

BOAT News

a publication by the BUILDING OFFICIALS ASSOCIATION OF TEXAS



PRESIDENT'S MESSAGE



It has been a busy year thus far. BOAT has successfully reorganized its meeting schedule, updated its by-laws, and is now poised to become even more successful in the upcoming years. We look forward to developing better partnerships with all our local chapters to provide greater benefits for code officials throughout the state.

Our February meeting in Round Rock was very successful; your continued feedback provides us the necessary information to maintain a path of continuous improvement. The Capitol trip is continuing to pay dividends. Your Board has been busy monitoring proposed legislation, testifying on behalf of H.B. 1354 (Inspector Immunity Bill), and providing TML comments and opinions as requested. As a reminder to all code officials, the impact of new laws enacted by the legislature can often be in the form of an unfunded mandate. BOAT committees provide a valuable service to the membership, and those committees are made up of members like you. Please review our committees, and please apply to be part of shaping our future.

Please mark your calendars and make plans to attend the BOAT Fall Conference, scheduled for the week of August 15. As we advance our strategic goals, we look for methods of making our members' involvement more family friendly. Your BOAT Board of Directors recognizes how challenging it is to travel for work, and the time away from family creates even more difficulties. The August meeting will focus more on allowing families to participate, with a spouse program and family-friendly events. The "first" fall conference will be in the Metroplex. We are working to finalize details and will send out an announcement as soon as they become complete. I would certainly like to hear any thoughts or ideas you may have to incorporate into our meeting. The fall conference will place a greater emphasis on CEUs and the functional aspects of code development and enforcement. We also recognize that it is necessary to budget for conferences, and this conference was not budgeted. Therefore, BOAT is going to provide some assistance to our members wishing to attend. This will only be successful because of our partnerships with other chapters and other professional relationships. This inaugural event will be loaded with surprises and benefits for our attendees, and I look forward to seeing all our families.

Spring provides many opportunities here in Texas that are unique to Texas. The first and most beneficial is the Arlington Building Professional Institute (BPI). The Arlington BPI is the largest educational program, drawing attendees from many states throughout the country. We have some of the best, most notable instructors from across the U.S. and the biggest variety of educational tracks anywhere. Make certain that your city takes advantage of our local, premier educational opportunity; spend the week or just a day, but don't take for granted the value of local training.

The ICC Code Hearings in Dallas are in our own backyard once again. Be a part of the code development process; it is FREE, and the benefits are long-lasting. The code hearings are one of the best educational tools to understand the "intent" of the code. Furthermore, they provide you an opportunity to comment on the new International Swimming Pool and Spa Code (ISPSC) and the International Green Construction Code (IGCC). We have an exclusive occasion here in Texas; no other state has the opportunity to have the code development process year after year. With this being said; we must take advantage of this event and participate. As Texans, we have the ability to shape these codes and provide our expertise one day at a time. Take a road trip, take an inspector, take a permit technician, take a plans examiner—and share the experience, shape the codes, and shape our future. Texas has many pools and spas. Texas code officials should understand these standards better than many other states; however, if YOU wait for someone else to voice an opinion or vote on your behalf, you may be unsatisfied with the outcome. Be a part of the new ISPSC and have your voice heard in our children's future with more sustainable methods of construction by voting on the IGCC. The education and experience will be invaluable.

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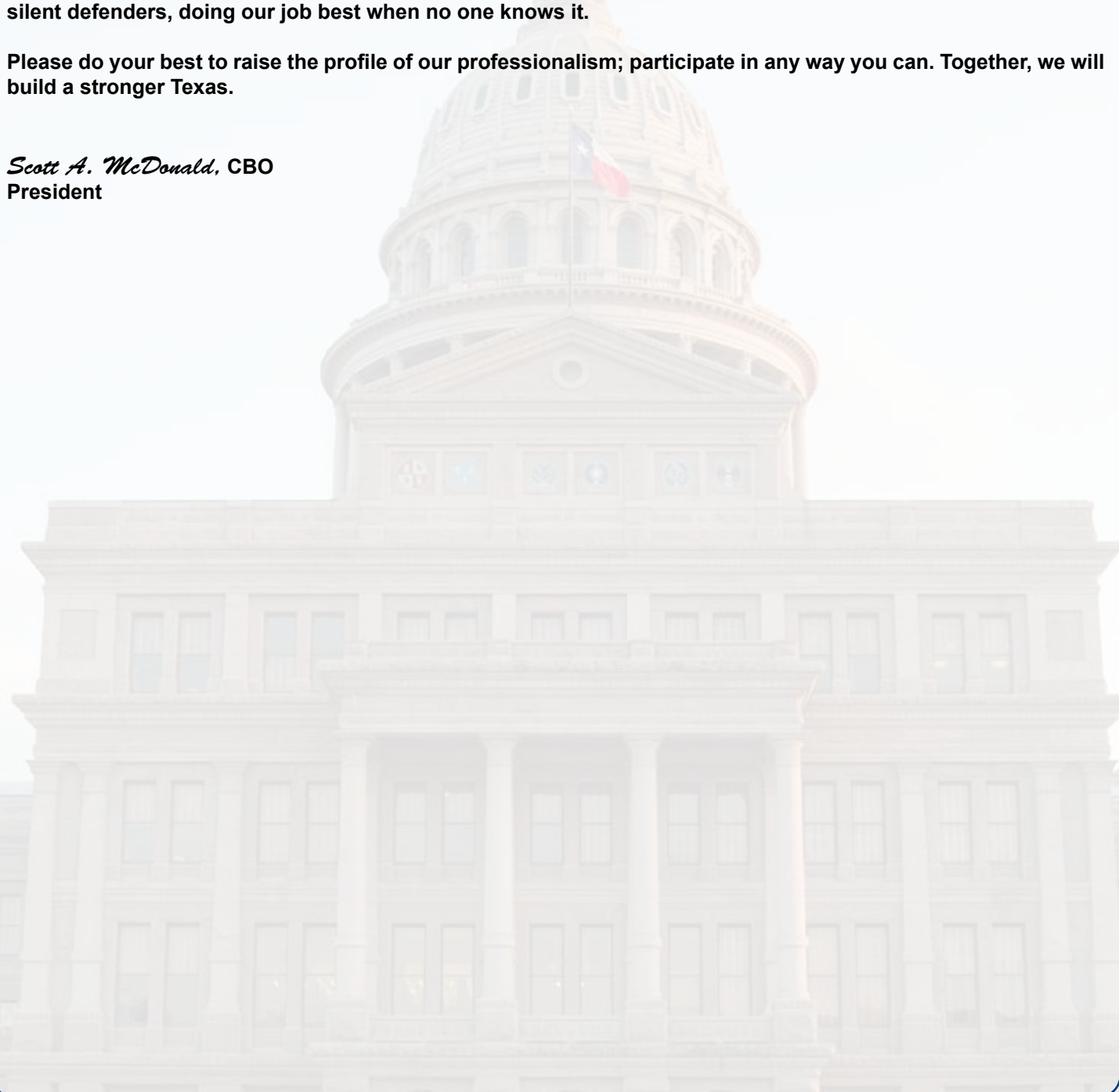


