

AGENDA ITEM \_\_\_\_\_  
DATE \_\_\_\_\_

Regular Meeting  
September 19, 2013

**MINUTES OF A REGULAR MEETING OF THE CASA GRANDE BOARD  
OF APPEALS HELD ON THURSDAY, SEPTEMBER 19, 2013 AT 4:00  
P.M. IN THE COUNCIL CHAMBERS LOCATED AT CITY HALL, 510 E.  
FLORENCE BOULEVARD, CASA GRANDE, ARIZONA**

**I. Call to Order:**

Chairman Solberg called the Board of Appeals meeting to order at 3:58 p.m. Chair announced that a quorum of the Board was present today and that this meeting is being recorded. Chairman Solberg requested that speakers please speak directly into the microphone when addressing the Board, and that speakers print their name on the login sheet.

**II. Roll Call:**

**Members Present:**

Chairman Ole Solberg  
Member Regis Sommers  
Member Frank Fuller  
Member Brad Johnson  
Member Scott Hollenbach

**Members Absent:**

**City Staff Present:**

Paul Tice, Planning and Development Director  
Dwight Williams, Chief Building Official  
Barbara Rice, Fire Marshall  
Ana Woodward, Secretary

**III. Approval of Minutes of the 8/21/ 2013 Meeting**

Chair Solberg asked the Board Members if they had reviewed their copy of the minutes of the Aug. 21<sup>st</sup> meeting and if they have any comments or correction. He asked for a Motion to approve.

Member Sommers motioned that the minutes for August 21 be approved.

Member Hollenbach second the motion.

Chairman Solberg stated that it has been motion to approved made by Member Sommers and second by Member Hollenbach for the approval of the minutes. Chairman Solberg then call for a vote on the motion. Motion passed 5 – 0.

Chairman Solberg called on Dwight Williams, Chief Building Official and Barbara Rice, Fire Marshal for presentation of 2012 codes and amendments to the Board. The Building Official and Fire Marshall made a Powerpoint presentation which is attached to the minutes.

Chairman Solberg asks the Board if they have any questions of staff

Member Johnson asks if we are no longer doing manufactured home permits.

Building Official Williams answered that we are no longer issuing permits nor making installation inspections for manufactured or mobile homes as the IGA was canceled by the State Office of Manufactured Housing.

Member Johnson so inquired as to whether this is going to change to obtain a permit for manufactured homes.

Building Official Williams answered manufactured homes will be required to obtain zoning clearance from the City but that the the State does all the permitting and inspection.

Member Johnson replied that in the amendments you have to obtain for a manufactured home permit.

Building Official Williams stated that it has been removed.

Member Johnson asked if the package they got today change since the last package they received.

Building Official Williams replied yes because the IGA was pulled and section had to be changed.

Member Johnson stated that he didn't make the last meeting but came by and picked up the package. It had all the code and amendments and then he gets this one today but has not reviewed and it is different from the one that he picks up.

Planning Director Tice replied that staff has made a couple of revisions to the code amendments that were published for the Aug. 21<sup>st</sup> meeting for example in the permitting and inspection requirements for manufactured homes but that the agenda packet that has been distributed to the Board for this meeting accurately reflects all of the Code proposals.

Member Johnson stated that he assumes that Board Members just got the packet today as well and nobody's has had a chance to review it.

Building Official Williams stated that the major change was to exempt manufactured housing and manufactured buildings from city permitting. Everything else has basically remained the same.

#### **IV. Call to the Public**

Chairman Solberg opened the meeting for Public Comment. He also mentioned that there are copies of these amendments for the public.

John T. Holland at 113 E Cholla Street. John Holland came forward to inquire about how to handle vacant homes. He is concerned about people breaking into these homes and living in them. He is worried about these homes being set on fire by arsonist. He read an article in the Casa Grande Dispatch on September 18<sup>th</sup> on house burnt down outside of Casa Grande and the Fire Chief Gerber recommends residents that live next to abandoned homes to secure their homes by to help prevent arson incidents. Mr. Holland's question to the Board is if they can help him some way. He understands some of these Codes have not been approved. If there is a fire in the building and someone gets hurt, he will be the first to testify in court. He needs help as a citizen. He sees that the City of Casa Grande is in the processes of passing the 2012 Property Maintenance Code.

