**Board of Appeals**

**November 4, 2021**

Members present: Clay Dietrich, Kevin Bartram, Mike Wild, Brian Berg, and Justin Schoenberg

Members absent: Dave Obermiller

Others present: Ryan Erickson, Shawn Ouradnik, Christine Rose, Kristi Stoffel

Chairperson Dietrich called the meeting to order at 9:30am. Mr. Dietrich called to look over the October 7, 2021 meeting minutes and approve them.

Brian made a motion to approve the minutes from October 7, 2021 and it was seconded by Kevin. With no one in opposition, the motion was declared carried.

There was no unfinished business.

Shawn Ouradnik did a brief introduction of Christine Rose who was presenting the IEBC.

**2021 International Existing Building Code Amendments and Significant Changes**

**Presented by Christine Rose**

**Section 101.1** These regulations shall be known as the Existing Building Code of ~~(NAME OF JURISDICTION)~~ the City of Fargo hereinafter referred to as “this code.”

**(Pg 1-1)**

**New section 101.2.1** **Application of Fire Code**

Application of Fire Code, where work regulated by this code is also regulated by the construction requirements for existing buildings in chapter 11 of the IFC such work shall comply with applicable requirements of both codes.

**(Pg 1-2)**

**New Section 103.1** **Creation of Agency**

The City of Fargo is hereby created, and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code. It is referenced twice in the code as the agency.

**Section 104.2.1** is a flood section and Staff recommends ***deleting*** this section in its entirety as it relates to flood.

**Section 104.2.2.1** is hereby **AMENDED** to read as follows:

**104.2.21 Building evaluation**. The code official is authorized to require an existing building to be investigated and evaluated at the owner’s expense by a registered design professional based on the circumstances agreed upon at the preliminary meeting. The design professional shall notify the code official if any potential nonconformance with the provisions of this code is identified.

**Section 104.8** is hereby **AMENDED** to read as follows:

**Section 104.8** **Liability.** The code official, member of the Board of Appeals, or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for cost in any action, suite, or proceeding that is instituted in pursuance of the provisions of this code.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or the city be held as assuming any such liability by reason of the inspection authorized by this code or any permits or certificates issued under this code.

**Note:** and that is in all of the codes- all of the International codes as an **amendment**.

**Section 104.10.1** is a flood section and Staff recommends ***deleting*** this section in its entirety as it relates to flood.

**Section 105.2** is hereby **AMENDED** to read as follows:

**Section 105.2** **Work exempt from permit.** Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

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7. Reroofing.

8. Window Replacement

Note: this matches the other codesif we take out number 7 & 8 whichis Re-Roofing and window replacement so they are exempt from the permit.

**Section 109.3.3** and **109.3.10** and Staff recommends ***deleting*** them in their entirety as it relates to flood.

**New Section 114. The Stop Work Order**. There is added language that matches the IBC and this is the way we currently enforce stop work orders.

Note: It is in the IBC and the way it is stated in the existing building code is the same as we already enforce it **but now it is** **New in the existing code**.

**Section 201.3** is hereby **AMENDED** to read as follows:

**Section 201.3** **Terms defined in other codes.** Where terms are not defined in this code and are defined in the other International Codes, such terms shall have the meanings ascribed to them in those codes.

Wherever the term “International Plumbing Code” and/or the “International Private Sewage Disposal Code” is used it shall mean the North Dakota State Plumbing Code. Wherever the term “ICC Electrical Code” is used it shall mean the National Electric Code together with the North Dakota State Wiring Standards. Wherever the term “Flood Hazard Area” is used, it shall mean the Fargo Flood Plain Management ordinance together with the Flood Proofing Code of the City of Fargo, North Dakota.

Note: this is where they call out the terms. This is a long-standing **amendment** it is where they call out the definitions in the International Plumbing code, private sewage disposal code, the state code, the state electrical code, the flood hazard ordinance, and I think that is it. This is where they define that we can use their definitions in those codes versus the International, Electrical, and Plumbing codes.

**(Pg 3-1)**

**New Section 301.3 Alteration, addition or change of occupancy**

There is new language for enforcement on substantial improvement to buildings in a flood hazard areas and new language on accessible buildings. This is currently how we enforce it just know that it is in there.