PRESIDENT'S MESSAGE CONTINUED

Take advantage of Building Safety Month; it is an excellent opportunity to promote our profession—the profession of protecting life in the built environment. Codes and standards have a direct impact on everything within the built environment, often without a positive focus on important safety rationale. Secretary Kasson was successful again this year in having a Proclamation signed by Governor Perry declaring May as Building Safety Month in Texas. Promote what you do to the citizens, contractors, and leadership within your city. We are the silent defenders, doing our job best when no one knows it.

Please do your best to raise the profile of our professionalism; participate in any way you can. Together, we will build a stronger Texas.

Scott A. McDonald, CBO
President



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LEGISLATIVE UPDATE

Things seem to be picking up at the State Capitol lately. Our Good Samaritan Bill (H.B.1354) for municipal inspectors has made it out of Committee and is waiting for a vote from the full House. We have a Senator waiting to take it through the Senate once it gets out of the house.

Here is an update on committee action on a few other building inspection and code enforcement-related bills.

- H.B. 1089 - Relating to the authority of a county or municipality to require the removal of graffiti by a property owner. The bill would amend the Local Government Code to not require a county or a municipality to give notice to a property owner for graffiti removal unless the county or municipality has offered to remove the graffiti from the owner's property free of charge, and the property owner has refused the offer. Under the current statute, if a property owner fails to remove the graffiti on or before 15 days after receiving a notice for removal, a county or a municipality may charge the property owner for graffiti removal expenses. This bill made it out of committee without any amendments and is waiting for a vote from the full House.
- H.B. 1164 - Relating to enforcement actions by the Texas Board of Professional Engineers against political subdivisions and certain public officials. This bill would prohibit the Engineering Board from fining or prosecuting a political subdivision of the State or an employee of a political subdivision of the State. This bill is pending in Committee.
- H.B. 1376 - Relating to the definition of a junked vehicle for purposes of abatement of a public nuisance. This bill will clear up the definition of a junk vehicle. This bill made it out of Committee with no amendments and is waiting on a vote from the full House.
- H.B. 1649 - S.B. 861 - Relating to the enforcement of building code standards for new residential construction in the unincorporated area of a county; providing a fee. This bill would require a county (when requested) to certify that a new house built in the county meet the all the requirements of the building code prior to the connection of services to the building and limits the fee to \$125.00. This bill made it out of Committee and is waiting on a vote of the House.
- H.B. 1876 - Relating to the authority of certain municipalities to require fire protection sprinkler systems in certain residences. This bill would allow a municipality to put residential fire sprinklers back in its code if it is put on the ballot for a public vote. This bill was left pending in Committee.
- H.B. 2262 - Relating to periodic reauthorization of municipal building permit fees. This bill would require a municipality to vote on its building permit fees every 10 years or the fees would be invalid. This bill was assigned to Committee.
- H.B. 2376 - SB 1075 - Relating to the regulation of plumbing. The bill specifies that a provision of law requiring a political subdivision to verify that a plumbing contractor has a certificate of insurance on file with the board before performing plumbing in the political subdivision applies to a political subdivision that requires a responsible master plumber or an agent of such a plumber, rather than a plumbing contractor, to obtain a permit before performing the work. This bill made it out of Committee without any amendments and is waiting on a vote of the House.
- H.B. 2665 - Relating to abolishing the Texas Funeral Service Commission and the Texas State Board of Plumbing Examiners and transferring the functions of those agencies to the Texas Department of Licensing and Regulation. This bill has been assigned to a Committee.

If you are interested in the full list of bills that BOAT is watching, please e-mail me at jim.olk@farmersbranch.info and request to be put on the BOAT bill watch list. I will include you in the next update.

Jim Olk
BOAT TML Representative

BOAT News

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HAVE YOU HEARD OF THE EPA? Environmental Protection Agency

When the government christened the Occupational Safety Health Administration, OSHA, there was a saying going around that if you thought OSHA was a small town in Michigan, you were in big trouble. The same can be said about EPA. In case you haven't heard or been made aware, back in 2008 the EPA passed a law (mandate, if you will), EPA-740-F-08-003. This little law is directed at renovation, repair, and painting programs. When you read the law, you will see that we, the city department that controls and regulates two of the three words listed (renovation and repair) are not responsible for anything. When was the last time that happened? And when you start to think about the law, you will see that you should be involved in the education of contractors to help them understand what their responsibility for compliance is. You will also know you owe it to your residents, whom we are here to protect (sometimes even from themselves).