Chairman Solberg asks Planning Director Tice if the 2012 proposed Property Maintenance Code would help him with these issues.

Planning Director Tice responded no. The homes that Mr. Holland is referring to are all unoccupied or vacant. The Property Maintenance Code pertains to occupied structures and requires that the property has to be maintained to a certain level in order to be occupied. Director Tice indicated that we do have existing public nuisance codes to address to address the problems that Mr. Holland is referring to. The existing public nuisance codes require that if a property is vacant, been broken into, and is a fire hazard we require it to be secured from trespass. We contact the property owner and require them to secure it from trespass. If they won't do it the City does it with direct abatement process and we put a lien on the property. We have addressed around two hundred homes with this public nuisance codes and direct abatement process in the last three years. If a home is vacant and unoccupied and it is a public nuisance the first thing we do is evaluated it to see if it is an unsafe structure. If it's an unsafe structure, in accordance with the Building Official's determination then it is required to be demolished. State Law says we cannot demolish home that are just unsightly, we can only demolish homes that are unsafe and a public hazard so if it is unsafe we pursue a direct abatement that ends in demolishing the home. If it is just unsightly we require it to be boarded up and secured. It may be boarded up and secured for years and sit there unoccupied and there is nothing we can do about that. State laws prohibit us from demolishing those homes that are just unsightly and unoccupied. The best we can do is

securing them from trespass and arson and that is what we do.

Chairman Solberg thanked Mr. Holland.

Chairman Solberg asked Planning Director Tice who he would recommend Mr. Holland could talk to.

Planning Director Tice replied that if Mr. Holland has any further questions regarding vacant or unsightly homes he would be happy to meet with him.

Cathy Karlson at 324 E. Markley came forward to speak on behalf of Deborah's House. Her mother in law was there for two and half years. They never had concerns about her safety. She was unable to get around by herself. If there would have been a fire there would not be a problem. Ms. Karlson cannot speak on other group home but she knows how Deborah's House was set up the entrances and exits. They always felt secure there. Ms. Karlson feels that it would be a disservice the communities because there are not many small facilities where people can go once they are released. Her mother in law could not go to a big facility because they would not care for her properly. At Deborah's House she was getting the care she needed. If the cost are put on to her and the other ones they would not be able to afford to stay open. Her first concern there would not be able to keep the facility open or the cost would go to the patients. The cost is very prohibitive and the bigger facilities are even more prohibitive. Ms. Karlson asks if there is any assistant from the City to do these upgrades. That was how she understood the code retroactively they should not have to sprinkle. She is asking the board that their thought needs to be on these smaller facilities they are very important to the community life.

Chairman Solberg thanked Ms. Karlson.

Denise Shepherd at 1703 N Thornton Rd came forward to speak in behalf of Sundance RV Resort since they opened the mobile park in 1998 they have been attaching awnings to park models. There have been four hundred and sixteen park models that have been done in this manner. The proposed codes are now going to require free standing awnings. The free standing awning will increase the cost. They will now need to do steel post for support. They will have to dig footings for the awning, it will have to have rebar and concrete to support these extra heavy poles. It has been said that each park will be responsible for hiring an engineer to design the city would decide if they were going to approve it. That seems like it would be a great expense for the thirteen or more RV parks to each hire their own engineer as well as given thirteen different specifications and a lot of confusion for the city and for the inspectors. If the city can avoid going down that path we would hope that the city would be responsible to get the design and making the specifications and we would adhere to them at that point. It would save a lot of frustration of a lot of people as well as saving a lot of money. Our business is our snowbirds and without the snowbirds we don't have a business. Many of the snowbirds that purchase their second home are very careful with their money and if the increase with the awning happens at fifty percent it will not keep things economical if they are to purchase this for their home. Business has been slower in the past few months and is

actively trying getting more people to buy park models and to want to move in to Palm Creek. We can sell park models and we can make the city revenue by charging sales tax and getting the building permits. Downtown businesses are making money as well, if the prices of installing awnings increase significantly our business, the city and very body else will suffer too. For the sake of all of us we are hoping that you reconsider implementing the changes for the free standing awnings and thank you very much.

