

# **Pikes Peak Regional Building Department**

2880 International Circle  
Colorado Springs, Colorado 80910

## **MECHANICAL COMMITTEE MINUTES**

August 8, 2012

10:00 a.m.

**MEMBERS PRESENT:** Chairman Edward Pine  
Vice Chairman Dan Rial  
Mr. Neil Case  
Mr. Curt Miller  
Mr. Darrell Allen

**MEMBERS ABSENT:** Mr. John Martin

**OTHERS PRESENT:** Mr. Jim Vernon, Chief Plumbing/Mechanical Inspector  
Mr. Jon Brazier, Senior Mechanical Inspector  
Mr. Russell Kauk, Senior Plans Examiner  
Mr. Todd Welch, Regional Building Counsel  
Ms. Mindy Stuemke, Permit Supervisor  
Mr. Tim Crippen, Plumbing Plans Examiner  
Mrs. Pattie Benger, Contractor Licensing

### **PROCEEDINGS:**

Chairman Ed Pine called the meeting to order at 10:01 a.m.

#### **1. CONSIDERATION OF JULY 11, 2012 MINUTES**

A motion was made by Curt Miller to **APPROVE** the July 11, 2012 Mechanical Committee Minutes as written, seconded by Dan Rial; the motion carried unanimously.

#### **2. COMPLAINTS**

- a) A complaint has been brought against Charles Johnson, licensee for Mountain Air Mechanical, by Regional Building for performing mechanical work at 25 East Kings Deer Point, Monument, Colorado 80132 without obtaining a permit in violation of Section RBC105.1, 2011 Pikes Peak Regional Building Code; and for having three "A" Status permits.

Charles Johnson appeared, was sworn in and stated the homeowner brought the lack of permit to his attention when he was trying to sell the property. He said he needed to apply for a business license with the town of Monument, and the homeowner indicated that he would hire another contractor to pull the permit. He said that he did change the furnace out, but the homeowner said he would have someone else take

care of the permit. He said that two of the "A" status permits have been closed and the third is in the CNC process.

Jon Brazier appeared, was sworn in and said this contractor has pulled 40 permits this year, some of which are open. He said the only remaining "A" status permit is in the CNC process. Mindy Stuemke, appeared, was sworn in and said the address range for East Kings Deer Point is 52-921 and the Assessor's database also indicates that there is no 25 East Kings Deer Point. Mr. Johnson said he recalls there being some issue with the address. He said that he has now obtained his Town of Monument business license.

Terry Brunette appeared, was sworn in and stated the homeowner lodged this complaint with RBD. Jon Brazier stated that it appears that the address was incorrect and it may be 25 West Kings Deer Point. He said that Venture HVAC has pulled this permit.

A motion was made by Darrell Allen that an Incident Report be placed in this contractor's file, seconded by Curt Miller; the motion carried unanimously.

- b) A complaint has been brought against Garrett Edde, licensee for Climate Design, by Shelly Sparks for performing mechanical work at 5631 Celtic Cross Grove, Colorado Springs, Colorado 80918, without obtaining a permit in violation of Section RBC 105.1, 2011 Pikes Peak Regional Building Code.

Garrett Edde appeared, was sworn in and stated the lack of pulling a permit for this property was an oversight and a permit has now been issued and has passed the inspection.

Shelly Sparks appeared, was sworn in, and stated she contacted Climate Design last Fall regarding installation of an air conditioner in her home, and she specifically asked if the permits were included and was told that they were. She said the unit stopped working properly within days after installation, so she contacted another company to fix what they initially thought was a leak in the line. She said they discovered that the coil had been installed improperly and had come loose. Ms. Sparks said she contacted Climate Design about the permits, and was told by Peggy that the installation would not pass inspection until the emergency drain was installed. She said the drain was installed and it passed the mechanical inspection, but the electrical was not permitted initially, and then needed correction before it passed inspection. She said the initial electrical installation was done by Climate Design, but the corrections were made by an electrical contractor. Ms. Sparks said the coil corrections were made by another contractor.

