

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BUILDING CODE ADVISORY COMMITTEE

+ + + + +

MEETING

+ + + + +

WEDNESDAY,
SEPTEMBER 19, 2007

+ + + + +

The Meeting convened in Room 220
South, 441 4th Street, N.W., Washington,
D.C., 20001, pursuant to notice at 10:30
a.m., Jerrily Kress, Chair, presiding.

BUILDING CODE ADVISORY COMMITTEE MEMBERS
PRESENT:

JERRILY KRESS, Chair
MARC FETTERMAN, Vice Chair
ALI MOHAMMED, Member
ABDULLAHI BARROW, Member
DENVERT BONEY, Member
ROBERT CHEN, Member

LESTER CLEMONS, Member
GILBERT DAVIDSON, Member
WILLIAM DAVIDSON, Member
CARTER DAVIS, Member
JOHN DEVLIN, Member
LENNOX DOUGLAS, Member
MILES HABER, Member

MILTON IRIATE, Member
ARTHUR LEABMAN, Member
SYDNEY LESTER, Member

PRESENT (CONT.)

T. MADDOX-LEVINE, Member

GAIL MONTPLAISIR, Member

JOHN PUCHALA, Member

BELLUR RAVISHANKAR, Member

MOHSIN SIDDIQUE, Member

ROBERT SIMPKINS, Member

NORMAN KEFAUVER SMITH, Member

JOAN STOGIS, Member

JOHN STOVALL, Member

ALAN JOHN THOMPSON, Member

JAMES UPSHAW, Member

SCOTT VANDAME, Member

CATHY WISS, Member

RONNIE LOUIS WORRELL, Member

SONNY YEATMAN, Member

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

2 10:31 a.m.

3 VICE-CHAIR FETTERMAN: Good

4 morning, everyone.

5 My name is Marc Fetterman, the

6 Vice-Chair of the Building Code Advisory

7 Committee. And I'd like to call our September

8 19th meeting to order.

9 What you have in front of you is

10 for opening remarks. You have an agenda. And

11 a couple of you are aware of this, but today

12 what we would like to do is to vote on -- if

13 people are present from the various

14 subcommittees and if issues have been

15 addressed -- vote on the construction,

16 electrical, existing structures amendments

17 that do not have to do with elevators,

18 property maintenance issues that do not have

19 to do with elevators, the two issues and

20 policies amendments, and we may have voting on

21 a couple of mechanical amendments.

22 What that will leave for us, as

1 you see in the back two pages of your agenda,
2 are several meaty topics that are of great
3 interest to many of us, and of which many of
4 us look forward to learning a little more
5 about before we vote.

6 The biggest block that falls into
7 this category are the sustainable design
8 issues. And we are, at the very wonderful
9 suggestion of John Stovall, having an
10 educational seminar in this room next week at
11 this time. Rebecca, I know can speak a little
12 more to exactly who is coming.

13 But our goal is in our sustainable
14 amendments. We list several groups who have
15 standards that we are suggesting are worthy of
16 consideration for adopting. And we've tried
17 to get representatives of these various
18 sustainable standards groups to come give us
19 succinct presentations on where they have been
20 and where they are going with their efforts.

21 And our thought is that at the
22 following BCAC meeting, which would be October

1 3rd, we would then spend an hour to an hour
2 and a half voting on sustainable amendments.
3 So if you would look on page 8 of your agenda,
4 what I'm recommending at the top of the page
5 is that we start our October 3rd meeting in
6 this room at 9:00 o'clock. And I'm
7 recommending that we go from 9:00 until 10:15
8 or so voting on sustainable issues, and that
9 at 10:30 the Elevator Subcommittee and
10 Existing Structures Subcommittee are putting
11 on a brief presentation on the elevator
12 amendments that are being recommended during
13 this cycle. And that presentation will be one
14 hour or less.

15 And we will then have from 11:30
16 at the latest, until let's say 12:30. I see
17 these elevator amendments as either being ones
18 that we embrace as a group or that we turn
19 down in a vote. We've gone through these one
20 code cycle before, and I believe we can get
21 through these in a short period of time. But
22 again, that's subject to the deliberative time

1 that the members need to understand the issue
2 and to vote on them.

3 So that we would then be meeting
4 on October 3rd from 9:00. And I'm saying I
5 would try to get us out of here by 12:30.

6 Yes, ma'am?

7 MS. STOGIS: Thanks. I'm Joan
8 Stogis, Chair of the Existing Structures
9 Committee. We will be sending out prior to
10 this October 3rd meeting, as Rebecca has
11 handed out, an updated Chapter 16. That's
12 existing elevator amendments with a
13 considerably amplified justification
14 discussion of the reasons why these are
15 important.

16 And it will help streamline the
17 process if as many members as possible would
18 take the time to read that justification ahead
19 of the October 3rd meeting. Thanks.

20 VICE-CHAIR FETTERMAN: Thank you
21 very much, Joan.

22 At the moment, following --

1 CHAIR KRESS: Are we still on?

2 I'm confused. So we're talking October 3rd?

3 VICE-CHAIR FETTERMAN: Yes.

4 CHAIR KRESS: From 9:00 --

5 VICE-CHAIR FETTERMAN: Until

6 12:30.

7 CHAIR KRESS: -- to 12:30. And

8 then also on October 3rd, we're talking about

9 11:30 to 12:30 being existing structures? Or

10 is that moved to the --

11 VICE-CHAIR FETTERMAN: What I'm

12 recommending is that between 9:00 and 12:30 --

13 we'll see if this makes any sense -- from 9:00

14 to 10:30, we will vote and discuss sustainable

15 green amendments.

16 From 10:30 to 11:30, the Elevator

17 Committee will make a presentation. And from

18 11:30 to 12:30, we will vote on the elevator

19 amendments, which are collected in your agenda

20 under Existing Structures, and labeled EX-16

21 something. Is that okay?

22 CHAIR KRESS: Thank you.

1 VICE-CHAIR FETTERMAN: At our last
2 meeting, we had said we were going to meet on
3 the 17th, which I believe we should continue
4 to hold that date. But I would also like to
5 ask if we could meet on the 10th as well, but
6 I'm asking you simply to put that in your
7 calendar -- I need to do more homework than
8 I've been able to do before coming to you this
9 morning -- and look at these other amendments
10 and see how much time we need.

11 We're under a deadline as many of
12 you are aware from the Office of the Attorney
13 General, who would like to have all of our
14 amendments by the 15th of October. I've
15 mentioned to a meeting with representatives of
16 that group and senior people at DCRA that we
17 were going to do our best, but that we were
18 certainly not promising this.

19 And I believe that the issues that
20 the city spent the most time focusing on the
21 last time were the administrative amendments.
22 And to the point where we can get to those

1 early on, I believe this should help their
2 review time. And we've already started doing
3 that.

4 Before the October 3rd meeting, we
5 will send an e-mail to everyone with a
6 schedule of the amendments we will be voting
7 on after October 3rd. But I know several of
8 you have busy schedules. In fact, I'm sure
9 everyone of us does.

10 And I'm wanting to try to be as
11 open as possible so that we know when specific
12 issues are going to be discussed in case
13 they're ones that you feel extremely strongly
14 about.

15 Administrative matters. You'll
16 see one less person at the table this morning,
17 as Sara Bardin, who is a key aide in helping
18 us accomplish our work, has gone on maternity
19 leave earlier than expected at the requirement
20 of her doctor. And so, I know without saying
21 all wish her and her family the very best in
22 these last few weeks of her pregnancy.

1 I'll open it up to the floor for
2 any general discussion people have before
3 going to the construction amendments.

4 Anything people would like to discuss?

5 MR. RAVISHANKAR: Good morning.

6 Ravishankar from DCRA. Just a small request,
7 Marc. If you were to have the October 10th
8 meeting, I would like to have it either on the
9 9th or the 11th, because there is an all staff
10 meeting by the Department. Everybody has to
11 attend that as a mandatory meeting.

12 VICE-CHAIR FETTERMAN: Thank you
13 for bringing that to our attention.

14 The 9th is a Tuesday. And I'm not
15 sure that this room is available.

16 MR. RAVISHANKAR: Any other day
17 other than the 10th.

18 PARTICIPANT: How about Thursday?

19 CHAIR KRESS: Would you grab or
20 ask Rebecca to come out here with her
21 schedule?

22 VICE-CHAIR FETTERMAN: What we'll

1 do is we'll get this out to everybody. Thank
2 you for letting us know about that.

3 What time is your meeting?

4 MR. RAVISHANKAR: All day. It's
5 an all-day meeting.

6 VICE-CHAIR FETTERMAN: So I
7 couldn't come and get a building permit that
8 day?

9 MR. RAVISHANKAR: No.

10 (LAUGHTER.)

11 CHAIR KRESS: Jerrily Kress. I
12 think the way our schedule typically goes,
13 we're booked Tuesdays, Wednesdays, and
14 Thursdays -- this room. So, I would probably
15 think Friday the --

16 VICE-CHAIR FETTERMAN: 12th.

17 CHAIR KRESS: -- the 12th, which
18 she's checking that.

19 VICE-CHAIR FETTERMAN: But I would
20 love not to have the meeting. I'm just trying
21 to figure out how we can complete our work in
22 the amount of time we meet.

1 MR. RAVISHANKAR: More
2 specifically would be DC WASA. Any update on
3 the status of the new members?

4 VICE-CHAIR FETTERMAN: Thank you
5 very much.

6 We all have that challenge because
7 our appointments all were through last April.
8 And my understanding was that you were --

9 PARTICIPANT: There are some
10 people here to --

11 VICE-CHAIR FETTERMAN: Then we do
12 have some people here to discuss that.

13 Is there someone here from Boards
14 and Commissions?

15 PARTICIPANT: Or DCRA.

16 VICE-CHAIR FETTERMAN: Or DCRA, to
17 give us an update on our reappointment?

18 I do know, Doctor, there were a
19 number us -- myself being rather radical in
20 suggesting that we didn't want to continue
21 doing this if we weren't going to be
22 reappointed.

1 And I will -- as I explained to
2 the heads of Boards and Commissions, there are
3 a number of wonderful ways that people can
4 volunteer in this city. They need so much
5 help in different ways. And there's no sense
6 in us spending our time doing things if it's
7 not requested.

8 Stay tuned. We're hoping for a
9 positive resolution on that very shortly, or
10 we won't need to have anymore meetings.

11 PARTICIPANT: Very well put.

12 VICE-CHAIR FETTERMAN: But thank
13 you for bringing that up.

14 What that would leave for us to
15 vote on after the 3rd would be accessibility
16 amendments, which I know there are some
17 discussions ongoing because these go beyond
18 ADA and national standards.

19 There are a number of residential
20 amendments that are tabled due to coordination
21 with other subcommittees. And I know from
22 today that some of the mechanical and plumbing

1 amendments that are being discussed or
2 introduced will need a little more refinement
3 before they're ready for prime time.

4 And I know also that Fire and Life
5 Safety is looking to possibly add a few more
6 amendments. And the same thing may be true of
7 Property Maintenance.

8 So, what I'm trying to say is I'd
9 hate to have too full an agenda on the 17th.
10 But maybe if that's not convenient, maybe
11 we'll start at 9:00 o'clock on the 17th and
12 just see how far we get.

13 With that, any other discussion?

14 CHAIR KRESS: So, is it your
15 thought that we are going to meet on the 12th,
16 or we are not? That was the day -- the 10th
17 -- that they had the difficulty with.

18 VICE-CHAIR FETTERMAN: I guess,
19 just in looking at the number of amendments we
20 would have, the hardest thing to know how
21 elevator and sustainable amendments will be
22 treated, whether there will be a request to

1 table a lot, or whether -- and there's one
2 more controversial one out there which is
3 sprinklering of single-family houses.

4 All right. I think we should meet
5 on the 12th -- on Friday?

6 CHAIR KRESS: Okay. October 12th
7 is open, so we can meet --

8 VICE-CHAIR FETTERMAN: Let's call
9 it 9:00 o'clock in this room on October 12th
10 -- like 9:00 to 12:30.

11 CHAIR KRESS: 9:00 to 2:00.

12 MS. MESTERMACHER: 9:00 to 2:00?

13 CHAIR KRESS: Yes.

14 MS. MESTERMACHER: Okay.

15 CHAIR KRESS: Just to be careful.

16 VICE-CHAIR FETTERMAN: And we'll
17 continue our meeting on the 17th as clean-up.

18 So we're meeting on October 3rd,
19 12th and 17th at 9:00 o'clock in this room.
20 Thank you all.

21 Any other issues to bring up
22 before the full committee?

1 (No audible response.)

2 VICE-CHAIR FETTERMAN: Thank you.

3 Thank you, all. Sorry for the
4 coordination delay.

5 Under construction -- as I
6 mentioned, we're going to defer the
7 accessibility amendments and not discuss them
8 at this meeting.