Chairman Solberg thanked Ms. Shepherd and asked her if any other RV parks were coming today and if the comments were the same as hers.

Denise Shepherd reply yes they had the exactly the same comments.

Chairman Solberg closed the public comment portion.

Member Johnson asked why did the city combine the townhome's and condo's and was the definition deleted for three or more.

Building Official Williams replied that the definition was changed from three or more to where you can have a two unit townhouse it not defined in the code.

Member Johnson stated that it would be two single family dwellings.

Building Official Williams replied in a townhouse development you could have multiple units tied together and come up to a cul-de-sac and have room for two and in the residential code that is not defined.

Member Johnson asks what was the reason for changing it.

Building Official Williams replied because in a two unit townhouse it is not defined in the code. A townhouse is three or more units are the definition now. A two family dwelling is a two unit house in a single lot. A townhouse is individual house on separate lots there is a gap in the code if the a developer where to build a two unit townhouse rather than a five or seven unit townhouse there is no way to enforce anything on it in the code.

Member Johnson stated that a townhouse and single family dwelling are all in the same code.

Building Official Williams stated that a townhouse has to have at least two sides open and just didn't fit.

Member Johnson stated that the sprinkler system says that all R occupancies that are two townhouses would have to be sprinkled too.

Building Official Williams replied only if it went over the 5000 sq., ft. in the structure.

Member Johnson asked is that define in the fire code.

Building Official Williams replied that it is in the fire code and it's in the sprinkled ordinance and it's also in the building code.

Member Johnson stated that he thought it said all R occupancies had to be sprinkled except for single family detached less than 5000 sq., ft.

Building Official Williams replied that he will have to double check that.

Member Johnson stated that in the fire code 507.5.77 it calls for the water supply for sprinkler systems can't be tied into the domestic water supply. With that domestic water supply will be the supply line that services the house for like an R13 system. Member Johnson questioned as to whether you have to run a separate line out or can you tie into. He stated that he felt this amendment needs more clarification on it because more of the R13 are tied right at the house with a back flow preventer. You can say that's domestic water supply at that point to.

Fire Marshall Rice replied this is an amendment that a carrying through to our 2013 code it's already in our 2003 code amendment. This code has been in existence since 2008. The intent is to have a separate shut off and a way to disconnect it from the domestic water supply with a backflow. These amendment before you are already existing city amendments that we have. Fire Marshall Rice guess is that the regulation is to be sure fire sprinklerwater doesn't co- mingles with the domestic water supply and contaminate it.

Chairman Solberg replied is that your interpretation of the backflow is what keeps it separate.

Planning Director Tice replied to Member Johnsons question. That on townhomes sprinklers systems if you look at the one and two family code under section R 313.1 addresses sprinkling in the townhomes it's in the residential code first page. Townhomes that are over 5000 sq., ft. would be required to be sprinkled.

Member Johnson responded if you go to the fire code in there it states that all R occupancies have to be sprinkled.

Planning Director Tice questioned Member Johnson as to whether he felt there is a conflict in the fire code to that?

Member Johnson replied yes, I wrote that down at that point it was a conflict with the fire code.

Member Hollenbach stated that he thought that was deleted.

Member Johnson read the code which states that automatic sprinkler system shall be

accordance to section 903.3 and shall be provided through out an all buildings with an R fire area.

Fire Marshall Rice replied to take a look at the exception down below.

Member Johnson replied the exception is R3 occupancy of 5000 sq., ft. or less.

