

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BUILDING CODE ADVISORY COMMITTEE

+ + + + +

MEETING

+ + + + +

WEDNESDAY,

JULY 18, 2007

+ + + + +

The meeting convened in Room 220 South,
441 4th Street, N. W., Washington, D.C., 20001,
pursuant to notice at 10:00 a.m., Jerrily
Kress, Chair, presiding.

Reporter: Katherine Sykora

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BUILDING CODE ADVISORY COMMITTEE MEMBERS
PRESENT:

JERRILY KRESS Chair
MARC FETTERMAN Vice Chair
SARA BARDIN Secretary
DENNIS ADEBISI ANIBABA Member
CHARLES BERGEN Member
DENVERT BONEY Member
LESTER CLEMONS Member
DAVE CONOVER Member
WILLIAM DAVIDSON Member
CARTER DAVIS Member
GERALD DAVIS Member
LANCE DAVIS Member
LENNOX DOUGLAS Member
DONALD GALLOWAY Member
TIMOTHY KARIKARI Member
ARTHUR LEABMAN Member
PATRICK LEIBACH Member
SYDNEY LESTER Member
ARMANDO LOURENCO Member
SAMANTHA MCASKILL Member
ROBERT MCDANIEL Member
GAIL MONTPLAISIR Member
MICHAEL NEGUSSIE Member
MOHSIN SIDDIQUE Member
NORMAN KEFAUVER SMITH Member
JOAN STOGIS Member
JOHN STOVALL Member
ALAN JOHN THOMPSON Member
JAMES UPSHAW Member
SCOTT VANDAME Member
RONNIE LOUIS WORRELL Member
GREGORY ZAHN Member

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P-R-O-C-E-E-D-I-N-G-S

10:20 a.m.

1
2
3 VICE CHAIR FETTERMAN: Good morning
4 everybody. I apologize for the late start,
5 but I wanted to make sure we got a corium,
6 which we certainly have now.

7 I'm Marc Fetterman, the Vice Chair
8 of the Building Code Advisory Committee and
9 we're calling our July 18, 2007 meeting to
10 order.

11 Over at the door is a sign-up list,
12 which I hope everyone has checked their name,
13 and in addition, an agenda, which we'll
14 explain what we hope to accomplish today in
15 our meeting.

16 For opening and administrative
17 matters, the only comment I have in response
18 to many people's question is that those around
19 me at the table are continuing to work with
20 Boards and Commissions on getting us appointed
21 -- either re-appointed or appointed for the
22 first time as members, and I realize this has

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1 been dragging on for an interminable length of
2 time. But we have every hope that there will
3 be solutions to this issue very shortly.

4 Do you have any other
5 administrative matters, and if anyone else in
6 the audience does have an administrative
7 issue, I'd open it up to them, or we can
8 proceed directly into amendment voting. Yes,
9 Charles, with a microphone, please, and as
10 many of you know, a Court Reporter is standing
11 by and we need to identify each of us by name,
12 after you turn it on.

13 MR. BERGEN: My name is Charles
14 Bergen. I'm the architect and I'm in charge
15 of the Sustainable Design Sub-Committee.
16 We're meeting next week, the 25th at 9:30 a.m.
17 in the large room across the hall and we're
18 going to meet from 9:30 a.m. until just before
19 11:00 a.m., and obviously, you're all welcome.
20 Thanks.

21 VICE CHAIR FETTERMAN: Thank you,
22 Charles. Every sub-committee will get a

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1 chance to make a report. With that and seeing
2 no other hands raised, I know we have a couple
3 of distinguished elevator experts in the room
4 who are here to guide us through several
5 amendments to the existing building code, and
6 I'm wondering before that, I don't see Frank
7 Becker and I don't see Mohammed Ali.

8 We have two electrical amendments,
9 which were introduced in May and they've been
10 unable to come to our meetings. So, we will
11 continue to hold these amendments until
12 someone from Electrical can appear and discuss
13 their amendments with us.

14 If I could ask Energy Sub-Committee
15 to present their amendment at this time, and
16 you're welcome -- thank you, Michael.

17 MR. NEGUSSIE: Okay, Mike Negussie
18 from Energy Sub-Committee. We have -- we're
19 asking that the adoption take place. It's a
20 proposal for Chapter One to remain, not as is,
21 but there are some section in Chapter One that
22 are technical in nature. So, we want those

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1 sections to stay in tact and delete the rest
2 of the sections.

3 So, I would like to propose the
4 adoption of EC-1.

5 VICE CHAIR FETTERMAN: Thank you.
6 Do I have a second to Michael's motion?

7 MR. MCDANIEL: Second.

8 VICE CHAIR FETTERMAN: Thank you.
9 Can you help me? I'm terrible with names and
10 I'm having a senior moment.

11 MR. MCDANIEL: Robert McDaniel.

12 VICE CHAIR FETTERMAN: Thank you,
13 Robert. It's been moved and seconded. Are
14 there -- is there any discussion on EC-1 and
15 thank you. Everyone who is a member has a
16 yellow card to hold up, so that everyone in
17 the room can see who are members and who are
18 not. Any discussion on EC-1?

19 (No verbal response)

20 VICE CHAIR FETTERMAN: Thank you.
21 Seeing none, I will call the question. All
22 those in favor, please raise your yellow card.

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1 Thank you. All opposed? I see
2 none. Any abstentions? I see none. The
3 motion carries. Thank you, Michael.

4 MR. NEGUSSIE: Thank you.

5 VICE CHAIR FETTERMAN: And Michael
6 has mentioned that he believes this may be the
7 only Energy amendment to the codes for this
8 code cycle.

9 MR. NEGUSSIE: Yes, it is.

10 VICE CHAIR FETTERMAN: Thank you
11 very much, Michael. If I could ask Joan to
12 come forward and present existing structures
13 amendments.

14 MS. STOGIS: This is Joan Stogis.
15 I'm the Chair of the Existing Structures
16 Committee. You'll see on your agenda, a long
17 list of amendments. What I would like to do is
18 to move toward the bottom of the list, to the
19 four amendments that are for proposed Chapter
20 16, and take those up first, since this deals
21 with existing elevators and we have members of
22 the Elevator Sub-Committee, I'm sure you'll be

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1 hearing from with some of your questions. Tim
2 Eason, Steve Weaver, James Upshaw are all here
3 to answer any questions.

4 This is a proposed new chapter to
5 the existing building code -- 16 just goes,
6 that's the end, where it is, and it is
7 basically -- pretty much parallel to
8 provisions which the BCAC approved in 2005,
9 but which never were put into effect.

10 It recognizes that in older
11 existing elevators there are a number of
12 potential safety problems, which need
13 correction and that this is something which is
14 a problem, which is intrinsic to the elevator
15 and therefore, is a retroactive chapter in the
16 sense that they are not tied to a threshold of
17 doing a certain amount of general alteration
18 work in the building.

19 We have made -- put this into four
20 amendments. The first amendment, EX-16-1,
21 sets the scoping and the administrative
22 procedures and deals with a number of the

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1 smaller issues, small, not because they're
2 unimportant, but because they carry lower
3 price tags, and in our discussion two years
4 ago, there was less -- there seemed to be less
5 need for individual discussion.

6 We've then taken three of the
7 technical requirements, which are larger ones,
8 and put each one in a separate amendment, in
9 the hopes that this will facilitate an orderly
10 discussion.

11 To go through then 16-1, the first
12 part of it, the general part, defines that --
13 defines the scope and brings into retroactive
14 elevator requirements, the deferred compliance
15 plan, which has been used in the city for some
16 years, with regards to requiring sprinklering
17 of existing buildings, which is to say that an
18 owner who feels the requirement of this
19 chapter are an un-do hardship, can do to DCRA
20 and request deferred compliance or some
21 alternative way of complying with the intent
22 of the sections.

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1 As has been for other issues in the
2 DC Code, this deferred compliance plan, if
3 granted, becomes -- it is a covenant, so that
4 it runs with the land and building and would
5 not be affected by a change in building
6 ownership.

7 We continue on the second page into
8 some definitions. These were necessary and
9 came out of a lot of questions in discussion
10 two years ago, because there are some terms
11 that are used in the elevator industry and in
12 the elevator codes, which have different
13 meanings for elevators than they do in the
14 rest of the construction area.

15 On page three, EX-16-02.1.4, the
16 minimum requirement, you'll notice the .1 is
17 underlined. That, I believe, was intended to
18 be in two years ago and somehow got dropped in
19 the final tabulation.

20 The next part goes on to -- because
21 there are really three types of elevators,
22 define which requirements apply to which type

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1 of elevator, automatic elevators, manual or
2 attended operated elevators, and that means
3 it's a full-time attended operated elevator,
4 and freight elevators are the third.

5 Then go through the list of -- as I
6 say, I think of them as the smaller
7 requirements that are not small, because they
8 can cause serious accidents, but they're
9 smaller than the others.

10 You have swing opening, hoistway
11 doors, where if the -- frequently, these were
12 originally attended operated elevators, which
13 have been modified to be automatic and there's
14 too big a gap, there's a large gap between the
15 hoistway door and the elevator platform, which
16 can cause falls.

17 Prevention of door openings between
18 floors -- I'll skip the hydraulic elevator
19 plungers. That's a separate one. Disabling
20 of a door, reopening device, secondary
21 hoistway door retainers, audible alarm bells,
22 skip the car top inspection stations, that's

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1 separate, doors to elevator machine rooms and
2 spaces. This is my idea of the simplest one.

3 They should be self-closing and self-locking
4 -- self-closing and locking.

5 Illumination of elevator machine
6 rooms, two-way communications and here, I
7 would like to add -- make a small revision to
8 this. At the moment it reads, "Existing
9 elevators shall be provided with a means to
10 two-way communication between the car and a
11 readily accessible point outside the hoistway,
12 which is available to emergency personnel,"
13 and would like to add the phrase, "at all
14 times."

15 In both the Elevator Sub-Committee
16 and Existing Structures, when we've discussed
17 this, we've all made the assumption that
18 somebody -- if you're trapped in an elevator
19 and picked up the phone, you should be able to
20 reach outside the elevator, whether it's --
21 24/7.

22 We've all assumed it was, and when

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1 we looked just earlier today at the phrasing,
2 we realized we didn't really say that. So,
3 we'd like to insert that phrase 'at all times'
4 after emergency personnel.

5 Then the last requirement here,
6 again, the emergency operation, we'll talk
7 about separately, 16-03, existing escalators,
8 this was passed by BCAC back in 2005. You
9 will not find it in the final copy that --
10 with the DCRA review comments. Somewhere in
11 pulling the pieces together, it got lost,
12 which is regrettable -- which is why I've
13 underlined it, because if you're comparing
14 this against the DCRA review comments, you
15 won't find it there, but it was intended to be
16 there.

17 If you've had a chance to read your
18 copy, you'll see, we've given the
19 justification explanation for each of these
20 items and why they're important. Also, an
21 estimated cost, although the -- my friends in
22 the Elevator Sub-Committee, every time I ask

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1 them about cost, remind me that every elevator
2 is a different situation. So, these should
3 simply be considered maybe a guideline to the
4 relative cost of different items.

5 I'd like to move the adoption of
6 EX-16-1.

7 VICE CHAIR FETTERMAN: Thank you.

8 MS. STOGIS: With that one phrase
9 added, `at all times'.

10 VICE CHAIR FETTERMAN: Thank you.
11 Do I have a second? Charles, you can't --
12 yes. Thank you. John Devlin. Discussion on
13 EX-16-1?

14 MR. LEABMAN: Art Leabman, I have
15 one very minor editorial change. It's clear
16 in the introductory section 16-02.2, which
17 ones apply to automatic elevators and
18 manually, and then some of the ones that
19 follows specifically say existing automatic
20 elevators.

21 But in 16-02.2.2, which is intended
22 to only -- for automatic elevators, the word

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1 `automatic' was left out.

2 So, I think for consistency, it
3 would be good to add that in.

4 MS. STOGIS: We certainly could,
5 however, when you go to this list in 16-02.2,
6 that sub-paragraph does not appear on the
7 list.

8 MR. LEABMAN: No, I know that.

9 MS. STOGIS: So, I think it's clear
10 there that --

11 MR. LEABMAN: But the fact that 16-
12 02.2.4, for example, says `automatic'. The
13 fact that some of them do specifically -- even
14 though the introduction section specifies
15 which ones are which, the fact that some of
16 the ones that follow include automatic and one
17 that is intended only for manual does not,
18 might lead to some confusion.

19 MS. STOGIS: I'd be quite willing to
20 accept that amendment. In the text of 16-
21 02.2.2, first sentence, `existing', insert
22 `automatic'.