9 On the construction items, the
10 first one is C-1. And this is awnings and
11 canopies.

12 We discussed this at our last
13 meeting. And Sean Pharr, one of our members,
14 raised a very good point about whether we
15 needed a permit to repair an awning. And in
16 speaking with Lennox Douglas about this, DCRA
17 has considered the matter and feels that
18 they're comfortable with deleting the word
19 "repair" from the code, so that one would not
20 need a permit to repair an awning.

21 We're dealing with C-1, and this
22 is Section 3105.1.1, Permit. We're going to

1 delete the word "repair" in the first line.

2 Yes, Lennox?

3 MR. DOUGLAS: Thanks, Marc. One
4 thing, in 3105.1.1 in the exception, I do have
5 a concern there where it is stating, "A permit
6 shall not be required for the erection, repair
7 or replacement of a fixed or retractable
8 awning," et cetera, et cetera.

9 However, I would change that to
10 state, "A permit shall not be required for
11 awnings located outside of the historic and
12 fine arts jurisdictions to repair or replace
13 a fixed or retractable awning," et cetera, et
14 cetera, et cetera.

15 VICE-CHAIR FETTERMAN: I know in
16 Chapter 1 we deal with this issue, and we say
17 that there's a whole item in there that
18 requires Historic Preservation's review.

19 MR. DOUGLAS: Right. But that
20 lists --

21 VICE-CHAIR FETTERMAN: Are you
22 suggesting that we add the same caution to

1 this section?

2 MR. DOUGLAS: Yes. Instead of
3 wholesale saying a permit shall not be
4 required, I need to put that restriction in
5 there, because it will be required if that
6 awning is within the historic or fine arts
7 jurisdiction.

8 And I don't know if we can go -- I
9 think it's 1403.1., where permits are not
10 required -- and put this section in that
11 section, because it's covered in that section.

12 VICE-CHAIR FETTERMAN: It's an
13 interesting problem we've had where we put the
14 requirements for permits. I know we've got
15 the same problem in encroachments into public
16 way.

17 MR. DOUGLAS: Right.

18 VICE-CHAIR FETTERMAN: And so my
19 quick recommendation, Lenny, if it's
20 acceptable to the city would be to add the
21 caveat to this exception for historic
22 districts.

1 MR. DOUGLAS: That is correct.

2 VICE-CHAIR FETTERMAN: Any other
3 comment on this?

4 MS. MESTERMACHER: Can you repeat
5 what it's being changed to?

6 MR. DOUGLAS: Okay. Let me see if
7 I can read it again.

8 "A permit shall not be required
9 for awnings located outside of the historic
10 and fine arts jurisdictions, to repair or
11 replace fixed or retractable awnings
12 projecting 40 inches," et cetera, et cetera,
13 et cetera.

14 Yes. "Permits shall not be
15 required for awnings located outside of the
16 historic and fine arts jurisdiction to erect,
17 repair, replace" --

18 VICE-CHAIR FETTERMAN: Or since
19 we've deleted repair from above, we don't need
20 it in exceptions.

21 MR. DOUGLAS: Yes.

22 MS. BUSHMAN: Marc? Esther

1 Bushman, General Counsel. Just a question.
2 Is it clear what we mean by historic and fine
3 arts jurisdiction? Do we need any reference
4 to the underlying law? Or is that just
5 understood?

6 MR. DOUGLAS: That's understood.

7 MS. BUSHMAN: Okay. Just double
8 checking.

9 VICE-CHAIR FETTERMAN: It's a good
10 point. And I know in the signage regs, the
11 Office of the Attorney General had us -- as
12 part of their comments -- list the legislation
13 that brought these groups into being.

14 And unfortunately, OAG was not
15 consistent, but they did bring that up one
16 time. So I guess it would be advisable.

17 MS. BUSHMAN: If it's all right
18 with you, I will as I'm looking at this --
19 because I haven't actually gone through your
20 sign regulations and tried to put in the
21 proper citation method where I could and made
22 notes for myself where it was necessary to add

1 things. I could do it as a parenthetical just
2 to make sure that we have a technically
3 correct understanding.

4 VICE-CHAIR FETTERMAN: Okay. Yes.
5 I think this is a refinement that we don't
6 need to --

7 MS. BUSHMAN: No.

8 VICE-CHAIR FETTERMAN: -- take the
9 time of the committee unless -- may we call
10 the question?

11 CHAIR KRESS: Who --

12 VICE-CHAIR FETTERMAN: I'm sorry.
13 I would like to propose this as an
14 amendment, Marc Fetterman as a member of the
15 Construction Subcommittee. And I would like
16 to ask for a second. And John Stovall will
17 second it.

18 And any additional discussion on
19 C-1? Seeing none, I'll call the question.
20 All those in favor of C-1 as amended from the
21 floor today, please raise your yellow cards.

22 CHAIR KRESS: Everybody have

1 yellow cards that --

2 VICE-CHAIR FETTERMAN: Rebecca,
3 may we have cards? Thank you.

4 Any opposed to C-1? Any
5 abstaining from C-1? I see none opposed, and
6 none abstaining. C-1 passes. Thank you.

7 C-2?

8 PARTICIPANT: Actually it's C-3.

9 VICE-CHAIR FETTERMAN: Thank you.
10 It's C-3. If you'd change that on your
11 agenda.

12 C-3 is the signage regs. And what
13 I did in this amendment was to take a law that
14 was passed by the City Council during the past
15 year -- first as emergency and then as
16 permanent legislation -- which dealt with a
17 law suit about signs I believe on residential
18 property. And I incorporated those remarks
19 into this body. And I also took, as I
20 mentioned to Esther a few minutes ago, some
21 rather thorough comments from the Office of
22 the Attorney General that we received as

1 feedback to our last set of amendments, and
2 put those in here.

3 And one of the items that resulted
4 from that was re-numbering some of the signs
5 to conform with the way that IBC numbers
6 things.

7 And Jerrily Kress, our Chair, who
8 is sitting to my immediate right, had made a
9 suggestion that we mention today when we're
10 looking at amendments whether these are the
11 same amendments that we voted on before --
12 even though that's not a policy -- that it may
13 help us in our deliberative process.

14 And I neglected to mention that
15 awnings and canopies was the same. And except
16 for the two caveats I just gave you on signs,
17 that's the same.

18 So I would like to make a motion
19 to accept C-3. And I look for a second.

20 VICE-CHAIR FETTERMAN: Joan Stogis
21 is seconding. Any discussion on C-3, please.

22 CHAIR KRESS: Yes. Jerrily Kress.

1 I believe at some point we will need to -- and
2 I don't think there's time in this process --
3 to spend some time on the commercial
4 advertising. Right now it's under 3107.7.10,
5 Commercial Advertising on vehicles. The
6 Taxicab Commission and Executive Director has
7 an interest with DCRA and us, and have seen to
8 it that there are some regulations that
9 control advertising and the exterior surfaces
10 of taxicabs. So I don't think we've got time
11 to take that up in this cycle. But I just
12 want to make a note of it for next year.

13 VICE-CHAIR FETTERMAN: Thank you,
14 Madam Chair.

15 CHAIR KRESS: Also, there are a
16 couple of places where signs -- one is on
17 3107.9.2, Zoning Restrictions -- and it talks
18 about "nor any greater illumination than
19 permitted by a specific order of the Board of
20 Zoning Adjustment."

21 There's a couple of places where
22 the Board of Zoning Adjustment is mentioned.

1 And I believe that this is just editorial, but
2 that those should be also included to say "or
3 Zoning Commission Order," because Zoning
4 Commission Orders do also set requirements on
5 signage, lighting and in their orders, and
6 other such things. So, I think that can just
7 be an edit through this section to pick up
8 that it's both BZA --

9 VICE-CHAIR FETTERMAN: And Zoning.

10 So what I'm hearing, Madam Chair,
11 is that on the second line, "by specific order
12 of the Board of Zoning Adjustment or the
13 Zoning Commission."

14 CHAIR KRESS: Right. And then
15 there's another one if you want to do that in
16 Signs and Special Purpose Districts --
17 3107.9.6.

18 MS. STOGIS: Also in 3107.9.5.

19 CHAIR KRESS: That's why I didn't
20 know if we wanted --

21 VICE-CHAIR FETTERMAN: We can do a
22 word search and whenever we pick up BZA, we

1 will add, "or Zoning Commission," with the
2 permission of the Committee.

3 Yes? And Esther has a comment.

4 MS. BUSHMAN: 3107.7.6.5, the
5 fourth line down. Did you intend for that
6 word "not" to be in there?

7 VICE-CHAIR FETTERMAN: 7.6.5.

8 MS. BUSHMAN: Yes.

9 VICE-CHAIR FETTERMAN: Under
10 Maintenance and Repair.

11 MS. BUSHMAN: Maintenance and
12 Repair.

13 VICE-CHAIR FETTERMAN: 3107.7.6.5.

14 MS. BUSHMAN: Right.

15 VICE-CHAIR FETTERMAN: And thank
16 you. You're --

17 MS. BUSHMAN: The word "not" in
18 the fourth line. You'll have to start at the
19 beginning of the sentence and read it.

20 VICE-CHAIR FETTERMAN: My quick
21 thought is that the "not" should be deleted.
22 Is that your feeling, Lenny?

1 MR. DOUGLAS: Yes.

2 VICE-CHAIR FETTERMAN: Thank you,
3 Esther.

4 MS. BUSHMAN: You're welcome.

5 CHAIR KRESS: You need to be
6 identifying yourself. Our poor court reporter
7 is having trouble. And a microphone.

8 And this is important. We do need
9 it.

10 MS. WISS: Okay. Cathy Wiss.

11 VICE-CHAIR FETTERMAN: I see that
12 it makes sense to leave it as it is.

13 MS. WISS: It makes sense if you
14 then read the next sentence.

15 VICE-CHAIR FETTERMAN: Yes. Thank
16 you. Okay as is. Thank you all.

17 Any other comments?

18 MR. LEABMAN: Yes. Art Leabman.
19 On that, one minor thing. Instead of the
20 "and," it might be changed to "but." Then it
21 would be very clear, I think.

22 VICE-CHAIR FETTERMAN: Help me

1 with which line, since I'm --

2 MR. LEABMAN: The same one. "It's
3 not maintained in good repair, but has not
4 deteriorated more than 50 percent."

5 And then the following sentence,
6 it would all be very clear, I think. It's
7 just a minor --

8 CHAIR KRESS: Those are really
9 editorial kinds of things.

10 VICE-CHAIR FETTERMAN: Yes. Thank
11 you very much. I think that's a good point.

12 Any other comments? Yes, Kathy?

13 MS. WISS: Cathy Wiss. I'd just
14 like to compliment you on the indentation
15 here. I read these on line and there's no
16 indentation, and it makes it very, very
17 difficult to read the sign regulations.

18 VICE-CHAIR FETTERMAN: Well, thank
19 you. I know we're late, and --

20 MS. WISS: But I would hope that
21 this could be changed once this is amended on
22 line, and possibly in the hard copy, which I

1 don't consult.

2 VICE-CHAIR FETTERMAN: Thank you.

3 I will say as a bit of humor, even
4 though we're running out of time, that because
5 of our work which has been on the internet, if
6 people Google certain words, unfortunately my
7 name and phone number come up.

8 (LAUGHTER.)

9 VICE-CHAIR FETTERMAN: So I get
10 regular calls on signage, and on awnings and
11 fences from all over the metropolitan area.
12 I try to answer all the questions. But it's
13 amazing. But thank you.

14 Just this signage work took over
15 six hours just to try to glome this together.
16 And I'm sure with careful reading, there are
17 many other refinements that this could have.

18 I will say one other thing before
19 I ask if there are any more comments. DCRA
20 did a very thorough re-write of this, but it
21 was not written using building code language.

22 And given the amount of time and

1 the short period we have to deal with this, a
2 number of us would love to re-write this
3 entire thing and make it legible. But this
4 time period does not seem to be allowing that.

5 MS. WISS: Can I just follow --

6 CHAIR KRESS: Cathy Wiss again.

7 MS. WISS: I totally agree with
8 that. In the community, we see DCRA approving
9 signs of all descriptions. They'll say type
10 of sign. It has no bearing -- no basis in the
11 sign regulations.

12 We see the sign regulations being
13 completely ignored in what's being approved.
14 So I think it's very important to come up with
15 something that DCRA can work with and build it
16 into the building code language.

17 VICE-CHAIR FETTERMAN: And as I've
18 mentioned to several people in enforcement
19 here in the city before, none of us would have
20 to pay property taxes if the signage regs were
21 enforced by DCRA.

22 All you have to do is go through

1 Georgetown and look at what the signage that's
2 allowed in historic districts and see what
3 flourishes.

4 Lenny?

5 MR. DOUGLAS: I just wanted to
6 tell you, Marc -- this is off the record.

7 VICE-CHAIR FETTERMAN: We'll go
8 off the record for a second if we could
9 please. Thank you.

10 (Whereupon, at 11:11 a.m., off the
11 record until 11:11 a.m.)