Planning Director Tice replied townhomes are classified as R3 occupancies.

Member Johnson asked then all other R's need to be sprinkled?

Fire Marshall Rice stated per our current city amendment and current code and ordinance that was put into effect all new construction over 5000 sq., ft. or more is sprinkled in the city.

Member Johnson stated that there are three R's and everything less than 5000 sq., ft. would require fire sprinklers.

Fire Marshall Rice replied R1's and R2's do require sprinklers systems for new construction.

Member Johnson questioned no matter what the square footage?

Fire Marshall Rice replied correct.

Member Johnson asked is it that way our current code is?

Fire Marshall replied she didn't have a copy of that so that can't be verified. This is amendment this is carried over there is no significant change except where we are dealing with our changes.

Member Johnson stated that the key is 5000 sq.; ft. and we tried to continue that 5000 sq., ft. for every building.

Fire Marshall Rice replied that there is a code requirement for all buildings 5000 sq., ft. and over to provide fire sprinkler systems. Fire Marshall Rice believes that with the prior adoption of the 2003 all new construction within the R occupancy category were required to provide fire sprinkler systems except for R3's. The 903.2.8 is the same as that was in the 2003 code but the changes that we recommending here are identical to what we have amended in 2003 code. The reason you see the strike out is because our local amendment took the language to provide fire sprinklers in R-3 occupancies out the 2012 Code as well to stay in conformance with Arizona state law.

Member Johnson stated that he thought that was amended to include R1's and R2's. Apartments and hotels that are not over 5000 sq., ft. don't have to be sprinkled. Just based on what he recalls from years back his recollection was that you can have an

apartment complex that is less than 5000 sq., ft. and it would not be required to be sprinkled.

Fire Marshall Rice replied that she did not know the answer to that and will have to go back and look.

Chairman Solberg stated that the last Fire Marshall took the 2003 Code amendments and incorporated them to the extent necessary into the 2012 Code proposal. Member Johnson replied that he thought he had amended them he remembers talking to him about that one.

Fire Marshall Rice state she thinks the local amendments to the 2012 Code match the local amendments adopted with the 2003 Code, it's on our current website that we adopted through ordinance.

Chairman Solberg asked Member Johnson is there any of this things you want to see make certain of about the intent.

Member Johnson replied that there are certain things that he doesn't like.

Member Johnson stated that there are a lot of codes here, big volume of codes. He personally has a few issues with some codes and he is fine with all the other codes.

Member Johnson: My motion today would be to approve all the codes as listed except for the following;

- Technical code section 105.2.3 the replacement of existing fixtures. I don't like the wording because they have to get a waiver from the Building Official to do that and that is not we discussed the meeting.
- Exempt is 2012 IBC section 310.6 residential group homes in sections 310.8 the existing R4. I don't think we should require existing residential group homes to get sprinkled. I think we have an existing amendment that works fine for that.
- Section 20 12 of the IRC and that is AH 101.2.1 that is the attach patio covers.
- IFC 2012 903.2.8 Group R fire sprinklers systems.

Other than that I think I would recommend we adopt all these other codes. We are talking a large number of codes that are good. I personally have issues with those amendments, so I would like to exclude those from adopting those and if there is any existing codes for these sections now maintain that one.

Chairman Solberg asked Member Johnson what you mean existing.

Member Johnson replied that there is an existing R4 code right now that deals with occupancies whether they should be sprinkled or not sprinkled. The patio covers there is no amendment now so there is would not be any.

Chairman Solberg replied obviously I know you understand the discussion here on the

R4's. I know you understand the definition of the R4's, is way different it's not being quite understood here and what we are trying to do here. Don't you think?

Member Johnson replied he thinks the R4's not only including these group homes but it includes, group homes of teenagers too, that are capable of self-preservation. I think the key thing is whether they are capable of self-preservation or not capable of self-preservation. In a new structure they says they are willing to sprinkle them but in existing structures.