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1 MR. LEABMAN: Right.

2 UNIDENTIFIED SPEAKER: Before
3 elevators?

4 MS. STOGIS: Before elevators.

5 VICE CHAIR FETTERMAN: Thank you.
6 Yes, Scott?

7 MR. VANDAME: Yes, Scott Vandame. I
8 have just a comment on that 'at all times'
9 that you were adding to section EX-16-02-210.

10 If this two-way communications is intended
11 actually as an emergency telephone, if they're
12 trapped in the elevator, I'm wondering if the
13 wording should be different.

14 Instead of saying 'available to
15 emergency personnel at all times', which a
16 phone in the fire command center would be
17 available for them, if this is intended to be
18 a constantly attended location, which the Code
19 uses a lot of times. If it's going to be --

20 MS. STOGIS: But that's a better
21 phrase?

22 MR. VANDAME: If it's a phrase that

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1 you're meaning, it's going to a location where
2 somebody is there at all times, as opposed to
3 being available for somebody.

4 MS. STOGIS: You're absolutely
5 correct. The idea is, it's a 24/7 and 24/7
6 didn't sound like Code language. Maybe it is
7 by now.

8 MR. VANDAME: So, the Code uses
9 `constantly attended locations'.

10 MS. STOGIS: Okay. Now, let's see
11 how we would insert that.

12 VICE CHAIR FETTERMAN: But before I
13 got to Gail, if I could use a Chairman's
14 prerogative for just a second. Two-way
15 communications in modern elevators is required
16 in all elevators and in a -- for example, in a
17 low-rise building, there is no fire command
18 center.

19 So, if you're trapped in the
20 elevator, at least the ones I'm familiar with,
21 and you push the button, you're talking with
22 someone outside the building and this infers

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1 that you have to -- that it might be someone
2 in the building.

3 MS. STOGIS: Yes, which it might be
4 something like a hotel, that has a front desk,
5 which is attended 24 hours a day.

6 VICE CHAIR FETTERMAN: But this is
7 going beyond the current building codes for
8 new construction.

9 MS. STOGIS: No, the idea is that
10 somebody, somewhere should be able to pick up
11 that phone. If you're the only person in your
12 office building on Saturday, you shouldn't
13 have to wait until Monday to get in touch with
14 the world.

15 VICE CHAIR FETTERMAN: I'm sorry,
16 Gail.

17 MS. MONTPLAISIR: That's okay, Gail
18 Montplaisir. That makes sense, however, some
19 elevators are equipped with a telephone. You
20 can actually pick up the telephone and you can
21 dial out. So, they don't automatically go to
22 a command control center.

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1 So, it's --

2 VICE CHAIR FETTERMAN: But that
3 doesn't meet the elevator code. I've just
4 been through this with DC.

5 MS. MONTPLAISIR: Well, this is --

6 MS. STOGIS: I see some shaking
7 their heads.

8 MS. MONTPLAISIR: Well, that
9 surprises me, since I know of some that have
10 just been inspected and were just approved
11 that way. So, I don't --

12 VICE CHAIR FETTERMAN: My comment
13 doesn't change.

14 MS. MONTPLAISIR: Well, it would be
15 interesting to do a little more investigation
16 on it then, simply because I know that we're
17 talking about top-notch elevator companies and
18 inspectors and so on, that have just approved
19 this. So, I don't know. I don't have the in-
20 depth knowledge.

21 VICE CHAIR FETTERMAN: Thank you.
22 But how do we make the -- people who are Code

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1 experts, how do we make this, so that it works
2 in a low-rise building as well and isn't
3 interpreted by the city as having to have a
4 telephone or a way to talk to someone in the
5 building, who is in the building, but not in
6 the elevator?

7 MS. STOGIS: Okay, I'm just
8 wondering, it sounds like we need -- I'm not
9 hearing any disagreement on the goal, but I'm
10 not sure if we have the perfect wording, and I
11 don't want to take all morning on it.

12 Is there a way in which we can pull
13 out this one sub-paragraph and bring it back?

14 VICE CHAIR FETTERMAN: The
15 monitoring center off-site is considered a
16 constantly attended location.

17 MS. STOGIS: Yes.

18 VICE CHAIR FETTERMAN: This doesn't
19 necessarily mean that it has to be in the
20 building. So, I don't know if you're concern
21 is whether buildings that have somebody in the
22 facility can perform this function, or if your

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1 concern is that it's requiring small buildings
2 to have somebody on site, because it --

3 MR. VANDAME: No, my concern is,
4 it's requiring small buildings to be able to
5 have a handset outside of the elevator cabin.
6 That goes beyond the new building codes.

7 MS. STOGIS: Yes.

8 VICE CHAIR FETTERMAN: Yes, because
9 the monitoring center is a constantly attended
10 location.

11 MR. VANDAME: Right.

12 VICE CHAIR FETTERMAN: It's just
13 off-site.

14 MR. VANDAME: Yes.

15 VICE CHAIR FETTERMAN: So, there's
16 nothing on here, I don't think, that it says
17 it needs to be an on-site.

18 MS. STOGIS: Well, Scott, have you
19 got a quick fix in the wording? If not, I'd
20 like -- we probably ought to move on pull this
21 sub-paragraph.

22 MR. VANDAME: Thank you. This was

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1 Scott Vandame speaking. Armando, thank you.

2 MR. LOURENCO: Armando Lourenco. I
3 think your question has not been answered. It
4 appears to me that if you word it the way
5 you're saying, having 'at all times', you're
6 exceeding for existing elevators, the
7 requirement that exists for new elevators.

8 MS. STOGIS: And that is not the --

9 MR. LOURENCO: That our buildings,
10 that have elevators, don't have a system of
11 having constantly attended location, that
12 takes the call.

13 What is here, in the previous text,
14 it says, "The fire department is on the
15 premises, can pick up a phone and talk to
16 someone inside the elevator." That's what was
17 in the amendment.

18 When you put 'at all times', I
19 don't understand, and because even worse, if
20 we do what Scott Vandame says, then we're
21 raising the bar on the requirement on smaller
22 buildings, the way we don't do for new

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1 buildings. I don't understand that.

2 MS. STOGIS: As the major of the
3 motion, I would like to delete this sub-
4 paragraph, with the full intention of re-
5 introducing it with some new phrasing, at the
6 next meeting, because I just don't want to get
7 -- I see the issues.

8 The intent is not to do more than
9 would be required for new elevator
10 installation and since Scott is on the
11 Existing Structures Committee, with him and
12 with the Elevator Committee -- but I saw a
13 couple of hands over here from Steve and Tim.

14 Could someone pass up the microphone?

15 MR. WEAVER: My name Steve Weaver,
16 part of the Elevator Sub-Committee, and the
17 purpose of the telephones, it meets the same
18 standard for low-rise elevators, as it does
19 for high-rise elevators, and you guys -- it
20 sounds that you're mixing in firemen phones
21 with phones that are designed to be in every
22 elevator, because we don't have fire phones in

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1 low-rise elevators.

2 But every new elevator has a phone,
3 with means of calling out to a 24 hour
4 designated service somewhere, where they can
5 be reached in case of emergency, and the
6 procedures are, they need to be able to
7 identify the address, identify the location,
8 identify what elevator and have a means of
9 calling back, if hung up.

10 That's the intention and the
11 purpose of the ruling that Ms. Joan is
12 speaking of, so that all elevators would have
13 that capability of being -- have a means of
14 communicating outside in case of an emergency,
15 and being able to be called back, and on the
16 elevators that have the phones, wherever they
17 are, they don't meet the standard codes
18 because they have no way of addressing and
19 identifying the location where the call is
20 coming from.

21 Therefore, that creates an unsafe
22 condition. Thank you.

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1 MS. STOGIS: Thank you, Steve. I'm
2 not a parliamentarian, but I think as the
3 major of the motion, if I withdraw and delete
4 -- temporarily delete it this paragraph, for
5 some rephrasing, we probably could move on to
6 other discussions.

7 VICE CHAIR FETTERMAN: Thank you.
8 Any other discussion?

9 MS. KRESS: Yes. I would like to
10 bring up the base issue of retroactive and
11 what -- the conversations I have had with the
12 -- some of the top folk at DCRA.

13 They were not looking to be passing
14 retroactive legislation, and while that didn't
15 formally come back, what is our response to
16 why there is nothing that triggers this and
17 that this is retroactive? What answer are we
18 giving back when we forward this back to DCRA,
19 with the justification of why we are making
20 retroactive provisions, rather than ones that
21 are triggered by inspections or other normal
22 situations?

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1 MS. STOGIS: I believe, and I'm
2 going to pass it on to colleagues from the
3 Elevator Committee after this, but I think
4 there is a pretty wide spread consensus around
5 the country that their older elevators have a
6 number of safety issues, which need to be
7 addressed without -- before you wait for the
8 accident to happen.

9 I spent a little time web-surfing
10 this Spring and was able, from I think about
11 27 states, to get some of their technical
12 requirements and they are addressing these.

13 Also, A-17.1 --

14 CHAIR KRESS: I'm sorry, 27 states
15 are addressing this?

16 MS. STOGIS: Addressing this -- no,
17 not each and every one of them, but the big
18 ones.

19 I would also point out, if we
20 didn't -- if we made no changes to the fire
21 code, we would be requiring all elevators
22 traveling more than 25 feet to have emergency

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1 services, and that is -- in the fire code, as
2 I understand it, as a retroactive requirement.

3 John? It just says 'all'.

4 The other thing is that the
5 elevator code writing people have put into A-
6 17.1, which is the new elevator code, which is
7 the code that probably is -- almost every
8 state around the country is using in one form
9 or another. They have put the hydraulic
10 plunger issue for existing elevators into
11 that, and I can only -- I can't read their
12 minds, but it seems they felt that was so
13 important, they wanted to make sure that it
14 got on the books in every jurisdiction they
15 could.

16 The same in A-17.1 is the escalator
17 skirt index issue, again, because there have
18 been problems and I think certainly, the
19 members of the Elevator Committee and the
20 Existing Structures Committee, as we work with
21 them, felt that this group of issues were
22 serious enough that they needed to be

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1 corrected in a city with a population of older
2 elevators.

3 The -- again, the biggest issues
4 are the ones that are separate amendments, but
5 I think you can take this to general
6 discussion. The hydraulic plunger affects
7 only elevators installed before the early
8 1970's and in the case of emergency services,
9 we are writing it to -- and other states have
10 done this too, grandfather in emergency
11 services that conform with the 1987 elevator
12 code, and it's feeling is that that's when the
13 basics of the emergency services were put into
14 place.

15 What's been done since then, are
16 improvements, bells and whistles and so forth,
17 but if you -- if you late 1980's elevator
18 complied with the 1987 rule, that that should
19 be considered acceptable.

20 Tim or Steve or James?

21 VICE CHAIR FETTERMAN: I guess also,
22 to complement Jerrily's point. I know James

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1 is in the back of the room and is a DCRA
2 person and -- do you have any guidance that we
3 shouldn't be going here or should be going
4 here?

5 MR. UPSHAW: Hello, James Upshaw,
6 DCRA, Chief Elevator Inspector. Yes, I work
7 real close with the Sub-Committee and like
8 Joan was saying, all of these issues are
9 consistent across the country.

10 The plunger issue with the
11 hydraulic elevators, we had a number of
12 accidents across the country, that -- you've
13 got hydraulic oil leaking into the environment
14 and then eventually, the elevator will come
15 down, if it loses enough oil.

16 VICE CHAIR FETTERMAN: We haven't
17 even gotten to this amendment yet.

18 MR. UPSHAW: All right. So, what's
19 your question?

20 MS. KRESS: I'm in the big place.

21 MS. STOGIS: No, and I think this is
22 relevant to the big discussion, because these

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1 are the --

2 CHAIR KRESS: Yes, the big
3 discussion is is that, the word I received
4 from DCRA was they didn't really want
5 retroactive provisions, period, and if we're
6 going to come with some, we really need to
7 have them documented. That's why I'm trying
8 to take notes.

9 We certainly have some major green
10 issues we've got to start dealing with because
11 of the new legislation. But to be coming
12 forward with a lot of retroactive provisions -
13 - and elevator happens to be one, not the only
14 one, but to be coming forward with a lot of
15 retroactive provisions at the same time as
16 we're coming through with a lot of costly
17 things, relating to green and sustainability,
18 we have got to have some answers with this,
19 because I've been specifically asked to look
20 at those issues.

