiterate it down. But if  
15 it's for clarity, being concise and consistent, that's  
16 something [unintelligible] --

17          JASON BLAIS: Yeah. And E is daycare, and  
18 that's what we added to the list is daycare.

19          MICHAEL HYDE: Okay. Any other comments on this  
20 section?

21                    Going to page 2, middle of the page where  
22 it starts new section letter H, delete Section 3113 of  
23 the IBC for relocatable buildings. Again, here we do  
24 have a factory-built structures board where they  
25 have -- and the enforcement and the adoption authority

1 for all of these type of instructions. So rather than  
2 having to reiterate everything from statute, we just  
3 said simply delete this section.

4 Are there any comments or questions?  
5 Suggestions?

6 Hearing none, we'll do ahead and go to the  
7 next redline.

8 JASON BLAIS: One question, Mr. Hyde.

9 MICHAEL HYDE: Yes.

10 JASON BLAIS: Above that section.

11 UNIDENTIFIED SPEAKER: The H?

12 JASON BLAIS: Yeah, the H.

13 Should that be I? Because I think it's  
14 referencing the mass timber provisions, because that  
15 way [unintelligible] down below.

16 MICHAEL HYDE: Yes, that would have to change on  
17 the mass timber.

18 JASON BLAIS: Yeah.

19 MICHAEL HYDE: Yes. [Unintelligible]  
20 appropriately. Thank you.

21 PATRICK SULLIVAN: Mr. Hyde.

22 MICHAEL HYDE: Yes, sir.

23 PATRICK SULLIVAN: Patrick Sullivan, City of  
24 Nampa.

25 I had a quick question on when we as a city

1 adopted ordinance, the State-adopted building codes, we  
2 do not adopt the Manufactured Housing Code.

3 So how do we access that code to enforce  
4 that code?

5 MICHAEL HYDE: So manufactured housing,  
6 factually-built structures?

7 PATRICK SULLIVAN: Right.

8 MICHAEL HYDE: It depends what we're talking  
9 about here.

10 PATRICK SULLIVAN: I mean with respect to just  
11 relocatable buildings and the [unintelligible] -- and  
12 the reference to the Title 39, Chapter 43. So I'm just  
13 saying --

14 MICHAEL HYDE: Uh-huh.

15 PATRICK SULLIVAN: -- how do we -- do we need to  
16 leave this in so cities can then have a pathway to  
17 [unintelligible]?

18 MICHAEL HYDE: So this particular section, if I  
19 recall correctly in the IBC -- and correct me if I'm  
20 wrong -- is that the relocatable buildings -- when you  
21 relocate a modular building, you're looking at the  
22 foundation installation and how it's set, which falls  
23 under a different chapter of the IBC. I know what it  
24 is in the IRC, but I don't know what it is -- the  
25 foundation section.

1 PATRICK SULLIVAN: Right.

2 MICHAEL HYDE: And so you would adhere to that  
3 section.

4 This particular section applies to what's  
5 inside relocating the building.

6 PATRICK SULLIVAN: Gotcha. Okay.

7 MICHAEL HYDE: Those are all covered under  
8 [unintelligible] --

9 PATRICK SULLIVAN: This isn't applicable of what  
10 we would --

11 MICHAEL HYDE: Correct.

12 PATRICK SULLIVAN: We can't regulate that?  
13 Okay.

14 MICHAEL HYDE: That's where we issue our modular  
15 State insignias to say everything inside is good to go,  
16 but the connections between where it's being  
17 installed --

18 PATRICK SULLIVAN: Okay.

19 MICHAEL HYDE: -- how it's set falls under the  
20 other parameters of the IBC or IRC.

21 PATRICK SULLIVAN: Okay.

22 MICHAEL HYDE: I think this is supplemental  
23 provided by ICC for those jurisdictions that aren't  
24 built like Idaho.

25 PATRICK SULLIVAN: Got it.

1           MICHAEL HYDE: Something [unintelligible].

2                       So that concludes the IBC amendments.

3                       Now, I feel and I've been -- we've been  
4 poked and questioned on what can we do. Is there  
5 anything more that we can -- that we can amend, that we  
6 need to amend that's in the IBC that's not relevant to  
7 Idaho, not relevant to our installation standards, our  
8 practices?

9                       And so I throw that out there as an  
10 opportunity for us to discuss anything that's not  
11 captured amendment-wise that we may need to add or we  
12 should add that's appropriate and relevant to our  
13 practices.

14                      Anything in the IBC that anyone can think  
15 of? Anything that's just like this we need to discuss?  
16 Whether we amend it, tweak it, delete it. I want to  
17 make sure that we have that opportunity and discussion.  
18 IBC is significantly large. So before we transition to  
19 the residential code.

20                      Anything online?

21                      TIM FROST: And in doing so, if you don't have  
22 an immediate amendment, is there any topics that you  
23 would like the Board to explore within the IBC or  
24 amendments? Like is there a broader issue that we can  
25 specifically review?

1           MICHAEL HYDE: If something comes up, please  
2 feel free to submit comment. We have some time. We  
3 have a few weeks.

4                       So with that, I'll transition into the IRC.

5           Looking at our first proposed amendment  
6 is -- this is a new amendment in version two. Delete  
7 section R-104.10.1, which is flood hazard areas. Based  
8 on the comments that we've received and the discussions  
9 that have been had, that it is appropriate to follow  
10 suit with what the IB -- I'm sorry, the IRC recommends  
11 for flood hazard areas and follow what the Code states.

12                      Are there any comments or suggestions on  
13 this deletion?

14           TIM FROST: Can you summarize the comments that  
15 we got on this at this last Board meeting?

16           MICHAEL HYDE: Yeah. So what we want to do is  
17 we -- and correct me if I'm wrong, [unintelligible],  
18 what we want to do is we do not want to create any type  
19 of contradiction between what's required by -- BNSA  
20 [phonetic]?

21           UNIDENTIFIED SPEAKER: The National Flood  
22 Insurance Program.

23           MICHAEL HYDE: National Flood Insurance Program.

24                      So we want to say want to stay consistent.  
25 And what that consistency is is following suit with



1 what ICC has proposed, written, and approved. So I  
2 think these amendments are -- they've been around for  
3 quite some time. And as the Code has transitioned  
4 throughout the Code cycles -- and we're at the 2018 --  
5 this will make sure that in those areas where there is  
6 potential flood hazards that we are consistent with the  
7 flood insurance program.

8           And defer -- a lot of this is deferred to  
9 the planning and -- local planning and zoning  
10 departments. And so we don't want to meddle or get in  
11 between the local jurisdictions department and the  
12 Flood -- National Flood Insurance Program and what  
13 those requirements are.

14           So you'll see this in a couple different  
15 sections in the IRC.

16           PATRICK SULLIVAN: Mr. Hyde, where is this  
17 section in the handout?

18           MICHAEL HYDE: That should be on page 2 -- 3.  
19 Top of page 3. It was subsection (b).

20           PATRICK SULLIVAN: Oh, gotcha. Okay.

21           MICHAEL HYDE: So this is new in this draft.  
22 This is draft version two.

23           We'll go ahead and proceed to the next  
24 section where we've amended work exempt from a permit,  
25 which is section R-105.2. That's not included in

1 subsection (c) or (d). I can add this section with the  
2 title to this. I think that would be appropriate to  
3 help provide us clarity on what section are we  
4 referring to here.

5           What we've done is we've -- I -- I believe  
6 that we've simplified the language just so say what  
7 pools are exempt from a permit, and also that flagpoles  
8 are item No. 11 and they do not require a permit.  
9 Again, from the Board's -- Board's jurisdiction. So  
10 just saving a few words here. No substantial changes  
11 to either of these items.