So what can you do, and what should you do? I have suggested a few things below, but you may think of many more:

- Go to http://www.healthyhomestraining.org/lswp/RRP_SB_Compliance_Guide_6-23-08.pdf and print a few copies of the document titled "Small Entity Compliance Guide to Renovate Right."
- Read the law and become familiar with what is required. Know that it is only applicable to residential houses, apartments, and child-occupied facilities (day care and schools) built before 1978.
- Put together a small handout for your renovation contractors, and hit the high points of their responsibility under the law.
- Some cities will have certain areas that were built before 1978. You could ask if a small "DID YOU KNOW" note could be placed in the water bills, so your citizens will be informed.
- Research the locations where contractors can go to get training and become certified. Visit www.epa.gov/lead/pubs/renovation.htm or call 1-800-424-LEAD for more information. You can view EPA's lead regulations in 40CFR Part 745, Subpart E.
- Learn who must follow the lead requirements—residential rental property owners/managers, general contractors, and special trade contractors, including painters, plumbers, carpenters, and electricians.
- Learn which activities are subject to the law: remodeling and repair maintenance, electrical work, plumbing, painting, carpentry, and window replacement.
- Obtain some copies, in English and Spanish, of "Renovate Right (EPA-740-F-08-002)." To get the copies, you can call 1-202-512-1800, fax 1-202-512-2233, or go to www.epa.gov/lead/pubs/brochure.htm. (Notice the EPA number above is different from the one at the top of this article. The number above is the one you use for this brochure; it is a companion brochure to the one at the top.)

Nowhere in the law did I see where a city is responsible for enforcement. However, we are here to help our citizens and contractors stay informed on any new law that will affect them. Get out front on this one! Hopefully, some of you are saying, "I am ahead of this article," and that is GREAT. Keep up the good work. We don't get many ATTA-BOYS in this business, but we know when we have done our job well. Remember, if a house didn't burn down or the occupants were able to escape unharmed or a water heater didn't explode, no one will call and say to you, "GOOD JOB! Nothing happened today!" But I will: Thanks for the work you do. Raise "your" profile!

John R. Brown, MCP, CFM
BOAT Director at Large

BOAT News

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TIPS ON WRITING YOUR LEGISLATOR

The letter is a widely used method of communicating with an elected official. It allows you to express and defend your position on an issue. To be most effective in your letter, here is a list of helpful suggestions:

- 1) Be clear. Always provide the bill number, author of the bill, and a brief summary of what the bill's about when you contact them. State the purpose of your correspondence in the first paragraph of the message.
- 2) Be specific. Ask for action; tell your legislator exactly what action you want him/her to take and give your reasons for your position. Include information and your own personal reasons for supporting or opposing a piece of legislation. Legislators are not only influenced by who supports legislation, but also why.
- 3) Be courteous. Even if the legislator has taken positions you disagree with, be respectful. In addition, let him/her know how the legislation will impact your city.
- 4) Be concise. Get to the point quickly, and address only one issue in each message. Keep the message brief and to the point. It is best to limit your message to one page.
- 5) Say thank you. Don't forget to say "thank you" and let the legislator know you appreciate his/her time and consideration. Also, legislators appreciate positive feedback, so look for opportunities to convey this in your message.
- 6) Follow Up. Send a note of appreciation if your legislator supports your issues, or a note of disappointment if not. If the legislator sends information you requested, also send a thank you note.

Remember, elected officials care what their mail says. A logical, courteous letter carries weight; it can change a legislator's mind, particularly when the legislator is wavering on an issue.

*Chris Haver, C.B.O.
BOAT Director at Large*

BOAT News

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TOOLS OF THE TRADE

One of the things I hate in today's modern technology is receiving a call on my cell phone and a message comes up saying "Anonymous Caller." My first reaction is to not answer; after all, apparently your call is so secretive that I don't need to know who is calling me. And then I start to think, "Why do you think that you're so important that you need to remain anonymous? So why should I even bother to take time out of my day to answer?" That's not right.

Let me regress and set the basis for my article. When I first came to work for my city, I was given a cell phone to use. Since it's a small, one-horse city, I used my cell phone to its fullest extent so I could stay in contact with my contractors in order to proceed with and complete the project. The problem I ran into was my contractors weren't returning my calls. I started inquiring why and found out that every time I called them, an "Anonymous Caller" message came up. I called my service provider and had the phone changed to my name. This worked great until my boss received the bills showing that my shared minutes were way up since contractors were actually able to contact me to immediately be able to resolve problems. The contractors greatly appreciated the ability to contact me to resolve a problem instead of waiting 24-48 hours to reach a resolution. If you haven't been on their side of the fence, which I have, you know that time is money. To make a long story short, I gave my boss my cell phone and told him to either let me use it as the tool intended, or he could keep it. Needless to say, after discussion as to the importance of this tool, it was decided that I could continue to use it as a tool of the trade.

My point is that there are many tools that can and should be used in our job as inspectors. The cell phone and our other tools are tools of education and should not be used anonymously. I encourage my building inspector and my contractors to meet us on site when we perform an inspection. I hated showing up on my job site finding a "Red Tag" with no explanation. To me, that's like giving a baby a spoon and expecting him to feed himself without teaching him how to use the spoon.