21 And so, as we do and as we propose
22 things -- and that's why -- and everyone has

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1 done a terrific job of trying to get some
2 dollar amounts on some of these things, which
3 I know because on existing elevator and what
4 it costs, it can vary from -- in huge amounts.

5 But have you heard anything that
6 I'm hearing, that they're wanting kick-ins,
7 like, if you do X, Y, Z, then you have to do
8 these things, rather than retroactive that
9 everybody in the city has to go look and right
10 now, as soon as we pass this Code, do these
11 things. Are you hearing anything like that?

12 MR. UPSHAW: Well, it's not --
13 first, it's not as soon as we pass these
14 things, you do these things. They all come
15 with time frames that will allow you to do
16 them and put them in your budget. There is
17 not nothing that's got to be done tomorrow.

18 CHAIR KRESS: Okay, how about -- and
19 that's being done, like we did the sprinklers?

20 You're expecting that everybody who has these
21 requirements would be coming to you and giving
22 it to you in a time frame of when they're

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1 going to be doing these?

2 MS. STOGIS: Could I jump in here,
3 Jerrily? It's Joan Stogis. Our general time
4 frame is three years and what we said is,
5 let's suppose this Code goes into effect
6 January 1, 2008. Some time within the next
7 year, every elevator will be inspected and so,
8 an owner will get an inspection report saying
9 this, this and this.

10 CHAIR KRESS: Okay, I'm sorry, who
11 is responsible for having the elevator --
12 every elevator inspected?

13 MS. STOGIS: That's city --

14 MR. UPSHAW: That's the owner's
15 responsibility, to have that --

16 CHAIR KRESS: That's the owner's,
17 so, they have to know enough to call, to get
18 their elevator inspected.

19 MS. STOGIS: Let me also point out
20 that as part of the property maintain code --
21 and we've crossed referenced it in the
22 existing buildings code, there is a procedure

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1 for frequency of tests and inspections
2 required of all existing elevators.

3 This is new. We drafted it as a
4 local amendment two years ago. We didn't need
5 to do it, because ICC has picked it up.

6 So, there is a pretty -- there is a
7 clear requirement. Let me say, all of this
8 with elevators, I think, needs a good
9 education campaign, assuming it passes.

10 CHAIR KRESS: I'm not disagreeing.

11 MS. STOGIS: This was the problem
12 in, I think, it was the 1999 Code, where we
13 had written in a provision for getting
14 emergency services into existing elevators in
15 high-rise buildings and unfortunately,
16 inadvertently, it became a sleeper and nobody
17 knew about it until the deadline was about to
18 expire, and we want to make sure that if this
19 goes through, that doesn't happen again.

20 But the procedure is, let's say
21 within the first year after this Code takes
22 effect, you will get your elevators inspected,

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1 you find out you've got some problems. You
2 then --

3 CHAIR KRESS: But you have to call -
4 - get your elevator inspected, then you find
5 out you have problems? I'm trying to
6 understand this.

7 MS. STOGIS: Yes, then you have two
8 years to correct them, which ought to be time
9 to budget, to do whatever design work might be
10 needed to procure the services and as those of
11 us in the construction industry all know, many
12 parts and things -- operations in elevators
13 have long lead times.

14 You'll find we also gave, in a
15 couple of cases, longer time periods in the
16 emergency services. We allowed longer time
17 periods in R2 and B buildings. If the
18 corridors and elevator lobbies had sprinkler
19 protection, basically saying that -- the idea
20 of it, this was a trade-off. This wouldn't
21 decrease the likelihood that an elevator door
22 is going to open on to a floor that's been

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1 compromised by fires, so we could give them
2 more time.

3 We also gave a little more time for
4 smaller buildings, where again, no matter how
5 the building is organized, if it's a rental or
6 a co-op or a condo or an office building, in
7 the long run, the occupants are going to wind
8 up paying for it and when you have a smaller
9 population over which to spread the expense,
10 obviously that's more of a burden. So, we
11 gave them a little extra time, and you can
12 always go for the deferred compliance plan.

13 Also, I'd like to say there has
14 been -- there's been discussion in Montgomery
15 County going on since the fire there two or
16 three years ago, about getting -- I guess it
17 isn't elevators. It's parallel sprinklers
18 into existing high-rise apartment buildings,
19 and one of the thoughts that -- apparently,
20 nothing has happened, but that keeps going
21 around and everyone agrees in principle, is
22 there ought to be some financial support for

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1 buildings which do this, whether it be in the
2 form of another property tax, forgiveness or
3 whatever.

4 I think, we've had a sense -- no, I
5 won't speak for anyone. My personal sense is
6 that this would be very appropriate for DC,
7 but I don't think that's building code
8 territory.

9 CHAIR KRESS: I agree with you. Do
10 you feel that perhaps we could -- and I'm not
11 projecting what will be happening with the
12 votes, but assume that we go ahead, as we did
13 last time and this happens, can there be
14 something written additionally, to -- under
15 justification, that we put forward to DCRA and
16 to the city on why we're doing retroactive
17 elevator things?

18 MS. STOGIS: I think we could
19 certainly come up with a supporting document.

20 Some of the research I've done is helpful and
21 I expect that some of the elevator industry
22 people may have researched even better

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1 statistics than I was able to find.

2 The other piece of information that
3 I know that James Upshaw and his colleagues
4 are working on is getting more information on
5 the existing elevator population of the city.

6 But that's an ongoing project and apparently,
7 not at the point yet where you can give
8 numbers. Tim?

9 MR. EASON: Tim Eason with the
10 Elevator Sub-Committee. To address your
11 question, the reason in the justification that
12 we were using for proposing these amendments
13 is, in addition to the green and the
14 sustainability initiatives, also this is for
15 the safety of the tenants in apartments and
16 for the general writing public. That's the
17 whole purpose of these things.

18 The A-17.1 Code deals with new
19 construction only, with the exception of the
20 maintenance section and the alterations or
21 modernization section. The A-17.3 Code deals
22 with the safety of existing elevators.

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1 So, what this is doing is putting some
2 of the A-17.3 requirements into the DC Codes.
3 So, they are all in there and it's totally for
4 the safety of the writing public.

5 CHAIR KRESS: Right, but the problem
6 is that -- as asking people to be doing things
7 retroactively and having a special emergency
8 reason, a special emergency reason why we have
9 to be doing things retroactively to elevators,
10 and that's what I'm looking to get some write-
11 up on.

12 Of course, it's for the safety. I
13 have no question, what you're saying is true.

14 I'm talking about how we're going to sell
15 this and I believe you've heard the same
16 thing, Jim.

17 There are looking for some reasons
18 why this is such an emergency that we have to
19 retroactively go back to building owners and
20 make them do this, and safety, just -- why
21 can't that safety wait until they're doing
22 something? Why is it such an emergency, I

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1 guess is the best way I can state it.

2 I'm not saying it isn't. I'm
3 asking for some points, something written up,
4 something that we can take forward with us as
5 we go to our process.

6 MR. UPSHAW: James Upshaw again. I
7 think we have to keep in mind that all of the
8 amendments we are proposing come out of the A-
9 17.3 elevator existing buildings code. These
10 things have already been established as
11 necessary retroactive provisions by national
12 standard.

13 We aren't just -- didn't just come
14 up with this stuff. This stuff came out of
15 national standards.

16 Now, we didn't want to adopt the
17 whole standard. We didn't think we could get
18 the whole standard adopted. So, we pulled
19 some of the most, I think, egregious things
20 that we think people could get hurt on, out of
21 the national standard. That's our reasoning.

22 We looked at the national standard and saw

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1 what the standard was for existing buildings.

2 CHAIR KRESS: But the national
3 standard isn't making this retroactive across
4 the country.

5 MS. STOGIS: If it's --

6 MR. UPSHAW: Actually, if it's in
7 the A-17.3 standard, that's a retroactive
8 division for existing elevators.

9 VICE CHAIR FETTERMAN: Right, but
10 James, the last time, we did not adopt 17.3.

11 MR. UPSHAW: I agree. So, that's
12 why we looked at A-17.3 and pulled the most
13 things that we thought that was the most
14 important.

15 CHAIR KRESS: Right, and most people
16 in this country -- most jurisdictions have not
17 adopted that as their basis.

18 That's why I've got to -- we've got
19 to be prepared to argue. I would rather not
20 argue, but get our ducks in a line here.

21 MR. UPSHAW: Right.

22 CHAIR KRESS: I don't want to go

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1 forward and air this all out in front of the
2 City Council. I would rather, we figure it
3 out here and have our reasoning here and
4 reasoning that we feel is -- that we can --

5 MR. UPSHAW: Okay, I don't think
6 it's a problem with getting that information,
7 because as Joan said, half of the states in
8 this country are adopting this things.
9 Everybody is not adopting the whole A-17.3
10 standard. But they are taking most of the same
11 things that we are asking to be adopted. So,
12 if we could look at what other states are
13 doing.

14 MS. STOGIS: From the research I was
15 able to do, and I'm sure with the help of some
16 of the folks on the Elevator Committee, I can
17 do it even better, because some of the
18 websites that might have had statistics,
19 turned out, were members only websites, so I
20 couldn't get into them.

21 But I think we can -- I wrote a
22 memo and -- you probably haven't had the

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1 chance to read it, on my own research and I'm
2 sure with the help of some of the people in
3 the industry, we can make that even stronger.

4 But I will say, there's a certain
5 element of unclarity, like some states do
6 adopt A-17.3, but it's not clear, are they
7 really enforcing all the provisions or not.

8 But I came away from my research
9 satisfied that DC is within the trend of
10 jurisdictions around the country, and they
11 were around the country. It wasn't just that
12 all the elevator inspectors in New England had
13 a meeting and said, "We all better do this."
14 It was wide spread and include some cities.

15 Also, the states vary so much. In
16 some cases, the -- it's a state regulation.
17 Other cities or counties within the state can
18 adopt different regulations or modify it.

19 But I felt that I came away
20 personally, very comfortable, that the issues
21 that had been identified two years ago by the
22 Elevator Committee and that are in this

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1 proposed amendment are serious issues and that
2 are other states are also moving to address
3 them, and I think probably the pre-early
4 1970's hydraulic elevator plunger is probably
5 one of the most serious.

6 CHAIR KRESS: But do you feel all of
7 them before us, should be equally be before
8 us, or do you think there should be more
9 emphasis on the plunger?

10 MS. STOGIS: The only one that keeps
11 nagging at me is the business about having
12 closer and a lock and the elevator machine
13 room door, that I suspect, if I really studied
14 the DC building code -- property maintenance
15 code, I'd find that some place in there, some
16 inspector has the authority already to order
17 that to happen.

18 But the rest of them, I think, are
19 elevator things. Also, again, our colleagues
20 in the elevators tell me that if you're a
21 building owner who, through the years, has
22 been having your elevator serviced and

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1 maintained by one of our elevator companies,
2 you will have heard these several times
3 before.

4 Some building owners probably said,
5 "Oh, there would be some liability if" -- one
6 of them, the secondary door retainers, is --
7 if you're in a -- let's say, the elevator
8 lobby of a college dorm or an apartment
9 building, a couple of kids are rough-housing,
10 one of them throws the other against the door,
11 that door can fail and there's a kid down the
12 hoistway.

13 Well, I'm sure some building
14 owners, when they've been told this over the
15 years, have said, "That's a liability problem.

16 I better do something about it." Others have
17 ignored it.

18 I think the feeling is at this
19 point that we need to make it official, so
20 that those who have ignored it, will also take
21 care of it.

22 CHAIR KRESS: But you do feel --

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1 just my last comment on this, that you could
2 write additional justification that could go
3 along with these retroactive provisions, as we
4 were to put them forward to DCRA and to the
5 Council?

6 MS. STOGIS: Very definitely. I'm
7 also saying in this memo -- which I did just
8 on my own letter head, because it was nothing
9 official at that point for this Committee, I
10 did start by talking to ICC, if this is such a
11 problem, why isn't ICC doing something?

12 CHAIR KRESS: Right.

13 MS. STOGIS: Well, their process --
14 either nobody has ever brought up elevators or
15 if they have, it hasn't passed.

16 But Dave Conover did put me in
17 touch with various building officials and
18 elevator officials around the country, and I
19 thought one that I quoted in this memo was --
20 well, the whole thing is a little long, but in
21 effect, he was saying it's a kind of pay-me-
22 now or pay-me-later. Are you going to spend

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1 money now or are you waiting for a disaster to
2 happen?

3 I find it interesting, we tend not
4 to talk about the escalator issue in this
5 city, because those of us who have been around
6 for a while know about the series of bad
7 accidents that happened on metro escalators.