12           Are there any comments or recommendations  
13 here on these two letters (c) and (d)?

14           I don't see any hands raised online either.

15           PATRICK SULLIVAN: Mr. Hyde, I just had a  
16 question. I always have a question about the  
17 flagpoles.

18           MICHAEL HYDE: Uh-huh.

19           PATRICK SULLIVAN: Has anybody ever envisioned  
20 how large a residential flagpole could get and the wind  
21 sheer on that -- on that flagpole? I'm just saying.

22           MICHAEL HYDE: It could.

23           UNIDENTIFIED SPEAKER: It's usually limited by  
24 your zoning.

25           PATRICK SULLIVAN: Yeah. I'm just saying.

1 UNIDENTIFIED SPEAKER: Never have any --

2 PATRICK SULLIVAN: I mean is it going to be a  
3 Simplot flagpole?

4 MICHAEL HYDE: Nowadays, you never know. If  
5 that --

6 UNIDENTIFIED SPEAKER: Just for clarity, do we  
7 have a worry about some really patriotic individuals in  
8 our city?

9 UNIDENTIFIED SPEAKER: No. Just curious. It  
10 just came up actually in the drive in. It's like I  
11 wonder how large somebody would actually take advantage  
12 of that.

13 MICHAEL HYDE: And if it's appropriate, we can  
14 always have discussions with the Board on setting a  
15 height for flagpole exemptions.

16 UNIDENTIFIED SPEAKER: Or the number of  
17 flagpoles.

18 MICHAEL HYDE: Or the number of flagpoles.  
19 That's a -- I mean these are good conversations. If we  
20 think it's appropriate and necessary --

21 PATRICK SULLIVAN: I think if you get over 40 or  
22 50 --

23 UNIDENTIFIED SPEAKER: [Unintelligible.]

24 UNIDENTIFIED SPEAKER: 40 or 50?

25 UNIDENTIFIED SPEAKER: Right.

1           MICHAEL HYDE: And this is residential, so...

2           PATRICK SULLIVAN: Right.

3           MICHAEL HYDE: But number of, that's a good  
4 comment. I mean it's something to consider. If  
5 anybody thinks of anything or sets a cap or a number,  
6 please send it to me, and we can have open discussions  
7 on it.

8                         Going to the next section in the IRC draft  
9 amendment will be on page 4, subsection (1), which is  
10 section R-314.2.2, smoke alarm requirements for  
11 alterations, repairs, and additions.

12                         So I know at the last Board meeting we had  
13 a few conversations about what do we do if there's  
14 electric work done? What could we do if there's  
15 mechanic work or plumbing work done?

16                         In mechanical, in the IDAPA rule chapter  
17 governing HVAC installations, the HVAC Board has took  
18 action when it comes to not necessarily smoke  
19 detectors, but CO detectors. And they've added an  
20 additional amendment to enforce this -- the next  
21 section, I'm sorry, of requiring CO detectors for any  
22 furnace change-outs or any gas appliance change-outs.

23                         However, we haven't done so on the  
24 Electrical Board or the Plumbing Board for any water  
25 heater change-outs that are gas or any type of

1 electrical wiring that's done in an older home that  
2 doesn't -- maybe not have smoke detectors. So trying  
3 to look at this from a perspective of is this  
4 appropriate for the Building Code Board to enforce for  
5 those installations if there may or may not be a  
6 building permit issued for the scope of work for  
7 electrical, plumbing, or mechanical? Because that was  
8 a big thing that was discussed at our last meeting when  
9 it applies to electrical permits, plumbing permits, or  
10 mechanical systems.

11 So I open it up for discussion. And I'll  
12 just go ahead and throw in the next subsection 315.2.2,  
13 which is verbatim, but applies to CO detectors.

14 Are there any comments, suggestions,  
15 feedback, recommendations on how we should proceed?

16 Mr. Sullivan.

17 PATRICK SULLIVAN: Mr. Hyde, I think the only  
18 thing we really were doing here is adding electrical  
19 permits. I think everything else was covered. You  
20 know, we really don't want to regulate if somebody just  
21 adds a circuit to their house, have them -- well, now  
22 you got to put in smoke alarms and CO2 -- I mean CO  
23 detectors.

24 JASON BLAIS: And remember, it's all related to  
25 exterior work too.

1           PATRICK SULLIVAN: Right, it's all related to  
2 exterior.

3           MICHAEL HYDE: Okay.

4           JASON BLAIS: This is Jason Blais.

5                   My comment is if you're saying -- I guess  
6 if you're saying plumbing, mechanical, and electrical  
7 are you going to regulate their sections, maybe No. 2  
8 just delete it. All we worry about is building  
9 permits. Exterior building permits not requiring it.

10           MICHAEL HYDE: So, Mr. Blais -- and I'm going to  
11 follow back up with you, Mr. Sullivan -- so you're  
12 suggesting delete item 2.

13           PATRICK SULLIVAN: I'm suggesting that we add  
14 electrical permits to item 2.

15           MICHAEL HYDE: Okay.

16           PATRICK SULLIVAN: And then that would pretty  
17 much do it. I mean we're just -- we'd envisioned if  
18 you're -- once you're inside the house, I think that's  
19 when it would trigger, hey, I'm -- I'm reconfiguring  
20 for a new master suite or --

21           MICHAEL HYDE: Okay.

22           PATRICK SULLIVAN: -- something. Now that's a  
23 trigger and now you need CO and smoke.

24           MICHAEL HYDE: Interior work versus exterior  
25 work?

1 PATRICK SULLIVAN: Exterior work, yeah.

2 MICHAEL HYDE: That's a -- that's a --

3 PATRICK SULLIVAN: Yeah.

4 MICHAEL HYDE: I think that's a direction that  
5 we can go, and just maybe tweak the language for more  
6 clarity.

7 PATRICK SULLIVAN: Yeah.

8 JASON BLAIS: Yeah. I mean that's what it says  
9 when you read item 1, it's work involving exterior of  
10 the dwelling.

11 PATRICK SULLIVAN: Is exempt.

12 JASON BLAIS: If we're going to keep the trades,  
13 plumbing and mechanical are specifically referenced.  
14 What's missing is electrical, and that's why it was  
15 amended.

16 If you don't want to keep the trades, then  
17 you only need item 1. You don't need item 2 is what  
18 I'm saying.

19 MICHAEL HYDE: Okay. I don't want to imply that  
20 I don't want to keep the trades. I -- plumbing hasn't  
21 added any ruled amendments, but it's definitely  
22 something we can discuss with the Plumbing Board for  
23 gas-fired appliances, plumbing appliances; right? That  
24 could be a toilet. That could be a water heater.  
25 Those are the only ones I can think of off the top of

1 my head at this time that would indicate that we need a  
2 CO detector in the house to be consistent with this IRC  
3 Code, our Mechanical Code, and it's something we can  
4 consider is it appropriate for this chapter, I guess.

5 JASON BLAIS: Right.

6 PATRICK SULLIVAN: At the end of the day, we  
7 just need something so we can create a policy around  
8 it; right? So as a building official, and we're  
9 looking at all the permits that we send out, we don't  
10 want our inspectors to go out and they're doing, you  
11 know -- you're putting on -- or you're doing an  
12 electrical permit at this point, and they're saying  
13 "You know what? You've got to have all hard-wired  
14 smoke detectors and a combo here and a combo there."

15 You know, we want to be able to have -- be  
16 able to yes, it is exempted, so that everybody can read  
17 it and in plain language, and I think we don't really  
18 care where it is.

19 MICHAEL HYDE: Okay. So the entire -- the  
20 intent is we just want to capture work that would not  
21 trigger a CO detector or a smoke detector.