**New Section 302.2.1 Additional Codes in Health Care**

NFPA 99 is now referenced in the IEBC. This is mentioned several times in the 2021 so I am only going to mention it to you this time it is in several of the different alteration types so just know that it is in there. It is in here probably 5 times.

**(Pg 3-2)**

**New Section 303 Storm Shelters** same thing. It was in the IBC and now there is a statement in the existing building code (IEBC) that states they need to comply with ICC 500 standard and she believes it is in the IRC as well.

**Section 308 Carbon Monoxide Detection- *Moved***

Use to be in chapter 5 and they moved to chapter 3 that is the only change.

**(Pg 3-6)**

**New Section 309 Additions and Replacements of Exterior Wall Coverings and Exterior Wall Envelopes**

The provisions of section 309 apply to all alterations, repairs, and additions relocations of structures and changes of occupancy regardless of compliance method. Materials and methods used shall comply with requirements for new construction.

**New Section 401.1.1 Bleachers and grandstands**

Repairs to existing bleachers, grandstands and folding telescopic seating shall comply with a standard which is ICC 300.

Note: It was in the IBC for years, it is now in existing building code.

**Section 401.3**, **405.2.6**, and **502.3** are all flood sections and Staff recommends ***deleting*** them in their entirety as it relates to flood.

**New Section 502.6 Enhanced classroom acoustics**

In group E occupancies, enhanced classroom acoustics shall be provided in all classrooms in the addition with a volume of 20,000 cubic feet or less. Enhanced classroom acoustics shall comply with the reverberation time in Section 808 of ICC A117.1.

Note: This is also mentioned several times in the IEBC 2021 but it will only be mentioned once. It is also an erratum in the book. It refers to section 808 and it says 117.1 but it is 117.1 the new one, 2017, because there is no section 808 in the new one.

**Section 503.2** is a flood section and Staff recommends ***deleting*** them in their entirety as it relates to flood.

**(Pg 5-3)**

**New section 503.4**

**There is an Exception.** Buildings in which the increase in the demand capacity ratio is due entirely to the addition of rooftop-supported mechanical equipment individually having an operating weight less than 400 pounds and where the total additional weight of all rooftop equipment placed after initial construction of the building is less than 10% of the roof dead load. For purposes of this exception. “Roof” shall mean the room level above a particular story. **if you meet the 10%, you do not have to go to the IBC 1613 (which is a structural section) and you can stay in the IEBC.**

**Section 503.14, Section 503.15 and Section 503.16- *Moved*** – these were all moved from a different section or different chapter in the 2018 IEBC

**New Section 503.17 Locking arrangements in educational occupancies**

In Group E occupancies, Group B educational occupancies, and Group I-4 occupancies, egress doors with locking arrangements designed to keep intruders from entering the room shall comply with section 1010.2.8 of the IBC.

Note: This is also referenced in Chapter 7 of the IBC (Section 704.3), but it will not be mention there.

**New Section 503.18 Two-way communication systems.**

Where the work area for the alteration exceeds 50 percent of the building area and the building has elevator service, a two-way communication system shall be provided where required by section 1009.8 of the IBC.

**New Section 505.3.1 Control Devices**

Window opening control devices or fall prevention devices complying with ASTM F2090 shall be permitted for use on windows required to provide emergency escape and rescue openings. After operation to release the control device allowing the window to fully open. The control device shall not reduce the net clear opening area of the window unit. Emergency escape and rescue openings shall be operational from the inside of the room without the use of key or tool.

Note: This is also mentioned in Chapter 7 Section 702.5.1**.** There are many sections that have repetitive information.

**Section 507.3** is a flood section and Staff recommends ***deleting*** them in their entirety as it relates to flood.

**(Pg 6-1)**

**New Section 603.1 Scope**

Level 2 alterations include the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment and shall apply where the work area is equal to or less than 50 percent of the building area.

**There is an Exception:** The movement or addition of non-fixed and movable fixtures, cases, racks, counters and partitions not over 5.9 in height shall not be considered part of the level 2 alteration.