12 MS. BUSHMAN: Can I just ask one
13 quick question?

14 There is a reference in the sign
15 regulations, which I'm highly familiar with at
16 Gallery Place to illustrations.

17 VICE-CHAIR FETTERMAN: Yes.

18 MS. BUSHMAN: Those illustrations
19 had been part of the legislation, but they are
20 not cross-referred to the appropriate law.

21 Does DCRA have a copy of those
22 and/or a citation that it would like to add?

1 Because this is still unclear when you read
2 this.

3 VICE-CHAIR FETTERMAN: Lenny and I
4 discussed this. And I have a copy of the
5 graphics.

6 And what we talked about was
7 having them either put on a website, or have
8 them on file with someone at DCRA who could
9 then produce them the next time that project
10 is changed.

11 We were trying to figure out
12 what's an easy way to deal with this issue.

13 Lenny?

14 MR. DOUGLAS: Yes. We're looking
15 into that, Esther, to incorporate whatever we
16 can on the Gallery Place signs, adding to this
17 code, or as an addendum to the code.

18 A lot of that has struck us as
19 being new, but it's not new. And especially
20 with the last fiasco. I'm saying it mildly.

21 But we are looking into it.

22 CHAIR KRESS: I would say

1 something very quickly. I think those are
2 both the new zoning regulations and the
3 building code amendments, and that's that
4 we're working with Office of Documents to see
5 if we can break out of their standards and put
6 some graphics. We have some major discussions
7 coming up.

8 We have already been able to
9 convince them that the building codes should
10 be in the same format as the national building
11 codes. I mean, it's ridiculous to be flipping
12 and having one whole set of way of dealing
13 with things with your supplement when you're
14 doing all your referring to your national
15 code.

16 So these probably will both be
17 argued together. For right now, we're getting
18 it done and meeting our deadlines. But the
19 ultimate publication and how it's maintained,
20 I think there's more discussion to happen.

21 Sorry to take time.

22 VICE-CHAIR FETTERMAN: Thank you.

1 Any other comments? Seeing none, I'll call
2 the question on C-3. All those in favor,
3 please raise your yellow card. All those
4 opposed? I see none. Abstentions? I see
5 none. The motion carries. Thank you.

6 C-4?

7 CHAIR KRESS: Who put this
8 forward? Did Marc put this forward?

9 VICE-CHAIR FETTERMAN: Yes. Thank
10 you. I think we passed C-4 the last time.

11 Thank you. I tried to edit these
12 agenda items. And I'm sorry I wasn't as
13 thorough with my own as I could have been.
14 Thank you.

15 C-5 is the last one. The reason I
16 was mentioning it, I was looking at the wrong
17 agenda.

18 C-5 is the amendment to
19 encroachments into public right of way. And
20 this has been presented at our last meeting
21 and got up on the website in the last couple
22 days. Is that right, Rebecca? Yes.

1 And it was a collaborative effort
2 between Armando Lourenco and Lennox Douglas,
3 and a couple of other people on our
4 Construction Subcommittee -- Norman Smith
5 being one of them.

6 And the idea on C-5 was not to
7 change it, but to try to make it more like
8 modern code language. And you'll see in the
9 matrix there that accompanies it, Armando as
10 an engineer tried to do a very thorough job of
11 showing the existing and the proposed.

12 I will say there were two changes
13 that I recall that we made to the code in
14 consultation with DCRA. One was eliminating
15 coal chutes. And the second was an
16 interesting item that's been in this part of
17 the code for quite awhile, which allowed one
18 to erect on public space, and what I would
19 call an aluminum screen door with a small
20 vestibule in front of it to allow a more
21 weathertight seal to the front door of a
22 building.

1 What we found was that the
2 dimensions in there violated the accessibility
3 codes because of the fact that we couldn't
4 have enough room for the door plus the space
5 for the disabled person to use that. And so
6 we are proposing removing that item from the
7 code.

8 And in discussing it with DCRA,
9 and as someone that enjoys walking around this
10 city a lot, my quick thought was that I didn't
11 see this to be a great handicap to people.
12 What we're talking about -- because we put it
13 in the building code as new construction --
14 anyone that was up there now, and we're not
15 asking that people take them down. And what
16 I've noticed is that people who do have them
17 up because so many people air condition
18 buildings, which was not done when the
19 document was originally written in the '60s,
20 they leave them up year round.

21 So with that as an introduction, I
22 would like to move that we introduce C-5 for

1 voting. And I look for a second. Thank you.
2 Bellur Ravishankar is seconding it. Any
3 discussion on C-5?

4 CHAIR KRESS: I'm sorry. This is
5 just for presentation?

6 VICE-CHAIR FETTERMAN: No, it was
7 introduced at our last meeting.

8 MR. HABER: Miles Haber. Just for
9 clarification. Is the new the right hand
10 column? Because --

11 VICE-CHAIR FETTERMAN: Thank you.
12 Yes.

13 MR. HABER: Okay.

14 VICE-CHAIR FETTERMAN: Any other
15 comments or questions? Seeing none, we'll
16 call the question. All those in favor of C-5,
17 please raise your yellow card. Thank you.
18 All opposed to C-5? I'm seeing none. Any
19 abstentions? I see one, two abstentions.
20 Thank you. C-5 passes.

21 Those are the construction
22 amendments. I do not at the moment see

1 additional ones being introduced.

2 Electrical -- we tabled an
3 amendment at our last meeting. Is that ready
4 to come back to us, or should that remain
5 tabled?

6 MR. VANDAME: We can deal with
7 this with a friendly amendment.

8 VICE-CHAIR FETTERMAN: Scott
9 Vandame is speaking and saying we can deal
10 with this with a friendly amendment.

11 MR. VANDAME: Yes. We talked
12 about it. We don't have a written one
13 distributed. But if you want to discuss it on
14 the floor here, we can make mention of it.

15 VICE-CHAIR FETTERMAN: Let's see.
16 E-2? Is there someone from the Electrical
17 Committee to discuss this? Mohammed?

18 MR. ALI: Mohammed Ali from DCRA.
19 The new proposal is supposed to be written,
20 but I don't see it here. This is the old one.

21 But we can discuss it here and
22 make amendment here.

1 VICE-CHAIR FETTERMAN: Let's try
2 and see if the sense of the Committee is that
3 we feel comfortable with this.

4 MR. ALI: Okay. This is for
5 existing fire alarm systems when they make
6 changes of service. Usually contractors feed
7 them from the local panels. We want to make
8 sure that existing systems when they replace
9 the power supply, the fire alarm system has to
10 be fed from the line set of the main.

11 VICE-CHAIR FETTERMAN: So it's
12 ahead of the main circuit breaker to help us
13 not nonengineers.

14 MR. ALI: Right. This is the
15 purpose of it.

16 VICE-CHAIR FETTERMAN: Thank you.

17 MR. ALI: So we came up with the
18 wording -- Vandame and I. So maybe he can
19 propose that.

20 MR. VANDAME: Scott Vandame. And
21 the re-wording would be for item B. And the
22 new wording would be, "Where alterations are

1 made to the power supply for existing fire
2 alarm systems without back-up power, both main
3 and supervision power shall be tapped ahead of
4 the main."

5 And I can say that again if you
6 need it.

7 VICE-CHAIR FETTERMAN: Do it
8 again. And thank you. Go more slowly than
9 you did.

10 MR. VANDAME: Sure. "Where
11 alterations are made to the power supply for
12 existing fire alarm systems without back-up
13 power, both main and supervision power shall
14 be tapped ahead of the main."

15 And then I think that just takes
16 care of the issue and words it in a way that
17 makes it --

18 VICE-CHAIR FETTERMAN: Thank you.
19 Thank you. And DCRA is happy with this?
20 Thank you.

21 I'm afraid I don't have a copy of
22 the document in front of me, but we did

1 introduce it the last time. So I was just
2 wondering who introduced it? Frank, and it
3 has been seconded. Do you have that
4 information, Rebecca?

5 MS. MESTERMACHER: From last time?

6 VICE-CHAIR FETTERMAN: Yes.

7 MS. MESTERMACHER: I do.

8 VICE-CHAIR FETTERMAN: Okay. Well
9 then, why don't we just introduce it again?
10 And maybe we'll look to Mohammed to introduce
11 it and Scott to second it.

12 It's on the floor. Additional
13 comment?

14 CHAIR KRESS: We're not voting on
15 it today?

16 VICE-CHAIR FETTERMAN: We are.

17 Because it was introduced --

18 CHAIR KRESS: Well, I'm confused,
19 because my notes -- I don't have this re-done.
20 And I have A crossed out. I have the only
21 application is to historic systems and certain
22 conditions, and it needs definition.

1 And I've got quite a few notes on
2 this one that makes me a little uncomfortable.
3 Now this is out of context, and I'm just
4 getting it.

5 VICE-CHAIR FETTERMAN: Do we have
6 a typed copy of this that we could get xeroxed
7 if we table this for a few minutes? Yes?

8 MR. DEVLIN: I can shed light on
9 this discussion. John Devlin.

10 Madam Chair, the reason why it was
11 tabled was this was only applying to existing
12 120 volt AC fire alarm systems. And so yes,
13 you're correct. Item A was deleted. Then we
14 got to B. B was tabled because the language
15 wasn't complete.

16 I think what Scott and Mohammed
17 have proposed addresses my concern, because if
18 I recall correctly, I was the person that
19 initiated the tabling.

20 VICE-CHAIR FETTERMAN: Scott, do
21 we have a typed copy of this?

22 MR. VANDAME: We don't have a

1 typed copy as revised. We have a typed copy
2 of the original submission.

3 VICE-CHAIR FETTERMAN: Do we have
4 a typed copy with the revisions written in
5 that we could then distribute to everyone so
6 they -- okay.

7 MR. VANDAME: But I can handwrite
8 in on one shortly here.

9 VICE-CHAIR FETTERMAN: Why don't
10 we move on and do that, and see if we can come
11 back to this if it's the sense of the
12 Committee later today? And I'm sure --

13 CHAIR KRESS: This is for a our
14 record keeping. Right now, I just don't want
15 to go too fast that we slip a word or slip
16 some meanings.

17 VICE-CHAIR FETTERMAN: Thank you.
18 That is the only electrical one.

19 And then invite Joan Stogis to
20 come up for several existing structures
21 amendments. Thank you.

22 MS. STOGIS: Joan Stogis.

1 Existing Structures Committee.

2 First, the first four amendments
3 listed there on your agenda, which all concern
4 existing elevators, will be taken up in the
5 October 3rd meeting.

6 So moving on from that, the next
7 one is 6-3, which was introduced last month.
8 And this is simply a coordinating amendment
9 with the Accessibility Committee, who we are
10 adopting for new structures and appendix to
11 the building code dealing with fixed
12 transportation facilities and stations. I
13 think it has a slightly different title, which
14 I don't have in front of me. It's IBC
15 Appendix E, Section E-109. And this
16 amendment, which proposes to adopt the related
17 section B-102 of Appendix B in the existing
18 buildings code to coordinate for accessibility
19 in existing fixed transportation facilities.

20 I'd like to move adoption of EX-6-
21 3.

22 VICE-CHAIR FETTERMAN: Thank you.

1 Do I have a second?

2 CHAIR KRESS: I'm not even there
3 yet.

4 MS. STOGIS: I might add while
5 people are finding the right paperwork that we
6 did the same thing in the last cycle.

7 PARTICIPANT: What's the amendment
8 section again?

9 MS. STOGIS: It's EX-6-3. And it
10 adds a new --

11 PARTICIPANT: 16?

12 MS. STOGIS: 6. No, forget 16.
13 Leave that until October.

14 PARTICIPANT: All you have --

15 MS. STOGIS: Well, it was
16 introduced in August.

17 PARTICIPANT: It should be
18 following the 16.

19 CHAIR KRESS: It should be
20 following the 16?

21 MS. STOGIS: No, it was introduced
22 on August 15th.

1 MS. MESTERMACHER: I'm sorry. I
2 don't see it.

3 MS. STOGIS: Sorry. I'm working
4 out of my notebook. I didn't look for it in
5 the package that was on the front table.

6 Rebecca, do you know if it's in
7 there?

8 MS. MESTERMACHER: I'm sorry. I
9 don't see it. Let me go make some quick
10 copies.

11 MS. STOGIS: Okay. Is this going
12 to apply to the other existing structures
13 amendments? Okay.

14 How about property maintenance?
15 Is that in the packet that was handed out.

16 PARTICIPANT: That's there.

17 MS. STOGIS: Well, with your
18 consent, Marc, it looks like we should move on
19 to that.

20 CHAIR KRESS: And just let us get
21 to the next one before you go.

22 MS. STOGIS: All right. This, if

1 you turn to page 2 on the agenda, the first
2 amendment, which was EX-PM-1, Revised, was
3 tabled. I'd like to leave it tabled. It
4 relates to elevators in existing buildings.
5 So we'll take that up again in October.

6 CHAIR KRESS: Could you just hold
7 it until we get there? Maybe I don't have the
8 right agenda.

9 MS. STOGIS: I'm on the top of
10 page 2 on today's agenda, which is headed
11 Property Maintenance.

12 CHAIR KRESS: The old agenda.
13 Okay.

14 MS. STOGIS: And the first
15 amendment, I'd like to leave on the table
16 until we discuss existing elevators in our
17 next meeting.