22 PATRICK SULLIVAN: Right. A correction -- a  
23 field correction and say, you know, "Hey, this wasn't  
24 envisioned. You pulled a counter permit. You're  
25 putting in a hot tub, now you've got to" --



1 UNIDENTIFIED SPEAKER: Yeah.

2 MICHAEL HYDE: Install some smoke detectors and  
3 CO alarms?

4 PATRICK SULLIVAN: Yeah.

5 MICHAEL HYDE: Yes, sir.

6 BRETT CAULDER: Mr. Hyde, Brett Caulder, City of  
7 Meridian.

8 I'm very curious because my experience in  
9 this topic as triggers to enhance smoke detectors,  
10 those devices prior to an event happening, they could  
11 jeopardize occupants and the building.

12 Has the fire marshal or anybody weighed in  
13 on that? I'm just very curious, because my past  
14 experience in other states is they're usually the  
15 driver so that jurisdictions have a nice trigger to say  
16 "You're re-roofing the house, re-shingling, it's a  
17 trigger," because it's driven by the state fire  
18 marshal.

19 Now, that's supposed to be based off of  
20 events. Have we lost life and property and so on?  
21 Because I think that's what we should drive and be a  
22 part of is by documentation of events, not just to  
23 change codes, put triggers in to do other things, but  
24 have that baseline.

25 So I'm just used to seeing some weigh in

1 from fire, so I'm just curious if they have weighed in  
2 at all?

3 MICHAEL HYDE: At this time the state fire  
4 marshal hasn't. I know -- I don't want to speak on  
5 their behalf, but a lot of their focus is commercial.  
6 They don't delve into residential at that level --

7 BRETT CAULDER: That's fair.

8 MICHAEL HYDE: -- or from their jurisdiction.  
9 This is definitely something -- a reason why we have a  
10 fire official on our Building Code Board to, you know,  
11 give us their opinion and their stance from their  
12 respective body on any of those events.

13 I'm sure -- we haven't prepared any data or  
14 conducted any studies or did any specific research  
15 relevant to CO detectors and smoke detectors. And I  
16 don't -- I don't necessarily feel like we are  
17 eliminating that life-safety aspect by this proposal.  
18 Those are still required. They're still required in  
19 code.

20 I think what we're looking at is just  
21 providing an exemption. That exemption has existed pre  
22 this draft proposal. But it's a valid point and a  
23 valid comment that we -- we can look at and we can have  
24 discussions. I don't know how long it would take to  
25 extract that data.

1           But if you're aware of any that you've seen  
2 or you have any reports on such, if you could, forward  
3 it over, send me an e-mail or a link, and we can -- we  
4 can throw it out there for discussion topics.

5           BRETT CAULDER: Okay.

6           MICHAEL HYDE: And if we need to work with the  
7 Board to outline what are those triggers, I mean I -- I  
8 think that's better suited for every department's  
9 policy based on how they want to enforce it. I mean  
10 because this sets the framework, in my opinion, on when  
11 they're required. The Code's pretty good at that.  
12 It's the exception, when they're not required, is what  
13 I see this doing, but...

14          BRETT CAULDER: Well, thank you for that  
15 comment, Mr. Hyde. Because like they weigh heavily in  
16 on sprinklers.

17          MICHAEL HYDE: Uh-huh.

18          BRETT CAULDER: That's -- there's a nexus there.  
19 And like I said, I just want to be sure we're checking  
20 all the boxes and doing our due diligence.

21          MICHAEL HYDE: I appreciate that.

22          BRETT CAULDER: Thank you for your comment.

23          MICHAEL HYDE: Thank you.

24                   Any other comments on CO detectors or smoke  
25 detectors?

1                   Yes, sir.

2                   JOE LEVITCH: Joe Levitch. I'm a remodeling  
3 contractor. I'm here on behalf of National Association  
4 of the Remodeling Industry.

5                   And I have another type of detector that I  
6 think should be considered. It's a heat-rise detector  
7 for garages. And I don't know if this is the proper  
8 place to discuss it, but certainly another type of  
9 detector in light of all of the garage fires that we  
10 have that turn into house fires that when a substantial  
11 remodeling project is completed that that could be a  
12 sensor that could save lives and property.

13                  MICHAEL HYDE: Thank you. I appreciate the  
14 comment. I appreciate you being here and representing  
15 that industry. It's good -- it's good to have that  
16 industry present and a voice.

17                  I may defer to some of the other building  
18 officials and building inspectors in the room.

19                  Is there any type of detector out there  
20 that lives in Code similar to this heat-rise detector  
21 that's required, or have you heard about it coming in  
22 the '21 or the '24?

23                  No? I'll have to do some further research  
24 so see if it's coming, if it's in the future codes  
25 maybe. But if it is a life-safety aspect, that's what

1 we're here to discuss. So it is the appropriate  
2 setting.

3 UNIDENTIFIED SPEAKER: Thank you.

4 JOE LEVITCH: You're welcome.

5 MICHAEL HYDE: Any other discussions relevant to  
6 smoke detectors or CO detectors.

7 PATRICK SULLIVAN: Mr. Hyde.

8 MICHAEL HYDE: Yes, sir.

9 PATRICK SULLIVAN: So what's the direction? Or  
10 we're going to perhaps just add electrical to item  
11 No. 2 in both of the exemption for both smoke detectors  
12 and CO detectors? Because that would -- that would be  
13 consistent with the intent of the original rule.

14 MICHAEL HYDE: I believe so. I believe that's  
15 something what we can do. I -- we need to discuss  
16 whether or not it's -- so what you're saying is you  
17 want the electrical permits to be exempt from such  
18 requirements?

19 PATRICK SULLIVAN: Right. Insulation, exemption  
20 No. 2 on both --

21 MICHAEL HYDE: Uh-huh.

22 PATRICK SULLIVAN: -- [unintelligible], or  
23 installation, alteration, or repairs of plumbing or  
24 mechanical systems.

25 And what we had -- what we had attempted to

1 do on these -- on the original two rules is to add the  
2 electrical scopes. So if you pulled a simple  
3 electrical permit --

4 UNIDENTIFIED SPEAKER: It's above in 1. It's in  
5 there already in 1.

6 PATRICK SULLIVAN: Is it?

7 UNIDENTIFIED SPEAKER: Yeah.

8 UNIDENTIFIED SPEAKER: This says, "addition of  
9 porch or deck or electrical permits."

10 UNIDENTIFIED SPEAKER: See at the end of 1.

11 PATRICK SULLIVAN: Oh, got you.

12 UNIDENTIFIED SPEAKER: On the amendment, not in  
13 the Code.

14 PATRICK SULLIVAN: Oh, on the amendment, it's  
15 already there.

16 MICHAEL HYDE: It's already there. So if I --  
17 what we need to consider here is if you look at -- if  
18 we were to keep the language of item No. 2, the -- the  
19 mechanical systems, which we are saying are exempt from  
20 this requirement, is not necessarily true because of  
21 the HVAC IDAPA rule does require it.

22 It's just this -- I understand why we put  
23 it in the Building Code is because we're looking at it  
24 from -- we're not going to enforce it. But the way it  
25 reads is like it's not enforced. And it -- you know,

1 there's that contradiction here. And, you know, in  
2 some instances of Code we say we're going to regulate  
3 it and define it, like throw in the term "electrical"  
4 in the above section.

5 Well, if the Electrical Board amended the  
6 NEC and added smoke detectors for additions, this would  
7 contradict the electrical statute or rules. So we  
8 either got to pick what side of these rules are we  
9 going to live on. Are we just going to write it  
10 governing Building and the Building Codes, or are we  
11 going to blend the two?

12 And it seems like we may have an  
13 inconsistency here on how we've written these  
14 amendments. And I understand why. It's for clarity  
15 and consistency. But we do need to -- we need to fall  
16 one way or the other on these amendments.

17 So looking at this section particular, I  
18 think we need to continue the conversation on what  
19 direction we need to go. We look at this as an  
20 exception; right? We are trying to exempt these two  
21 detectors from any exterior work. And maybe we rewrite  
22 it as such specifically. And then we leave the trades  
23 outside of the language and let the trade boards adopt  
24 and amend as necessary, that's -- that's the direction  
25 I was going with this proposal.