That's our job, in my opinion—to teach the contractors and ourselves how to use the tools of our trade in order to make a code compliant structure. If we all educate each other about how to use the tools of our trade, we will accomplish the goal of an inspection or building department, which is to build a safe and sustainable structure.

Bruce Braley
BOAT Director at Large

BOAT News

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ADOPTING NEW CODES

When things seem to work out well—or not work out well—as we enforce building and land use regulations, I remind myself that we are no different than other professionals. Doctors practice medicine, lawyers practice law, and we practice code enforcement.

Recently, the City of Killeen adopted the new 2009 international construction codes, which became effective on April 1 (no fun intended; we just generally start the first day of the next full month from the council's approval). This code adoption was the easiest that I have experienced to date. The reason? I learned to work with the leaders within the building community early on, before starting the review process.

As we all know, when new codes come out, somebody has to read them. With everyone's busy schedules, though, that is not always easy to do. Even in Killeen, we pass out each code book (IBC, IRC, etc.) to our inspection and plan review staff, but rarely do we get a true complete "reading" of the codes. We always tend to lean on the published significant change items from the code industry, and we learn the rest of the changes after we adopt them and as we "practice" the codes.

Killeen's code adoption record gets better over time. When I started in 2000, Killeen was still under the 1988 Standard Building Code (SBC). Everything I learned started with the 1994 SBC, and I later learned the 1997 SBC while I was working for other municipalities. So when I started work for Killeen, I had to go "backwards" and unlearn the changes of the newer codes.

So from frustrating beginnings, Killeen and I eventually adopted the 2000 International Building Code (IBC) in 2002. This was not easy. Introducing a newer code that jumped four major revisions to our local builders after 13 years of no changes was painful for the builders and the building department. So after this, I made it my goal to keep our codes more current and up to date. This would allow the code review and adoption process to become more normal, and hopefully we would deal with smaller "bites" of changes for the builders and staff to "swallow."

Therefore, in 2005 we adopted the 2003 IBC; the 2006 IBC in 2008; and recently, the 2009 IBC in early 2011. Now I know some cities try to adopt every two code revisions (six years) because of the time and expense of adopting and buying new codes with their commentaries, but I personally have been trying to keep the "cost of construction" down from new regulation requirements placed in the code or state laws.

Through all the code adoptions and "battles" staff seemed to go through trying to do the "right thing," I did learn the importance of getting the buy-in early on. During this last code adoption process, I took the president of our construction board to a lunch meeting with the area homebuilders' association's Government Relations Committee. I asked the committee to choose up to seven members who would participate in a joint workshop series with our seven-member construction board and staff. They picked their representatives, and after our internal staff's preliminary review of the differences between the 2006 and 2009 IBC, we started our joint workshops. These meetings were very professional, and everyone present had the opportunity to comment and make suggestions. Just before our scheduled official recommendation from the construction board, we held a luncheon class with our local homebuilders' association to highlight the differences we found. Our instruction team consisted of a house plan designer, a builder, a local code instructor, and a building inspector, who all volunteered to represent the



BOAT News

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ADOPTING NEW CODES

(Continued)

“whole” building community. These four professionals met and created their own class presentation. It was wonderful.

The best part was that after the luncheon meeting, one of our local lumberyards offered to build a live mockup demonstrating the wall bracing methods offered in the code. They even offered to furnish BBQ sandwiches with a drink and chips if the city and code vendors would teach from the mockup. After all these community-wide efforts to work to understand and apply the new codes, the easiest part became going to the council podium with the building community and the construction board sitting in the audience showing their support. Therefore, as I said in the beginning, if we continue to “practice” making and providing better code enforcement services for our communities, we all become winners.

Earl Abbott
BOAT Director at Large

BOAT News

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BUILDING GREEN IN YOUR CITY

Momentum in the green building industry continues to grow as elected officials and the public recognize that an emphasis on safe and sustainable construction practices can be a key element of smart public policy.

Buildings consume approximately 40 percent of energy used in the United States and produce about the same ratio of carbon emissions. Given this considerable impact, local governments and developers around the globe have been clamoring for solutions that incorporate sustainable design and construction practices. As cities evaluate options, a newly created green construction code is combating confusion about how best to incorporate sustainable methods while ensuring safety and affordability in construction.



While the popular rating system Leadership in Energy and Environmental Design (LEED) has transformed how people view green building practices, a new green building code, the International Green Construction Code (IGCC), was launched to provide a usable, adoptable, and enforceable model code for localities.

Until now, voluntary rating programs such as LEED were among the only options for guiding the design of green buildings. But LEED-like programs were not designed to act as regulatory language.

IGCC, currently available as a resource document for cities that are seeking to adopt a green code immediately, includes benchmarks on energy, water, air quality, and safety that cities can adopt as mandatory provisions for commercial buildings. The International Code Council (ICC) launched the initiative in 2009. Cooperating sponsors are the American Institute of Architects, ASTM International, American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), the U.S. Green Building Council (USGBC), and the Illuminating Engineering Society (IES). IGCC incorporates the "ANSI/ASHRAE/USGBC/IES Standard 189.1-2009 for the Design of High-Performance Green Buildings, Except Low-Rise Residential Buildings" as an alternative jurisdictional compliance option.

Synergy of Codes and Rating Systems

A model code like IGCC is intended to be adopted as a legal document by a jurisdiction. Coordinated with the ICC family of codes, IGCC is designed to go beyond traditional code requirements for those cities that are aggressively pursuing a sustainable goal.

IGCC is written with enforceability in mind, similar to the International Building Code, and it relies on the jurisdiction's legal authority to enforce the provisions within the code. Similar to other building codes, it ensures compliance by the designer and builder through building officials appointed by the jurisdiction. The cost of enforcement is often offset by permit fees paid by the builder.