8 So, we're all aware that these
9 things happen. My personal feeling is, I hope
10 we don't have to wait for a disastrous failure
11 of a hydraulic cylinder before we understand
12 that that's also a problem.

13 CHAIR KRESS: Okay, thank you.

14 MS. STOGIS: But yes, I'd certainly
15 be happy to work with the Elevator Committee,
16 to put together an expanded justification
17 statement, which would also relate what we're
18 proposing to do here with what other states
19 and jurisdictions are doing.

20 VICE CHAIR FETTERMAN: Thank you.
21 Armando?

22 MR. LOURENCO: I just wanted a

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1 clarification on something. In the previous
2 cycle, the one that ended up going through
3 DCRA Council and coming back to us, there was
4 a clear reference to retroactive elevator
5 provisions in Chapter One. It's one of the
6 items in the scope of existing building code.

7 There were provisions that kicked
8 in at three years, six years, extensions of
9 five or ten years and so on. Did we get, from
10 DCRA, anything saying a flag --

11 CHAIR KRESS: Yes, not in writing,
12 because the comments basically came from their
13 legal staff.

14 These weren't the kinds of
15 comments. This came, originally, from Lisa
16 Morgan and then has been backed by Linda Argo.

17 These were direct comments, because
18 I was trying to push things out so quickly,
19 because we needed them. I said, "I want the
20 least amount from you all." Basically, it was
21 really only from the legal people that -- it
22 did not really go through the staffing at

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1 DCRA, to my knowledge.

2 These were just some decisions
3 being made at the top of DCRA, and sprinkler
4 was the other one, and they didn't say, "We
5 were wrong and we couldn't do them." That has
6 never been said to me and I don't want to
7 misinterpret that.

8 They said, "Please re-evaluate
9 these," and that's why I'm asking for some
10 more reasoning, just as we go back, if we
11 intend on sprinklering single family
12 residences or not, if we change our mind or if
13 we change our mind on any of these things,
14 these were the two things that were brought to
15 my attention personally.

16 VICE CHAIR FETTERMAN: Thank you.
17 Any other comment?

18 (No verbal response)

19 VICE CHAIR FETTERMAN: While the
20 microphone is getting to Gail, I will remind
21 everyone that our charge is that we are
22 recommending items to DCRA. DCRA is not bound

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1 to accept our recommendations. Gail.

2 CHAIR KRESS: But I want them to.

3 MS. MONTPLAISIR: Gail Montplaisir.

4 Jerrily, going back to you saying you
5 obviously don't want to hash this out in front
6 of the City Council. Did they give us -- or
7 did they give you reasoning why they're not in
8 favor of the retroactive provision, so that
9 when they're putting forth their
10 recommendations and their justification for
11 retroactive, they actually know what points
12 they need to hit, because if we're saying --
13 if they're concerned because there's a cost
14 issue or there's a legal issue they don't
15 think it's going to survive, then that may not
16 even be something we can address if it's a --

17 CHAIR KRESS: It is a cost issue.

18 They feel that there is a lot going to be
19 being asked of this whole community and I
20 personally happen to be in agreement with it,
21 on the green and sustainability issues. I'm a
22 tree-hugger, okay.

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1 And so, I understand that we're
2 going to be asking a lot of this community,
3 developers and what-not, zoning -- we're
4 looking at the same issues in zoning, as far
5 as the green issues, as Charles is looking at
6 for us here, and they feel that there's going
7 be a lot of money, that we're going to be
8 really looking to the developers to be putting
9 into their buildings, additional monies,
10 relating to green issues.

11 I'm not saying it's the simple, but
12 it's -- that's kind of part of the kick-back,
13 as far as I'm concerned, that's saying, "Why
14 are we passing' -- I mean, retroactive --
15 everybody seems to understand that if you're
16 doing some work, then you should have to do
17 these other things.

18 When you're just talking
19 generically out in the public, and I think
20 almost everybody here has had that, and you
21 start saying issues like, "We need to
22 retroactively make something happen," they're

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1 like -- retroactive is fright word.
2 Retroactive is, we've been doing it wrong all
3 these years and my building is going to fall
4 down if I don't do it right now and where do I
5 get the money and so on and so on.

6 So, I think whatever we do
7 recommend, I just want it to be very tight and
8 for us to have it well thought through and
9 know that it has to be retroactive. That's
10 the only way we can do this. We can't do it
11 with some kind of a set amount of elevator
12 review. I don't know.

13 We have to just be sure of what
14 we're doing and then have the reasoning
15 together, so that we can sell this, not only
16 through DCRA, but through to the City Council.

17 MS. MONTPLAISIR: Thank you. I
18 think that's good and I think that it actually
19 then, brings up a really going point, that
20 this has been -- was introduced as retroactive
21 a number of years ago and here we are, a
22 number of years later, and we're still trying

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1 to get it retroactive.

2 It might be more effective just to
3 say, "Drop the retroactive, get it implemented
4 and get this stuff working." But I'll leave
5 that to --

6 VICE CHAIR FETTERMAN: If I could
7 take the Vice Chair's prerogative. We've been
8 dealing with this for 35 minutes, and I would
9 recommend as a friendly suggestion that we
10 move onto other amendments.

11 Well, let me back up. We have a
12 motion and a second and if someone wants to
13 call the question, we -- I guess,
14 parliamentary point of view can vote on this.
15 What do you wish to do?

16 MS. STOGIS: Well, or table. I
17 mean, I think the question may be asked a sort
18 of straw vote question. Do people feel
19 comfortable voting now, or do you feel we need
20 to defer it and get a fuller explanation of
21 the importance of it?

22 If anyone has a substitute word for

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1 retroactive, I'd love to here it.

2 CHAIR KRESS: Yes, find a --
3 substitute a word for retroactive.

4 VICE CHAIR FETTERMAN: Should we
5 just see a show of hands of who feels that we
6 should table this for now? Raise your cards,
7 please. You can't vote.

8 CHAIR KRESS: I can't vote.

9 VICE CHAIR FETTERMAN: Opposed to
10 tabling it? It appears that the motion has
11 been tabled. Those four have been tabled.
12 Thank you.

13 MS. STOGIS: Okay. Well, then,
14 there's no point, I think, at that point, in
15 talking about the other three chapters.

16 VICE CHAIR FETTERMAN: Right, I was
17 trying to speak of all four.

18 MS. STOGIS: Yes. So, it seems that
19 it's the well of this body that we put
20 together a very convincing explanation of the
21 importance of this and we will do so, and get
22 back to this group, and if anyone has a good

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1 word that does retroactive, but doesn't sound
2 like it, please let me know.

3 VICE CHAIR FETTERMAN: Thank you.
4 What's your next amendment?

5 MS. STOGIS: Okay, then I think
6 we'll go back to the list. Okay, the first
7 two amendments, EX-3-2 and EX-6-2, which were
8 tabled in, I think, June -- May or June, were
9 -- they are the identical amendment. One is
10 for Chapter Three, the prescriptive compliance
11 chapter, the existing building code. The other
12 is for Chapter Six, which is the level one
13 operations.

14 The reason these were tabled was
15 that one of the members of the group -- this
16 is an amendment to require -- it says that --
17 is it in the accessibility section,
18 alterations affecting an area containing a
19 primary function, for which that you were then
20 to provide an accessible route, and we added
21 an exception that power operated doors at the
22 main building entrance are not required,

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1 except where that entrance is part of the work
2 area.

3 This was to coordinate with an
4 amendment, which the Accessibility Committee
5 has not proposed yet, but I understand from
6 their recent meeting, will propose, requiring
7 buildings over a certain threshold size to
8 provide power operated doors.

9 The only reason we tabled it was
10 that one of the members of this group raised a
11 good question, "Well, what if you're doing a
12 gut renovation, then shouldn't you provide the
13 power operated or power assist door," and we
14 all agreed.

15 We're still working on the wording
16 on that, however, that would become an
17 amendment to Chapter Eight, the level three
18 alterations and would not impact these lower
19 levels.

20 So, I would like to bring EX-3-2
21 and EX-6-2 to vote and get them out of the
22 way.

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1 VICE CHAIR FETTERMAN: Thank you.
2 Do I have a second? Thank you, John Devlin.
3 Discussion on 3-2 and 6-2, please.

4 I've got a copy up here, if anyone
5 doesn't drag around that much paperwork, and
6 you're willing to look at this if you don't
7 have it with you, since this goes back to May.

8 Seeing no discussion, shall we call
9 for the vote? All those in favor of -- we'll
10 vote on them at the same time. All those in
11 favor of 3-2 and 6-2, please raise your yellow
12 card.

13 All those opposed? I'm seeing none
14 in opposition. Any abstentions? I'm seeing
15 no abstentions. EX-3-2 and EX-6-2 pass.

16 MS. STOGIS: The next one on the
17 list is EX-7-3 and I would like to table that.
18 Wait a minute. I'm sorry, that's not the one
19 I thought it was.

20 This is in level two alterations.
21 I can move the adoption of amendment EX-7-3
22 and this repeats a features which comes out of

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1 our old Chapter 36 DC BOCA Code and is based
2 on DC experience with some assembly buildings,
3 particularly older theaters trying to -- where
4 you have vertical openings.

5 And so, it gives -- with certain
6 conditions, that you can have un-unclosed
7 vertical openings, and this is primarily
8 addressing some of our older theaters, and it
9 continues something that has been in the DC
10 Code for existing buildings since the late
11 90's.

12 VICE CHAIR FETTERMAN: Thank you.
13 You're moving that. Do I have a second to EX-
14 7-3? Gail Montplaisir. Discussion on 7-3
15 please?

16 MS. STOGIS: I might say, the only
17 reason it's labeled revised is that I forgot
18 to underline the changes when I turned it in
19 the first time.

20 CHAIR KRESS: That's all right.

21 VICE CHAIR FETTERMAN: Thank you.
22 I'll call the question. All those in favor of

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1 EX-7-3, please raise your yellow card.

2 Thank you. All opposed? I see
3 none opposed. Any abstentions? I see no
4 abstentions. The motion passes.

5 MS. STOGIS: EX-7-4 modifies section
6 704 of the existing building code and this is
7 as it was approved in 2005 and reviewed by
8 DCRA and it is a refinement on provisions that
9 we have had before, and basically, it deals
10 with level two alterations and when you would
11 have to provide sprinkler protection.

12 It also includes the deferred
13 compliance plan. So, that for a building
14 owner who would be subject to this, who
15 considers it a hardship, they can go in and
16 propose an alternative plan.

17 The basis of this -- and this will
18 crop up in other things, is that the national
19 code is written, where there is a municipal --
20 first of all, where there is a supply of
21 municipal water and then they also say where
22 it's available to the floor, without a fire

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1 pump.

2 In DC, with the existing buildings,
3 especially existing high-rise, we, for some
4 time, have taken the view that we wanted to
5 push our high-rise buildings to get sprinkler
6 protection.

7 VICE CHAIR FETTERMAN: You're moving
8 this for adoption?

9 MS. STOGIS: Yes.

10 VICE CHAIR FETTERMAN: Thank you.
11 Do I have a second to EX-7-4? Thank you,
12 Scott Vandame. Discussion on 7-4?

13 CHAIR KRESS: Yes, thank you.
14 Jerrily Kress. I wanted to understand again,
15 what's being -- and if you could just
16 summarize verbally, what is being covered in
17 this specific part, what high-rise?

18 MS. STOGIS: High-rise buildings,
19 but we have written an exemption at the --
20 first of all, level two alterations means
21 you're reconfiguring space in the building,
22 but it is less than 50 percent of the building

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1 area.

2 So, this could be, for instance, a
3 tenant renovation in an office building.

4 CHAIR KRESS: Okay.

5 MS. STOGIS: That would be probably
6 our most typical. In a high-rise building, if
7 the work area includes exits or corridors
8 shared by more than one tenant or if it serves
9 an occupant load greater than 30 persons or is
10 at least 50 percent of the floor area, we're
11 requiring an automatic sprinkler protection.

12 Now, we are exempting in this,
13 high-rise apartment buildings --

14 CHAIR KRESS: Right, group two.

15 MS. STOGIS: -- used for R-2,
16 simply because it's the -- we felt, while it
17 would be highly desirable, it's not -- it's
18 difficult to achieve the kind of renovations
19 that happen in one apartment at a time. It
20 would be difficult to trigger this.

21 Office buildings generally have
22 space above the ceiling, have accessible

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1 ceilings. Apartment buildings --

2 CHAIR KRESS: Don't.

3 MS. STOGIS: -- have hard ceilings.
4 Frequently in DC, the hard ceiling is
5 actually the underside of the structural slab
6 above.