18 The next group of amendments are
19 all proposed to continue provisions in
20 property maintenance code which are currently
21 in effect. And that case as amendments to the
22 2000 Property Maintenance Code.

1 I will point out as I go along,
2 there are a couple of minor discrepancies of
3 dates with similar provisions in DCMR 14, the
4 Housing Code. And I have been unsuccessful in
5 getting in contact with anyone at DCRA who can
6 help us resolve them.

7 I think they may not be quickly
8 resolvable because some of these provisions of
9 DCMR 14 come from acts of Congress or acts of
10 the City Council, rather than regulations.
11 And therefore, even if they may be obsolete,
12 can't simply be waved away with an amendment
13 to the Property Maintenance Code.

14 And with that caveat, I'll go
15 through EX-PM-3, basically amends the general
16 section terms defined in other codes to
17 include a number of specific D.C. Acts. And
18 the list as published by the ICC was really
19 not complete with a list of ICC codes we
20 adopt. So it lists a couple, which they had
21 left out.

22 I'd like to move adoption of EX-

1 PM-3. This is really a housekeeping kind of
2 amendment.

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

8 CHAIR KRESS: We lost our counter.
9 Would you count, Esther, please?

10 MS. BUSHMAN: Yes.

11 Jerrily, are you voting?

12 CHAIR KRESS: Not everybody can
13 vote.

14 VICE-CHAIR FETTERMAN: Are you
15 voting?

16 CHAIR KRESS: Yes.

17 VICE-CHAIR FETTERMAN: Yellow
18 card.

19 CHAIR KRESS: Yellow card. Do
20 what I say, not what I do.

21 MS. BUSHMAN: Okay.

22 VICE-CHAIR FETTERMAN: Thank you.

1 All opposed to EX-PM-3? I see
2 none. Any abstentions? One, two abstentions.

3 CHAIR KRESS: How many were for,
4 Esther?

5 MS. BUSHMAN: Fourteen.

6 MS. MONTPLAISIR: Excuse me, Marc.
7 Gail Montplaisir.

8 The packet -- like I have three of
9 16.1, and I have three of 16.3. I have only
10 PM-1 -- the one that was tabled. And none of
11 the other ones were in the packages.

12 The packages ended up being a bit
13 confused. And I didn't get a chance to print,
14 so I don't know how many other people have
15 that problem. But I'm not able to actually
16 vote on these without seeing them.

17 VICE-CHAIR FETTERMAN: Then why
18 don't we take a copy across the hall to
19 Rebecca of these. And let's move on and we'll
20 come back to these as well.

21 CHAIR KRESS: So is this vote on
22 hold then? We did have the vote. This was

1 housekeeping. Is everyone comfortable with
2 that?

3 VICE-CHAIR FETTERMAN: We can
4 certainly print it for everyone.

5 MS. STOGIS: Do you want to move
6 on to another topic then?

7 VICE-CHAIR FETTERMAN: Thank you.

8 Fire and Life Safety -- we don't
9 have any amendments to vote on today. Is that
10 right, John? Thank you.

11 Issues and Policy. At our August
12 meeting, we distributed a proposed Chapter 1
13 to the fire code and proposed Chapter 1 to the
14 property maintenance code. And I've received
15 one comment, and I'd like to do that them in
16 that order.

17 I received one comment from the
18 Fire Department on the fire code. As Jerrily
19 had requested, this is the document that we
20 passed the last time with suggestions made by
21 the Office of the Attorney General.

22 The only change was in a table --

1 F-107.10.18 -- about hazardous materials. The
2 2006 fire code added one hazardous material,
3 which was a pyrophoric material. And we've
4 added those into the table to be similar to
5 the 2006 code.

6 And we received a request from the
7 Fire Department that on Section F-107.8,
8 Payment of Fee -- this includes a statement
9 where, "A permit shall not be issued until the
10 established fees have been paid as follows."

11 The Fire Department is requesting
12 that this be handled the same way that DCRA
13 handles fees, and that the fee not be
14 published in the code. So the fee schedule
15 therein 107.8 should be deleted and the last
16 two words in that sentence.

17 So what it will say is --

18 CHAIR KRESS: Where is it?

19 VICE-CHAIR FETTERMAN: F-107.8.

20 CHAIR KRESS: And that came out --

21 VICE-CHAIR FETTERMAN: This came
22 out last month. It is Issues and Policies,

1 number 2.

2 CHAIR KRESS: Oh, it's Issues and
3 Policies.

4 VICE-CHAIR FETTERMAN: I'm sorry
5 if I'm confusing everyone as much as I'm
6 confusing Jerrily.

7 MS. BUSHMAN: Is that the only
8 thing that we are currently working on is
9 Issues and Policy?

10 VICE-CHAIR FETTERMAN: Yes.

11 MS. BUSHMAN: Okay. I guess when
12 I walked out of the room, you were doing Fire
13 and Life Safety.

14 VICE-CHAIR FETTERMAN: Thank you.
15 Fire and Life Safety has no amendments to vote
16 on today. Thank you.

17 So in F-107.8, Payment of Fee, I'm
18 recommending, "A permit shall not be issued
19 until the established fees have been paid."
20 And we put a period at that point, and we
21 delete the words, "as follows," and we delete
22 the table that follows. And this then gives

1 the Fire Department the latitude that they've
2 requested to publish fees independent of the
3 fire code.

4 CHAIR KRESS: Okay. What's the
5 amendment number?

6 VICE-CHAIR FETTERMAN: IP-2.

7 PARTICIPANT: What page is that
8 on?

9 VICE-CHAIR FETTERMAN: It is
10 Section F-107.8.

11 PARTICIPANT: And where are we
12 putting periods?

13 VICE-CHAIR FETTERMAN: We're
14 putting the period where the comma is after
15 the word "paid."

16 PARTICIPANT: And deleting "as
17 follows?"

18 VICE-CHAIR FETTERMAN: And
19 deleting "as follows," and deleting the table
20 that follows.

21 CHAIR KRESS: I'm sorry. Where's
22 the period?

1 VICE-CHAIR FETTERMAN: After the
2 word "paid." 107.8. We're going to put a
3 period right there.

4 CHAIR KRESS: Not types of
5 permits.

6 VICE-CHAIR FETTERMAN: So I would
7 like to move the adoption of IP-2, and would
8 look for a second. And Sonny Yeatman will
9 second it. Discussion on IP-2? Lenny would
10 like a microphone. Thank you.

11 MR. DOUGLAS: Lennox Douglas,
12 DCRA. Quick question. On these permits, is
13 this being enforced by the Fire Department or
14 DCRA?

15 VICE-CHAIR FETTERMAN: That's
16 above my pay grade.

17 INSPECTOR WORRELL: Inspector
18 Worrell from D.C. Fire Marshall's Office.
19 Yes. These are fees that are paid directly to
20 the Fire Marshall's Office for your permits.
21 And these are things that the Fire Marshall's
22 Office does enforce.

1 Does that answer your question?

2 VICE-CHAIR FETTERMAN: Any other
3 comment on IP-2? Seeing none, I'll call the
4 question.

5 I'm sorry, Lenny. I didn't want
6 to rush this.

7 MR. DOUGLAS: Lennox Douglas,
8 DCRA. In F-107.8, Payment of Fees, would it
9 be more clear if it stated, "A permit shall
10 not be issued by the Fire Department until the
11 established fees have been paid?" I think
12 it's somewhat confusing when you've got a fee
13 schedule in the code.

14 VICE-CHAIR FETTERMAN: I guess my
15 quick thought would be why complicate the
16 code, because there might be some areas in
17 here where DCRA might -- because you guys are
18 all working together on this.

19 MR. DOUGLAS: I was looking for
20 some degree of clarity here.

21 If you look at this and it says,
22 "A permit shall not be issued until the

1 established fees have been paid" -- and excuse
2 me, because I haven't had the chance to go
3 through the entire document -- where this
4 clearly indicates these regulations are
5 governed by the D.C. Fire Department.

6 VICE-CHAIR FETTERMAN: Well, but
7 you see, because of D.C. legislation -- the
8 City Council -- some of these regulations are
9 DCRA's and some are the Fire Department's.
10 And that's why I made the inappropriate joke
11 at the beginning that it was above my pay
12 scale.

13 I don't know the answer to your
14 question. And I don't think most people in
15 this room could answer it.

16 INSPECTOR WORRELL: Inspector
17 Worrell again from D.C. Fire Marshall's
18 Office.

19 If you look at the beginning of
20 this Section F-107.1, it stipulates in that
21 provision that it speaks of the Fire
22 Prevention Code.

1 Anything dealing with the Fire
2 Prevention Code is directly enforced by the
3 D.C. Fire Marshall's Office. It has nothing
4 to do with DCRA.

5 VICE-CHAIR FETTERMAN: Okay.

6 INSPECTOR WORRELL: So that was
7 the reason why we asked for it -- the fees to
8 be removed from the documents because if we
9 wanted to increase our fees, we couldn't.

10 VICE-CHAIR FETTERMAN: Or decrease
11 them.

12 INSPECTOR WORRELL: No. Increase.

13 (LAUGHTER.)

14 INSPECTOR WORRELL: We're not
15 decreasing. We're going to only increase.
16 Because we're having problems right now with
17 hazardous materials. Okay? And that was the
18 reason we want to remove this -- this portion
19 of the document.

20 Because all hazardous materials
21 come through the D.C. Fire Marshall's Office.
22 It does not go through DCRA.

1 Did I answer everybody's
2 questions? Any more questions?

3 VICE-CHAIR FETTERMAN: Thank you
4 for helping us there, Inspector.

5 Any other comments? Miles?

6 MR. HABER: Yes. Miles Haber. I
7 think this is answered in F-105.2, which says
8 clearly the D.C. Fire Chief is the code
9 official for this section.

10 VICE-CHAIR FETTERMAN: Again, if
11 you read the exception, it gets very
12 confusing. But we don't need to go into that
13 now.

14 Any other comments about this IP-
15 2? Seeing none, I'll call the question.

16 I'm sorry. We have another
17 comment.

18 MR. RAVISHANKAR: Bellur
19 Ravishankar from DCRA. I just want the
20 clarification here because I thought there was
21 only one code -- it was the Director of DCRA.
22 I didn't know that subsequently -- I don't

1 know where this is all coming from.

2 VICE-CHAIR FETTERMAN: This is
3 taken verbatim out of the D.C. law that was
4 passed by the Control Board. I've been told
5 by lawyers who know these things better than
6 I that I cannot change D.C. law.

7 MR. RAVISHANKAR: Thank you.

8 VICE-CHAIR FETTERMAN: Norman,
9 there's a microphone up here, or we'll be
10 happy to get it back to you.

11 MR. SMITH: Good morning. Norman
12 Smith. On Section F-114.1, Stop Work Order,
13 I'd just like to ask the question in general.
14 Just by reading this quickly, not being
15 familiar with the Stop Work Order language and
16 other portions of the IBC, this suggests that
17 an inspector from the Fire Marshall's Office
18 can come in and essentially issue a Stop Work
19 Order in a fairly casual manner. There's no
20 indication that they can request corrections
21 or modifications to the work in place be
22 completed. And if those are the not

1 completed, then a Stop Work Order is issued.

2 So I would just like to bring that
3 to everybody's attention and ask if that's
4 something that we should be concerned with, or
5 if that's addressed otherwise, or if it's not
6 even a concern that we should have.

7 VICE-CHAIR FETTERMAN: This is the
8 exact language that's been in the code for a
9 decade.

10 I know, Norman, that DCRA has
11 asked for expanded powers with regard to the
12 Stop Work Orders. But that at least
13 historically, the Fire Department has been
14 okay with this, and those in the room who are
15 more active than I and have not been giving me
16 a lot of complaints about abuse.

17 MR. SMITH: Well, I'll certainly
18 defer to everyone else on that particular
19 issue. I'll pass this over to you.

20 INSPECTOR WORRELL: Inspector
21 Worrell.

22 That is part of the Maintenance

1 Code under the Fire Prevention Code. So
2 that's part of our duties too -- giving Stop
3 Works.

4 But we basically only enforce that
5 when we get on the premises and we find no
6 building permits, and we find illegal
7 construction and so on and so on going on.
8 And then we'll refer it back to DCRA to
9 investigate further.

10 VICE-CHAIR FETTERMAN: Thank you.
11 That's a good point. Thank you both.

12 Any other points?

13 MR. MASOERO: Don Masoero, DCRA.
14 Yes, I guess -- and again, my apologies. I
15 didn't have time to read this.

16 I guess my only concern is that if
17 we have a permit out there issued by DCRA, and
18 Fire is out there and Stop Working, I presume
19 that this Stop Work authority is for Fire
20 Prevention Bureau-issued permits. And I can
21 see that in the community, we're going to get
22 tangled up here.