**Section 701.3** is a flood section and Staff recommends ***deleting*** them in their entirety as it relates to flood.

**(Pg 8-1)**

**New Section 801.3 System Installations**

Requirements related to work area are not applicable where the Level 2 alterations are limited solely to one or more of the following:

1-Mechanical systems, Electrical systems, fire protection systems and abatement of hazardous materials

(Or) 2-Windows, hardware, operating controls, electrical outlets and signs

(Or) 3-Alterations undertaken for the primary purpose of increasing the accessibility of a facility

**Discussion**

Mr. Schoenberg, asked a clarification question regarding on section 706. He knows it is not a change, but the structural portion where it talked about if your adding or replacing roofing and you can add about 5 percent of the roof without having to the meet current codes. He has gone back and forth with some code officials from Minnesota on the school work. If an existing building let’s say is designed for 30PSF snow load 30 years ago and the only thing we are doing to it is adding some roof top with equipment, when we do that 5 percent increase that is 5 percent just based on the original snow load of the building correct?

Ms. Rose stated, she thinks that is the how the code was to be interrupted it but she also stated she was not aware of Minnesota’s code. Mr. Schoenberg stated that he had been going back and forth with Minnesota inspections and they are saying that if you do add 5 percent you have to use current snow loads. He also stated so if that is true, then every single building that is checked over 20yrs old that would never work. He was wondering how Ms. Rose interrupted it. As an example, if we were adding a building here in town with some roofing to it as long as you are not going over 5 percent of the original design (20PSF dead load or 30PSF as example) and even if the snow load is higher now, then it is irrelevant correct? So just as long as you just use the 5 percent from the original load? Ms. Rose said yes, that is the way she would interrupt it, but she asked if she could get back to him after look at the commentary. She just wanted to see if the commentary gave any clarification especially since there is 1 meeting left and it would tie back into one of our previous sections regarding 400 lbs. from the roof top.

Mr. Schoenberg agreed and stated that would be good because based on what happens on some of these school projects they are doing, the second you add 1 sprinkler pipe to a room they are making them bring it up to the current snow load that which is crazy and it costs a lot of money. Ms. Rose asked them to understand, that they are the authority in our jurisdiction. He said he understood he wasn’t using this to argue with them it is more to understand so when we have projects here (in Fargo) he wanted to make sure we don’t have to do something like that. It was agreed that she could look into the commentary and see if it gives them any guidance. She stated she thought we had a commentary in the office and if we didn’t, she could get it electronically. Ms. Rose stated they had a little more time before we had to present the Energy code.

Ms. Rose continued with code presentation and went back over **Section 801.3 System Installations**

**(Pg 8-4)**

**New Section 803.2.3 Group I-2 Hospitals, Nursing homes**

In group I-2 occupancies, an automatic sprinkler system will be installed in accordance with section 903.3.1.1 of the IFC shall be provided in the following locations:

1. In Group I-2 condition 1 throughout the work area
2. In Group I-2, condition 2 throughout the work area where the work area is 50 percent or less of the smoke compartment
3. In Group I-2, Condition 2, throughout the smoke compartment in which the work occurs where the work area exceeds 50 percent of the smoke compartment.

**New Section 803.2.5 Other Required Automatic Sprinkler Systems**

In buildings and areas listed in Table 903.2.11.6 of the IBC. Work areas that have exits or corridors shared by more than one tenant or that have exits or corridors serving an occupant load greater than 30 shall be provided with an automatic sprinkler system under the following conditions:

1. The work area is required to be provided with an automatic sprinkler system in accordance the IBC applicable to new construction and
2. The building has sufficient municipal water supply for design of an automatic sprinkler system available to the floor without installation of a new fire pump.

**(Pg 9-2)**

**New Section 904.1.4 In Groups A, B, E, F-1, H, I-1, I-3, I-4, M, R-1, R-2, R-4, S-1 and S-2** In buildings with occupancies in Groups listed above areas shall be provided with automatic sprinkler protection where all of the following conditions occur.

1. The work area is required to be provided with automatic sprinkler protection in accordance with the IBC as applicable to new construction
2. The building site has sufficient municipal water supply for design and installation of an automatic sprinkler system

**There is an Exception**: If the building site does not have sufficient municipal water supply for design of an automatic sprinkler system, work areas shall be protected by an automatic smoke detection system throughout all occupiable spaces other than sleeping units or individual dwelling units that activate the occupant notification system in accordance with section 907.4 907.5 and 907.6 of the IBC.