7 CHAIR KRESS: Exactly.

8 MS. STOGIS: So, we felt that we
9 could reasonably apply it to office buildings
10 and other buildings, but not to apartment
11 buildings.

12 CHAIR KRESS: Right, thank you. I
13 wanted that said on the record.

14 VICE CHAIR FETTERMAN: Thank you.
15 Any other discussion?

16 MS. STOGIS: We've included in this
17 one amendment, some of the smaller things that
18 go with it, windowless stories and other
19 required suppression systems, and again,
20 you'll see what we've done is struck out this
21 ICC language about the municipal water supply
22 available at the floor without a fire pump.

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1 CHAIR KRESS: And you've done that
2 throughout -- I'm sorry, Jerrily Kress, and
3 you've done that throughout, pretty much, the
4 municipal water supply, have you not, in
5 amendments?

6 MS. STOGIS: Yes.

7 VICE CHAIR FETTERMAN: Thank you.
8 Any other discussion? Yes, Ronnie?

9 OFFICER WORRELL: Inspector Worrell
10 from DC Fire Department. In that proposal for
11 the businesses, when you do the sprinkler
12 system, are you requiring them to -- when they
13 reconfigured their space, are you requiring
14 them to also reconfigure the heads on the
15 sprinkler system?

16 MS. STOGIS: That's a level of
17 detail that I would hope is in the relevant
18 NFPA, and it was how you lay out the sprinkler
19 system. No, we're not addressing that.

20 We're scoping it and the actual
21 design of it would be through whatever NFPA is
22 the relevant publication.

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1 OFFICER WORRELL: Okay, because on
2 the fire protection system, that is a
3 requirement. Once you reconfigure a space,
4 you have to reconfigure the heads too. So, I
5 just wanted to make sure.

6 MS. STOGIS: I believe -- I'm seeing
7 at least one head nodding back there, that
8 that would be covered.

9 VICE CHAIR FETTERMAN: Thank you.
10 Any other conversation on 7-4? Seeing none,
11 we'll call the question. All those in favor
12 of 7-4, please raise your yellow card.

13 Thank you. All opposed? Seeing
14 none, any abstentions? I see no abstentions.
15 The motion carries. Thank you.

16 MS. STOGIS: Seven-five is an
17 amendment for stand-pipes. You'll see on the
18 text, the big section we crossed out, that ICC
19 had a complex technical standard for stand-
20 pipes, which we -- I'll have to confess, I
21 never understood. Maybe John Devlin or
22 somebody can explain it, if we need to.

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1 But basically -- and this was
2 worked out together with Fire and Life Safety
3 last time around, we simplified it.

4 First, to make the threshold height
5 75 feet, rather than 50 feet and second, to
6 say that installation of a manual wet stand-
7 pipe system is permitted to achieve compliance
8 with this section, and there was, I think,
9 wide spread consensus that this was a feasible
10 type of stand-pipe system you could get into
11 an existing building.

12 Secondly, the second exception, the
13 inner connection of multiple stand-pipe risers
14 shall not be required where constraints of the
15 existing structure or systems make inner
16 connection impractical.

17 This is to deal with -- the inner
18 connection is going to have to occur, I guess,
19 most often at the top of the building, not the
20 bottom. But frequently, those spaces either -
21 - in existing buildings, don't exist or are
22 already so crammed full of other pipes and

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1 ducts that it's not feasible to make that
2 inner connection.

3 Again, this is an amendment that we
4 did approve in the cycle two years ago.

5 VICE CHAIR FETTERMAN: Thank you.

6 MS. STOGIS: And I'd like to move
7 adoption of EX-7-5.

8 VICE CHAIR FETTERMAN: Thank you.
9 Do I have a second? Gail Montplaisir.
10 Discussion on 7-5? Seeing none, we'll call
11 the question. All those in favor, please
12 raise your yellow card.

13 Thank you. All opposed? None.
14 Any abstentions? I see none either. The
15 motion passes.

16 MS. STOGIS: Okay, EX-7-6 is a
17 pretty simple one. It modifies section 705.2,
18 where the exceptions, exception one references
19 NFPA 101 and we have had a sense here, as long
20 as I've been involved, that we don't want to
21 deal with NFPA 101, the Life Safety Code. So,
22 we're simply eliminating it as a reference. I

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1 move the adoption of EX-7-6.

2 VICE CHAIR FETTERMAN: Thank you.
3 Do I have a second? John Devlin. Any
4 discussion on 7-6? Seeing none, we'll call
5 the question. All those in favor, please
6 raise your yellow card.

7 Thank you. Any opposed? Seeing
8 none, any abstentions? I see none. The
9 motion passes.

10 MS. STOGIS: EX-7-7 is a DC
11 amendment, which we have had in the past,
12 probably since the late 90's and which is very
13 much justified by DC conditions, where we have
14 existing office buildings, which have large
15 floor plates, especially the older ones that
16 use scissor stairs, have tiny cores and
17 general circulation areas, and you can find
18 yourself in a situation where you have an
19 office suite, which by the travel distance
20 within the suite, is suppose to have two
21 exits, however, it has a little frontage on
22 the corridor, that there's no feasible way you

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1 can do that.

2 And so, this amendment is intended
3 to give some tolerance for that condition.

4 VICE CHAIR FETTERMAN: Thank you.
5 You will --

6 MS. STOGIS: And I'd like to move
7 adoption of EX-7-7.

8 VICE CHAIR FETTERMAN: Thank you.
9 Do I have a second? Art Leabman. Discussion
10 on 7-7? Seeing none, I'll call the question.
11 All those in favor, please raise your yellow
12 card.

13 Thank you. All opposed? Seeing no
14 cards, any abstentions? I see none. The
15 motion carries. Thank you.

16 MS. STOGIS: EX-7-8 is another
17 response to a condition which exists in a lot
18 of DC buildings, built -- particularly in
19 buildings built under DC's building code
20 before we went onto BOCA in the mid 1980's and
21 those buildings have very long dead end
22 corridors, longer than are allowed in -- under

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1 BOCA or the ICC.

2 And so, this is in a response to
3 allow flexibility, when you are dealing with
4 one of these existing buildings and to
5 increase the allowable length of dead end
6 corridor, when you have the off setting life
7 safety feature of sprinkler protection.

8 I'd like to move the adoption of
9 EX-7-8.

10 VICE CHAIR FETTERMAN: Thank you.
11 Do I have a second? Thank you, John Stovall.

12 Discussion on 7-7? Seeing none, we'll call
13 the question. All those in favor, please
14 raise your yellow card.

15 Thank you. Any opposed? None.
16 Any abstentions? I see none. The motion
17 passes. Thank you.

18 MS. STOGIS: All right, the next one
19 is EX-8-1. This an amendment which we have
20 had as part of existing buildings provisions
21 for some time, and it is intended to clarify
22 for high-rise, that when you do what we

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1 normally call a real-gut job on a building,
2 that is strip all systems and interior walls,
3 leave no more of the structure shaft walls and
4 exterior, and both assemblies shall be -- this
5 case, you should go under section 403 of the
6 Building Code.

7 This is something which certainly
8 has happened in DC. There have been a couple
9 of waves, mostly of office buildings, that --
10 where older buildings were really stripped
11 down the bare structure and then re-done.

12 By going under section 403 of the
13 Building Code, you then get some advantages
14 that go with the high-rise building
15 constructions. As far as I know, this has not
16 caused anyone grief and we've been going on it
17 for quite a while.

18 VICE CHAIR FETTERMAN: Thank you.

19 MS. STOGIS: I move adoption of EX-
20 8-1.

21 VICE CHAIR FETTERMAN: Thank you.

22 Do I have a second? Scott Vandame. Any

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1 discussion on 8-1? Seeing none, we'll call
2 the question. All those in favor, please
3 raise your yellow card.

4 Thank you. Any opposed? Seeing
5 none, any abstentions? I see none. The
6 motion passes. Thank you.

7 MS. STOGIS: EX-8-2 is high-rise
8 buildings now -- let me remind you, we're in
9 Chapter Eight, which basically means, your
10 level three alteration, you're reconfiguring
11 50 percent of the building or more.

12 This is the paragraph for putting
13 automatic sprinkler protection into high-rise
14 buildings, undergoing level three alterations.

15 We are -- basically, again, this is
16 in keeping with what -- we are strengthening
17 the provisions in the national code. We're
18 requiring that all work areas in high-rise
19 buildings, undergoing level three alterations,
20 have sprinkler protection.

21 We then go on, when you have level
22 three work areas and 75 percent or more of the

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1 building floors, that you should extend the
2 sprinkler throughout the entire building, and
3 when you are -- have done level three
4 alteration work on all floors, then we bring
5 in the emergency voice alarm communication
6 system, fire department communication system,
7 fire command and stand-by power and emergency
8 power systems.

9 We've tweaked the wording a little
10 bit, but the essence of this amendment, we
11 have had for a while. I'd like to move
12 adoption of EX-8-2.

13 VICE CHAIR FETTERMAN: Thank you.
14 Do I have a second? Scott Vandame. Any
15 discussion on 8-2? Seeing none, we'll call
16 the question. All those in favor, please
17 raise your yellow card.

18 Thank you. Any opposed? Any
19 abstentions? Seeing none, the motion passes,
20 and I just wanted to mention to our two
21 guests, Steve Weaver and Tim Eason, thank you
22 very for coming and for you input, and you

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1 certainly don't need to hang around to watch
2 us go through these, but you're welcome to
3 stay as invited guests.

4 CHAIR KRESS: Because this is so
5 exciting.

6 MS. STOGIS: And I'll be in touch
7 with both of you on justification. Okay, EX-
8 8-3, this is a pretty simple one, sprinklering
9 of rubbish and linen shoots.

10 We are proposing to strike the
11 words 'and the building sufficient municipal
12 water supply available to the site'.

13 My understanding is that's in a
14 way, irrelevant, since this limited
15 sprinklering can be done off the domestic
16 water system, in any case. I'd like to move
17 adoption of EX-8-3.

18 VICE CHAIR FETTERMAN: Thank you.
19 Do I have a second? Gail Montplaisir. Any
20 discussion? Seeing none, we'll call the
21 question. All those in favor of 8-3, please
22 raise your yellow card.

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1 Thank you. All opposed? Seeing
2 none, any abstentions? I see none. The
3 motion carries. Thank you.

4 MS. STOGIS: Okay, almost through
5 this existing buildings, folks. EX-10-1, this
6 is the chapter on additions to existing
7 buildings and this is a -- I believe it's in
8 the current Code and was also approved in
9 2005.

10 The ICC tech states, "In addition
11 to not create or extend any non-confirming --
12 the existing building, to which the addition
13 is made," and we're particularly concerned
14 with means of egress, recognizing in DC, we
15 have a lot of land locked lots, in which the
16 only way you could exit the addition to this
17 building is through the existing building.

18 We have had for some time, this
19 exception that where the combined footprint of
20 all additions does not exceed 25 percent of
21 the existing building, that the additions can
22 be served by the existing stairs and other

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1 exit components, as long as they are adequate
2 for the combined load of the addition in
3 existing buildings.

4 I'd like to move adoption of EX-10-
5 1.

6 VICE CHAIR FETTERMAN: Thank you.
7 Do I have a second? Thank you, Gail
8 Montplaisir. Any discussion on 10-1? Seeing
9 none, we'll call the question. All those in
10 favor, please raise your yellow card.

11 Thank you. Any opposed? Any
12 abstentions? Seeing none, the motion passes.

13 MS. STOGIS: Okay, we've tabled the
14 next four amendments, which are the proposed
15 Chapter 16, the retroactive, and I would
16 propose to table the last one, EX-PM-1, simply
17 because it addresses existing elevators and
18 the Property Maintenance Code and we might as
19 well, at this point, look at them all
20 together.

21 You'd probably like to hear
22 somebody else's voice by this time. Thank you

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1 very much.

2 VICE CHAIR FETTERMAN: Thank you,
3 Joan. Let's move its --

4 CHAIR KRESS: You have a lovely
5 voice and we'd never rather have you here.

6 VICE CHAIR FETTERMAN: It's 11:32
7 a.m. and we obviously want to be as efficient
8 and get as much done as we can, but respect
9 people's time that they have here.

10 I'd like to invite John Devlin,
11 Fire and Life Safety. But while he is coming
12 up, I'd like to take this minute to jump ahead
13 and simply note that on behalf of Armando
14 Lourenco, we are -- the Construction Sub-
15 Committee is introducing C-1, which has to do
16 with section 3105 on awnings and canopies.

17 C-2, which is a very small issue on
18 section 3106 and C-4, which deals with fences
19 and C-6, which deals with revisions to Chapter
20 33 that Gail Montplaisir and Lenny Douglas
21 worked on at the end of our last review cycle.

