

**BUILDING CODE COUNCIL  
SUBCOMMITTEE OF COUNTY BUILDING OFFICIALS  
MINUTES OF JULY 22, 2008 MEETING**

Members in Attendance: Douglas Haigh, Timothy Hiu, Brian Kajikawa, and Ralph Nagamine. Other Building Code Council (the Council) member in attendance; Gary Chock.

Staff present: Alvin Tamashiro, Department of Accounting and General Services (DAGS)

Public: Mona Higa, Disability and Communication Access Board (DCAB), Department of Health, Eric Nishimoto, DAGS-Public Works Division, and via phone conference, Kraig Stevenson, ICC Governmental Relations

1. Timothy Hiu convened the meeting at 9:08a.m.
2. The minutes from the July 1, 2008 meeting were reviewed and approved subject to the following revisions:
  - a. Item no. 12.g. changed from 421.3 to 421
  - b. Insert in between item nos. 12.i. and j., 1001.1, all items renumbered from 12.k. to 12.n.
  - c. Delete item nos. 14.e. and f. These items were only discussed, there was no decision
  - d. Delete Item no. 16., related to item no. 6
3. There was no public comment.
4. Review and approval of draft language for accessibility amendments

Ralph Nagamine reported that based on the last meeting, they combined Kauai's and the Big Island's provisions and the only changes that were made was instead of requiring the certification at time of application, it is now required before the issuance of the building permit.

Douglas Haigh reported that the Department of Justice (DOJ) will not approve a national code for accessibility so anything that is adopted by the Council, would not be accepted by DOJ unless the Council makes the extraordinary effort of becoming a "certified community". Instead, the subcommittee will reference the regulations and the agencies will enforce it as is the current practice.

Moved: Accept the Chapter 11 Accessibility amendments as submitted by Ralph Nagamine (which is attached as part of these minutes), except for the change in the following statement to: "Prior to the issuance of a building

permit, the owner (or the owner's responsible professional architect, or engineer), shall submit a statement that all requirements relating to accessibility to persons with disabilities, shall be complied with."

Unanimously approved

5. Moved: Look at adopting Maui County's indigenous architecture rules as part of the State Building Code (the Code) and give it to the Structural Committee and the IBC and Residential Code Committee an opportunity to review the rules and provide comments. The intention of the Subcommittee is to delete the administrative portion from the rules when it is adopted into the Code.

Unanimously approved

6. Gary Chock asked Ralph Nagamine that if we call it guidelines now, per 107, when we do adopt the mechanical code, will become a provision that is no longer a guideline and the code becomes applicable? Ralph replied that the reference is still a guideline but it is superseded by the law as it is adopted. Gary asked if the HAR is construed as a law and the Council adopts the mechanical code, does it become one of the applicable laws that supersede the guideline reference and Ralph replied yes.

Moved: Approve the following entire Subsection 101.4, Reference Codes language as originally presented:

"101.4 Referenced Codes. The other codes referenced elsewhere in this code shall be considered guidelines for this code to the prescribed extent and scope of each such reference."

"101.4.1 Conflicts with other codes. If any guideline in a referenced code conflicts with another law applicable to the jurisdiction, then said applicable law shall prevail over the guideline in the referenced code."

Unanimously approved

7. Regarding the discussion on Section 1603.1., Timothy Hiu recommended to include the wind maps in the Code's proposed HAR's appendix. Gary Chock will draft the amendment language for Appendix W – Wind Maps in section 101.2.1. Appendices and will cover both administration and design. Gary Chock will work on including the wind maps in the appendix and consolidate proposed wind related amendments and create a new Appendix W."

Regarding the discussion on section 1603.1.8, Work Requiring Special Inspections, the subcommittee did not adopt the amendment and

instead recommended to move it to Chapter 17 to cover special inspections. It will be included in the first paragraph in section 1704.1, General and will be amended to read "These inspections are necessary and shall be identified on the plans." Gary Chock will re-edit this sentence. Ralph Nagamine will submit a proposed Chapter 17 amendment to require that special inspection work be identified on the plans.

8. Call for decision on proposed amendments to the 2006 IBC was not discussed.
9. Action Items for Next Meeting in the following order:
  - a. Continuation of agenda item no. 7, Review and Discussion of Proposed Amendments to the 2006 IBC
  - b. Continuation of agenda item no. 8, Call for Decision on Proposed Amendments to the 2006 IBC
  - c. Continuation of agenda item no. 5, Indigenous Architecture Amendments
  - d. Review and approval of draft language for Appendix W – Wind Maps

The subcommittee requested that the Attorney General be present at the next Council meeting on August 12, 2008 to advise the Council if it was within the Council's scope to review new and existing State laws that may conflict with the Code that maybe burdensome, to ask for interpretation (clarification) of newly passed legislation, and to propose new laws and amendments. The subcommittee recommended that this item be included in the August 12, 2008 agenda.

10. The next meeting date will be August 7, 2008 at 9:00a.m. in the Comptroller's Conference Room.
11. The meeting was adjourned at 12:20p.m.

Amendment Proposed by Ralph Nagamine and adopted by the Subcommittee

Entire Chapter 11 is amended to read as follows:

#### Chapter 11 ACCESSIBILITY

1101 Scope. Buildings or portions of buildings shall be accessible to persons with disabilities in accordance with the following regulations. These regulations will be administered and enforced by said agencies.

1. Construction of buildings or facilities of the State and County Governments, Disability and Communication Access Board, HRS 103-50.
2. Americans with Disabilities Act, U.S. Department of Justice.
3. Fair Housing Act, U.S. Department of Housing and Urban Development.
4. Other pertinent laws relating with disabilities shall be administered and enforced by said agencies responsible for its enforcement.

Prior to the issuance of a building permit, the owner (or the owner's responsible professional architect, or engineer), shall submit a statement that all requirements, relating to accessibility to persons with disabilities, shall be complied with.