Chairman Solberg stated that he does understand capable of self-preservation, so essentially we are changing it down, if everyone is capable.

Member Johnson responded exactly, the amendment we did when we adopted the last codes covered that issue. Do we have a copy of that amendment?

Building Official Williams indicated that he is showing it on the screen.

Planning Director Tice commented that staff believes that if the Board does not adopt the proposed amendment for the R4 group homes we will be forced to classify the existing 7-10 person group homes with folks who are not capable of self-preservation as I occupancies. They don't meet the R3 that they were permitted under the 1994 code as the 1994 code required them all to be capable of self-preservation. However, over time with a change in the nature of some of the residents to a status of not being capable of self-preservation it appears that these R-3/R-4 Group Homes have migrated to the I occupancy.

Member Johnson replied unless there is an amendment perhaps.

Planning Director Tice replied yes, unless there is an amendment. Are you thinking there is an amendment that addresses that?

Member Johnson stated that he doesn't recall the amendment specifically how it was written because it's been a few years. He knows it address R4 occupancies and the key word was self-preservation.

Planning Director Tice replied we could not find an existing amendment that addresses that and I wasn't aware of one.

Building Official Williams stated that he didn't remember seeing one either. In the 2003 code but I didn't look at the 1994 code.

Member Johnson stated that there is one in the 2003 code.

Building Official Williams: We will look. But 903.2.7 in the fire code seems to address this issue.

Fire Marshall Rice replied that we currently have this language.

Building Official Williams agreed it is the same language currently.

Fire Marshall Rice state that in the current amendments it is exactly the same in that an automatic sprinkler systems shall be provided through all group R4 with the exception, 903.2.7 which is currently in effect.

Member Johnson questioned is it on L and B occupancies

Fire Marshall Rice replied no, it is in section 903.2.8 of the 2012 Code because it was a different section in 2003 but it totally mirrors what we are doing now.

Member Johnson asked if he can I see that.

Fire Marshall Rice stated that it's a different section just because the sections were renumbered in 2012. It is exactly what we are proposing we are not proposing any change 2012 on what we already have for that section. That is the current ordinance with our current amendments.

Chairman Solberg replied on the R built.

Member Johnson stated he thought that it was amended.

Fire Marshall Rice stated that this is the official ordinance adopted amendments. The proposal is no different, other than the code section is different in the 2012 numbering system.

Member Johnson stated that they also had that amendment for the R4 occupancies, for fire sprinklers. This is basically getting back too.

Building Official Williams: No it isn't in the Fire Code.

Member Johnson stated that it may have been in the Building Code.

Chairman Solberg stated he thought that we took out all of chapter 9 in the building code.

Member Johnson stated that we did take out chapter 9, because it dealt with sprinklers. I guess my point is it has worked for these many years. It's certainly open for further inspection in future meetings here. At this point I don't like the way it's written. We would go with what existed, I do remember that there was amendment that something to the effect of R4 that new R4 required sprinkler systems. But I think also if they only had residents that were not capable of self-preservation and existing R4's were grandfathered they didn't have to do it but all the patient had to be of self-preservation.

Planning Director Tice replied right but our problem is that they are not capable of self-

preservation.

Member Johnson questioned if that is the reason why are we changing it? Why are we requiring all R4's to be sprinkled.

Planning Director Tice stated that the reason is that we are trying to allow an R4 occupancy in the 7 to 10 category where all of the residents are not capable of self-preservation without making them go all the way to the I occupancy, that is what we are trying to do. We are trying to find a compromise where we have adequate fire safety measures without going all the way to the I occupancy requirements.

Member Johnson: I would like to see the old amendment, it has been awhile.

Member Hollenbach asked Member Johnson your motion is just to pass them all with those exclusions.

Member Johnson answered yes.

Member Hollenbach stated, If the motion is to keep those they why they are, I second that motion.