22 Those issues have been carried

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1 forward, Gail and Lenny, and the recent four,
2 the -- skipping the numbering, is that
3 construction will have two other presentations
4 on signage and projections into public space,
5 which will be forthcoming shortly.

6 I'd also like to say that on behalf
7 of Fuel Gas, that we are introducing fuel gas
8 amendments one, two, three and four, and I
9 think per our discussions, we have decided
10 that we do not need to introduce nor deal with
11 proposed amendments five, six and seven.

12 So, please, take those from your
13 amendment list and recycle the paper, and I'm
14 sorry to jump in here. I'm just trying to be
15 as efficient with our time as we can, and I
16 believe those were the only amendments we had
17 to introduce for today, and I'll turn this
18 back -- thank you.

19 Accessibility, we are introducing
20 several amendments, A-2, A-3, A-4, A-6, A-9,
21 A-13, A-14 and A-15. Thank you very much. I
22 didn't mean to skip over that. I was just

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1 trying to be efficient and stumbled. John,
2 thank you for your patience.

3 MR. DEVLIN: On behalf of the Fire
4 and Life Safety Committee, I have
5 approximately code change proposals this
6 morning.

7 The first one is FLS-1. It has to
8 deal with section 704, the exterior walls.
9 This is the opening provisions that have been
10 in the DC Code, permitting openings on
11 exterior walls on lot lines, with respect to
12 the horizontal and vertical projections to
13 adjacent properties. Move to accept.

14 MS. STOGIS: Second.

15 VICE CHAIR FETTERMAN: Thank you.
16 Move by John Devlin and seconded by Joan
17 Stogis for FLS-1. Any discussion? Seeing
18 none, we'll call the question. All those in
19 favor, please raise your yellow card.

20 I'm trying to do this because I
21 need nine yellow cards to continue to conduct
22 business. So, they're all very important.

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1 Thank you.

2 Any opposed? I see none. Any
3 abstentions? One abstention. Thank you. The
4 motion carries.

5 MR. DEVLIN: Very good. The next
6 item is Fire Life Safety code change proposal
7 FLS-2. This is a recommendation to eliminate
8 the provisions for elevator lobbies, that
9 appeared in section 707.141 and 707.14.2.

10 This is a requirement that came in
11 as a part of the 2000 IBC. It was not a
12 provision that was in the previous additions
13 of BOCA.

14 For those who may not be aware, it
15 has a long history, but it has a very debated
16 history in the current IBC process, in that it
17 got in the 2000 edition. There's no technical
18 justification why it's there.

19 There have been numerous white
20 papers written to justify. It's not required,
21 and in addition, our neighboring
22 jurisdictions, including Commonwealth of

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1 Virginia have eliminated this provision.

2 The co-change to eliminate this
3 text -- or this requirement for elevator
4 lobbies and lobby pressurization alternative
5 would put the Code requirements back to the
6 way they were in the 1996 and previous
7 editions of the BOCA National Building Code.

8 So, I make a motion to accept the
9 code change proposal.

10 VICE CHAIR FETTERMAN: Thank you.
11 Do I have a second? Gail Montplaisir. Any
12 discussion on FLS-2? Yes, Lenny, there's a
13 microphone here somewhere.

14 MR. DOUGLAS: Quick question, John.
15 Len Douglas from DCRA. On this proposal, are
16 you recommending opening up the elevator lobby
17 to the stair enclosure?

18 VICE CHAIR FETTERMAN: No, this code
19 change proposal required that elevator lobbies
20 be enclosed. In essence, they would be
21 provided with a vestibule and this provision
22 would eliminate that requirement.

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1 MR. DOUGLAS: Thank you.

2 VICE CHAIR FETTERMAN: Thank you.
3 Any other discussion or comment? Seeing none,
4 we can call the question. All those in favor
5 of FLS-2, please raise your yellow card.

6 Thank you. Any opposed? Seeing
7 none, any abstentions? I see one abstention.
8 The motion carries. Thank you.

9 MR. DEVLIN: Next item is FLS-3,
10 code change proposal here pertains to section
11 7165.3, with respect to fire and smoke
12 dampers.

13 What we're proposing is to add an
14 exception to 7165.3. 7165.3 now requires as
15 part of the 2000 International Building Code
16 that where ever you have a duct into a shaft,
17 that that opening be provided with a fire and
18 a smoke damper.

19 The smoke damper is a new
20 requirement that came into the 2000
21 International Building Code. There's no
22 technical basis for it. We have a closed

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1 system and this requirement was not in place
2 prior to the adoption of the International
3 Building Code.

4 What the Committee is recommending
5 is that in lieu of the smoke damper, we've
6 added a code change proposal that -- the
7 damper's smoke dampers would not be required
8 where the building is protected throughout
9 with automatic sprinkler protection, in
10 accordance with 903.3.

11 This code change proposal, again,
12 is another controversial one that came into
13 the International Building Code. There's not
14 technical basis behind it. The Commonwealth
15 of Virginia has amended it.

16 The proposed text that you see
17 before you is the exact text that has been put
18 forth in the Virginia amendments and so in
19 essence, we are being consistent with Virginia
20 on this, and this remains consistent with the
21 previous editions of the BOCA National
22 Building Code, which had been adopted in DC

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1 for the last -- since the 1984 cycle. I make
2 a motion to accept.

3 VICE CHAIR FETTERMAN: Thank you.
4 Do have a second, FLS-3? Thank you, Joan
5 Stogis. Any discussion? Seeing none, we'll
6 call the question. All those in favor, please
7 raise your yellow card.

8 Thank you. Any opposed? Any
9 abstentions? I see none. The motion carries.

10 Thank you.

11 MR. DEVLIN: Next code change
12 proposal FLS-4. The provisions here are a
13 change, essentially, to make the requirements
14 for section 901 of fire protections systems
15 consistent with the DC approach of providing
16 fire protection system installation and design
17 requirements be within the Building Code only,
18 and not the Fire Prevention Code.

19 The International Fire Code
20 contains duplicity between the Building and
21 Fire Code. This code change proposal
22 essentially puts all the requirements in the

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1 Building Code for design and installation. I
2 make a motion to accept.

3 VICE CHAIR FETTERMAN: Thank you.
4 Do I have a second? Thank you, Joan Stogis.
5 Any discussion on FLS-4? Seeing none, we'll
6 call the question. All those in favor, please
7 raise your card.

8 Thank you. Any opposed? Any
9 abstentions? Seeing none to either, the
10 motion passes.

11 MR. DEVLIN: Next code change
12 proposal is FLS-5, which the requirement here
13 is to eliminate the -- this provision rather,
14 is to eliminate the requirement for an
15 exterior alarm bell on a building.

16 Code change proposal is to
17 eliminate it when the building is monitored by
18 an approved central station, remote
19 supervising station.

20 Basically, the bells on the
21 exterior of the building don't serve any
22 purpose unless someone calls the fire

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1 department. The requirement in the building
2 code is that the system be monitored by a
3 central station, therefore, the bell serves no
4 purpose. I make a motion to accept.

5 VICE CHAIR FETTERMAN: Thank you.
6 Do I have a second? Lenny Douglas. Any
7 discussion on FLS-5? Seeing none, we'll call
8 the question. All those in favor, please
9 raise your yellow card.

10 Thank you. Any opposed? Any
11 abstentions? Seeing none, the motion passes.

12 Thank you.

13 MR. DEVLIN: The next item is FLS-7,
14 which is section 9061. Code change proposal
15 on here is essentially to move requirements
16 that were held in the Fire Prevention Code and
17 move them over into the Building Code.

18 So, what you see here is a
19 requirement for portable fire extinguishers
20 and this is to maintain consistency with the
21 DC Fire Prevention Code of requirements for
22 new construction be in the Building Code. I

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1 make a motion to accept.

2 VICE CHAIR FETTERMAN: Thank you.
3 Do I have a second? Thank you, Gail
4 Montplaisir. Discussion on FLS-7? Seeing
5 none, we'll call the question. All those in
6 favor, please raise your yellow card.

7 Thank you. Any opposed? I see
8 none. Any abstentions? I see none. The
9 motions passes. Thank you.

10 MR. DEVLIN: The next item is FLS-
11 10. This is adding new provisions to Chapter
12 -- section 908.

13 The code change proposal is really
14 -- I would say, it's more administrative, if
15 anything. The requirements in section 908 of
16 the IBC have no connection, as to why they're
17 there.

18 This provision is essentially text
19 language, with its intent to identify that the
20 Fire Prevention Code must also be referenced,
21 as the requirements in 908 are essentially new
22 construction requirements for hazardous

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1 locations, locations deemed hazardous by the
2 Fire Prevention Code.

3 So, this is providing a link back
4 to the Fire Prevention Code and in essence, is
5 recognizing the fact that when such conditions
6 exist, a coordination meeting of concerned
7 parties and that -- the primary party being
8 the Fire Marshall's Office, may need to be
9 communicated before construction commences.

10 So, this is essentially
11 administrative, raising the flag of going to
12 the Fire Prevention Code and following those
13 provisions as well. I make a motion to
14 accept.

15 VICE CHAIR FETTERMAN: Thank you.
16 Do I have a second? Scott Vandame. Any
17 discussion on FLS-10? Seeing none, we'll call
18 the question. All those in favor, please
19 raise your yellow card.

20 Thank you. All opposed? None.
21 Any abstentions? I see none. The motion
22 passes. Thank you.

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1 MR. DEVLIN: Next is FLS-12. These
2 are local amendments to the provisions for a
3 fire command center. The requirements here
4 are essentially maintaining consistency with
5 previous editions of DCMR-12, with respect to
6 letter requirements on fire command center
7 doors and prohibited uses. I make a motion to
8 accept.

9 VICE CHAIR FETTERMAN: Thank you.
10 Joan Stogis, seconded. Do I have any
11 discussion? I see none. We'll call the
12 question -- yes, we have -- I'm sorry, you
13 need a microphone please, Lenny.

14 MR. DOUGLAS: On this section, John,
15 one quick question. Could we add to it --
16 now, let me go to the section.

17 The fire command center shall be
18 accessed by a dedicated exterior door, located
19 on the street of the building address or the
20 location approved by Code Official.

21 Now, that location can be within
22 the building also.

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1 MR. DEVLIN: No, the sentence says
2 it has to be accessed by a dedicated exterior
3 door, located on the street of the building
4 address or a location approved by the Code
5 Official.

6 MR. DOUGLAS: What about -- if that
7 location is in a vestibule?

8 MR. DEVLIN: That would be good.
9 But the intent here -- the intent of that
10 first sentence -- and maybe it's written
11 poorly, is that the intent here was that it
12 would be exterior, it would be street, but it
13 doesn't necessarily have to be the street
14 address, specifically.

15 We have many buildings that bound
16 two streets and it could be a side entrance to
17 a public street.

18 VICE CHAIR FETTERMAN: If approved
19 by the Code Official.

20 MR. DEVLIN: If approved by the Code
21 Official.

22 MR. DOUGLAS: Thank you.

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1 CHAIR KRESS: But if Len is saying
2 that it could be interior, I mean, that --
3 isn't that what's --

4 MR. DEVLIN: We say at a location
5 approved by the --

6 MR. DOUGLAS: It would still comply
7 with that, as does everything up in Chapter
8 One says, as approved by the Code Official.

9 CHAIR KRESS: But shouldn't we allow
10 for that option to be approved, I mean, to
11 point it out, because that has been a big `no'
12 for many years and of concern to many
13 architects and designers.

14 MR. DEVLIN: Yes, to respond to
15 that, we actually had a debate on this one and
16 it's kind of unfortunate that we're in such a
17 tight schedule to get these amendments out.

18 We've had very good participation
19 by DC Fire EMS. We did debate this question
20 of being able to possibly put the fire control
21 room inside the building, in proximity to the
22 main entrance.

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1 CHAIR KRESS: Right.

2 MR. DEVLIN: Essentially, as we know
3 in DC, our problem is, we have small spaces.
4 The highest real estate ends up being street
5 level and so on.

6 The unfortunate thing is, due to
7 the time constraints, we couldn't flush
8 anything out, language, to get it inside the
9 building.

10 VICE CHAIR FETTERMAN: I think also,
11 we've has -- as Lenny may be aware, no
12 representation from the fire people at DCRA,
13 since I think -- we had one visit by your head
14 at one meeting and some of these issues, we
15 feel uncomfortable pushing too far, without
16 getting Government feedback.