1 PATRICK SULLIVAN: Okay.

2 MICHAEL HYDE: And that's why it's still --  
3 that's why it's struck out, but not lose what we wanted  
4 to exempt from a building perspective.

5 I appreciate the follow-up, because I was  
6 going a couple different directions there.

7 UNIDENTIFIED SPEAKER: So -- so for clarity on  
8 this, we're -- we're having the exemption under the IRC  
9 from a building perspective for exterior, but we're  
10 giving -- I shouldn't say we're giving. Each of the  
11 other Boards that govern, the HVAC, plumbing,  
12 electrical, insulations, have the ability, if they  
13 wanted to, to govern that and update either the Uniform  
14 Plumbing Code, the NEC, or the International  
15 [unintelligible]?

16 MICHAEL HYDE: Correct.

17 JASON BLAIS: And, Mr. Hyde, Jason Blais.

18 I think with your amendment, if you're  
19 heading that way, though, you need to delete No. 2.

20 MICHAEL HYDE: Correct.

21 JASON BLAIS: Because otherwise it's going to be  
22 as printed in the Code.

23 MICHAEL HYDE: And the way the Code reads, let's  
24 take a look really quick.

25 UNIDENTIFIED SPEAKER: Is it hard to hear



1 [unintelligible].

2 TIM FROST: Is it hard to hear us or hard to  
3 hear --

4 UNIDENTIFIED SPEAKER: Yeah, it's everybody.  
5 The audio in the room, the sound dynamics, everything's  
6 muffled.

7 UNIDENTIFIED SPEAKER: Because it has No. 1,  
8 No. 2; right?

9 MICHAEL HYDE: It does. And you're right, it  
10 would refer directly back what the Code reads. I --  
11 I'm going to share --

12 UNIDENTIFIED SPEAKER: Testing.

13 UNIDENTIFIED SPEAKER: Yeah, it works.

14 MICHAEL HYDE: 315.2.2. So I'm going to pull up  
15 the code section relevant to CO detectors and share my  
16 screen, so that way we can take a look at what the  
17 proposal would do as written deferring it back to the  
18 2018 IRC. And looking at it here, "where alterations,  
19 repairs, or additions requiring a permit occur, the  
20 individual dwelling unit shall be equipped with CO  
21 alarms located as required for new dwellings. The  
22 exemptions: Work involving exterior surfaces of  
23 dwellings, such as replacement of roofing, siding, or  
24 the addition or replacement of windows or doors or the  
25 addition of a porch or a deck, installation,

1 alteration, or repairs of plumbing and mechanical  
2 systems."

3 So it looks like a lot of it is redundant  
4 to our amendment, except for electrical permits solely.

5 UNIDENTIFIED SPEAKER: And I think that was the  
6 point was why is electrical left out? If you're going  
7 to list the other trades, then let's add electrical.

8 MICHAEL HYDE: Uh-huh.

9 UNIDENTIFIED SPEAKER: But if you're saying  
10 let's not include the trades, then you just need to  
11 delete No. 3, check the amendment.

12 MICHAEL HYDE: I -- you know, based on the  
13 exception in the IRC, exception No. 1, could we just  
14 delete both of these amendments?

15 UNIDENTIFIED SPEAKER: No. I think we need 1,  
16 we need exception one, because that's --

17 PATRICK SULLIVAN: We could delete both  
18 amendments, I think, if we add -- if we actually -- not  
19 delete. We could modify the amendment language to take  
20 everything out except adding the electrical back in if  
21 that's the desire. If we want to take out No. 2 in its  
22 entirety, then the amendment would read "delete  
23 exception No. 2."

24 UNIDENTIFIED SPEAKER: Right.

25 MICHAEL HYDE: Does that help a little bit? I'm

1 trying to keep it on my screen.

2 And that's where I'm trying -- I'm trying  
3 to -- I think this is a good conversation, because  
4 in -- if you ask me, item 1 covers the language that we  
5 have; right?

6 UNIDENTIFIED SPEAKER: That's an exterior  
7 building permit item.

8 MICHAEL HYDE: Correct.

9 UNIDENTIFIED SPEAKER: [Unintelligible]  
10 exception one.

11 MICHAEL HYDE: Bear with me for a minute. Thank  
12 you.

13 PATRICK SULLIVAN: Mr. Hyde, actually -- this is  
14 Patrick Sullivan.

15 No. 2 is sufficiently vague to open the  
16 door to very large like a retrofit of an entire HVAC  
17 system --

18 MICHAEL HYDE: Yeah.

19 PATRICK SULLIVAN: -- where the unintended  
20 consequence would be if you -- if that house did not  
21 have CO or smoke detectors they would get away with  
22 not -- that scope of work would get away with not  
23 having to provide those. And a project of that scope  
24 probably should have the updated. So --

25 MICHAEL HYDE: You're 100 percent correct.

1           PATRICK SULLIVAN: So I think that -- I mean  
2 after looking at this, it seems to me that we -- we  
3 would have to have the Mechanical, Electrical, and  
4 Plumbing Boards weigh in and have some type of  
5 exception for very minor repairs or we would want to  
6 modify this to -- you know, to be just alterations or  
7 minor repairs or something. So because installation  
8 is, you know --

9           MICHAEL HYDE: Yeah, you're 100 percent correct.

10          PATRICK SULLIVAN: -- shoot the moon, if  
11 anything; right? So that's the -- the more I look at,  
12 the more I -- I don't really care for that exception  
13 anyway.

14          MICHAEL HYDE: I don't either. And, you know, I  
15 don't want to go down the historical road, and I don't  
16 want to get too deep into this conversation, but, you  
17 know, exception No. 2 as it applies to plumbing and  
18 mechanical, you know, those -- I know for mechanical  
19 systems that's a direct contradiction to our HVAC IDAPA  
20 statutes.

21                   And -- but I also know that the HVAC Board  
22 hasn't adopted Part 3 or even Chapter 3 of the IRC, so  
23 there for it's not applicable. But if you're looking  
24 at it from a department standpoint, from a building  
25 umbrella, and, you know, you enforce the entirety -- I

1 mean it's -- it's into your -- each department's  
2 conversation of how do you enforce Chapter 3 from a  
3 legal perspective; right?

4           So I don't want to tell you that from your  
5 perspective. But from our perspective I would see not  
6 needing to amend No. 2, even though I 100 percent agree  
7 with you, just because of how HVAC is adopted and what  
8 codes are regulated on HVAC or mechanical systems.

9           And our IDAPA rule trumps not only the  
10 codes that we've adopted, but also codes that haven't  
11 been adopted by said HVAC Board. So to their eyes and  
12 their perspective it's like we don't need to know what  
13 Chapter 3 says as it relates to mechanical systems  
14 because it doesn't apply. But I mean this is good  
15 conversation.

16           PATRICK SULLIVAN: Administratively it still  
17 applies, so we need to call the ball on how we're going  
18 to go.

19           MICHAEL HYDE: May I ask how you think it  
20 applies? Like what makes you think it applies? We  
21 haven't adopted this chapter. The HVAC Board hasn't  
22 adopted Chapter 3 or Part 3 of the IRC. Only Parts 5  
23 and 6. So all mechanical installations and enforcement  
24 of such fall under Part 5 and Part 6 of the IRC, not  
25 Part 3.

1                   And maybe that's why they're silent on  
2 such. I don't know. I -- but that's where I'm -- I'm  
3 just trying to think, how do we write this amendment?  
4 But I think this is a good conversation.