**Discussion**

Mr. Brian Berg asked if they were basically saying that in a renovation project any work area where a sprinkler system would be required in new construction we have to supply it in existing construction but it is only confined to the work area? As an example, if there is a church project where assembly space that is over 5,000 sq.ft. and you had over the prescribed number of occupants you would have to sprinkler that space but only that space? Even if the rest of building was all new and would have to be sprinkled and you weren’t working in the rest of the building? You would sprinkle just the work area and make allowances for future sprinkler in that area? Mr. Rose stated that is the way she would interrupt it, but asked Mr. Erickson since he was present if it conflicts with sprinkler systems in new construction where you can’t sprinkle just part of the building? Mr. Berg asked because he knew they had been given latitude in the past where there is a phase of construction and they are only working in a certain area an everyone was aware they were bringing in a sprinkler system that can handle the whole area but they were just starting in the areas you are working in. Mr. Berg stated he thought it would be a pretty heavy lift if you are remodeling 5,000 sq.ft. of 100,000sq.ft. building and you have to sprinkler the whole building if you are just because you were remodeling 5,000 sq.ft. Brian Berg said I guess that is how he saw it.

Mr. Erickson then answered yes, he thought that was probably correct. He said they had a project recently where he knew they were using the existing building code and they were sprinkling the areas they were working on. The only issue he saw was where do you terminate it and does it need to be on a fire barrier or something like that to get a clean break on it meaning contain it, Mr. Berg said. Mr. Erickson said yes, the other thing to remember, is that we are at level 3 alteration with this section too so it is a little more extensive with remodels and etc. Ms. Rose then came back into the conversation and asked if that answered the question and Mr. Berg said yes.

**New Section 904.1.5 Group I-2** In group I-2 occupancies an automatic sprinkler system installed in accordance with Section 903.3.1.1 of the IFC shall be provided in the following:

1. In group I-2 Condition 1, throughout the work area
2. In Group I-2 Condition 2, throughout the work area where the work area exceeds 50 percent or less of the smoke compartment
3. In I-2 Condition 2, through the smoke compartment in which the work occurs where the work area exceeds 50 percent of the smoke compartment

**(Pg 9-2)**

**New Section 904.1.6 Windowless stories**

Work located in a windowless story, as determined in accordance with the IBC, shall be sprinklered when the work area is required to be sprinklered under the provision of the IBC for newly constructed buildings and the building site has a sufficient municipal water supply for the design and installation of an automatic sprinkler system.

Note: This section is in here a lot.

**(Pg 10-1)**

**New Section 1002 Special Use and Occupancy**

**1002.1 Compliance with the building code**

Where an existing building or part of an existing building undergoes a change of occupancy to one of the special use or occupancy categories as described in Chapter 4 in the IBC applicable to the special use or occupancy.

**1002.2 Incidental uses**

Where a portion of a building undergoes a change of occupancy to one of the incidental uses listed in Table 509.1 of the IBC the and incidental use shall comply with section 509 of the IBC applicable to the incidental use.

**1002.3 Change of Occupancy in Health Care**

Where a change of occupancy occurs to a Group I-2 or I-1 facility the work area with the change of occupancy shall comply with the IBC

**There is an Exception**: a change in use or occupancy in the following cases shall not be required to meet the IBC

1. Group I-2 condition 2 to group I-2 Condition 1
2. Group I-2 to ambulatory health care
3. Group I-2 to Group I-1
4. Group I-.1 Condition 2 to Group I-1 condition 1

**1002.4 Storage**

In Group I-2 occupancies, equipped throughout with an automatic sprinkler in accordance with section 903.3.1.1 of the IBC. Where a room 250 sq.ft. or less undergoes a change in occupancy to a storage room the room shall be separated from the remainder of the building by construction capable of resisting the passage of smoke in accordance with section 509.4.2 of the IBC

**Section 1103.3, Section 1201.4**, and **Section 1301.3.3** are all flood sections is a flood section and Staff recommends ***deleting*** this section in its entirety as it relates to flood.

**(Pg 13-1)**

**New section 1301.2 Applicability**

The end of this paragraph is the new part but Chris will mention it when she gets there.