Chairman Solberg stated he thinks it needs to be defined a little bit and he would like to I have a discussion on the motion. Chairman Solberg noted that he felt we seriously don't think we are doing any good by not adopting the proposed amendment to the R-4 as applied to existing Group Homes. We are trying to give them chances to able maintain their current mixture of residents. They need to understand if we do not amend the code it will force the City to action on bumping them up to an I code, if they have people not capable of self-preservation. We all heard from the former Fire Marshall Paul Z. and the current Fire Marshall Rice on these facilities and the condition of these people. I think if we don't do anything, they will have to refer them out to somewhere else because they won't be able to legally take care of them without making upgrades to comply with the I occupancy requirements.

Member Hollenbach stated the he would think that the business owners understand that when they start their business that the code was to have people of capable of self-preservation. If they don't have people capable of that then they should know they are going to a different I occupancy.

Member Johnson stated that it would be impossible to upgrade these existing residential group homes to an I. To that point we should further look into that amendment.

Member Hollenbach agreed.

Chairman Solberg stated that he thinks we have looked at it long enough. If there is something let just leave it the way it is then, not amended.

Member Johnson replied that he personally doesn't like the amendment to sprinkle.

Chairman Solberg stated let's just take the amendment out and just leave it out. Leave the R4 as recommended by the national standards.

Member Johnson stated if we do that will it affect the existing one.

Chairman Solberg replied yes it will.

Chairman Solberg stated I'm glad to send this without this amendment to Council. I don't think the residential homes are going to like the results because it is going to force them. They are not going to be qualified to be as R4's are they, unless they get rid of everyone that is not capable of self-preservation.

Member Johnson stated the definition that is written in the code, again I would like to see the amendment we did last several years ago.

Chairman Solberg stated that is what we are talking about today current code.

Planning Director Tice stated that the amendment is on the screen. You can see the exception you are referring to. They are only allowed to be an R4 occupancy if everyone is capable of self-preservation. That definition was not that in that portion.

Member Johnson asked what is the conditions number 2 that is referred to in the 2003 code amendment, facilities shall include?

Building Official Williams stated that is UBC language Mr. Johnson and I do not know.

Member Johnson replied that as he reads the previously adopted 2003 amendment existing R4 occupancies, existing as of March 30, 2008 that may contain both residents where not required to install an automatic sprinkler system unless an upgrade or change of the number occupancy in the facility is licensed for care.

Chairman Solberg replied that the definition of R4's is all occupants must be capable of self-preservation.

Member Johnson replied yes that is typically so but the 419.6 amendment adopted with the 2003 Code includes those that are capable of self-preservation, as well as those that are incapable for those R-4 Group Homes legally established by August 1, 2008. The amendment did cover that.

Chairman Solberg stated that he is not in favor of continuing to be able to do that. I do think that we are putting people at danger by not giving them some type of fire sprinkler protection if they are not capable of self-preservation.

Member Johnson stated that maybe we just need to revise the language a little bit

better.

Chairman Solberg stated we have been meeting a year and half to two years on this and I like to go forward today.

Member Johnson stated that there is a motion on the floor and it's been second.

Chairman Solberg stated that he also disagree with Member Johnson on the patio covers. What is the reason on the patio covers?

Member Johnson replied that he just doesn't think it's required.

Chairman Solberg replied Okay.

Member Johnson stated that if it's in there it shouldn't be a problem.

Chairman Solberg replied Okay.

Member Johnson stated that this is an amendment. Why are we amending it, to have freestanding patio covers?

Chairman Solberg asked if the motion is to remove all these amendments.

Member Johnson responded not all of them.

Chairman Solberg replied it's just the ones you mentioned. The R4 and just leave it as the standard code is now or the one being posted, the 2012 code version.

Member Johnson stated that the patio cover there is not one, so then there will be nothing to replace that one but there are existing ones like this one that would replace the R4 until such time we can have a future meeting and discuss it further. I definitely think that there is a need for R4's to be sprinkled but I think there's a limitation for those R4's too.

Chairman Solberg stated he wanted to make sure that he understood this. Your saying to send it without the amendment and now you are saying with an amendment on the R4's?