Jim Vernon appeared, was sworn in, and stated that all required permits and inspections have been obtained.

Garret Edde stated that the initial electrical work was done by a licensed electrical contractor, Powers Electrical. He said there were some issues with this installation but the corrections were taken care of. He said that they offered to make these corrections themselves or to pay another contractor to make the corrections and the homeowner would not allow this.

Shelly Sparks stated that she was never offered money to pay another contractor and the office staff got angry with her when she called. She said that they only pulled the permits because she called and requested them. Mr. Edde agreed that he was willing to pay the homeowner her additional cost of \$150.

A motion was made by Darrell Allen that an Incident Report be placed in the file for one year and the contractor pay the homeowner \$150 for her additional costs, seconded by Dan Rial; the motion carried 3:1. Curt Miller opposed.

### 3. **CONSENT LICENSE REQUESTS**

#### **Mechanical Contractor A (Commercial)**

COLORADO DELTA MECHANICAL INC. – ANTON TCHAKAROV (UPGRADE)  
LEGACY MECHANICAL – PAUL MAWHORTER  
WESTCO SYSTEMS INC – JEREMY SILVA

#### **Mechanical Contractor B (Residential)**

AIR CONCEPTS – TRENT COOPER

#### **Mechanical Contractor E (Elevators/Escalators)**

SCHINDLER ELEVATOR CORPORATION – MICHAEL FRANCO (CO. CHANGES EXAMINEE)

A motion was made by Curt Miller to recommend to the Board of Review **APPROVAL** of the Consent License Requests, seconded by Dan Rial; the motion carried unanimously.

### **LICENSE REQUESTS CONSIDERED INDIVIDUALLY**

There were no Individual License Requests to discuss.

#### 4. CONSENT CALENDAR

a) 104 East Rio Grande St, Permit I33539 – Olson Plumbing & Heating Co., requests a variance to Section 503.5.3, 2009 International Fuel Gas Code, to allow a masonry chimney, lined with an approved material, to serve as a gas vent for a single draft hooded appliance, provided the installation meets the following requirements:

- The appliance is a replacement.
- The area of the chimney does not exceed 7 times the area of the draft hood outlet.
- Not more than 1 side of the chimney is exposed to the outside.

A licensed contractor provides a letter verifying the chimney's integrity, and approved material is defined as sheet metal, tile or clay lined. *This consent variance request was listed on the Addendum.*

A motion was made by Curt Miller to recommend to the Board of Review **APPROVAL** of the Consent Calendar Variance Request, seconded by Neil Case; the motion carried unanimously.

#### VARIANCE REQUESTS

5. 11550 Ridgeline Drive, Suite 124 – Jack Paulson, Paulson Architects, P.C., requests a variance to Section 405.3.2, 2009 International Plumbing Code, to waive the requirement for separate restroom facilities for each gender.

Russell Kauk stated that the contractor has **WITHDRAWN** this variance request.

6. 7346 Owings Point, Permit I09324 – Kenneth Weyand, homeowner, requests a variance to allow a 13" clearance at the front of a water closet where a minimum of 21" is required.

Kenneth Weyand appeared and stated this is a basement finish on his home. He said the inspector stated that this clearance issue should have been caught at the first inspection rather than a final. He said the water heater is on one wall and the plumbing was already stubbed out. Mr. Weyand said he has two full bathrooms upstairs. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the variance request because there are other bathrooms in the home, seconded by Curt Miller; the motion carried unanimously.

7. Brad Julian requests a variance to Section RBC201.6.1, 2011 Pikes Peak Regional Building Code, to waive the requirement of the 6-month waiting period to retest following two previous attempts for a Mechanical Contractor B License.