1 I don't believe they'd have
2 authority to Stop Work on a building permit
3 issued by DCRA.

4 VICE-CHAIR FETTERMAN: I don't
5 know that. My understanding is they do. And
6 that this has been previous legislation. But
7 I'm not sure.

8 And I know there was an effort a
9 number of years ago on cross training and
10 allowing inspectors to be able to issue Stop
11 Work Orders in areas that were outside of
12 their specific training.

13 INSPECTOR WORRELL: Inspector
14 Worrell again. I am one of the inspectors
15 that is cross-trained. I am cross-trained for
16 code enforcement.

17 Basically, like I said, we only
18 issue a Stop Work if we find someone without
19 a permit. And we will immediately notify DCRA
20 through the chain of command. Okay?

21 And then both departments get
22 together to work things out from there.

1 VICE-CHAIR FETTERMAN: Thank you.

2 Any other comments?

3 MS. STERN: Hello. I'm Jill Stern
4 from DCRA. My colleague here pointed out to
5 me that the Board of Appeals and Review was
6 dissolved in 2004. This is F-113.2. So
7 that's going to need to be revised.

8 VICE-CHAIR FETTERMAN: Okay. This
9 didn't get picked up in the Office of the
10 Attorney General comments. What should it say
11 then?

12 MS. STERN: It should be the
13 Office of Administrative Hearings.

14 VICE-CHAIR FETTERMAN: Can you
15 give me the citation again, Jill?

16 MS. STERN: It's F-113.2.

17 VICE-CHAIR FETTERMAN: And it's
18 the D.C. Office of Administrative Hearings?

19 MS. STERN: No. Well, it's just
20 the Office of Administrative Hearings. Appeal
21 to the Office of Administrative Hearings.

22 And I guess somebody's going to

1 need to look as to whether OAH will hear
2 appeals of Stop Work Orders.

3 I guess notice is coming from the
4 Fire Department. I guess that's what we're
5 talking about in this section. Right?

6 VICE-CHAIR FETTERMAN: Yes.

7 MS. STERN: I don't if anybody's
8 looked at that legal issue, because their
9 jurisdiction is pretty defined by statute.

10 And I think there is some
11 potential for confusion here on the Stop Work
12 Orders and appeals within the Department.
13 Just to clarify that, we're talking about the
14 Fire Department. I think somebody needs to
15 look that through again and make sure it's not
16 being confused with Stop Work Orders within
17 DCRA.

18 VICE-CHAIR FETTERMAN: That's a
19 good point. Thank you.

20 As again, I was depending on the
21 OAG review. But I realize every time we look
22 at documents like this, we'll find additional

1 ways to make them better.

2 MS. STERN: Okay. Thank you.

3 VICE-CHAIR FETTERMAN: Thank you.

4 MR. LEABMAN: Art Leabman. There
5 are several references throughout that section
6 and others to the Appeals Board.

7 VICE-CHAIR FETTERMAN: Thank you.

8 MR. LEABMAN: So maybe we could
9 just go through and just change that language.

10 VICE-CHAIR FETTERMAN: We'll do a
11 word search and change D.C. Board of Appeals
12 and Review to Office of Administrative
13 Hearings. Thank you, Art.

14 Any other comments? Seeing none,
15 we'll call the question. All those in favor
16 of IP-2, please raise your yellow card. All
17 those opposed? I see none. Any abstentions?
18 I see one abstention. The motion carries.
19 Thank you.

20 IP-3 is the first chapter of the
21 Property Maintenance Code. This is the same
22 document that we passed the last time with two

1 changes.

2 One, there were a number of very
3 helpful references and consistent reference
4 comments made in the Office of the Attorney
5 General's write-ups.

6 And secondly, as Jill has been
7 struggling with trying to find out the history
8 and what makes sense here, under 104, the DCRA
9 made some changes after our amendments to the
10 2000 IBC went into effect. And these changes
11 were published in the D.C. Register. And they
12 were referring to 105 instead of 204, which
13 was a different subject.

14 So I have gone back here as I had
15 e-mailed this to Jill about a month ago and
16 tried to put in here what I believe the intent
17 was of the people who wrote this, which was to
18 give some more teeth to the people making
19 housing inspections.

20 So, except for those two issues,
21 this is the same amendment that we passed the
22 last code cycle. And I'd like to introduce

1 it. And I would like a second, if I could
2 please.

3 MS. STOGIS: Second.

4 VICE-CHAIR FETTERMAN: Joan Stogis
5 is seconding. Any discussion on IP-3?

6 CHAIR KRESS: Which is for
7 adoption.

8 VICE-CHAIR FETTERMAN: Which is
9 for adoption. Yes.

10 And while we're looking at this,
11 we're now handing out the Existing Structures
12 and Property Maintenance amendments, which
13 we'll go to next.

14 Lenny has a question. Where's our
15 microphone?

16 MR. DOUGLAS: Lenny Douglas, DCRA.
17 Section 104.3.1, should that be reading, "if
18 the operator of a housing business claims,"
19 instead of, "if the operation?"

20 CHAIR KRESS: Where's that?

21 MR. DOUGLAS: 104.3.1.

22 VICE-CHAIR FETTERMAN: That's a

1 good question. I don't know whether I made
2 that up or whether that came out of the
3 legislation.

4 The sense is it should be
5 operator?

6 MS. BUSHMAN: If you read the rest
7 of the sentence, the subject continues to be
8 the operator.

9 VICE-CHAIR FETTERMAN: Thank you.
10 Thank you, Lenny.

11 Any other comments? Seeing none,
12 we'll call the question. All those in favor
13 of IP-3, please raise your yellow card.

14 I'm sorry. Jill, did you have
15 another --

16 MS. STERN: I just had a question
17 on 104.3.1.

18 This "Commissioner's Order from
19 1948," can that be deleted? I always have a
20 problem with referencing something that nobody
21 can ever find.

22 VICE-CHAIR FETTERMAN: I defer to

1 those that wrote this. I believe this was
2 part of that that occurred in the D.C.
3 Register after the majority of the last code
4 was published.

5 How are you suggesting we amend
6 it, Jill?

7 MS. STERN: Just take out that
8 phrase, "in accordance with requirements of
9 Commissioner's Order 301260/10 September for
10 1948, as amended."

11 VICE-CHAIR FETTERMAN: Okay.

12 MS. STERN: Unless we know exactly
13 what that says, I'd rather spell it out in the
14 Section here. But I guess we could add that
15 later if it's important.

16 VICE-CHAIR FETTERMAN: Thank you.

17 Any other comments? I'm sorry I
18 missed your hand.

19 MS. MONTPLAISIR: Gail
20 Montplaisir. I have a question about the
21 identification language -- 104.5. It doesn't
22 seem very clear as to what identification is

1 required. And actually if you also go back to
2 104.4, Right of Entry, the way this is written
3 isn't very clear as to what is expected of the
4 code official when they kind of approach a
5 building or a citizen for some type of
6 inspection, or entry that they'd like to
7 propose.

8 Because also, if you read 104.5,
9 Identification, the provisions of Section
10 104.5, Credentials, which is this, it says
11 nothing of it, "of 12-A DCMR shall apply to
12 the property maintenance code nor hereby
13 incorporated by reference." But it doesn't
14 actually say what that is.

15 VICE-CHAIR FETTERMAN: I'm sorry.
16 I'm not understanding the questions.
17 Maybe it's just beyond my --

18 MS. MONTPLAISIR: Marc, we know
19 nothing is beyond you. So, that's not an
20 issue here.

21 VICE-CHAIR FETTERMAN: I think
22 identification has to do with the credentials

1 of the --

2 MS. MONTPLAISIR: Of the
3 inspectors, one would presume. But it doesn't
4 define here clearly what they have to do, or
5 what a citizen can expect that an inspector
6 will present to them if they come to your
7 building or your home to be able to demand
8 entry.

9 VICE-CHAIR FETTERMAN: It does in
10 12-A. It's spelled out specifically in there.

11 MS. MONTPLAISIR: Well, something
12 about the way it's written then implies to me,
13 because it says, "the provisions of Section
14 104.5, Credentials, of DCMR."

15 I don't know. For some reason or
16 another, it's confusing to me. And it doesn't
17 look like it's clear as to what is required.

18 I just think that the language is
19 clear, but maybe I'm just --

20 VICE-CHAIR FETTERMAN: Well, 104.5
21 in 12-A says, "Authorized representatives of
22 the code officials shall carry proper

1 credentials of their respective office for
2 inspecting any building or premises while
3 performing duties under the construction
4 codes."

5 MS. MONTPLAISIR: So, it's just a
6 coincidence that these paragraphs are both
7 numbered the same. I see. Thank you.

8 MS. WISS: Cathy Wiss.

9 It might be more clear if
10 credentials came after DCMR, so that it reads,
11 "The provisions of Section 104.5 of 12-A DCMR,
12 Credentials, shall apply to the property
13 maintenance code."

14 VICE-CHAIR FETTERMAN: Thank you.
15 That's a great idea.

16 Any other comments?

17 MS. STERN: Yes. I have one more.
18 In 104.4.5. --

19 VICE-CHAIR FETTERMAN: 4.4.5 --
20 got it. Just above.

21 MS. STERN: Yes. The words, "such
22 refusal" is missing.

1 VICE-CHAIR FETTERMAN: Thank you.

2 Where?

3 MS. STERN: It should be where you
4 see, "by a housing business," it should be ",
5 such refusal."

6 And then on the line above after
7 "agent," there's the word "to" that should be
8 deleted. T-O.

9 VICE-CHAIR FETTERMAN: Which "to"
10 are you deleting? In 4.4.?

11 MS. STERN: Yes. It says -- it's
12 right before the phrase, "of the District," --
13 "to permit an agent of the District." So the
14 word T-O should be deleted.

15 VICE-CHAIR FETTERMAN: Got it.

16 MS. STERN: Okay.

17 MS. BUSHMAN: Could you read the
18 whole section through?

19 MS. STERN: You want me to read
20 it? Okay. Sure.

21 "If a landlord or agent of a
22 landlord refuses to permit an agent of the

1 District to inspect the premises occupied or
2 to be occupied by a housing business, such
3 refusal shall be cause for the revocation of
4 any existing license."

5 There shouldn't be a comma after
6 occupied. I think that's what's getting
7 confused. Right. "Premises occupied or to be
8 occupied," and delete that comma -- "by a
9 housing business, such refusal" --

10 Does that make sense?

11 MS. BUSHMAN: There's a question
12 up here as to who is the agent of the
13 District.

14 VICE-CHAIR FETTERMAN: It says
15 here under 104.1, "The code official shall
16 enforce the provisions of the property
17 maintenance code."

18 And where's your recommendation,
19 Bellur? Where did it go?

20 MR. RAVISHANKAR: The same section
21 -- PM-104.4.5. "If a landlord or the agent of
22 a landlord refuses to permit an agent of the

1 District." Who is the agent of the District?

2 It should be the code official or his --

3 somewhere it has to be defined who is the

4 agent of the District.

5 Or it can be changed to code

6 official.

7 VICE-CHAIR FETTERMAN: So we'll

8 change "an agent" to code official.

9 MR. RAVISHANKAR: Yes. Then do

10 the word search and change all of the agents

11 to code officials.

12 VICE-CHAIR FETTERMAN: Yes.

13 MR. RAVISHANKAR: Thank you.

14 VICE-CHAIR FETTERMAN: Thank you.

15 Don Masoero is suggesting that if

16 we do a word search, we might be changing too

17 much. But thank you very much. We'll do it

18 manually.

19 Any other comments on this? Jill?

20 MS. STERN: 105.1.4 refers to the

21 Board of Appeals and Review again.

22 VICE-CHAIR FETTERMAN: Thank you.

1 We're going to do a word search to change
2 those. But thank you for bringing that up.

3 Additional comments? Art?

4 MR. LEABMAN: Art Leabman. I just
5 have a question for clarity going back to
6 104.3.1, and that reference to Commissioner's
7 Order. Were we going to change that or leave
8 it?

9 VICE-CHAIR FETTERMAN: The
10 recommendation from Jill Stern, the legal
11 counsel for DCRA, is to eliminate the
12 reference to the Commissioner's Order.

13 MR. LEABMAN: So you're going to
14 eliminate that entire phrase, "in accordance
15 with?"

16 VICE-CHAIR FETTERMAN: Yes. What
17 we're doing is deleting the following words:
18 "In accordance with the requirements of
19 Commissioner's Order so and so, with a
20 specific date, as amended."

21 MR. LEABMAN: Okay. I just wanted
22 --

1 VICE-CHAIR FETTERMAN: Yes Thank
2 you very much.

3 MR. MASOERO: Don Masoero. I
4 don't think that sentence reads right if you
5 do that. You have to get rid of "notified" as
6 well.

7 So it should read that "the
8 operation of a housing business claims any
9 portion of a premise under the exclusive
10 control of the tenant, and the operator has so
11 notified the code official." Is that what
12 you're suggesting? You get the word
13 "director" out of there?