A rating system like LEED or Green Building Initiative (GBI) is a checklist of items that a designer and builder must follow in order to achieve a particular rating. The third party decides which items make the checklist and how many points are needed for each designation. Plans are submitted, and compliance is ensured by a third party. Fees associated with the third-party rating are paid by the builder to the rating agency (again, LEED or GBI). In short, IGCC fills the gap between existing codes

BOAT News

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BUILDING GREEN IN YOUR CITY

(Continued)

and rating systems because it addresses sustainability goals at the federal, state, and local levels.

Given the diversity of approaches in practice today, an enforceable green building code will help ensure that other voluntary standards and ratings systems are used to their fullest potential. Basically, building codes such as IGCC will provide baseline benchmarks for sustainable building practices, while voluntary ratings systems like LEED will continue to push the envelope for developers who commission projects with sustainability characteristics above and beyond the baseline.

This complementary approach of ratings systems, as seen with the LEED-IGCC combination, will be the most effective method of transforming the market toward more sustainable building practices. Recently, USGBC drafted a policy paper, "Greening the Codes," that outlines the benefits of adopting green building codes. The paper, found at <http://www.usgbc.org/ShowFile.aspx?DocumentID=7403>, argues that "without stronger, more comprehensive codes, the majority of buildings may remain untouched by the positive benefits that building green provides." IGCC provides a road map that jurisdictions can use to incorporate green components into existing or developing building codes. Adopting and enforcing IGCC will drive safety and sustainability in such human-built structures as homes, office buildings, and schools by ensuring integration with other International code provisions and by providing criteria that have been reviewed by experts in sustainable science, safety, and building performance.

To download a free copy of IGCC Public Version 2.0, visit www.iccsafe.org/igcc.

Ravi Shah
Director of Urban Development, Carrollton

BOAT News

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AIR CONDITIONER CHECKUP

Any time is better than never, but spring is the ideal time to budget for an air conditioning tune-up. Early air conditioner maintenance can prevent many small problems from becoming more expensive problems later on. Furthermore, if your air conditioner checkup is scheduled for spring, you'll also beat the long waits and higher prices that come with peak season HVAC repair visits.

Reasons to Schedule an Air Conditioner Checkup

There are two main reasons to schedule annual air conditioner maintenance with your local HVAC contractor: saving money and saving money. For starters, you greatly increase the chances that your A/C technician will catch small problems before they become big ones by scheduled regular checkups. Repairing a small refrigerant leak shouldn't cost much more than the service call. Buying a new compressor when low refrigerant levels burn your current one out, however, can cost a thousand dollars or more. The other way an annual checkup saves you money is by ensuring that your A/C unit is working at optimal efficiency. When your A/C is running well, it uses less energy to cool your house, and lower energy use means bigger savings for you on your monthly utility bills.

Scheduling an Air Conditioner Checkup

An air conditioner check up is easy to schedule. All you have to do is contact a local HVAC technician about coming out to perform basic air conditioner maintenance. As mentioned before, the best time to do this is in the spring or early summer, before everyone else turns on their air conditioner and realizes it needs to be worked on. If you call early enough, an HVAC contractor will be able to come out when it's most convenient for you in order to make sure your unit has been serviced and is running properly. Wait until later in the summer, however, and you'll find all the pros are booked, and if you need them desperately, it'll cost you.

Air Conditioner Checkup 101

An air conditioner checkup is an important part of making sure you get long-lasting and efficient performance from your air conditioner, as is knowing which services to insist on when your technician arrives. Here's a short checklist of common maintenance procedures your HVAC contractor should include with a routine maintenance call:

- Check for proper refrigerant levels. Low levels indicate a leak that needs to be found and repaired immediately. Low refrigerant levels can burn out your compressor, resulting in the most costly repair when it comes to A/C, period.
- Check all electrical components and controls to make sure they're working properly.
- Clean evaporator and condenser coils. Dirty evaporators and coils reduce the energy efficiency and cooling ability of your unit.
- Oil motors as needed.
- Calibrate thermostat to make sure your A/C isn't working overtime.
- Check the condenser for any possible problems.
- Check, clean, and/or replace filters.

An annual air conditioner checkup is the easiest way to keep your air conditioner in top condition for years to come. To ensure you'll get worry free, and money-saving, performance from your A/C, schedule a regular maintenance call today. GOOD LUCK AND GOOD CHILLING!

Kurt Kasson
BOAT Board Secretary

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Customer Service Inspections WWW.PHCC-TX.ORG



Before continuous water service for new construction is established, Texas law requires an inspection of the private water-distribution system as a way to ensure that the water is safe to drink. Under Texas law—30 TAC 290.46(j)—a customer service inspection is required for each connection before continuous water service can be provided.

The 2009 International Residential Code section 2503.7 states that upon completion of the water-supply system or a section of it, the system or portion completed shall be tested and proved tight under a water pressure of not less than the working pressure of the system or, for piping systems other than plastic, by an air test of not less than 50 psi (345 kPa). This pressure shall be held for not less than 15 minutes. The water used for tests shall be obtained from a potable water source. Section 2503.8.2 states that reduced pressure principle backflow preventers, double check valve assemblies, double-detector check valve assemblies, and pressure vacuum breaker assemblies shall be tested at the time of installation, immediately after repairs or relocation and at least annually.

The 2009 International Plumbing Code section 213.10.2 states that reduced pressure principle backflow preventer assemblies, double check-valve assemblies, pressure vacuum breaker assemblies, re-duced pressure detector fire protection backflow prevention assemblies, hose connection backflow preventers, and spill-proof vacuum breakers that be tested at the tie of installation, immediately after repairs or relocation and at least annually.