Existing buildings in which there is work involving additions, alterations, or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of chapters 6 through 12. The provisions of sections 1301.2.1 through 1301.2.6 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, I-2, M, R and S. And this is where the new part starts. These provisions shall also apply to Group U occupancies where such occupancies are undergoing to a change of occupancy or a partial change in occupancy with separations in accordance with section 1301.2.2. These provisions shall not apply to buildings with occupancies in Groups H, I-1, I-3 or I-4.

**Section 1401.2** is hereby **AMENDED** to read as follows

**1401.2 Conformance.** Buildings to be moved within this jurisdiction shall comply with provisions of this chapter. Buildings to be moved into this jurisdiction shall comply with the provisions of the International Codes for new buildings and shall be certified as to that compliance by an agency approved by the code official. So, the majority of that section is deleted and we insert that part. It would be rare that a commercial building would move into our jurisdiction. ~~The building shall be safe for human occupancy as determined by the International Fire Code and the International Property Maintenance Code. Any repair, alteration or change of occupancy undertaken within the moved structure shall comply with the requirements of this code applicable to the work being performed. Any field-fabricated elements shall comply with the requirements of the International Building Code or the International Residential Code as applicable.~~

**Section 1402.6** is a flood section is a flood section and Staff recommends ***deleting*** this section in its entirety as it relates to flood.

**1502 Protection of Adjoining Property**

**(Pg 15-2)**

**New Section 1502.2 Excavation Retention Systems**

Where a retention system is used to provide support of an excavation for protection of adjacent structures, the system shall conform to the requirements in section 1502.2.1 through 1502.2.3

**1502.2.1 Excavation Retention System Design**

Excavation retention systems shall be designs by a registered design professional to provide vertical and lateral support.

**1502.2.2 Excavation Retention System Monitoring**

The retention system design shall include requirements for monitoring of the system and adjacent structures for horizontal and vertical movement.

**1502.2.3 Retention System Removal**

Elements of the system shall only be removed or decommissioned where adequate replacement support is provided by backfill or by the new structure. Removal or decommissioning shall be performed in such a manner that protects the adjacent property.

**(Pg 15-4)**

**New section 1509 Water Supply for Fire Protection**

**1509.1 When Required** An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible building material arrives on the site, on commencement of vertical combustible construction, and on installation of a standpipe systems in building s under construction, in accordance this Section 1509.1 through 1509.5

**There is an Exception**: The fire code official is authorized to reduce the fire-flow requirements for isolated buildings or a group of buildings in rural areas or small communities where the development of full fire-flow requirements is impractical.

**1509.2 Combustible building Materials**

When combustible building materials of the building under construction are delivered to a site, a minimum fire flow of 500 gallons per minute shall be provided. The fire hydrant used to provide this fire flow supply shall be within 500 feet of the combustible building materials as measured along an approved fire apparatus access lane. Where the site configuration is such that one fire hydrant cannot be located within 500 feet of all combustible building materials, additional fire hydrants shall be required to provide coverage in accordance with this section

**1509.3 Vertical Construction of Types III, IV and V Construction**

Prior to commencement of vertical construction of Type III, IV or V buildings that utilize any combustible building materials, the fire flow required by sections 1509.3.1 through 1509.3.3 shall be provided, accompanied by fire hydrant in sufficient quantity to deliver the required for flow and proper coverage.

**1509.3.1 Fire Separation Up To 30 feet**

Where a building of type III, IV, or V construction has a fire separation distance of less than 30 feet from property lot lines and an adjacent property has an existing structure or otherwise can be built on. The water supply shall provide either a minimum of 500 gallons per minute or the entire fire flow require for the building when constructed, whichever is greater.

**1509.3.2 Fire Separation from 30 feet Up to 60 feet**

Where a building of type III, IV or V construction has a fire separation distance of 30 feet up to 60 feet from property lot lines, and an adjacent property has an existing structure or otherwise can be constructed upon. The water supply shall provide a minimum of 500 gallons per minute or 50 percent of the fire flow required for the building when constructed, whichever is greater.

**1509.3.3 Fire Separation of 60 Feet of Greater**

Where a building of type III, IV or V construction has a fire separation of 60 feet or greater from a property line, a water supply of 500 gallons per minute shall be provided

**1509.4 Vertical Construction Types I and II Construction**

If combustible construction materials are delivered to the construction site, water supply in accordance with Section 1509.2 shall be provided. Additional water supply for fire flow is not required prior to commencing vertical construction of Type I and II buildings.