14 VICE-CHAIR FETTERMAN: Okay. I
15 guess the Director is the code official. But
16 why use two different words?

17 MR. MASOERO: Well, yes. But I
18 mean, the sentence reads, "The operator has so
19 notified, the code official shall make a new
20 inspection."

21 VICE-CHAIR FETTERMAN: Thank you.

22 MR. MASOERO: So should that

1 director be the code official, is what I'm
2 saying?

3 VICE-CHAIR FETTERMAN: Yes. I
4 think that's a good comment.

5 I've introduced this. And Joan
6 seconded it.

7 And may we call the question
8 again. And we will ignore our previous
9 voting, and ask those in favor of IP-3 to
10 raise their yellow card. Thank you. All
11 opposed to IP-3?

12 CHAIR KRESS: As revised.

13 VICE-CHAIR FETTERMAN: As revised
14 from the floor. I see none. Any abstentions?
15 I see none. The motion carries. Thank you.

16 There will be one more Issues and
17 Policy amendment introduced, which we'll get
18 to Jill Stern and others, which will be the
19 Chapter 1 of the building code.

20 With this then, I would turn it
21 back to Joan for the Existing Structure and
22 Property Maintenance amendments.

1 CHAIR KRESS: What number are we
2 going to starting from?

3 MS. STOGIS: Okay. This is Joan
4 Stogis. And we'll return to the Existing
5 Structures amendments, which are on the first
6 page of today's agenda.

7 The first one is amendment 6-3,
8 which is a coordination amendment with the
9 Accessibility Committee so that an appendix --
10 Section B-102 of Appendix B -- which applies
11 to accessibility requirements for existing
12 transportation facilities and stations is
13 added to the code to coordinate with a similar
14 appendix with accessibility requirements for
15 new construction.

16 I would like to move the adoption
17 of EX-6-3.

18 VICE-CHAIR FETTERMAN: Thank you.
19 Do I have a second? Are you seconding it,
20 Gail?

21 MS. MONTPLAISIR: Yes.

22 VICE-CHAIR FETTERMAN: Thank you

1 very much. Gail Montplaisir.

2 Any discussion on 6-3?

3 MR. DEVLIN: John Devlin. Joan,
4 if I read this, this would fix transportation
5 facilities in stations which I would presume
6 would be Metro Stations. Correct?

7 MS. STOGIS: I don't believe Metro
8 Stations per se are under the D.C. Code, are
9 they? But I think it would impact connections
10 of buildings to Metro Stations.

11 And I'm not sure exactly where the
12 line is, but certainly downtown and out
13 Wisconsin Avenue, there are a number of
14 connections between buildings and Metro
15 Stations. I don't know where the
16 jurisdictional line is, but I assume at some
17 point that becomes D.C. Code.

18 MR. DEVLIN: Okay.

19 VICE-CHAIR FETTERMAN: Is Metro
20 getting permits for -- I didn't think so.

21 MR. RAVISHANKAR: They do get
22 their permits.

1 VICE-CHAIR FETTERMAN: Thank you.

2 Any other comment on 6-3? Seeing
3 none, we'll call the question. All those in
4 favor, please raise your yellow card in hand.
5 Thank you. All opposed? I see none. Any
6 abstentions? I see none. The motion carries.
7 Thank you.

8 MS. STOGIS: Okay. Our next
9 amendments are in Chapter 7.

10 EX-7-9 is a proposed amendment to
11 Section 705.11 of the existing building code.
12 And there are two parts to it.

13 The first one, 705.11, exit access
14 travel distance, I haven't done my homework,
15 but I believe this is the same or very similar
16 to what we went through on the last cycle.

17 The second one, 705.11.1, travel
18 distance within an R2 dwelling unit, reflects
19 the real world experience of some of our
20 Subcommittee members, that just as we have
21 mega-mansions in houses, we have mega-
22 apartments in apartments where apartments --

1 especially where people in some of our older
2 buildings will combine two or even more
3 apartments into one -- you wind up with long
4 travel distances within the apartment.

5 And in this case, we're proposing
6 to modify it to say that the travel distance
7 within a dwelling unit shall not be included
8 when determining the common path of travel.
9 It then goes on to establish some travel
10 distance limits within the dwelling unit.

11 And one of the reasons for
12 justifications for distinguishing between the
13 travel within the unit and the travel once
14 you're out of the unit into the corridor is
15 that there is a rated separation that's
16 between the apartment and the exit access
17 corridor.

18 I'd like to move adoption of EX-7-
19 9.

20 VICE-CHAIR FETTERMAN: Thank you.
21 Do I have a second? Art Leabman will second
22 it. Any discussion on 7-9? John?

1 MR. DEVLIN: John Devlin. Joan,
2 in exception number two, the last word says
3 "and."

4 MS. STOGIS: Very good. Delete
5 the word "and." Put in a period. Thank you.

6 MR. DEVLIN: And the second
7 question, exception number one, first 705
8 would be a level 2 alteration. Correct?

9 MS. STOGIS: That is correct.
10 That means you're doing re-configuration of
11 the area.

12 MR. DEVLIN: Okay. With respect
13 to exception number one, travel distance of
14 300 feet for non-sprinklered and 350 for
15 sprinklered -- I don't have the building code
16 with me, but I think the building code allows
17 it 300 feet in a sprinklered occupancy and 250
18 in a non-sprinklered. Is it your intent to
19 have the dimensions as noted?

20 MS. STOGIS: It's our intent to
21 give some more tolerance to existing
22 buildings. Well, my justification -- I

1 apologize. I wrote this a couple of months
2 ago. I believe that the proposed amendment
3 gives an additional 100 feet of travel
4 distance from what the building code has, but
5 I don't have a building code with me to double
6 check it. We can bring this back next time if
7 that's an issue.

8 MR. DEVLIN: John Devlin again.

9 Yes, I'd look at that because --

10 MS. STOGIS: Okay.

11 MR. DEVLIN: -- under the way the
12 existing building codes work, if I file for my
13 permit today and I close my permit out, I do
14 alterations to my building two months from now
15 and I'm doing these alterations when the
16 building was originally designed in accordance
17 with let's suppose the 2006 IBC, once I go to
18 do an alteration, I can come back and I can
19 now increase my travel distance to 250 -- or
20 I'm sorry -- 350, because I'm an existing
21 building. Do you follow the logic?

22 MS. STOGIS: I do. And this is a

1 general problem of how an existing building is
2 defined, which is way back in Chapter 2.

3 There certainly is a potential for
4 abuse there. And I don't know and I'm looking
5 at Don and Len if you're aware of if this is
6 a real world problem or not.

7 MR. RAVISHANKAR: Bellur
8 Ravishankar, DCRA. We would like to table
9 this for the next meeting, because we would
10 like to take a look at this at DCRA in depth.

11 VICE-CHAIR FETTERMAN: Thank you.
12 And I know one of the things you'll be looking
13 at is do you get these kinds of issues --

14 MR. RAVISHANKAR: Exactly. We
15 would like to do the --

16 MS. STOGIS: I would suggest then
17 -- and I think you all have my e-mail address.
18 Let me know what you come up with. But go
19 back to that definition of an existing
20 building because I think this has been part of
21 the past deliberation. The Home Start Act, I
22 think may have contributed to the definition.

1 So see if we have all our ducks in order on
2 that one.

3 VICE-CHAIR FETTERMAN: These are
4 long distances.

5 MS. STOGIS: Yes.

6 MR. RAVISHANKAR: If you are
7 talking about the discrepancy between a
8 sprinklered building and a non-sprinklered
9 building, you're talking about only 50 feet.
10 And the distance is 300 feet. It's quite a
11 distance.

12 So we would rather take a look at
13 this.

14 VICE-CHAIR FETTERMAN: Thank you.
15 You should have done it before the meeting
16 started, but --

17 (LAUGHTER.)

18 VICE-CHAIR FETTERMAN: Thank you.

19 CHAIR KRESS: I would also like
20 just to make a comment.

21 We do have some old, very
22 strangely shaped buildings. And I just think

1 we need to be taking those into consideration.
2 We did the first time when this was very first
3 talked about -- some of our old W-shaped
4 buildings and what not -- that are very
5 difficult. And to go back into an existing
6 apartment situation and retrofit it all for
7 sprinklers is almost impossible.

8 I'm just saying consider all of
9 those things. Existing structures -- we've
10 got a lot of them in this city, and we should
11 just consider some of the strange
12 configurations that we do have.

13 MS. STOGIS: That's a very good
14 point, particularly some of our older, large
15 floor plate office buildings that were built
16 under the Pre-BOCA D.C. codes, had
17 extraordinarily compact core scissor stairs.
18 You've got these long travel distances. And
19 similarly with some of our apartment
20 buildings.

21 VICE-CHAIR FETTERMAN: But we also
22 have in Chapter 1 the opportunity for the code

1 official to grant waivers if a person had a
2 building that was challenging.

3 MS. STOGIS: Yes. But I think the
4 question about being able to build a building
5 to the current code, then turn around six
6 months later and --

7 VICE-CHAIR FETTERMAN: And delete
8 a staircase.

9 MS. STOGIS: -- and delete a
10 staircase. That's a legitimate concern, and
11 I'd welcome ideas on how to address it without
12 going against any of the laws that we have in
13 place that are part of this old code.

14 CHAIR KRESS: Exactly. And just
15 as long as we're addressing the issue and not
16 throwing the baby out with the bath water.

17 INSPECTOR WORRELL: I have a
18 comment. Thank you. Inspector Worrell from
19 the Fire Marshall's Office.

20 By adding it, if we approve this,
21 you also hamper the operations of the Fire
22 Department, because we do go by IBC. So I

1 just want everybody to know that.

2 If you're increasing existing
3 building by 100 feet, our foot of travel like
4 he said is 350 feet for a person to be
5 rescued. And that would hamper our
6 operations. So therefore we will go into
7 other things to --

8 MS. STOGIS: Thank you. I would
9 just say we're not allowing people to increase
10 what they have. We're saying that what you
11 have -- which may be in excess of what you
12 would be allowed in a new building -- is
13 acceptable under certain conditions. But you
14 have a good point.

15 CHAIR KRESS: Yes. But it never
16 was the intent to increase the corridor
17 lengths --

18 MS. STOGIS: No.

19 CHAIR KRESS: -- in existing
20 buildings.

21 VICE-CHAIR FETTERMAN: Thank you.

22 7-10?

1 MS. STOGIS: 7-10 deals with
2 conditions under which you're allowed to have
3 single-exit buildings. And basically, I
4 followed the standard procedure of underlining
5 those in which we're proposing a D.C.
6 amendment, which is different from the ICC.

7 Most of these are exactly what we
8 approved the last time. Many of them are part
9 of the current D.C. Code. A couple which are
10 changed under 705.3.1.1, number 2, that talks
11 about groups B, F-2 and S-2, not more than two
12 stories in height. That's ICC language. The
13 Subcommittee approved an exception this time
14 based on some of our committee members'
15 experience in areas like the H Street
16 Redevelopment corridor, where they're finding
17 existing Group B buildings that were three
18 stories in height, and in which they were
19 small floor plate, in which it would be very
20 difficult to add a second means of egress and
21 which possibly, sometime they could do a fire
22 escape. There are times when even that

1 doesn't work well.

2 And so this is going back to what
3 we allowed in the 1999 D.C. Code, which was
4 the last D.C. Code which was based on the BOCA
5 family. We felt that if that was okay for
6 D.C. in 1999 and if we run into real life
7 situations where it's applicable, that it
8 would be a good thing to permit that again.

9 VICE-CHAIR FETTERMAN: So you're
10 allowing an additional floor if you sprinkle?

11 MS. STOGIS: If you sprinkle. And
12 this is part of what has been the D.C.
13 philosophy as long as I've been involved in
14 this, which is the early '90s, which is if
15 you've got an existing problem that
16 sprinklering and fire alarm systems may be --
17 it's considered as a prevalent protection.

18 I must say the ICC approach gets
19 wordy if you go back to the 1999 D.C.
20 supplement. We had a couple of little tables,
21 which once you figured out what the
22 abbreviations meant, were very succinct. But

1 this gets more wordy.

2 CHAIR KRESS: Real quick. Would
3 it help if at a later time we develop a table
4 for this and put it in an appendix or
5 something? Something to think about for the
6 future.

7 MS. STOGIS: Yes.

8 CHAIR KRESS: Never mind.

9 MS. STOGIS: I mean, this comes
10 under the heading of do you have something
11 that's helpful to the designer or the code
12 reviewer, but isn't really part of the code.
13 Or does that get confusing?

14 CHAIR KRESS: Yes. We're in the
15 same boat with some of the zoning regulations.

16 MS. STOGIS: I think the other one
17 which is new this time, and part of this I
18 think was inadvertently omitted from the last
19 unadopted cycle, if you look at number 14,
20 Parking Garages, number 3 with the automatic
21 sprinklers and fire alarm limitation of 200
22 feet, and a car ramp is also available for

1 exit. It's my understanding we have a number
2 of existing parking garages in D.C. that have
3 that condition. Now that means if you use the
4 ramp for an exit, you have to be able to get
5 out. So either there's a separate pedestrian
6 door, even if the garage is closed, or there's
7 a button inside the garage door that you can
8 use to get out.