The 2009 Uniform Plumbing Code Section 603.1 states that all devices or assemblies installed in a potable water supply system for protection against backflow shall be maintained in good working condition by the person or persons having control of such devices or assemblies. Such devices or assemblies shall be tested at the time of installation, repair, or relocation, and at least on an annual schedule thereafter.

Where a backflow assembly is installed to protect against a contaminate a reduced-pressure, a principle backflow prevention assembly is required and tested upon installation and at least annually thereafter (or more often if required by the authority having jurisdiction).

The State of Texas identifies lawn irrigation as low hazard, and it is up to the authority having jurisdiction as to the frequency of testing these devices. Double-check valve backflow prevention assembly testing is required upon installation, and each jurisdiction may develop ordinances as to the frequency of testing thereafter. Ordinances should also address customer service inspections, which in Texas are required by law.

The purpose of a customer service inspection is to identify whether one of two potential sources of contamination exists. One is a cross connection—an actual or potential connection between a drinking water supply and a possible source of contamination or pollution. The other potential source of contamination is lead plumbing materials.

Customer service inspection must occur in the following situations:

- When there is new construction;
- When there is a material improvement, correction, or addition to the private water distribution system (defined as plumbing work that requires a permit and involves a major modification to the private water system); and
- When the water supplier believes that a cross connection or other potential contamination hazard exists. In such a case, the water supplier must provide written justification to the customer for requiring an inspection by specifically identifying the threat that is believed to exist.

Customer service inspections are not required for existing connections, temporary connections, and connections involving construction, transfer of service, mobile and

BOAT News

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Customer Service Inspections WWW.PHCC-TX.ORG

(CONTINUED)

manufactured homes and recreational vehicles, residential lawn-irrigation systems (when installed by a licensed plumber or a licensed irrigation technician supervised by a licensed irrigator), and swimming pools.

Customer service inspections must be performed as required by the authority having jurisdiction following licensed professionals: plumbing inspectors and water supply protection specialists licensed by the Texas Board of Plumbing Examiners or customer service inspectors licensed by the TCEQ.

In a customer service inspection, the inspectors certify that there are no cross connections and no lead in the pipes and solder. Examples of cross connections include: direct or indirect connections; connections allowing the return of water used for condensing, cooling, or industrial processes back to the public water system; potential contamination hazards; pipe or pipe fitting that contains more than 8.0 percent lead installed on or after July 1, 1988; and solder or flux that contains more than 0.2 percent lead installed on or after July 1, 1988. After an inspection, the customer gets a copy of the customer service inspection certificate, and the original must be kept by the water purveyor for 10 years.

A public water system has two options for enforcing proper plumbing practices to control cross connections: adopt rules, tariffs, or service agreements that meet the minimum standards in the state approved plumbing codes, or reference sections of the state-approved plumbing codes that address cross-connection control in your plumbing ordinance, regulations, or service agreement.

Customers should report improper plumbing practices or inspections by a licensed plumber to the Texas State Board of Plumbing Examiners (TSBPE) at 1-800-845-6584.

Bill White, PHCC Texas Instructor



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Built in the Heart of Texas

Extreme Makeover: Home Edition Partners with TAB

By Lorraine Urey

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On Nov. 4, 2010, two dozen people met at the Texas Association of Builders (TAB) office to begin to plan an event that would change the lives of everyone involved. This was the day that ABC's Extreme Makeover: Home Edition joined forces for the first time with a state home builders association.

The Build Team

At the suggestion of Operation Finally Home founder Dan Wallrath, who was honored as a 2010 CNN hero for his work in building mortgage-free homes for wounded veterans of the wars in Iraq and Afghanistan, Tilson Home Corporation CEO Eddie Martin and TAB Executive Director Scott Norman agreed to combine the resources of their organizations to be a part of an Extreme Makeover build.

"We didn't hesitate," said Martin. "As a home builder, we are fortunate to fulfill people's dreams on a daily basis by building them a new home. We all have so many blessings to be thankful for, and we welcomed the opportunity to give back. We accepted this challenge knowing the community would support us to help make this a reality."

As the discussions continued over a 48-hour period, the Build Team of Tilson and TAB quickly realized what a huge task they were undertaking. In one month — with the Thanksgiving holiday in the middle — the Build Team would be responsible for having recruited hundreds of volunteers, skilled trades and craftsmen, secured thousands of dollars of donated materials and organized 18 meals — each of which would feed at least 300 volunteers.



Enter Texas-based Temple-Inland. When Chairman and CEO Doyle Simons learned of the project, he did not hesitate to donate lumber, volunteer his employees and lend his company whole-heartedly to the team. "Our employees were excited about volunteering for the Heart of Texas Build as a tangible and Texas-sized way of giving back out of appreciation for all we have," said Simons.

With the Build Team in place, Extreme Makeover's producers and support staff left town, and the Heart of Texas Build Team was on its own to prepare for the adventure of a lifetime.

Where the Story Began

Staff Sergeant Patrick Zeigler had been home for two weeks from his second tour of duty in Iraq and was filling out routine paperwork at Fort Hood's Soldier Readiness Processing Center, when tragedy struck. A gunman fired more than 100 rounds

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Built in the Heart of Texas

Extreme Makeover: Home Edition Partners with TAB

at soldiers and civilians; 13 people died and 32 others were wounded. Sergeant Zeigler was hit four times and suffered a near fatal gunshot to the head.