5                   PATRICK SULLIVAN: I think unless you strike the  
6 whole thing it -- we are bound to --

7                   UNIDENTIFIED SPEAKER: No, we need No. 1.

8                   PATRICK SULLIVAN: We need No. 1.

9                   UNIDENTIFIED SPEAKER: We do.

10                  UNIDENTIFIED SPEAKER: For building.

11                  PATRICK SULLIVAN: For building.

12                  UNIDENTIFIED SPEAKER: And --

13                  MICHAEL HYDE: I believe -- No. 1 as written  
14 here or written in [unintelligible]?

15                  UNIDENTIFIED SPEAKER: Written there.

16                  UNIDENTIFIED SPEAKER: Written there.

17                  MICHAEL HYDE: And so essentially we can just  
18 stick to what the Code says and we don't need the  
19 amendment; right?

20                  UNIDENTIFIED SPEAKER: Well, are you striking  
21 No. 2, or not?

22                  MICHAEL HYDE: I don't think we need to because  
23 I don't think it's applicable.

24                  UNIDENTIFIED SPEAKER: So when somebody pulls  
25 the individual [unintelligible] --

1 UNIDENTIFIED SPEAKER: Then it's just back to  
2 the electrical.

3 PATRICK SULLIVAN: Then it's back to the  
4 electrical of pulling a simple circuit, and then --

5 MICHAEL HYDE: But if you want to add an  
6 amendment for that scope of work, should it be done  
7 under this rule chapter or the electrical rule chapter?  
8 Can you enforce this section of the Building Code to an  
9 electrical installation?

10 UNIDENTIFIED SPEAKER: Yeah.

11 MICHAEL HYDE: And I think that's where you may  
12 want to talk to a legal [unintelligible].

13 UNIDENTIFIED SPEAKER: [Unintelligible.]

14 PATRICK SULLIVAN: Well, NEC doesn't address an  
15 exemption for this.

16 MICHAEL HYDE: Understood.

17 UNIDENTIFIED SPEAKER: That's why the amendment  
18 was added, because plumbing and mechanical was there  
19 [unintelligible] and electrical.

20 MICHAEL HYDE: Understood.

21 UNIDENTIFIED SPEAKER: That's why it was added.

22 MICHAEL HYDE: Understood.

23 UNIDENTIFIED SPEAKER: And the only reason  
24 plumbing and mechanical is there is because ICC does  
25 not have an electrical code. Just saying.

1           MICHAEL HYDE: They left one part of the family  
2 out.

3           PATRICK SULLIVAN: Right.

4           MICHAEL HYDE: I think this is a good  
5 conversation. If we -- if it's the recommendation to  
6 move forward with an electrical exemption or circuit  
7 breaker work and installations, I mean -- yes, sir.

8           JOE LEVITCH: I have a question. Joe Levitch.

9                   Are these like battery-operated or plug-in  
10 devices just like a -- or are they hard-wired? Because  
11 if it's not -- if it's just a --

12           MICHAEL HYDE: Let me zoom out.

13           JOE LEVITCH: -- component that needs to be  
14 given to a client, that may be enough.

15           UNIDENTIFIED SPEAKER: Could be either.

16           MICHAEL HYDE: You would think.

17           PATRICK SULLIVAN: It's either.

18           MICHAEL HYDE: We have gotten -- we received a  
19 lot of -- and this goes back to the enforcement of  
20 such, you know, consistency. Some jurisdictions allow  
21 for one; other jurisdictions allow for another. But  
22 when it comes to the smoke detectors, I believe the new  
23 2018 requires it to be hard-wired.

24           PATRICK SULLIVAN: Unless it's listed and then  
25 it can be --



1           MICHAEL HYDE:   And labeled.

2           PATRICK SULLIVAN:  -- interconnected without  
3 hard-wire.

4           UNIDENTIFIED SPEAKER:  Radio frequency.

5           PATRICK SULLIVAN:  Radio frequency.

6           UNIDENTIFIED SPEAKER:  And remember the point of  
7 that electrical in No. 1 --

8           MICHAEL HYDE:  Uh-huh.

9           UNIDENTIFIED SPEAKER:  -- is it was saying  
10 exterior electrical work.

11          MICHAEL HYDE:  Exterior.

12          UNIDENTIFIED SPEAKER:  Hmm.

13          UNIDENTIFIED SPEAKER:  Yeah.

14          MICHAEL HYDE:  Let me pull up the IDAPA  
15 amendment really quick.

16                        "Exterior surfaces of dwellings, including  
17 electrical permits."

18                        Not to give anybody homework assignments,  
19 but I mean I think this is a good opportunity for us to  
20 hear from local jurisdictions and those local building  
21 departments to say, you know, what has been your legal  
22 guidance when it comes to the enforcement of this code  
23 section on electrical installation under your  
24 ordinances and how it's been adopted?

25          TIM FROST:  For clarity, legal guidance is

1 attorney-client privilege.

2 MICHAEL HYDE: You're right. My bad.

3 TIM FROST: But perhaps -- perhaps just general  
4 approach.

5 MICHAEL HYDE: Thank you, Tim.

6 Your building official interpretation,  
7 however you did it, just to get some guidance on what  
8 we should do. And if we need to write it with  
9 electrical permits as part of the exemption or should  
10 it be included based on interior versus exterior. So  
11 I'll continue to take feedback and comments on that.

12 TIM FROST: Sam.

13 SAM ZAHORKA: Sam Zahorka, former building  
14 official for the City of Meridian, current building  
15 program manager for DOPL.

16 Just to add a comment, typically in a  
17 jurisdiction when electrical permit is pull only,  
18 there's no enforcement of the carbon monoxide and smoke  
19 detector upgrade. It typically comes when there's a  
20 building permit.

21 MICHAEL HYDE: Okay. I'll go back to the  
22 drawing board on this one, see if I can take another  
23 crack at it.

24 If you have any language that you would  
25 like to see, I can throw it into the next draft and we

1 can have a discussion on it.

2 Joe.

3 JOE BARLOW: Joe Barlow, City of Meridian.

4 It was mentioned the verbiage of minor  
5 repair. I would be careful, with that because it's  
6 very interpretive. Your idea of what's minor repair  
7 and my idea could be far different. I think that opens  
8 the door for -- for too vague of verbiage when you're  
9 talking code enforcement.

10 MICHAEL HYDE: Thank you. I appreciate that  
11 comment.

12 Okay. I have stopped sharing. Thank you.

13 Okay. The next draft proposal, we're going  
14 back to R-322.2.1 in subparagraph (2.1) for what were  
15 subsections (o) and (p) as it relates to flood hazard  
16 areas and elevation requirements.

17 Here again, like we discussed earlier,  
18 trying to stay consistent with the National Flood  
19 Insurance Programs, sticking with what the code says,  
20 rather than adding any additional amendments and  
21 allowing the local jurisdictions planning and zoning  
22 departments to work closely and in accordance to the  
23 national -- national requirements and/or adopted  
24 standards.

25 And with that, I'll -- I'll look for any

1 comments or suggestions.

2 Mr. Blais.

3 JASON BLAIS: Mr. Hyde, Jason Blais.

4 My only question is what about the section  
5 above where it says "delete section R-322.1.10,  
6 as-built elevation documentation."

7 MICHAEL HYDE: Uh-huh.

8 JASON BLAIS: That's a flood hazard section 2.

9 MICHAEL HYDE: So I didn't know if it was  
10 directly in violation of having, you know, that be  
11 deleted if it conflicted in any way. I left it as is  
12 in hoping for, you know, open comment. Anybody that  
13 may know more. And if this does contradict, I mean its  
14 something I can look into.

15 JASON BLAIS: I think it says requires an  
16 engineer in that section, if I remember right.

17 MICHAEL HYDE: Does it? I will pull it up.

18 UNIDENTIFIED SPEAKER: It's a surveyor engineer  
19 typically that provides the as-built elevation  
20 documentation.

21 JASON BLAIS: Yeah.

22 UNIDENTIFIED SPEAKER: The -- again, it -- if  
23 you're deleting that requirement, it's -- we're getting  
24 that conflict again between --

25 JASON BLAIS: Right.

1 UNIDENTIFIED SPEAKER: -- National Flood  
2 Insurance Program requirements that the City or the  
3 County has agreed to adopt and uphold.