9 And the last one -- 15 -- is a
10 proposed new one, which again has to deal with
11 these mega-apartments that if there are two
12 occupancies, if the building has a fire
13 suppression system, a single exit per dwelling
14 unit is permitted provided --

15 MS. BUSHMAN: What is that?

16 MS. STOGIS: What? I'm sorry.

17 MS. BUSHMAN: Read from the very
18 beginning, very carefully.

19 MS. STOGIS: In -- okay. We had a
20 word out of place. "In group occupancies,
21 buildings of any height" -- cross out the with
22 -- "that are provided with an approved

1 automatic fire suppression system, a single
2 exit from a dwelling unit is permitted
3 provided both of the following conditions are
4 met: travel distance within the dwelling unit
5 to the exit access corridor does not exceed
6 125 feet; travel from the corridor door to the
7 exit does not exceed 200 feet."

8 And again, this is a response to
9 situations which people are finding in D.C.
10 In some places, apartments are being combined
11 within existing buildings to make rather large
12 units.

13 I'd like to move adoption of EX-7-
14 10.

15 CHAIR KRESS: Is there a second?

16 VICE-CHAIR FETTERMAN: John
17 Stovall has seconded it.

18 Thank you, Don. I'm sorry.

19 MR. MASOERO: I am a tad bit
20 confused, and I don't know if this can be put
21 off to the next meeting. And Lenny can chime
22 in here.

1 But back to your comments on
2 705.3.1.1.2, we've recently had kind of a
3 phenomenon going on and a lot of enforcement
4 issues. People using rooftops and no private
5 property for additional exiting. In other
6 words, the buildings are zero property line.
7 We've had various scenarios occurring.

8 You're speaking of a sprinklered
9 building and adding three stories. We got
10 into a scenario of a 300-occupant load on a
11 third story of a sprinklered building. And we
12 actually entertained what you're suggesting,
13 but we went to exit corridor systems instead.

14 So I'm not clear here. Maybe
15 Lenny is. If Lenny is, I'm a happy camper
16 with it. But I think that I'd like to sit
17 down and with the Fire Life Safety Committee
18 and the Fire Marshall's Office and make real
19 sure what we currently are experiencing with
20 some of the remodeling issues of existing
21 buildings in this city -- and I'm speaking of
22 2,000, 3000-occupant load uses -- I'm sensing

1 that we are headed for trouble if we --

2 VICE-CHAIR FETTERMAN: Thank you,
3 Don.

4 MS. STOGIS: I should point out
5 that the paragraph to which this is an
6 exception limits 3500 square feet per floor,
7 so that's going to somewhat -- you're not
8 going to have the extremely large occupant
9 loads. But all means within our general
10 commitment to finish if this issue needs more
11 consideration, then let's do it.

12 MR. MASOERO: We'll certainly have
13 an answer -- recommendations for the next
14 meeting.

15 MS. STOGIS: Okay. And if your
16 deliberation is with the Fire and Life Safety
17 Committee, if John will let me know your
18 meeting date and time, I can be part of it.

19 MR. DEVLIN: It's actually after
20 the meeting --

21 MR. MASOERO: Okay. Lenny, are
22 you tapped into that? All right.

1 MS. STOGIS: So we'll table this
2 for the moment.

3 MR. MASOERO: Yes. Thank you.

4 VICE-CHAIR FETTERMAN: PM-3?

5 MS. STOGIS: PM- --

6 VICE-CHAIR FETTERMAN: We passed
7 it the last time, but it was before all of you
8 had a copy in front of you. Can we maintain
9 our vote and go on to 4?

10 MS. STOGIS: Right. This was the
11 amendment which simply changed the listing of
12 other codes in which terms may be defined.
13 Are we comfortable with that?

14 VICE-CHAIR FETTERMAN: It appears
15 so. Let's go on to 4.

16 CHAIR KRESS: Does everybody have
17 this now? And you have the vote. Joan moved.
18 And --

19 VICE-CHAIR FETTERMAN: Bellur.

20 CHAIR KRESS: -- Bellur -- excuse
21 me -- seconded. And it was approved at 14-4
22 and 2 abstaining.

1 VICE-CHAIR FETTERMAN: Yes.

2 CHAIR KRESS: Okay? Sorry.

3 MS. STOGIS: EX-PM-4 proposes

4 local amendments to Chapter 3 of the Property

5 Maintenance Codes. These are exactly the same

6 amendments which are in the current code. And

7 I would point out in the last one, it's

8 actually not insect screens. This is where I

9 did find a discrepancy between DCMR 14 and the

10 Property Maintenance Code as we amended the

11 last time.

12 And the amending is that they

13 leave the dates for insect screens blank to be

14 filled in by the local jurisdiction. We

15 currently have April 15th to October 15th.

16 And DCMR 14 in Section 806.1 has March 15th

17 and November 15th, but on the assumption that

18 that is just something that is hung over from

19 the distant past. I think we're proposing to

20 go with what we understood from the current

21 code is what DCRA wants at this time. But

22 DCRA, by all means, speak up.

1 VICE-CHAIR FETTERMAN: Thank you.

2 So Joan, you're moving this. Do we have a
3 second? Bellur will second it. Discussion on
4 PM-4. Yes, John?

5 MR. DEVLIN: Can I make a friendly
6 amendment?

7 VICE-CHAIR FETTERMAN: With a
8 microphone you may make a friendly amendment.

9 MR. DEVLIN: John Devlin. PM-
10 301.4 -- if I can make a suggestion -- is in
11 the first sentence, half way through where it
12 says, "which is to be used, and a kind, normal
13 use by a good mechanic in an appropriate
14 trade." That's pretty tough language.

15 I propose you just strike it
16 because the next sentence picks up I think
17 what you're trying to say. "Repairs shall be
18 done in a workmanship-like manner."

19 MS. STOGIS: Unfortunately, the
20 individuals who recommended this language for
21 the code are no longer available to comment on
22 why they wanted this wording.

1 I have no objection. I just would
2 want to be completely sure we're not
3 disrupting something that was passed by the --

4 VICE-CHAIR FETTERMAN: So we're
5 keeping "material used in making any repair
6 shop, we have a quality and kind suitable for
7 the purpose for which it is used. Each repair
8 shall be done in a workmanlike manner."

9 MS. STOGIS: Yes.

10 CHAIR KRESS: Yes.

11 MS. STOGIS: I'm fine with that,
12 unless Esther --

13 MS. BUSHMAN: May I just ask that
14 we -- if there is any consensus that we could
15 change the word "workman-like" to a less
16 sexist word?

17 VICE-CHAIR FETTERMAN: What is the
18 word?

19 PARTICIPANT: Actually the word
20 workman-like is in here -- in ICC.

21 CHAIR KRESS: It is a trade.
22 And it's used extensively through

1 specifications and workmanship-like.

2 MS. STOGIS: Workperson-like
3 wouldn't fly.

4 VICE-CHAIR FETTERMAN: Thank you.
5 Any other comment? Seeing none, we'll call
6 the question.

7 MS. BUSHMAN: Whoa. There's also
8 a reference in PM-301.6 to the Department of
9 Health. And I would ask Jill whether that
10 should be to the Department of the Environment
11 at this stage of the game -- under the part,
12 Extension?

13 MS. STOGIS: It's the last words
14 of that paragraph.

15 VICE-CHAIR FETTERMAN: Where we
16 talk about Director, Department of Health in
17 the first sentence and in the second sentence.

18 MS. STOGIS: Yes.

19 VICE-CHAIR FETTERMAN: That's a
20 nuance. Can we work that out --

21 MS. STOGIS: Sure.

22 VICE-CHAIR FETTERMAN: --

1 administratively with the permission of the
2 Committee?

3 MS. STOGIS: Okay. Just so we
4 understand, we are deleting the last phrase of
5 the first sentence in PM-301.4, Materials, so
6 that the first sentence will end, "suitable
7 for the purpose for which it is used." Is
8 that correct?

9 VICE-CHAIR FETTERMAN: Yes.
10 Correct.

11 MS. STOGIS: Okay.

12 VICE-CHAIR FETTERMAN: Thank you.
13 May we call the question on PM-4? All those
14 in favor, please raise your yellow card.
15 Thank you. All opposed? Any abstentions?
16 No abstentions. None opposed. The motion
17 carries. Thank you.

18 PM-5?

19 MS. STOGIS: Okay. EX-PM-5 -- and
20 I'm sorry I neglected to underline it -- but
21 this is proposing a new subsection. I believe
22 it is identical to the current D.C. Property

1 Maintenance Code. It has to do with the
2 inspection of domestic water heating facility,
3 which serves more than one unit.

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

6 VICE-CHAIR FETTERMAN: Thank you.
7 Do I have a second? Bellur? Thank you.

8 Don?

9 MR. MASOERO: Thank you. Don
10 Masoero, DCRA. I have just one comment.
11 We have language similar to this about our air
12 conditioning systems.

13 And I guess my question is being
14 new to the District, what do we accomplish by
15 this? There's no enforcement here. There's
16 no action to be taken. We're kind of
17 communicating in secret with an industry out
18 there. How do they know that this
19 requirement's there? Is DCRA supposed to go
20 to a mailing and notify these folks? If they
21 don't do it, what do we enforce? Et cetera,
22 et cetera.

1 MS. STOGIS: I guess to use Marc's
2 phrase, that's outside my pay grade to know
3 the answer to the question.

4 MR. MASOERO: Who proposed this
5 change?

6 VICE-CHAIR FETTERMAN: These were
7 all issues that were driven by the Department
8 of Housing when they agreeing to get rid of
9 the building code items in 14 DCMR. They came
10 to us with a number of items that they felt
11 would give them some teeth.

12 And I would imagine that this only
13 becomes an issue if, for example, a tenant
14 complains and then you or the housing people
15 would be involved. And you would be able to
16 use this language at that time.

17 MR. MASOERO: Can we get back to
18 this at the next meeting too, and take this
19 internally and talk to this? We'll get it
20 back to you. Because it just relates to this
21 other issue --

22 MS. STOGIS: Yes.

1 MR. MASOERO: -- of HVAC systems.
2 I just went through that, and that wasn't the
3 case on the HVAC system. We did have some
4 issues there.

5 MS. STOGIS: And this is
6 interesting because the next amendment covers
7 air, and there's no such --

8 MR. MASOERO: Right. Right.

9 MS. STOGIS: -- inspection.

10 MR. MASOERO: We'll get an answer
11 for you and give it back at the next meeting.
12 Thank you.

13 MS. STOGIS: All right. EX-PM-6
14 is local amendments to the Chapter 6 of the
15 Property Maintenance Code, which is mechanical
16 and electrical requirements.

17 VICE-CHAIR FETTERMAN: Yes. But
18 this again requires inspections. Are you
19 saying you are not in favor of this either?

20 MR. MASOERO: I'm sorry. Where
21 are we at?

22 MS. STOGIS: We're on the next

1 property management code proposal -- EX-PM-6,
2 which has to do with mechanical and electrical
3 requirements. And it does talk about
4 inspections of heating systems -- again,
5 central heating systems that serve more than
6 one unit. So is that again something you'd
7 like to look at?

8 MR. MASOERO: Yes, it is.

9 VICE-CHAIR FETTERMAN: You need a
10 microphone.

11 MR. MASOERO: Just so everybody
12 understands where I'm coming from. Like in
13 602.6, that's exactly the language I was
14 talking about.

15 And we're putting the requirement
16 into law, but we're really not -- there's no
17 permit requirements. There's no requirements
18 there for them to submit their tests and what
19 not to the DCMR. There is in another portion
20 of the code, which isn't here. But I'm just
21 feeling like there seems to be something wrong
22 here.

1 VICE-CHAIR FETTERMAN: Well again,
2 you're talking about something that's been in
3 the codes for quite a while. But --

4 MR. MASOERO: But it's not
5 working.

6 (LAUGHTER.)

7 MS. STOGIS: Which is a good
8 reason to think it over.

9 MR. MASOERO: That's all I'm
10 saying.

11 MS. STOGIS: Yes. All right. So
12 we'll table EX-PM-6.

13 VICE-CHAIR FETTERMAN: I'm sorry.
14 Bellur had a comment.

15 MR. RAVISHANKAR: I just would
16 like to make a comment, I guess. These are
17 all basically Housing Regulation
18 Administration. They usually enforce these
19 things.

20 VICE-CHAIR FETTERMAN: Yes. And
21 that's how we got the comments were from the
22 Housing people.

1 MR. RAVISHANKAR: All they're
2 trying to do is put that back into this
3 property maintenance code --

4 VICE-CHAIR FETTERMAN: Yes.

5 MR. RAVISHANKAR: -- which is not
6 there in the ICC property maintenance code
7 properly.

8 MS. STOGIS: Yes.

9 MR. RAVISHANKAR: Just to make it
10 clear to everybody, that's why it's there.
11 It's been there for the life of the buildings.
12 It's been there in the D.C. housing
13 regulations --

14 VICE-CHAIR FETTERMAN: Yes. I
15 mean, Don, it's already in the housing code.
16 Whether you want this passed or not, it
17 already exists.