Member Johnson responded no on the R4's. Why are we deleting out this section if there is an existing amendment that was previous to this one to maintain to maintain that previous amendment.

Building Official Williams stated this is a different motion.

Member Johnson stated that he thinks he said that in the motion. Member Johnson said I want to approve all the codes. There is a lot of code and a lot of good codes and we

need to get them approved and adopted so we can move on. Except for the ones listed;

1. The Technical Administrative Code 105.2.3 replacement of existing fixtures.
2. 2012 of IBC Section 310.6 residential group home and Section 310.8 existing R4.
3. 2012 IRC AH101.2.1 attached patio covers.
4. 2012 IFC section 903.2.8 group R fire sprinklers requirements.

If there is an existing amendment for those codes sections, they should be maintained.

Planning Director Tice replied for an example you would then keep what is on the screen section 419.6. You want to keep that amendment?.

Member Johnson responded yes.

Planning Director Tice asked just for clarification on the building code that is on the screen?.

Member Johnson responded yes.

Planning Director Tice stated there may be a conflicting fire code that is more restrictive.

Fire Marshall Rice stated that the 903.2.7 is a current and identical to the current amendment that we have. Do you want to go back and strike that?

Member Johnson asked to look at that one and see.

Chairman Solberg responded the motion is up here now.

Fire Marshall Rice stated that they looked at that and it is under 903.2.8 is currently what we have now are you proposing to undo what is currently there.

Member Johnson questioned the group R occupancies.

Fire Marshall Rice responded yes the 903.2.7 that you mentioned is identical what we currently have nothing has changed. That is identical to what was adopted in 2008.

Building Official Williams stated that is what has changed is the code section.

Member Johnson responded applied to these amendments then, I'm almost sure we changed that.

Building Official Williams stated the amendment is on the screen.

Planning Director Tice stated that if motion is going to pass and this is the direction that the Board would like to go I would request to postpone a formal vote. Let staff come back and modify the code to reflect the amendments we are keeping that are not articulated here. Since the Building and Fire Codes are so interrelated we have to identify whether the amendments that are included in the motion would create any

conflict between amendments in the building code and the fire code. We don't want to have sections code of the Building and Fire Code in conflict as the most restrictive provisional will continue to apply. I don't know procedural how you want to get there bit I don't want to be in a position recommending to the Council a Code that is internally conflicting.

Building Official Williams stated 903.2.7 is on the screen. The only difference between what is on the screen and the proposed 2012 amendment is the code section number because that changed. In the admin code 105.2.3 there is no amendment as such in the current codes. If we delete it there is nothing to replace it. AH101.2.1 is a clarification of current requirements

Member Johnson stated that if they are current requirements then they are there.

Building Official Williams stated that it's a clarification.

Member Johnson stated he would like to get back to the 903.2.7 are less R occupancies that are exempted by section 202 in the Fire Code.

Fire Marshall Rice stated it's the definition section in Fire Code.

Member Johnson stated he was not sure if they put the same R4, group home combined but I can't say possible.

Fire Marshall Rice stated that she was not here this is what is currently adopted.

Member Johnson agreed. Member Johnson stated that he can go to Paul Z. the former Fire Marshall to discuss this issue if the Board wants to wait for the next meeting. I'm just trying to get all these other codes adopted. I know it's a lot of work and a lot of codes that need to be adopted. What I'm looking to do and if the rest of the Board agrees that way we need the staff to mold that and have Chairman Solberg take a look at it prior going to Council for approval. Four or five issues here I hate to hold up all these other codes we need to get adopted.

Planning Director Tice stated that these codes are interrelated and there may be unintended consequences or impacts in another areas of the Code that we may not be aware of.

Member Johnson mentioned to let staff look at it and if they do think something comes up that may become a conflict then let's bring it back and talk about it. If not let continue to go on get to Council to get it adopted.

Member Sommers stated that there is a motion on the floor.

Chairman Solberg responded yes there is a motion.