17 CHAIR KRESS: But if we're getting
18 Government feedback, can't we put it in now?

19 MR. DEVLIN: Madam Chair, we have
20 been getting feedback, however, frankly, due
21 to the time constraints, there are several
22 items that we realize need to be improved.

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1 However, this is one item that we
2 were not seeing progress being made. And so,
3 as a committee prerogative, we left the
4 language as shown and submitted it.

5 VICE CHAIR FETTERMAN: Thank you.

6 MR. LOURENCO: Armando Lourenco,
7 thank you. I have two questions. First, was
8 the -- my impression of this requirement of
9 the location having a direct access door to
10 the outside, is that -- that was dictated by
11 concerns on the operation of the fire fighting
12 operations, on the -- at the fire scene, and
13 having unimpeded access to the control room,
14 outside the flow of egress from the building
15 and so on.

16 I've heard also, even from the fire
17 department side, the opinion that that's not
18 very critical because they use very often,
19 their mobile control operations center.

20 So, my question was, is there a
21 position on the part of the fire department to
22 having an alternative location that is not

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1 directly accessible from the outside, and
2 second, if the answer is `no', can we table
3 this amendment for the next meeting and try to
4 stab at writing it in a slightly different
5 way?

6 MR. DEVLIN: To respond to your
7 question, with respect to the Fire Marshall
8 Office opinion, I wouldn't speak for the Fire
9 Marshall, but I can say we did have a very
10 good discussion on this, to the point of, many
11 of us discussed and we even agreed, fire
12 control rooms in DC buildings serve absolutely
13 no purpose, when we look back at the whole --
14 exactly, when we look back at the whole
15 inception of fire control rooms.

16 So, can we go forward, table this
17 and get some proposed changes out of it?
18 Absolutely. The only thing is, is we would
19 need, obviously, to get buy-in with the Fire
20 Marshall's Office. So, we'll table this and
21 push it higher up.

22 So, I make a motion to table FLS-

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1 12.

2 CHAIR KRESS: Second.

3 VICE CHAIR FETTERMAN: Thank you.
4 All those in favor of tabling this? It
5 certainly looks like a majority. Thank you
6 very much.

7 MR. DEVLIN: Okay, FLS-13, the
8 change here is really administrative. Well,
9 actually, administrative and code requirement.

10 In the International Building Code where fire
11 pumps are installed, there is no direct link
12 back to NFPA-20. It's route that one has to
13 get to through NFPA-13 and NFPA-14, and when
14 one gets there, there's no requirement
15 relative to supervising critical valves on the
16 fire life safety system.

17 This code change proposal puts
18 language in to get directly to NFPA-20, which
19 is the correct and appropriate standard for
20 fire pumps, and also mandates on new systems,
21 that critical valves on the suction and
22 discharge side, be electrically supervised. I

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1 make a motion to accept.

2 VICE CHAIR FETTERMAN: Thank you.
3 Do I have a second? Scott Vandame. Do I have
4 any discussion on FLS-13? Seeing none, we'll
5 call the question. All those in favor, please
6 raise your yellow card.

7 Thank you. Any opposed? I don't
8 see any. Any abstentions? I see none. The
9 motion passes. Thank you, John.

10 MR. DEVLIN: Great.

11 VICE CHAIR FETTERMAN: It is 11:54
12 a.m. and how much --

13 CHAIR KRESS: Well, that clock is
14 wrong. So is that one. Isn't that wonderful?

15 VICE CHAIR FETTERMAN: John, you're
16 up next, with a dozen or so tabled amendments
17 and how many of these are ready for prime
18 time?

19 MR. STOVALL: We can just go ahead
20 and start with these. It's pretty clear on
21 probably about six of them, that we could go
22 ahead -- well, all of them except for the

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1 three that are still being reviewed by the
2 plumbing.

3 VICE CHAIR FETTERMAN: Well, can we
4 do the clear easier ones and could I ask for -
5 - can the majority of us stay for 15 more
6 minutes? Let's just see if we can knock this
7 out, so we don't have a marathon session in
8 August. Thank you, John. It will be a first.

9 MR. STOVALL: John Stovall,
10 Residential Sub-Committee. R-3 and R-4, where
11 going to remain tabled. Plumbing Committee
12 has not responded yet.

13 R-9 is the same position. It is
14 still being reviewed by the Plumbing
15 Committee.

16 R-10, I'm going to hold this one
17 again, for another -- until Samantha goes
18 ahead and presents the accessibility
19 amendments. We've actually talked about it and
20 she's agreed to support it. But I think it
21 would be proper to go ahead and have her
22 proposals accepted before this is in place.

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1 R-11, I have cost data, which I can
2 hand out for anybody who is interested on it.

3 But let me briefly describe it and you can
4 tell me whether you'd like to see the cost
5 data on it.

6 Let me get it open here. Okay, R-
7 11 is amendment to IRC section R-404.1 in the
8 2006 IRC. There were five stipulations added
9 to the requirements for anchoring joist to
10 sill plates of foundation walls that are
11 retaining earth, and there was really not cost
12 data that was submitted with this.

13 Subsequently, in the Rochester
14 hearings of the IBC, these five sections, as
15 submitted here in R-11, were actually stricken
16 and the cost data that's handed out indicates
17 that if you were to perform what they are
18 requesting in very good soils, in low
19 retaining conditions, you'd be adding about
20 \$1,290 to the cost of a house and in poor
21 conditions where you have a nine foot of
22 unbalanced earth conditions, you'd be adding

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1 more than \$5,300 to the cost of the house, for
2 no proven reason and I'm requesting adoption
3 of this proposal, which would return this to
4 basically, what's been approved at Rochester
5 and was approved prior to this change.

6 VICE CHAIR FETTERMAN: Thank you.
7 Do I have a second? Gail Montplaisir. Any
8 discussion on R-11? Scott Vandame and the
9 microphone is close.

10 MR. VANDAME: Yes, this is Scott
11 Vandame. Just questions about the amendments
12 that have been tabled. Have any of them been
13 changed, as far as the text, since they've
14 been introduced?

15 MR. STOVALL: The ones that have
16 been tabled, no.

17 MR. VANDAME: Okay.

18 MR. STOVALL: There's no change in
19 the text.

20 VICE CHAIR FETTERMAN: Thank you.
21 Any other discussion on R-11? Seeing none,
22 let's call the question. All those in favor,

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1 please raise your yellow card.

2 CHAIR KRESS: Who was the second?

3 VICE CHAIR FETTERMAN: Gail
4 Montplaisir. Thank you. Any opposed? One
5 opposed. Any abstentions? One abstention.
6 The motion passes.

7 MR. STOVALL: R-12 we tabled last
8 month because there was a discussion and
9 concern. This has to do with new regulations
10 in the 2006 IRC and IBC that would require
11 windows that have low sill heights, to be
12 limited to opening that you could not pass a
13 four inch ball through.

14 The proposal on the table would
15 allow stops to be placed on the windows, which
16 would limit the height of the window to
17 preclude passage of a four inch ball and there
18 was question at the time, about the heights
19 that these stops would be placed, could
20 children actually begin to operate them, and
21 we were talking at the time, maybe a 48 inch
22 height would be acceptable.

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1 Subsequent to that, reading through
2 this regulation, if you actually look at the
3 previous exception, which is already allowed,
4 openings that are provided with window cards
5 that comply with ASTM 2006 or F2090, would be
6 acceptable and if you actually look into those
7 regulations, what they're saying is, this is
8 an instance -- these guards are provided for
9 windows in the fully open position and what
10 they're basically saying is that these guards
11 can be swung out of place, so long as you have
12 to perform two operations, to swinging these
13 guards out of place. They allow these guards
14 to be put in place.

15 So, in effect, what we're actually
16 stating here and requesting under the
17 exception three of our proposal, is
18 essentially doing the same thing. What it's
19 saying is, you would have automatic stops,
20 which would limit the height of the window as
21 you first pull it up, automatically, to the
22 four inch height and then you would have to

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1 take -- you could -- you would have to take
2 two steps, in order to raise that window.

3 You would have to pull the release.

4 If you had one release, that would be one
5 step, pulling it, and then you would actually
6 have to raise the window at the same time,
7 which would take two steps to remove it -- to
8 put this window into a position where it would
9 be a danger to someone falling through.

10 So, what I'm stating here is that
11 basically, the amendment as written, would
12 require the two steps, which are indicated
13 under the exception two, under the ASTM
14 regulations for guards and I propose
15 acceptance of R-12.

16 VICE CHAIR FETTERMAN: Do I have a
17 second? Joan Stogis. Any discussion on R-12?
18 Yes, microphones.

19 MR. LOURENCO: Armando Lourenco.
20 John, what I saw you describe is -- and
21 actually, my question the last time was,
22 whether the industry had windows that actually

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1 these types of safety, more than 48 inches
2 above the finished floor.

3 What I saw you describe, appears to
4 me, was for double-hung windows that you
5 pulled up and down. What about side swinging
6 windows, windows that open --

7 VICE CHAIR FETTERMAN: Casements.

8 MR. LOURENCO: Casements. Thank
9 you.

10 MR. STOVALL: Yes, I don't believe
11 that casements could meet this requirement.
12 So, to meet the requirement, that would have
13 to be provided with a release mechanism that -
14 - if they could do this, that would be fine.

15 But our primary concern here is for
16 double-hung windows and if a casement window
17 tried to apply this -- well, if they had a
18 device for doing it, I would think that would
19 be okay. But --

20 MR. LOURENCO: There are casement
21 windows that have a lock and then a crank.

22 MR. STOVALL: Right.

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1 MR. LOURENCO: So, it's clearly, you
2 don't by accident just open it. You have to
3 deliberately remove the lock and then crank
4 them. But my question is, are those windows
5 available, so that at least, one of those
6 mechanisms is out of the reach of two year
7 olds?

8 MR. STOVALL: Of a casement window?

9 MR. LOURENCO: Yes.

10 MR. STOVALL: Well, I think the
11 requirement is concerned about windows that
12 are standing open very wide, okay, because
13 even if they have a screen on it, a child --
14 if it's open very wide, could come up and fall
15 through the screen.

16 So, what I'm basically saying is, a
17 window would have to be provided with this
18 kind of a release mechanism that would stop at
19 four inches and then be over-ridden to be
20 something wider than that, to give you -- as
21 I'm thinking now, I guess, if an adult
22 consciously cranks it wide open, I guess, that

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1 it's -- I don't know that we could accept
2 that, under the fact that the Code has been
3 written to limit this to four inches.

4 I would say off hand, that we
5 should keep casement windows as being
6 unacceptable, if they're sill height is higher
7 than what is allowed by this Code provision,
8 above the floor.

9 Does that answer your -- Armando,
10 does that answer your question?

11 VICE CHAIR FETTERMAN: Wouldn't you
12 be able to use exception two and use your ASTM
13 standard to have some sort of interior guard,
14 since the casement goes out?

15 MR. STOVALL: You could.

16 VICE CHAIR FETTERMAN: If you were
17 trying -- if you ended up with that position?

18 MR. STOVALL: Yes, you could. With
19 a casement window, you could have a lower sill
20 height and you could do the option two, with
21 the guards.

22 MR. LOURENCO: Okay. So, the

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1 amendment addresses that?

2 MR. STOVALL: Yes, it does. I'm
3 sorry.

4 MR. LOURENCO: Thank you.

5 MR. STOVALL: Thank you.

6 VICE CHAIR FETTERMAN: Any other
7 discussion? Yes, John?

8 MR. DEVLIN: John Devlin. John,
9 looking at exception two, there's a reference
10 to ASTM F-2006 and F-2090. I have not read
11 those standards, but typically, an ASTM
12 standard is going to have requirements, since
13 this is safety related -- I'm not going to be
14 able to look at it now.

15 Question, when I read the
16 requirement in exception three that states,
17 that will -- engage automatically and that
18 shall readily manually disengage for emergency
19 egress. That's pretty ambiguous language, as
20 it would relate to a safety standard.

21 First question, are there
22 manufacturers out there that have a product

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1 that in fact, will meet this performance of
2 exception three and second, is this being --
3 what's being proposed here, consistent with
4 what a typical safety standard would be?

5 In other words, I could have
6 something that would engage and be readily
7 manually disengaged, but it could be right
8 next to each other, that could readily
9 manually disengage at the process of engaging,
10 if that makes any sense to you.

11 In other words, it can be defeated
12 and I think when you look at the F-2006 and F-
13 2090, the reason they're asking for a dual
14 action is so as to prevent unintentional
15 override from occurring.

16 So, is this in the same spirit of
17 what exception two is trying to achieve?

18 MR. STOVALL: Thank you, John. I
19 think I understand what you're saying and
20 perhaps, we should include the paragraph
21 that's in the F-2090 and I'll read it.

