



**TOWN OF PRESCOTT VALLEY**  
**Building Board of Appeals**

Minutes

*Wednesday, March 6, 2019, 5:15 p.m.*

*Prescott Valley Library Auditorium*

**I. Call to Order**

Vice-Chairperson Jarpe called the March 6, 2019 meeting of the Building Board of Appeals to order at 5:15 p.m.

**II. Attendance**

Vice-Chairperson Jarpe asked for roll call attendance to be taken. Members present: Member Norton, Member Pape, Vice-Chairperson Jarpe, Member Leithead, and Member Nigh. Members absent: Chairperson Salicos and Member Smith. Staff present: Woody Lewis, Building Official, Warren Colvin, Senior Building Inspector, and Kristi Jones, Administrative Support II.

**III. Approval of Minutes**

Vice-Chairperson Jarpe asked if there were any changes to the minutes from the July 26, 2017 meeting. There were none; thus, Vice-Chairperson Jarpe called for a motion to approve the minutes. Member Nigh made the MOTION, seconded by Member Pape, to approve the minutes as submitted from the July 26, 2017 Building Board of Appeals meeting.

Board members voted as follows: Vice-Chairperson Jarpe YES, Member Leithead YES, Member Norton ABSTAIN, Member Nigh YES, and Member Pape YES. MOTION carried with 4 ayes and 1 abstaining.

Vice-Chairperson Jarpe asked if there were any changes to the work study minutes from the January 9, 2019 meeting. Member Norton noted a clerical error pertaining to Member Nigh's name that was corrected; Vice-Chairperson Jarpe called for a motion to approve the amended minutes. Member Norton made the MOTION, seconded by Member Nigh, to approve the minutes as submitted from the January 9, 2019 Building Board of Appeals Work Study meeting.

Board members voted as follows: Vice-Chairperson Jarpe YES, Member Leithead YES, Member Norton YES, Member Nigh YES, and Member Pape YES. MOTION carried with 5 ayes and 0 nays

**IV. Announcements**

✚ There were no announcements.

## V. Action Items

1. Upon the request of the Town of Prescott Valley, a public hearing for the purpose of reviewing the proposed adoption of the Town of Prescott Valley Administrative Code; 2018 International Building Code (IBC); 2018 International Residential Code (IRC); 2018 International Mechanical Code (IMC); 2018 International Plumbing Code (IPC); 2017 National Electrical Code (NEC); 2018 International Property Maintenance Code (IPMC) and the 2018 International Fuel Gas Code (IFGC).

Warren Colvin, Senior Building Inspector, addressed the Board. Mr. Colvin stated that he had summarized the significant changes to Town Code during the work study session and the only minor issue that arose pertained to the 2006 International Energy Conservation Code; therefore, he recommended that the Board approve the 2018 Code Adoptions as submitted and forward to Town Council with a recommendation of approval.

Member Leithead asked for clarification on the approval since the Legal Department had not completed their review of the proposed adoption changes.

Mr. Colvin stated that the Legal Department would review and proof the content and request clarification as necessary. He noted that it would be completed prior to the Town Council review.

Member Nigh asked if he could make a motion to update the 2006 IECC to at least 2012 IECC or 2018 IECC.

Kristi Jones, Administrative Support, recommended that Member Nigh add the stipulation to the overall motion.

As there were no further questions of Staff, Vice-Chairperson Jarpe opened the item to public comment.

Larry Meads, Prescott resident, Licensed Master Electrician and Member of City of Prescott Advisory and Appeals Board, addressed the Board. He gave a presentation in support of tamper resistant receptacles and provided the Board members with a handout of data and statistics to support his request to keep the 2017 NEC 406.12 as written as well as the correlating section of the IRC. Statistics from 2005 indicated that approximately 89% of electrical burn and shock incidents occurred among children aged 6 or less. Mr. Meads noted that from 1991 to 2001, over 24,000 children were injured from inserting foreign objects into energized electric receptacles and which could be avoided by keeping the tamper resistant requirement in place. He reported that tamper-resistant receptacles were first introduced for dwelling units in the 2008 NEC and due to the effectiveness, have been expanded into child care facilities, preschools, hotel rooms, business offices, clinics, etc. Mr. Mead had a display of tamper-resistant receptacles to demonstrate the ease of use.