**1509.5 Standpipe Supply**

Regardless of the presence of combustible building materials, the construction type or the fire separation distance, where a standpipe is required in accordance with Section 1506, a water supply providing a minimum flow of 500 gallons per minute shall be provided. The fire hydrant used for this water supply shall be located within 100 feet of the fire department connection supplying the standpipe.

That is the end of the Existing Building Code.

Ms. Rose asked if there were any questions and Chairman Dietrich did want to clarify some items and a discussion followed.

**Discussion**

Mr. Dietrich asked Mr. Erickson if he wanted to weight in a little bit since a lot of the buildings that are built during this time of year when water freezes, don’t have a water supply to going up vertically. He stated he thought it would really boil down to hydrants. Then asked if that was how you guys are interrupting this during winter time; if you are putting up a 3 or 4 story apartment that is not heated yet? Mr. Erickson said that this section, really matches 33-13 of the IFC. It looks like a whole lot of new requirements, but actually for the City of Fargo, there really wouldn’t be much change; because when you are building an apartment building you already have had to vet through the whole process of development, and through that whole development process the City requires that infrastructure is there prior to building. He went on to say that the only instance that he can think of where we might have to use this section is when somebody gets what is termed as an early building permit, it is not really an early building permit. It is considered to be permission to go build out ahead of the City’s infrastructure. Which is worked out through an agreement between engineering and inspections. When that occurs, typically by the time they are building the structure the infrastructure is caught up; therefore, it is rare to have a building where combustible material are out. Meaning outside of the utilities. Mr. Erickson thinks for the most part they won’t see this as an issue. Chairman Dietrich asked Mr. Erickson if they have that situation now where you guys just deal with it now over lying supply to it 5 or 6 inch- 1000 feet or so, is it something we have to address? Mr. Erickson stated as an example, there is one now being built, the Work Force Academy. He also said right now primarily what they are working on is foundations and that type of stuff: so, they make sure they have access to some sort of construction road for medical emergencies or some sort of rescue. The fire threat at that point is a little bit less because the structure is not there, and the plan would be that as that builds the utilities would get there but your right, we would make sure if we needed to we could lay in hoses or something from the nearest hydrant, but it doesn’t usually get that far ahead of our infrastructure that it wouldn’t be within our capacity to operate. Chairman Dietrich said but if it isn’t then it would be something that would have to be worked out with you, so you are aware of it I assume? Yeah, and we could do that ahead of time through that development process because usually if we are working way out ahead of it then it involves usually planning, engineering, inspections, so, there are a lot of meetings ahead of it so I think we can work through that. Ms. Rose asked if there were any other questions for her and Chairman Dietrich stated he did not in this particular portion. He also stated he knew Mr. Bartram talked about looking at flood stuff and stated before we wrap everything up she just wanted to remind Ms. Rose of that. Ms. Rose said I have been talking to the engineering department and they are a little hesitant because they don’t understand why the question came up. Mr. Dietrich stated he thinks it has been out there for a long time, and it is probably something that needs to be reviewed again and just kind of gone through the structural parts of it and make sure it is all current so what is there now is nine years old. Ms. Rose said it had been since 2015 or 2016. Mr. Dietrich said it is 6 years old and it has been through a couple of code cycles and hasn’t been reviewed. He thinks due diligence means they should take a look at it. Ms. Rose said she has been politely pushing and maybe she needs to stop being so polite about it. They agreed to adjourn this meeting and discuss it off air with staff. Ms. Rose said she did want to mention the energy code, she said typically we would go every other week, but she wondered if we could extend the energy code out to December? Mr. Dietrich said that would be fine. She said we have not picked a date yet but if it was okay with them to just follow up with them with a date to review the energy code. Mr. Dietrich said most of them are trying to get things in the ground before freezing weather hits anyway, so to wait until it is froze back up to get everyone in back here again he thought everyone there would be fine with that. Ms. Rose stated she would follow up with a date through email so they can get a quorum. She also stated that was the last code.

Chairman Dietrich asked if there was anything else for the staffs to report and there was nothing else to report. Mr. Dietrich put the motion up to adjourn the meeting. Brian Berg so ruled it and Justin Schoenberg seconded the motion and meeting was adjourned.

Respectfully submitted



Shawn Ouradnik

Board Secretary