18 MS. STOGIS: The general intention
19 probably starting about five or six years ago
20 was to try and get provisions that deal with
21 the physical maintenance of existing
22 buildings. And we all think housing, but the

1 property maintenance code covers all types of
2 existing buildings. Get that into the
3 property maintenance code and leave the
4 housing regulations to deal with the
5 operational issues like landlord-tenant
6 grievance procedures and rent control and
7 condo conversions and this sort of thing.

8 But beyond these few amendments,
9 there's not -- as far as we know -- any
10 progress been made toward that goal as of yet.

11 MR. MASOERO: Just as a follow-up
12 comment, I've seen three -- maybe four -- HVAC
13 certifications turned in. And I started on
14 May 14th. So in other words, that's not
15 happening. That's what I mean it's not
16 working.

17 Let us take a look at it and we'll
18 make some recommendations to you at the next
19 meeting, if we could.

20 MS. STOGIS: Okay. Let's look
21 quickly at one more. EX-PM-7, which has to do
22 with fire safety requirements. This is

1 Chapter 7. And again, these all come from the
2 same source -- a discussion several years ago
3 with people involved in housing and are in the
4 current D.C. code.

5 It has to do with exiting, exit
6 signs, stair identification, which is
7 something where I believe D.C. has some very
8 specific requirements, and then fire alarm
9 systems and general precautions against fire.

10 I'll start it. I'd like to move
11 the approval of EX-PM-7.

12 VICE-CHAIR FETTERMAN: Thank you.
13 Do I have a second? Bellur will second it.
14 Comment on PM-7? Yes, Scott?

15 MR. VANDAME: Scott Vandame. Just
16 a quick point here relative to item PM-702.7.
17 The Fire and Life Safety Committee is still
18 going over the stairway signage requirements.
19 But the Fire Department has requested that
20 some stair identification information be added
21 to buildings with multiple stairs, even though
22 it may be stairs that connect three or less

1 stories.

2 So I'm just wondering if we want
3 to keep that phrase in there or make another
4 adjustment, or just say all applicable
5 stairways.

6 VICE-CHAIR FETTERMAN: Well, we
7 can go back and add -- we can amend an
8 amendment if a subcommittee changes something.

9 MS. STOGIS: We were aware that
10 this was still under consideration, but felt
11 that by simply not giving any of the technical
12 requirements but just referring back to
13 Section 1020.1.6 of the Building Code that
14 whatever Fire and Life Safety comes up with,
15 so be it.

16 MR. VANDAME: That's fine as long
17 as it's tracked.

18 MS. STOGIS: Unless in your
19 deliberations you find you want to have
20 different signage requirements for existing
21 buildings.

22 VICE-CHAIR FETTERMAN: But you're

1 saying that you're going to want signage in
2 stairs of two stories?

3 MR. VANDAME: Well, there was a
4 request to have certain stair number for even
5 stairs that connect less than three stories.
6 When you have a building that has like D.C.
7 Public Schools, you may have six, seven
8 stairs. They connect less than three stories,
9 but they want to have some stair
10 identifications to know it's stair 3, south
11 stairs.

12 MS. STOGIS: Okay. I think I'm
13 understanding you now that you think maybe we
14 should eliminate the connecting more than
15 three stories.

16 VICE-CHAIR FETTERMAN: I think
17 that's a great idea.

18 MS. STOGIS: And make general
19 reference back to --

20 MR. VANDAME: Yes.

21 MS. STOGIS: Yes. That makes
22 sense.

1 So eliminate the phrase,
2 "connecting more than three stories." So it
3 would read, "The interior and exterior of all
4 stairway doors shall be provided with signage
5 as required by Section 1020.1.6 of the D.C.
6 Building Code." Okay.

7 VICE-CHAIR FETTERMAN: Thank you.
8 Any other comments? Seeing none, we'll call
9 the question. All those in favor of PM-7,
10 please raise your yellow card. Thank you.
11 Opposed? I see none. Any abstentions? I see
12 none. The motion carries. Thank you.

13 MS. STOGIS: Okay. And just a
14 comment on where we are. Once we deal with
15 those that were tabled today and the elevators
16 on October 3rd, we will have completed our
17 basic package.

18 We are currently reviewing the
19 2007 ICC supplement for existing buildings,
20 and going back it seemed to me personally
21 there were a small handful of the changes they
22 proposed which were germane to D.C. and would

1 be advantageous for D.C.

2 I'm sending this right now around
3 the Existing Structures Committee to see if
4 they share this opinion and would like to
5 introduce some. If we do, it will be small
6 number, and I don't think they would be
7 controversial given that they are in the ICC
8 supplement. Thank you.

9 VICE-CHAIR FETTERMAN: Thank you.

10 It's 12:35. We have a number of
11 amendments to introduce, which we really want
12 to do which will take very little time. I'm
13 wondering if we should do that.

14 Thank you. Let's do E-2.
15 Electrical -- it's been handed out. And I
16 need someone to -- Mohammed Ali will introduce
17 it. And Scott Vandame will second it. And
18 with everyone having E-2 in front of them, is
19 there any comment?

20 And I've got additional copies up
21 here. They're color xeroxes.

22 MR. DEVLIN: Yes. John Devlin.

1 Madam Chair, can you please check to see that
2 620.24, subparagraph A -- my recollection was
3 that was removed in the last --

4 CHAIR KRESS: Yes. That's what
5 I'm just looking up.

6 MR. DEVLIN: -- the last meeting
7 when this question was raised.

8 CHAIR KRESS: Yes, I have it
9 removed. All I have is subparagraph B.

10 VICE-CHAIR FETTERMAN: I guess the
11 question, Mohammed and Scott, it appeared the
12 last time we removed paragraph A.

13 CHAIR KRESS: Well, we removed two
14 paragraphs. Well --

15 MR. ALI: Mohammed from DCRA.
16 Yes, paragraph A can be removed because it is
17 addressed somewhere else in the NEC.

18 VICE-CHAIR FETTERMAN: Thank you.
19 So we'll delete A. And we will re-number the
20 handwritten B --

21 MR. ALI: Yes.

22 VICE-CHAIR FETTERMAN: -- to

1 become A.

2 CHAIR KRESS: I had this re-
3 numbered before to be 7. And this is old --
4 760.24.1.

5 VICE-CHAIR FETTERMAN: All right.
6 Well, we'll deal with that as an
7 administrative matter with the concurrence of
8 the committee of making sure that the
9 numbering conforms to the NEC. Thank you.
10 Those are good points.

11 Any other comments? May we call
12 the question on E-2? All those in favor,
13 please raise your yellow card. Thank you.
14 Opposed? Any abstentions? I see no
15 abstentions, none in opposition. The
16 amendment carries. Thank you very much.

17 I'm wondering if we should
18 introduce our amendments now. We have a
19 number of Fire and Life Safety amendments,
20 which we should read into the record, John.

21 And while John is getting
22 together, I will read in the structural

1 amendments, which are being introduced today
2 by Howard Gibbs who is unable to be with us.

3 We are introducing structural
4 amendments number 1, number 2, number 3,
5 number 5, number 6, number 7 and number 8.

6 We'll see what the sense of the
7 Committee is whether you want to keep working
8 beyond -- once we get these things introduced.
9 But I thought it's important to get them
10 introduced and into the hopper.

11 All you need to do is to read the
12 amendment number.

13 MR. DEVLIN: John Devlin, Chair of
14 the Fire and Life Safety Subcommittee. We
15 will be introducing the following amendments:
16 FLS-3A, 6, 11, 14, 15, 16, 17, 18, 19, 22, 23,
17 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34,
18 and 35.

19 VICE-CHAIR FETTERMAN: Thank you.

20 And if I would also take the
21 Chair's prerogative -- or Vice Chair's
22 prerogative and introduce several plumbing

1 amendments today. They are shown on your page
2 5. And they are labeled -- the first one has
3 a dash under it to be labeled. The second one
4 was labeled 2A, 2B, 4A, 4B, and 4C.

5 And I've spoken with the Chair and
6 we will probably be re-numbering these
7 amendments to be in consecutive Arabic
8 numbering order beginning with the number one.
9 But I thought it was important to introduce
10 them under the numbers in which they occur in
11 your agenda. And if we do make these kind of
12 changes, we'll be sure and get those out to
13 you.

14 Are there any other amendments to
15 introduce today? I don't see anyone raising
16 their hand.

17 Everyone has been wonderfully
18 considerate and patient. It's 12:40.

19 We have some mechanical amendments
20 -- they are the only other ones. And, Milton,
21 are there any of these amendments that we
22 should vote on today -- or Bellur? I know you

1 were going to -- some of them you were
2 suggesting that we defer.

3 MR. RAVISHANKAR: Bellur
4 Ravishankar, DCRA. I think we can just table
5 all of this, because we do have to make some
6 --

7 VICE-CHAIR FETTERMAN: All right.
8 We'll defer them and --

9 MR. RAVISHANKAR: -- before the
10 next meeting. And we can work on them in the
11 next month.

12 VICE-CHAIR FETTERMAN: Thank you.
13 The other items on your list --
14 the residential amendments are tabled because
15 they are being reviewed by other
16 subcommittees.

17 So that concludes our business
18 today. And I thank you all very much.

19 Are there any other comments that
20 people have before we adjourn? I know that
21 Don has his hand up.

22 MR. MASOERO: Just one, Mr.

1 Chairman. It's just for general information
2 and maybe some input.

3 A recent court case came down, and
4 the District was found that they were treating
5 a certain class of people inappropriately. So
6 we're meeting on code change to a residential
7 structure with five or less people. And we're
8 going to need an emergency code change on it.

9 I've informed our legal department
10 that you all are up for that. It'll be a very
11 quick issue once everybody decides what's
12 going on.

13 But I just wanted to check on your
14 procedures and what not for emergency --

15 CHAIR KRESS: We're is handling
16 this?

17 VICE-CHAIR FETTERMAN: Sydney
18 Lester at the last meeting asked us to
19 reintroduce amendments we had in the existing
20 code that's now in effect to Chapters 2, 3 and
21 4, which have to do with uses in community-
22 based residential facilities and similar uses.

1 What you would do is to get this
2 proposed change to John Devlin at the Fire and
3 Life Safety Committee as soon as possible, and
4 we would be delighted to review it.

5 MS. BUSHMAN: I would just
6 interject that this a matter that has come up
7 before the Zoning Commission for emergency
8 rulemaking, as of I believe Monday, and is
9 already underway at the Zoning Commission.

10 Now, I don't know to what extent
11 this has to be duplicated in the building
12 code, or whether you want to reference the
13 zoning regulations.

14 MR. MASOERO: We don't either.
15 But all three parties are meeting regularly on
16 it.

17 VICE-CHAIR FETTERMAN: And Don, as
18 you're aware, the ICC codes allow these small
19 uses of community facilities in things --
20 groups R-4, for example. And we were under
21 the impression during the 2003 cycle that that
22 was sufficient to meet the District's needs.

1 And that's what we were told by District
2 employees.

3 But obviously, if this is a case
4 where we need to do something better, we want
5 to. And we want to do whatever we can to
6 support the government.

7 MR. MASOERO: Good. And that's
8 just why I was passing it on. Thank you for
9 the solution.

10 And it might not wind up in a code
11 change.

12 VICE-CHAIR FETTERMAN: And if you
13 could run that microphone back to Jill, that
14 may be our last word.

15 PARTICIPANT: She always has the
16 last word.

17 VICE-CHAIR FETTERMAN: I wasn't
18 going to say that.

19 MS. STERN: I just wanted to
20 mention this. I'll probably be shot by
21 everyone.

22 I think there still are going to

1 be some significant changes to the Property
2 Maintenance Code supplement, because I don't
3 believe that there's been DCRA review of that
4 yet.

5 VICE-CHAIR FETTERMAN: Okay.
6 Well, that's why we distributed them a month
7 ago. And our normal process is that people
8 provide comments during the month. But that
9 hasn't happened.

10 Historically, Jill, we have had no
11 problem in amending amendments that have
12 already been passed.

13 MS. STERN: Okay. I just wanted
14 to put people on notice that that's probably
15 going to happen at the next meeting.

16 VICE-CHAIR FETTERMAN: Not a
17 problem. That's why at the beginning of the
18 meeting when the eyes were rolling, I was
19 trying to get several meetings for us in the
20 future to deal with things that have not yet
21 been anticipated because this always happens.

22 MS. STERN: Okay. I just wanted

1 to make sure no one said I didn't tell you so.

2 VICE-CHAIR FETTERMAN: No. Thank
3 you.

4 MS. STERN: Thank you.

5 VICE-CHAIR FETTERMAN: Thank you
6 all very much for staying so late.

7 (Whereupon, the above-entitled
8 matter went off the record at 12:54 p.m.)

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