22 It says, "The emergency escape

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1 egress release mechanism shall consist of a
2 double action device requiring two distinct
3 actions to operate. Opening the window/fall
4 prevention device shall not be counted as one
5 of those two actions."

6 So, if we added this paragraph to
7 what you're saying -- this is -- the only
8 other stipulation in 2090 was that the release
9 of the emergency escape mechanism shall
10 require no more than 15 pounds of force.

11 Perhaps, if we included these two
12 paragraphs, what would address your question?

13 MR. DEVLIN: With respect to those
14 two paragraphs. I think this -- not to -- it
15 needs to table again and come back with some
16 language, and the reason, when you look at
17 windows, especially sash-type windows, I don't
18 want to call them a cottage industry, but
19 clearly, those type of windows and the types
20 of dwelling units where we would see this type
21 of problem is something that, whatever
22 language is in here needs to be very clear, in

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1 terms of its intended performance and safety
2 guards.

3 So, I would like to see some
4 language here. This is pretty ambiguous.

5 MR. STOVALL: I'd be happy to --

6 VICE CHAIR FETTERMAN: And I also
7 heard what John was saying too, that it is an
8 industry with some very big names out there in
9 the window world, pushing their products. Are
10 these products available to do what you're
11 suggesting in option three?

12 If not, maybe we shouldn't be
13 considering it.

14 MR. STOVALL: This has been a very
15 strong question for National Association of
16 Home Builders and there has been discussions
17 with many manufacturers and it's a new
18 requirement. So, there's nothing on the
19 market meeting it right now.

20 But the indication is that it would
21 be developed, if it were allowed.

22 MR. DEVLIN: To respond back to

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1 Marc's question, my concern is not with the
2 major name manufacturers, it's in the lower
3 end vinyl replacement.

4 Every city has four or five
5 manufacturers working out of garage and this
6 is something that when you look at this, it
7 doesn't tell me what the performance
8 requirements would be, 2006 and 2090, I
9 assume, do.

10 And so, if we could get some
11 language back in that makes three, provided
12 more guidance as 2006 and 2090 do, I think
13 that might palatable.

14 MR. STOVALL: Okay. Actually, we
15 may very well be able to cite 2090, and I
16 assume that would answer your question. Okay,
17 we'll bring this back then. Thank you. Next
18 section.

19 VICE CHAIR FETTERMAN: We have four
20 more minutes before it's 12:15 p.m.

21 MR. STOVALL: Okay. So, actually,
22 R-12 and R-13 then, we would continue to table

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1 and I'll bring back with at --

2 VICE CHAIR FETTERMAN: It was never
3 seconded. So, I don't think I need to table
4 it.

5 MR. STOVALL: Okay.

6 VICE CHAIR FETTERMAN: All those in
7 favor of tabling R-12, please raise your
8 yellow card.

9 MR. STOVALL: And 13.

10 VICE CHAIR FETTERMAN: R-12 and R-13
11 tabling. Thank you. Motion carries. Thank
12 you very much.

13 MR. STOVALL: Okay, R-14 has been
14 reviewed by the Fire Committee and we have one
15 change to it, that I'd like to propose.

16 R-14 deals with the table in the
17 IRC for minimum fire separation between
18 buildings. In 2006, the separation distance
19 between the buildings was actually increased
20 and there was not adequate justification
21 presented for that at the time, but it was
22 increased.

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1 What this is proposing is that we
2 return the fire separation distances to those
3 before the 2006. It's a concern, particularly
4 in a city that we're -- number one, in a city
5 that we have right now, where we have existing
6 conditions and in-fill conditions.

7 It is also a concern when we are
8 trying to do denser and denser construction,
9 that buildings would be required to be placed
10 farther apart.

11 Again, I would repeat that there
12 really was not adequate fire justification
13 presented at the time, justifying the increase
14 of the spaces.

15 The second part of this, contained
16 under the new section R-302.20 lot line
17 separation, would -- if you have a permanently
18 -- in the terms of the proposal, perpetual,
19 plated and recorded easements to create this
20 fire separation, all of that fire separation
21 could be on one side of a lot line.

22 In the past, what you really have

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1 been talking about is assuming a lot line
2 between a building and then providing -- in
3 the minimum condition, three foot of
4 separation on one side and three foot
5 separation of the other side.

6 In today's new architecture and
7 design, houses want to be moved over to one
8 property line, so that you could actually have
9 six feet between that house and the adjacent
10 house and actually create a Courthouse in that
11 -- a courtyard in that townhouse construction,
12 which would allow light and ventilation into
13 the center of the house.

14 So, what this is saying in that
15 condition is, as long as you have a perpetual
16 easement in place that would require --
17 perpetual and perpetuity, that space to be
18 allowed, that we'd like to be allowed to have
19 all of this fire separation on one side or
20 some proportion of that one side of the
21 property line and not required to be on both
22 sides.

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1 We did review this with the Fire
2 Safety Committee and have their approval for
3 it and I would like to propose adoption of R-
4 14.

5 VICE CHAIR FETTERMAN: Thank you.
6 Do I have a second for R-14? Gail
7 Montplaisir. Any discussion on R-14?

8 CHAIR KRESS: Yes, I guess partly,
9 I'm wondering where this is coming from,
10 because I look at this from a zoning
11 perspective.

12 The general point of view that
13 you're talking about, of putting the fire wall
14 on one side -- one property or the other, I
15 don't have a problem with it. Something we
16 will have to coordinate with the zoning codes.

17 But I am concerned about some of
18 these minimum fire separation distances, with
19 zero fire resistance rating and I guess, I'm
20 wanting to understand more of where this came
21 from and how this was derived.

22 MR. DEVLIN: John Devlin. Madam

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1 Chair, with regard to the -- where these
2 proposed changes come from, we haven't a clue
3 because what John is doing, he's bringing it
4 back into the 2003 IRC requirements.

5 Now, what the Committee did look at
6 -- and our position was, the rating of the
7 exterior wall is not your critical point.
8 Your critical point is your openings.

9 CHAIR KRESS: Absolutely.

10 MR. DEVLIN: And what's happened is,
11 they did nothing to the 25 percent minimum
12 area of wall opening.

13 CHAIR KRESS: Exactly.

14 MR. DEVLIN: So, our contention was,
15 you could have a -- well, that's one of the
16 issues.

17 The second issue has to deal with
18 the exterior coverings of the walls.

19 CHAIR KRESS: Exactly.

20 MR. DEVLIN: So, this code change
21 proposal did absolutely nothing to the two
22 primary elements that will impact fire

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1 propagation from one building to the next.

2 And so, when we looked at it, we
3 couldn't see any justification of merely
4 setting the building back by two feet, without
5 addressing the exterior materials and the
6 percentage of opening in the exterior walls.

7 So, in essence, we concluded it was
8 an undocumented burden for the change, not
9 John's change, but the 2003 -- the ICC 2006
10 change was an unjustified burden, from the
11 previous requirements.

12 VICE CHAIR FETTERMAN: Thank you.
13 Gail?

14 MS. MONTPLAISIR: Gail Montplaisir,
15 thank you. This is something that we were
16 actually looking at with the Zoning Advisory
17 Committee, because zero lot line construction
18 is considered much more sustainable than the
19 way we're currently doing it, and of course,
20 our zoning regulations don't allow it right at
21 this time.

22 CHAIR KRESS: They actually do, but

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1 that's a different -- you're getting mixed --
2 we're working on that.

3 MS. MONTPLAISIR: Okay, because we
4 looked at it from a number of perspective with
5 the ZAC and -- on the Sustainability
6 Committee, and we're having trouble finding a
7 way that we could actually say that 'yes', you
8 could do it under the zoning regs. But I hear
9 you. You're certainly much more the expert.

10 CHAIR KRESS: And we're changing
11 zoning regs at the same time as we're changing
12 building code regs.

13 MS. MONTPLAISIR: Right.

14 CHAIR KRESS: And so, part of it is,
15 the coordination between the different bodies
16 and that we do and mean the same things.

17 MS. MONTPLAISIR: And so, I have a
18 number of a questions that go along with this
19 and that is, not only from a fire and life
20 safety perspective, because it does sound like
21 we're not addressing that at all.

22 CHAIR KRESS: Exactly.

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1 MS. MONTPLAISIR: Obviously, we
2 address it when we talk about townhouse
3 construction, which is also zero lot line, but
4 from a different perspective.

5 But it seems to me that there are
6 probably other committees that this would
7 affect, even considering storm water and
8 plumbing, because all of the sudden, if we're
9 moving houses this way and that way, I'm
10 wondering what other sub-committees this might
11 affect, and this is the first time I have
12 really thought much about it.

13 So, have we talked to all the other
14 sub-committees to see what effect it might
15 have?

16 MR. STOVALL: I really wasn't aware
17 of this being of the need to talk to any of
18 the other committees.

19 VICE CHAIR FETTERMAN: Another small
20 issue. Armando has been doing Herculean
21 effort on looking at Chapter 32 on projections
22 into public space, and I -- there have been

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1 some recent e-mails back and forth, because we
2 set criteria for projections to be non-
3 combustible, and I see -- I'm just wondering
4 whether this also -- if this is what the word
5 projection means here.

6 I guess, it's a bay window on
7 private property.

8 CHAIR KRESS: And we're also talking
9 about solar projections and --

10 VICE CHAIR FETTERMAN: Yes.

11 CHAIR KRESS: -- energy related
12 projections.

13 MR. STOVALL: Which word projection?

14
15 VICE CHAIR FETTERMAN: Where is
16 projection? I guess --

17 CHAIR KRESS: Exterior wall element
18 projection.

19 MR. STOVALL: Well, these -- I
20 assume that they're talking about the
21 projections such as bay windows, at this
22 point.

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1 VICE CHAIR FETTERMAN: But these
2 would be bay windows into a zoning side yard,
3 I guess.

4 CHAIR KRESS: Yes.

5 VICE CHAIR FETTERMAN: Because
6 otherwise, you wouldn't be getting --

7 MR. STOVALL: Right.

8 CHAIR KRESS: This has not been
9 coordinated. We need to talk a little more, I
10 think, because it is crossing over into --

11 VICE CHAIR FETTERMAN: Into zoning.

12 CHAIR KRESS: -- into zoning.

13 MR. STOVALL: Okay, I'd be happy to
14 table it.

15 CHAIR KRESS: I think we should just
16 leave it on the table and let's talk some more
17 and Armando has also been working with -- one
18 of the big things happens to be Chapter 32 in
19 the Zoning Code, which is a lot of what
20 authorizes certain things in the Building
21 Code, that has to do with certificate of
22 occupancies and I've got consultants, in fact,

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1 meeting next week with DCRA to talk about some
2 of these cross-overs between zoning and
3 building codes, so that -- because we've
4 passed things in the past as building codes
5 and then because the Zoning Code said
6 something else, the lawyers that be, determine
7 the Zoning Code's control.

8 So, right now, from what I
9 understand, the lawyers from the zoning versus
10 the lawyers from DCRA have a major
11 disagreement on who controls what.

12 So, I think we do it by deciding
13 what we want and writing it in both places, is
14 my suggestion and then they won't have big
15 issues that they have to -- the lawyers will
16 have to determine who is who.

17 VICE CHAIR FETTERMAN: It's 22
18 after. You've all stayed longer than I had
19 imagined that we would be able to, and I'm
20 wondering, John, whether we should stop and
21 our next regular meeting would be August 15th.

22 There is -- if there were enough

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1 foolish people in the room, we could also meet
2 before then or we could try very hard on
3 August 15th, to table issues that have any
4 controversy in them, to see if we can get
5 caught up. Shall we do the later, since it is
6 August, and we'll see -- are most of you able
7 to come in August? Obviously, we need nine
8 people.

9 So, maybe before we set the
10 meeting, Sara will be in touch --

11 CHAIR KRESS: Well, I want more than
12 nine people. That's the minimum.

13 VICE CHAIR FETTERMAN: I know, but
14 if we don't have nine, we're wasting our time
15 coming down here. Thank you.

16 We'll see everyone on the 15th and
17 we will start on time and try to be as
18 efficient as we can and I appreciate very
19 much, your patience and input today.

20 CHAIR KRESS: Sara has pointed out
21 to me, we need to officially table, because
22 there was a motion and a second. We need to

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1 officially table R-14 again.

2 VICE CHAIR FETTERMAN: Thank you.
3 All those in favor of tabling R-14? Thank
4 you.

5 (Whereupon, the foregoing matter
6 concluded at approximately 12:30 p.m.)
7
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