4 MICHAEL HYDE: Okay.

5 UNIDENTIFIED SPEAKER: And so I think that  
6 deleting that section is not so wise.

7 MICHAEL HYDE: Okay.

8 UNIDENTIFIED SPEAKER: Mr. Hyde.

9 UNIDENTIFIED SPEAKER: So for clarity, you know,  
10 in both the -- I guess subsection (o), which is  
11 R-322.2.1, and then previously R-104.10.1, both of  
12 those scenarios, we essentially deleted it from the  
13 Code in our rule chapter. We're taking it out of our  
14 rule chapter to now defer to the Code, and that puts us  
15 in alignment.

16 But for subsection (n), which is  
17 R-322.1.10, the National Floodplain Insurance Program  
18 is inconsistent with the Code, and so therefore we need  
19 to keep this deletion for that one. So what we're  
20 talking about is in our rule chapter, it's on page 4,  
21 subsection (n), we have it unstruck. The as-built  
22 elevation documentation, we don't have that struck  
23 right now.

24 So I think the question is do we need to  
25 strike it to be consistent with the National Flood --

1 Floodplain Insurance. So we struck the other two for  
2 consistency.

3 Do we need to strike this one, or do we  
4 need --

5 UNIDENTIFIED SPEAKER: And go back to what's  
6 written in the IRC?

7 UNIDENTIFIED SPEAKER: Correct.

8 UNIDENTIFIED SPEAKER: Correct. Yes, please.

9 UNIDENTIFIED SPEAKER: Okay.

10 UNIDENTIFIED SPEAKER: Keep the IRC as written.

11 UNIDENTIFIED SPEAKER: Okay. So I think that  
12 would be the answer. Okay.

13 MICHAEL HYDE: And that is the Code language  
14 there.

15 Sorry, we're bouncing in between what's  
16 struck and not struck in the draft.

17 PATRICK SULLIVAN: That is all I was going to  
18 say, we need to keep IDAPA.

19 BRETT CAULDER: Mr. Frost and Mr. Hyde, this is  
20 Brett Caulder.

21 What always triggers for me, and it's just  
22 housekeeping and checking the box, is it's so tied to  
23 federal funding because coastal, as Maureen would  
24 probably attest to, there are changes in maps. It's  
25 very slow, very rare. And there's amendments to maps.

1           If a particular developer or occupant wants  
2 to develop property and it hasn't been defined well,  
3 sometimes there's amendments to those and it's a  
4 process. But I think it's very important because of  
5 federal funding, even though we don't have a lot of  
6 like coastal areas or things of that nature, just if we  
7 can check that box in like legal, in my -- I guess I  
8 kind of get cursed with just being over-cautious when  
9 it's tied to federal and what the expectation is of the  
10 public is what I'm getting at. So I just wanted to  
11 make that comment, just for good housekeeping.

12           MICHAEL HYDE: Thank you.

13           Okay. Any additional comment?

14           No hands online?

15           Okay. Next section will be towards the  
16 bottom, and it is our last -- page 5, sorry. It's our  
17 last amendment to the Residential Code. It's R-602.10,  
18 applying to wall bracing.

19           Again, what we did is is we tried to  
20 simplify the amendment to keep what was new or what was  
21 different in the 2018 IRC where we add the words "or  
22 the most current addition of APA system report SR-102  
23 as an alternate -- alternate method in addition to  
24 what's already stated in Code."

25           Are there any comments or suggestions or

1 feedback here?

2 Nothing online? No.

3 Okay. Well, at this time that concludes  
4 those sections of the draft proposal, specifically in  
5 relation to the IBC and the IRC.

6 What we're looking to do is we will  
7 recess --

8 UNIDENTIFIED SPEAKER: Can I ask a question?

9 MICHAEL HYDE: Yes.

10 TIM FROST: I'd like to open it up, since we're  
11 here to talk through, I think it's -- it's not -- it's  
12 related to the IBC, IRC, and so I think I'm appropriate  
13 in asking this.

14 I got one right here. You're good.

15 We're -- we're trying to navigate as we go  
16 through ZBR, you know, the first question that is asked  
17 is what is our statutory authority to promulgate the  
18 rule. And that's the basis for Administrative  
19 Procedures Act for any type of rule making in Idaho.

20 And I think one of the things we're  
21 continuing to navigate in related to all of our  
22 building and trade boards is code adoption, code  
23 enforcement, pulling of a permit, inspection of permit,  
24 and where does that fall within each of those lines.

25 And one of the things we talked about



1 earlier with the CO and smoke detectors is I think  
2 almost -- it flirts with that line of if electrical  
3 isn't discussed, how do we address electrical when it's  
4 not discussed and it's not incorporated into the NEC  
5 and the Building Code Board doesn't have the authority  
6 to adopt the NEC, the Electrical Board does, and the  
7 Electrical Board has the enforcement over electrical  
8 permits and electrical installations. And so I don't  
9 know if anybody has any ideas on this. I'm just more  
10 curious.

11 Are there things that building programs  
12 have -- or local jurisdictions have talked about for us  
13 to make changes, probably on a statutory level, for us  
14 to start to get towards some consistency on adoption,  
15 permit authority, inspection authority to start  
16 cleaning some of these nuances up?

17 And if I don't have any comments, that's  
18 fine. I just think it falls within what we're talking  
19 about of the IBC and IRC when it does or doesn't cross  
20 into the HVAC world or does or doesn't cross into the  
21 electrical world.

22 PATRICK SULLIVAN: Mr. Frost, Patrick Sullivan,  
23 City of Nampa.

24 Running a -- running a building department  
25 and then adopting by ordinance all of the State-adopted

1 codes, it's really a blend, because we look at  
2 buildings wholistically if they're new or an addition  
3 or an interior remodel that includes, you know, major  
4 revisions.

5           And so all of -- all of the -- all of the  
6 codes overlap in some way. You know, there's -- you  
7 know, there's certain blocking you need for electrical,  
8 plumbing, and mechanical fixtures that's in the  
9 Building Code.

10           So I mean unless we're going to try and  
11 have the people that write the code interrelate the  
12 codes better or fill in the gaps, the role of the  
13 building official is to fill in those gaps. There's  
14 always been gaps between the different disciplines of  
15 code, and you just need to use common sense on -- you  
16 know, especially like the smoke detector and a CO  
17 detector in the IRC.

18           I mean if I had my druthers, we wouldn't  
19 have the IRC. We'd just have the IBC, one big code,  
20 and residential would just be nested in that, rather  
21 than have it -- because there's a lot of  
22 inconsistencies between those codes, because one was  
23 pulled out.

24           I don't know if it's necessary to get down  
25 in the weeds on some -- on some of these issues, on

1 especially -- you know, yes, if it's a hard-wire smoke  
2 detector or CO detector, it is an electrical device.  
3 However, it also is a life-safety aspect, it's also in  
4 the Fire Code, and it's also in the Building Code under  
5 alarms, under Chapter 9, and then it's also under the  
6 NFPA documents for alarms that are referenced in the  
7 International Fire Code.

8           So that said, when we adopt everything, we  
9 adopt it part and parcel, and then we sort out a  
10 regimen on how we do plan review and how we issue  
11 permits, and then we send out the  
12 appropriately-certified inspectors to inspect those  
13 portions of work.

14           At the end of the day when we do a building  
15 final, we're -- when we do a building final, we're  
16 making sure that the entire building, including all  
17 life-safety aspects of building, mechanical,  
18 electrical, plumbing, and fire are completed.

19           So we go from being very specific on our  
20 inspections to looking at a building wholistically. So  
21 in answer -- that's a long answer to your question.  
22 But I think that we need to -- we -- I think getting in  
23 the weeds and trying to fine-tune things too much is  
24 going to cause confusion as well.