Jessica Hansen had just finished an exam at Boston University and returned to her apartment near Fenway Park when she learned of the shooting at Fort Hood. Earlier that morning, her fiancé Patrick, had mentioned to her that he would be at a place called SRP to complete some paperwork before he could be cleared to attend Officer Training School. Jessica repeatedly tried to reach Patrick on his cell phone while booking a flight to Texas and packing her bag. Shortly after midnight, she heard from Patrick's father who confirmed what she already knew. Patrick had been gravely wounded.

Jessica headed to Texas and Patrick, and prepared what she would say at his funeral. Patrick and Jessica spent 10 months in the hospital fighting for his life. Jessica, neuropsychology major, made the decisions regarding Patrick's care, and many credit her consistent love and support as being instrumental in his miraculous recovery.

On Sept. 8, 2010, Patrick was finally able to return to Fort Hood. He is exceeding his doctors' expectations; he walks with a cane, his left arm is still mostly paralyzed, and he struggles with his brain's awareness of his left side. Sergeant Zeigler is still on active duty and wants to stay in the Army. Jessica never returned to Boston. Since arriving in Texas, she has been at Patrick's side, living in hospitals and extended stay facilities before arriving at Fort Hood. Together they began planning their wedding and future.

Keeping the Secret

Patrick and Jessica's story, coupled with the news that Extreme Makeover: Home Edition was coming to Salado to fulfill their dream of homeownership, makes even the most stoic among us want to rush to be first in line to help. The Build Team, however, had been sworn to secrecy and could not share with the public: 1) which deserving north central Texas family had been chosen and, 2) exactly where in "north central Texas" the build would take place.

Relying on their credibility, the Texas Association of Builders, Tilson Home Corporation and Temple-Inland began the job of asking everyone within their circle of business and personal acquaintances to donate building supplies (everything from concrete to the septic system), money, time, and food to the project without divulging exactly where the home would be built or exactly who would be the recipient of the community's largesse. It turned out that the details did not matter. The entire north central Texas Community stepped up — because they were asked to help one of their own.

Not surprisingly, Texas Association of Builders members came from all over the state to support their association and its fellow members, Tilson and Temple-Inland, providing materials, labor and their time to the project. "The TAB family did not hesitate to lend their support to the Heart of Texas Build. Some of our volunteers were on-site without sleep for days on end. All it took was a phone call and suppliers were arriving within hours to deliver whatever we needed to complete the home on time," said Scott Norman. "It was amazing to watch a group of strangers come together to help a family in need and leave as fast friends."

A Community Comes Together

On Dec. 6, 2010, Extreme Makeover's Ty Pennington, designers Leigh Anne Tuohy (the mom from "The Blind Side"), Paul DiMeo, and rap star Xzibit surprised Sergeant Zeigler and his fiancé by emerging from Bradley Armored Fighting Vehicles on Fort Hood during a medaling ceremony. Once the Build Team, waiting on-site in Salado, heard that Ty had screamed his opening line, "Good Morning Patrick and Jessica!" it was time to begin work on the home.

BOAT News

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Built in the Heart of Texas

Extreme Makeover: Home Edition Partners with TAB

Patrick and Jessica were living on base, and there was no home to demolish as is usually the case when Extreme Makeover chooses a family. However, excavation of the lot was the first order of business. From noon on Dec. 6 to noon the following day, the foundation had been poured and the walls were up. It was amazing to watch the incredible progress that was made in only 24 hours.

Once construction began, it was nonstop, 24 hours a day for the next 106 hours, when the house would be completed and the keys turned over to the Extreme Makeover design team. Hundreds of general volunteers showed up on the first day and continued to return every day of the build. The Build Team stayed on-site in travel trailers and worked in shifts. Hundreds more skilled trades and craftsmen descended upon Hester Way in Salado, and thousands of dollars worth of materials were staged in a lot behind the home site.



At one time, there were almost 100 carpenters, painters, and volunteers in the home, each trying to complete their task without interfering with the work going on around them. Greg Pannell, vice president of merchandising/ vendor relations for McCoy's Building Products, helped to coordinate donations of materials and their delivery to the project. Pannell said you learn a lot about yourself and your community during these types of projects. "I worked the night shift, and I didn't know that I could function at 3 a.m.," he joked. "Actually, I couldn't have without the help of the volunteers. People came together in ways I never would have imagined."

Fort Hood Steps Up

In addition to the citizens of Salado and the surrounding communities, soldiers from Fort Hood were "deployed" to lend their expertise to the build.

Sandee Payne, an interior designer in Harker Heights, had been working with the design team in advance of construction. Her husband is Michael Payne, LTC, EN, 36th EN BDE Rear Detachment. Payne is an engineer officer, and while much of his brigade is deployed to Iraq, one of his battalions, a construction battalion, is stationed at Fort Hood. "I called my brigade officer and told him we needed to get involved, and he agreed," said Payne. "At that time, we didn't know who the home was going to be for, but I think it's a great cause and I wanted to support my wife."

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Built in the Heart of Texas

Extreme Makeover: Home Edition Partners with TAB

Payne offered the services of 120 soldiers who are trained in various areas of construction. Thanks to Payne's men, the Build Team was able to stay ahead of schedule for most of the project. Payne said that while the soldiers pledged their support before knowing for whom the house was being built, the project became even more important once the recipients were named — Payne's unit suffered the most casualties in the Fort Hood shooting. "Many in our battalion befriended the soldiers who were wounded in the Nov. 5 incident while they recovered at the base," said Payne. "For them, this provided some closure and allowed them to be part of the healing process from such a horrible event."

Move That Bus!