Member Fuller state to Member Johnson that he was struggling here a little bit trying to

understand the difference between the existing R4 codes with respect to self-preservation. Self-preservation seems to be the issue that we are talking about. The old code was either or, either they were capable of self-preservation or they couldn't stay there and you had to have a sprinkler, is that correct.

Member Johnson stated he believes so.

Member Fuller stated that under the new propose code what they are trying to do is trying helping the businesses give them 18 month period. Either have residents who are capable of self-preservation or put in the sprinkler system. We are trying to give them an opportunity to be realistic and shape their business the way they wanted to.

Member Johnson stated that the new code is saying all R4 occupancies regardless of the type of resident would have to be sprinkled.

Member Fuller stated that he thought self-preservation is the key word. I didn't read it as all of them having to be sprinkled other than those that were incapable of self-preservation except for teenagers that had some mental disabilities.

Member Johnson responded no I think it was for all the R4's.

Planning Director Tice mentioned that is correct all R4 occupancies regardless of the population type. Whether or not the population is capable of self-preservation the R-4 Group Home would have to be sprinkled.

Member Fuller responded your right, I didn't understand that and I would not agree to that either.

Fire Marshall Rice stated I can define the exemption if I may to the section 202 if I recall and I can't give you the exact words. Section 202 defines the occupancies in the code and group R4's are defined again in which we changed those definition because of the numbering system and allows certain R4's to be treated as R3's so that is where it is exempted in Section 202 any R4;s that could fall into the R3 category

Building Official Williams stated that in addition to that it defines all R4's as capable of self-preservation.

Member Johnson responded we could have amended that. I as I recall I think we molded the Fire Code and Building Code at that point so they would work together. I can't say for sure because it's been a while that I looked at it. It seems to me the 202 definition so maybe in the definition it did the same thing.

Fire Marshall Rice stated that the exemption part of it is as you know is between more than five but not more than 10. Again it has the self-preservation.

Building Official Williams stated R4 occupants are required to be capable of self-

preservation. If they are incapable of self-preservation they do not meet the definition as it stands.

Member Johnson asked is there any more to this.

Building Official Williams responded that is it.

Chairman Solberg asked if there is any further discussion. Do you want to proceed ahead with a vote on you amendment. I can suggest maybe to postpone or do want to go ahead. What do you want to do?

Member Sommers stated we have a motion on already so to continue that and a second.

Chairman Solberg stated that those four areas delete in the proposed amendments as presented and go back and if there are existing amendments that address those areas to insert those

Member Johnson stated to maintain those codes and if there isn't one like Building Official Williams was referring to, then yes, there would be no amendment.

Chairman Solberg stated that this is to send a recommendation to City Council for that. Go ahead and vote.

#### **IV. Call for a Vote**

Chairman Solberg called for a vote on the motion by saying:

Those in favor of the motion to accept the minutes as presented or with changes say "Aye" - pause - Opposed say "No" pause – then say.

Ana Woodward called roll on the vote.

Member Johnson: Yes

Member Sommers: Yes

Member Hollenbach: yes

Member Fuller: Yes

Chairman Solberg: Yes

Chairman Solberg stated the motion passes unanimously, anything else on this.

#### **V. Old Business:**

**VI. New Business:**

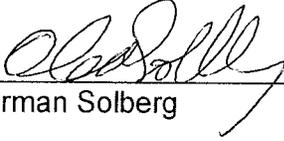
I do want to propose one thing. When we do have a next meeting I would like to have a proper election of Chair and last Vice Chair because I think we should do it at least annually.

**VII. Adjournment:**

Chairman Solberg called for adjournment at 5:19:35 p.m.

Submitted this 3rd day of October, 2013 by Ana Woodward, Secretary to the Casa Grande Board of Appeals, subject to the Board's approval.

Approved this 7<sup>th</sup> day of October, 2013 by the Casa Grande Board of Appeals.

  
\_\_\_\_\_  
Chairman Solberg