25           So if we're going to go that route, we

1 probably need to really pull all the boards together,  
2 look at the overlaps, and figure out how each board  
3 needs to, you know, address those overlaps, or we need  
4 one master board that just adopts the whole thing,  
5 whole ball of wax, with people from the individual  
6 boards where those boards become more committees to get  
7 in the fine details, but then it's all adopted as one,  
8 big Idaho code.

9           TIM FROST: I appreciate the comment. And this  
10 could be a follow-up to your follow-up to anybody.

11           As you're looking at that wholistically  
12 from a program, you are piecing together each of the  
13 adopted codes, each of the specific authorities that  
14 are granted under each of those boards for permits and  
15 inspections.

16           I guess my question is, are you having --  
17 is there difficulties in wholistically doing this with  
18 the separation? Is there a different way to go about  
19 it when we're talking about either codes versus permits  
20 versus inspections that our division should be  
21 considering? And again, I want to make sure I stay  
22 within the framework of what our negotiated meeting is  
23 with IBC and IRC.

24           But I think this is -- the CO smoke  
25 scenario is bringing up that exact thing. If you are

1 looking at the building wholistically and you're trying  
2 to look at the life-safety aspects of that, and is  
3 there a different way that we can go about it or that  
4 you have ideas? And if you don't, that's fine.

5 PATRICK SULLIVAN: I think it works pretty well  
6 right now. I -- like I said, if you -- if we want to  
7 get in the weeds and address all these, it's a lot of  
8 busy work. It's a lot of committee work. And I don't  
9 know if there would be any benefit, because the people  
10 that adopt these and put them in force and building  
11 departments, we are professionals, and we're  
12 well-versed in the code, and we may -- and hopefully  
13 we're making common sense balance decisions, rather  
14 than just reading where we're actually meeting the  
15 intent of the code, rather than meeting what we think  
16 it might say.

17 TIM FROST: Thank you.

18 TERRY AUTENS: I have a comment.

19 TIM FROST: Yeah, Terry.

20 TERRY AUTENS: Terry Autens, Building Safety  
21 Professionals of Southwest Idaho.

22 I just want to give a little history,  
23 because I go back so far, you know, when Phil Batt was  
24 governor. I understand the -- the need for ZBR and  
25 trying to eliminate words in the code and make it more

1 succinct. But back when Phil Batt was governor, he --  
2 he had the opposite point of view. He basically said  
3 the codes need to be readable and they need to be  
4 understandable by the layperson so that when someone  
5 wants to build a building or even a new contractor  
6 wants to build a building they pick up the code and it  
7 tells them everything they need to know so that they  
8 don't go far afield from what the codes require, which  
9 is what we've been trying to do for the last 30 years,  
10 and that is make the codes talk to each other.

11 That's why you see in the codes, in my  
12 opinion, so many references to other codes, even  
13 though -- and repeats, you know, so that the layperson  
14 or the new contractor can pick it up and say, Oh, I  
15 need to go look at this other section, rather than  
16 depend -- take away that language and depend that they  
17 know in their head that, Oh, I need to go look at the  
18 Mechanical Code or the -- or the Electrical Code.

19 So I just want to warn against taking out  
20 so many words that the codes become unreadable and, has  
21 been mentioned, contradictory. We have to balance ZBR  
22 with what our public needs to know about building a  
23 building in Idaho.

24 TIM FROST: Thank you, Terry.

25 JOHANNA BELL: Hey, Tim, can I ask a question.

1           TIM FROST: Uh-huh.

2           JOHANNA BELL: Learning curve here question.

3                        So the -- as DOPL performs the inspection  
4 and plan review services for the government buildings  
5 and schools, could you provide just an over -- like  
6 high-level overhead about how DOPL does what Patrick  
7 was just talking about in terms of the local  
8 governments needs to take the -- you know, basically  
9 piece together the code in a manner that's -- you know,  
10 that's able to, you know, run smoothly within the  
11 programs and in terms of divvying up the  
12 responsibilities and the work and making sure that the  
13 buildings -- the different types of projects are  
14 inspected. But on the DOPL side could you provide some  
15 kind of an overview about how that is handled.

16           MICHAEL HYDE: So from our perspective -- and I  
17 was following what you were saying about filling in the  
18 gaps of what a building official does or doesn't do. I  
19 mean a building official, in my opinion, is -- they --  
20 they -- they're the oversight and the accountability  
21 mechanism on policies that are set, how codes are  
22 enforced for all the trades and under the programs that  
23 they report to.

24                        What DOPL does is we do something very  
25 similar, where we have -- we have program managers of

1 each and every trade following suit with inspectors and  
2 plans examiners for every trade where they enforce the  
3 codes that have been adopted by the respective boards,  
4 and amended accordingly.

5           So when there's -- when -- whether it's a  
6 plan review or inspection, if there's any type of  
7 contradiction, the code that's adopted by the Board is  
8 what we move forward with and progress. And we  
9 communicate that accordingly with -- with each other.

10           When I say "each other," plumbing talks to  
11 electrical, electrical talks to HVAC, and vice versa  
12 throughout the building phase of the process. And what  
13 we like to do is we like to focus on that  
14 communication. And we communicate that to all of our  
15 permit holders.

16           So for instance in a state government,  
17 let's say a school, where we're talking the Energy  
18 Code, the Energy Code when we go out and there's a  
19 discrepancy between what's required versus what's  
20 enforced and what's adopted by the respective boards,  
21 we communicate not only with the GC, but also the  
22 subcontractor to say "Hey, by the way, this may be an  
23 Energy Code." Do we hold up the job? No, just because  
24 of our interpretation and how we enforce it. But that  
25 communication is there.



1           So we notify them of "Hey, this code  
2 exists. I can't write you up. It's not our direction  
3 to write you up, based on our policy and protocols."

4           But we are communicating what is required  
5 by code. And it's simply just through communication.

6           But outside of that, I don't -- I don't  
7 know exactly what in addition you may have been  
8 alluding to in order to answer your question on how we  
9 implement our codes and inspections and fill in what  
10 gaps. I don't know necessarily what gaps Mr. Sullivan  
11 was talking about when he says "that's what they're  
12 there to do."

13           So what -- I guess what are you looking for  
14 from us outside of that?

15           JOHANNA BELL: It was just that -- that was very  
16 helpful.

17           MICHAEL HYDE: Okay.

18           JOHANNA BELL: In fact, to the -- you know,  
19 because it sounds like because of your authority's not  
20 being inclusive of a structural code like energy, it  
21 sounds like they're -- you know, like have you ever  
22 thought that there might be an insufficient suite of  
23 tools that you have at the site?

24           MICHAEL HYDE: No. No. I feel like if we're  
25 sending an inspector out on the job, the tools they

1 need is their experience in the trade, their experience  
2 in the field, and their experience with codes. And  
3 their tool is their code book and IDAPA amendments. So  
4 I don't feel like they're insufficient in any way  
5 lacking tools.

6 If they were, I wouldn't have them out  
7 there doing -- or conducting any inspection or plan  
8 review.

9 JOHANNA BELL: All I'm trying to do as a  
10 layperson --

11 MICHAEL HYDE: Yeah.

12 JOHANNA BELL: -- is get a sense of how the  
13 local government's building departments are working  
14 with the codes and implementing them and how DOPL is  
15 working with the codes and implementing them --

16 MICHAEL HYDE: Uh-huh.

17 JOHANNA BELL: -- and where the differences are.  
18 That's all.

19 MICHAEL HYDE: Gotcha.

20 JOHANNA BELL: That's why I asked the question  
21 is because I was hearing --

22 MICHAEL HYDE: Yeah.

23 JOHANNA BELL: -- the local government's side  
24 about how the local governments are utilizing some of  
25 the inconsistencies and discrepancies and conflicts in

1 the code and resolving those --

2 MICHAEL HYDE: Gotcha.

3 JOHANNA BELL: -- within their departments --  
4 within their programs.

5 MICHAEL HYDE: Understand.

6 JOHANNA BELL: I'm just curious how DOPL does  
7 that.

8 MICHAEL HYDE: We always defer back to what's  
9 adopted by statute, what's been amended by the Board.  
10 And that's what we enforce within each respective  
11 program for said installation to said permit holder.