Brad Julian appeared and stated he would like to waive the 6-month waiting period. Jon Brazier said that he has done a review with Mr. Julian, gave him some study tips, and explained how the RBC works. He said that RBD staff does not oppose this variance request. Mr. Julian said he has been a licensed contractor in Oklahoma since 1982. A motion was made by Curt Miller to recommend to the Board of Review **APPROVAL** of this variance request, seconded by Darrell Allen; the motion carried unanimously.

- 7b. 2848 Delta Drive – Stan Lewis, contractor, requests a variance to Table 403.1, 2009 International Plumbing Code, to allow less than the minimum required number of plumbing fixtures.

Stan Lewis appeared and stated based on the occupancy, Code requires two restroom facilities in this structure, but due to the nature of this particular business the occupancy load is limited. William Fodge, business owner, appeared and stated he owns this medical marijuana growth facility. Russ Kauk said that Code requires two restrooms if the occupancy exceeds 15. Mr. Fodge said that he does not own the building and there is no other existing plumbing. Tim Crippen said that the previous occupancy was a B or an M, which would have allowed one restroom. A motion was made by Curt Miller to recommend to the Board of Review **APPROVAL** of the variance request because of the occupancy type, seconded by Dan Rial; the motion carried unanimously.

Break from 11:05 a.m. to 11:20 a.m.

#### 8. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

#### 9. **NEW BUSINESS**

- a) Discussion on Amendment to RBC306.4.25, 2011 Pikes Peak Regional Building Code by Jack Beuschel.

Jack Beuschel appeared and stated he represents Studor IPS Corporation. He said that he is here to discuss restrictions placed by the RBC on the air admittance valves. He said the product was approved in Colorado in 2000 as an alternate method of materials. He said that Studor has 50-55% of the market for this type of product. Mr.

Beuschel said that air admittance valves have been in the IPC since 1995. He said the restrictions in the RBC are limiting and should be removed because they are too restrictive in the types of allowed applications. He said if this installation is safe in some locations, it is safe in all applications. Mr. Beuschel stated that there is always a way to vent an application.

Mr. Beuschel is requesting that this amendment to the 2009 IPC be deleted. He said that there currently really is no failure rate; when valves have been returned, they are tested and found to be working and the problem is caused by another issue. He said the design of the valves changed about four or five years ago and now include silicone. Mr. Beuschel said the product includes a lifetime warranty. He said the amount of pressure depends on the fixture and is required to open at 3/10 of an inch of negative pressure. He said the standards require testing at -40 degrees Celsius and cycled 250,000 times to insure there was no damage incurred.

Tim Crippen said that he would like some time to do additional research. Curt Miller noted that this change would require approval of all the jurisdictions we serve as well. Jim Vernon stated that the RBC used to adopt the Uniform Plumbing Code, which did not allow air admittance valves. He said that the State of Colorado has also moved from the UPC to the IPC. Mr. Beuschel stated that Section 917.3, 2009 IPC, is language that they drafted and requested implementation into the IPC. He said the 2012 IPC also allows application in a chemical waste system as well. Mr. Vernon said that over the years, the RBC has progressed to allow some applications of these valves. He said that he believes the previous committees believed there were some issues of failure. He said that RBD feels like the application of the product could be allowed in some cases, particularly when design professionals are involved. Mr. Vernon said if a conventional vent is not available, then alternate methods are considered. Mr. Beuschel requested that the some consideration of a more immediate change take place, even if an attic installation is prohibited. Mr. Vernon stated that the RBD does not have a timeline in place for the review or adoption of the 2012 IPC. Mr. Welch noted that it seems that RBD is not against listed air admittance valve use in certain applications. A motion was made by Curt Miller that consideration of the deletion of this amendment be discussed during the next code adoption, unless able to be done sooner, seconded by Dan Rial; the motion carried unanimously.

The meeting adjourned at 12:19pm

Respectfully submitted,

Henry W. Yankowski  
Regional Building Official  
HWY:plb