Dave Williams, Director of Yavapai County Development Services, addressed the Board. He congratulated the Staff on their hard work. Mr. Williams appreciated the coordination with Yavapai County Contractors Association (YCCA) and stated this was the first time in twenty years that the local jurisdictions have worked together on code adoption implementation.

Sandy Griffis, Director of YCCA, addressed the Board. She applauded the efforts of the Town staff and the other municipalities. Ms. Griffis addressed Member Nigh's concern about the Energy Code and she appreciated Member Leithead's input as well. Ms. Griffis offered to poll the industry of builders within our community to get their feedback on the Energy Code. She suggested that the Board move forward as planned for consistency with the other jurisdictions and noted that an amendment could be made down the line. Ms. Griffis noted that most builders were building to a much higher standard than the 2006 IECC.

Member Leithead asked what the objection was to using tamper-resistant receptacles from other entities.

Mr. Colvin stated that the City of Prescott had never implemented the requirement of tamper-resistant receptacles. He indicated that builders who build in both Prescott and Prescott Valley have complained about the inconsistency between jurisdictions. Mr. Colvin noted that they have also received complaints from elderly citizens who find the tamper-resistant receptacles difficult to use.

Member Leithead observed that the City of Prescott wouldn't receive complaints since they have never required tamper-resistant receptacles. He asked how many complaints the Town had received.

Mr. Colvin stated that he hadn't received any formal complaints directly from citizens; however, he had heard feedback from a handful of builders that have had to go out for warranty issues related to the receptacles. Mr. Colvin indicated that the Town of Prescott Valley has required tamper-resistant receptacles for several years; therefore, it is up to the Board's discretion to remove the requirement or not.

Member Leithead voiced his concern about removing the requirement from the code and potential liability. The majority of Board members agreed with Member Leithead.

Member Norton asked Mr. Williams what major cities were adopting as far as the tamper resistant receptacles.

Mr. Williams stated that he knew Queen Creek had never required tamper-resistant receptacles and Yavapai County was not recommending the requirement either.

There was no further public comment; therefore, Vice-Chairperson Jarpe called for a motion related to the item.

**Action Item #1**

**Member Nigh moved to approve the Code Adoptions with the exception of the Energy Efficiency section as submitted and forward to the Town Council with a recommendation of approval. Member Pape seconded the motion.**

Discussion ensued among the Board regarding review of IECC codes and the tamper-resistant receptacles requirement. Member Nigh and Member Pape both withdrew their respective motions.

**Member Leithead moved to defer the Code Adoptions to a future meeting to allow for a review of the IECC and change the NEC and IRC to maintain the requirement for tamper-resistant receptacles. Member Norton seconded the motion.**

Board members voted as follows: Vice-Chairperson Jarpe YES, Member Pape YES, Member Nigh YES, Member Norton YES and Member Leithead YES.

MOTION carried with 5 ayes and 0 nays

**VI. Call to the Public**

Vice-Chairperson Jarpe called for further public comment on any of the issues addressed.

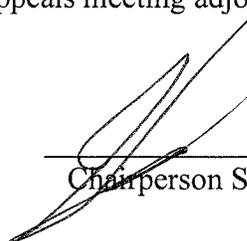
**VII. Adjournment of the Building Board of Appeals**

There was no further public comment related to any item presented during this meeting; therefore, Vice-Chairperson Jarpe called for a motion for adjournment.

Member Norton made the MOTION, seconded by Member Pape, to adjourn by roll call vote. Board members voted as follows: Vice-Chairperson Jarpe YES, Member Leithead YES, Member Norton YES, Member Nigh YES, Member Pape YES.

MOTION carried with 5 ayes and 0 nays

The March 6, 2019, Building Board of Appeals meeting adjourned at 6:10 p.m.

  
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Chairperson Salicos