12 JOHANNA BELL: Uh-huh.

13 MICHAEL HYDE: Whether that's building, to  
14 plumbing, to mechanical, to electrical.

15 TIM FROST: Johanna, I don't know if this is  
16 anecdotal or not, but I think the -- if there's a  
17 deference, the difference lies of we have a pretty --  
18 pretty large electrical program or pretty large  
19 plumbing program, HVAC program, if you were to compare  
20 it to a specific local jurisdiction, and I think in  
21 doing so, we -- we probably have clear lines of  
22 separation of pulling of the permit and what type of  
23 installation falls under -- whether it falls under  
24 electrical versus building or falls under HVAC versus  
25 building and whether or not a permit is to be pulled

1 within those separate lines.

2 I -- I can't say whether or not how local  
3 jurisdictions utilize that, whether they go all through  
4 building or they separate it out as well. And there  
5 might be a mix.

6 MICHAEL HYDE: I've heard of such. I've heard  
7 there's a mix. Some jurisdictions do it differently.  
8 They pull one permit.

9 TIM FROST: And that might be -- that might just  
10 be a factor of employees, like sheer number of  
11 individuals and -- and how large the program is. And I  
12 think we have -- I think we have a lot more inspectors,  
13 and I think we have specific program managers over each  
14 one of those. As a result, there's probably a little  
15 more clarity in the separation between electrical and  
16 plumbing and HVAC versus energy, IRC, IBC, IECC, all  
17 the -- all of the above -- IEBC is what I meant.

18 Yes, sir.

19 MATT VANDERMEER: Matt Vandermeer, Momentum.

20 And what you were talking about, Johanna,  
21 it's -- from me doing a testing of a home, it's --  
22 mechanical is part of one thing, the builder is part of  
23 the other. And there's lack of knowledge of what the  
24 builder needs. And the builder doesn't -- always  
25 thinks it's mechanical, and it's just a lack of

1 education there of who needs to know what.

2           And so that's where I see the biggest issue  
3 is, because it's always last-minute things of like  
4 "Hey, we need this done." That person has no part of  
5 that task or whatever. So there's miscommunication  
6 there of where --

7           JOHANNA BELL: So a sidenote issue?

8           MATT VANDERMEER: Right.

9           JOHANNA BELL: Yeah. Okay. Right. And that's  
10 some of -- I know that our local governments, you know,  
11 struggle with that too.

12           MATT VANDERMEER: Yeah. And they're all new --

13           JOHANNA BELL: But they try to come up  
14 [unintelligible] --

15           MATT VANDERMEER: -- and energy is kind of  
16 separate, so...

17           JOHANNA BELL: Uh-huh.

18           MATT VANDERMEER: That's what -- that's the hard  
19 part of it.

20           TIM FROST: And, Johanna, I think your question,  
21 it's little bit what I'm trying to gather of my  
22 previous question of like are we having issues on a  
23 local level of that separation or piecing all that  
24 together from an adoption enforcement of what's  
25 adopted, who's enforcing, what code are we following,

1 things like that.

2           And is there a different -- is there a  
3 different way, just as a state, the right thing for the  
4 state of Idaho that we need to make adjustments that  
5 works for both our division as well as local  
6 jurisdiction? An answer might be don't change a thing.  
7 I just -- I wanted to open that up. And perhaps  
8 something to think about.

9           SUSAN CLEVERLEY: Mr. Frost, Susan Cleverley  
10 with the Idaho Office of Emergency Management. We  
11 often see retrofit projects come across our desk, and  
12 just wondered -- I've heard a lot about new  
13 construction. But what about historical buildings? As  
14 you're looking at this, is there any perspective that  
15 maybe needs to be taken as far as retrofitting,  
16 especially for historical?

17           MICHAEL HYDE: I think -- I appreciate the  
18 question, because it is -- it is something that defers  
19 back to interpretation, in my opinion -- and I'm open  
20 to any other opinion here -- when it comes to how ICC  
21 has written certain sections applicable to alterations,  
22 additions, and modifications to retrofits or historical  
23 buildings. And then we have the existing Building Code  
24 that really helps in a lot of those areas as well.

25           So ICC, in my opinion, has done a decent --

1 a good job on how we as building officials and building  
2 inspectors can look at some of these older homes. But  
3 I do think there is an aspect of interpretation that  
4 comes into play that depending on what jurisdiction  
5 we're -- we're enforcing that section or those  
6 appropriate sections of code, the interpretation may be  
7 slightly different because there is a little room for  
8 interpretation, the way that ICC -- but they've  
9 developed the framework, at least, in my opinion. And  
10 those codes are adopted.

11 So I don't think there's anything there.  
12 There hasn't been anything amended in the existing  
13 Building Code that I've seen in IDAPA rules for quite  
14 some time or in Chapters 1, the administrative chapters  
15 of the IBC or IEC to amend historical buildings or  
16 retrofit applications.

17 So in my opinion, it seems to cover it  
18 fairly well, and the enforcement of such. I know  
19 inspectors -- it came up in a comment where we have to  
20 use -- I think Mr. Sullivan said it, where we have to  
21 apply some practical sense on new codes or current  
22 codes on older installations and how far we go.

23 But the ICC does a fairly well job, in my  
24 opinion, on delineating those two types of  
25 installations or projects, if you will.

1           So -- and that may be why we don't have a  
2 lot of discussion specifically in relation to. But if  
3 you know of any concerns or complaints specifically for  
4 those projects that you hear, we're -- we're all ears,  
5 if there's an amendment that needs to be made.

6           You're welcome.

7           JASON BLAIS: Mr. Hyde, Jason Blais.

8           Yeah, the existing Building Code is a  
9 really important code, and a lot of people don't  
10 understand it, because there's like three approaches in  
11 that code of how you get there.

12          MICHAEL HYDE: Yeah.

13          JASON BLAIS: And they all can be different.

14          MICHAEL HYDE: Yeah.

15          JASON BLAIS: So it's one of those areas where  
16 people can really need to [unintelligible] historic and  
17 [unintelligible] where you have extra exceptions in  
18 that code.

19          MICHAEL HYDE: Agreed.

20          JASON BLAIS: But you're right, I'm surprised we  
21 don't have any amendments on it.

22          MICHAEL HYDE: Yes. And I mean that may prove  
23 your point even more so, because we don't have any  
24 amendments. So but it's something we're open to.

25                 Any additional topics related to questions



1 related to IBC, IRC, IBEC?

2                   Okay. With that, what we'll do is we'll go  
3 ahead and recess until 1:00, where we will pick up the  
4 Energy Code draft amendments and those discussions.

5                   Thank you. Thank you. See you all back at  
6 1:00.

7                   (End of audio file.)

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Audio Transcription

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REPORTER'S CERTIFICATE

I, JEFF LaMAR, CSR No. 640, Certified Shorthand Reporter, certify:

That the audio recording of the proceedings was transcribed by me or under my direction.

That the foregoing is a true and correct transcription of all testimony given, to the best of my ability.

I further certify that I am not a relative or employee of any attorney or party, nor am I financially interested in the action.

IN WITNESS WHEREOF, I set my hand and seal this 12th day of August, 2022.



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JEFF LaMAR, CSR NO. 640  
Notary Public  
Post Office Box 2636  
Boise, Idaho 83701-2636

My commission expires December 30, 2023

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|--|---|--|--|
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