At 3 p.m. on Sunday, Dec. 13, thousands of Build Team members, volunteers and spectators welcomed Sergeant and Mrs. Patrick Zeigler to their new home. (Patrick and Jessica had been married in the chapel on Fort Hood at 11 a.m. that morning.) With the crowd screaming "Move That Bus!" the home was revealed to the Zeiglers and their family for the first time. Mrs. Zeigler was beautiful in her designer wedding gown, and Sergeant Zeigler was handsome in full dress uniform.

With the American flag flying in the background, the crowd celebrated a joyful moment when they finally heard the words, **"Welcome home, Zeigler family, welcome home."**



BOAT News

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Manufacturer's Installation Instructions: More Than Just Opinion

By Ken Harward, Vice President, Construction Science Division, Burgess Construction Consultants, Inc.

This article is reprinted with permission from the March/April 2011 issue of Texas Builder, published by the Texas Association of Builders.

In one episode of the popular TV show Home Improvement, Tim Taylor (Tim Allen) was attempting to install a particular product when he became frustrated with the instructions provided by the product's manufacturer. In his frustration, Tim stated, "Instructions are just the manufacturer's opinion on how to install it," implying that he might have a different, even better opinion of how to install the product. These comments made for a good laugh then and now, but more importantly bring to focus the question of whether or not we take the time to learn the manufacturer's intended installation method, or whether we allow our subcontractors to substitute their own.

Tim's installation experience lives on as a reminder of the choice that is made each time a manufactured product is installed. Do we or our installer take the time to gain the manufacturer's insight, or do we install construction components without the benefit of the manufacturer's knowledge and experience? Someone on the jobsite is making the choice of how they will install each product, whether by default or through conscious choice. In the arena of construction, it is important to recognize the benefits of following the manufacturer's installation instructions, as well as the risks of installing products according to our limited understanding and experience.

It is significant to understand that following the manufacturer's installation instructions is often a requirement of the International Residential Code (IRC). In multiple instances, the IRC incorporates the manufacturer's installation instructions, making these instructions requirements of the code. Examples of IRC reference to manufacturer's installation instructions include products such as factory-built chimneys, HVAC equipment, water heaters, appliances, whirlpool tubs, and so on. The IRC often contains general minimum requirements associated with installation of such products, but recognizes the value of the manufacturer's experience and testing.

In other instances, the IRC does not mention products yet requires products to successfully perform a particular task, which indirectly implies proper installation. More often than not, the manufacturers have knowledge and experience that we don't, making them the most qualified of all parties to determine how their products are best installed. In addition to code compliance, the benefits of installing construction components according to the manufacturer's installation instructions include:

- Reduced exposure to construction litigation — Construction components installed in accordance with the manufacturer's installation instructions greatly reduce the risk of product failure and consequential damage that often results. If a particular product fails and yet was installed correctly, the manufacturer is likely to share remediation costs. If proper installation of construction products is verified by a third-party inspector, this is an added layer of insulation against loss from litigation.
- Reduced warranty callbacks — Properly installed products help reduce callback expenses, which makes "doing it right the first time" the most cost-effective approach. We are also aware that fewer callbacks translate to happier customers through improved customer satisfaction scores, ultimately translating into referrals and sales.

BOAT News

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Manufacturer's Installation Instructions: More Than Just Opinion

(CONTINUED)

- Enhanced product performance — The degree of compliance with the manufacturer's installation instructions determines the level of performance that a particular product is likely to yield for the life of the home. This is perhaps most evident with energy-saving products, which translates to lower utility bills and savings to the end user.
- Better product lifespan — Correctly installed products typically last longer when installed per the manufacturer's instructions. A prime example of this is air conditioning condensers, which, if installed and maintained in a level position, permit the oil in the compressor to properly lubricate the compressor's moving parts and keep the compressor in service for a longer period of time. A level condenser also reduces wear of the fan motor bearings.
- Improved appearance — Manufacturers of products with elements of aesthetic value are concerned with the appearance of their product. Consequently, following the installation instructions is likely to result in a better looking installation. Examples of such products are roofing, exterior wall-covering, and paint.

The greatest opportunities for improvement with manufactured products that we encounter include windows, window flashing, housewrap, sheathing, siding, I-joists, roof decking, shingles, and drop-down attic stairways. Other manufactured components such as HVAC equipment, fireplaces, and appliances are occasionally found with defect; nonetheless, there are fewer instances of defects, as these installers are generally better trained.

What measures can be taken to ensure compliance with manufacturer's installation instructions? The first step is to do an inventory of the products currently in use, obtaining the manufacturer's installation requirements for each. This is often an eye opener as we learn installation requirements and techniques of which we were simply not aware. Not all products are accompanied by installation instructions from the manufacturer or mill; however, installation instructions can often be obtained through the manufacturer's Web site or through an association standard when not available from the manufacturer.

One example of such an association standard is the APA (The Engineered Wood Association), which includes installation standards and tolerances for many engineered wood products. The manufacturer's installation instructions should also be obtained for any new products that are introduced. All installation instructions should be passed along to the installers on the jobsite, and accountability should be established. A lack of attention to detail by a subcontractor could very well drag a builder into court at a later date. Finally, these products should be carefully inspected after installation, before cover-up, by a qualified person other than the installer. Having a better knowledge of construction products and adhering to the proper installation of these will keep you ahead of the competition.

Harward has been involved in the construction and remodeling industry since 1978 and joined Burgess Construction Consultants in 2005. Harward has performed thousands of inspections as an International Code Council (ICC) certified residential combination inspector. He is also an ICC certified commercial building inspector and a CSI through the Texas Commission on Environmental Quality. He may be contacted by e-mail at: kharward@yahoo.com or visit www.burgess-inc.com for additional information.

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IMPORTANT NEWS FROM THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

Dear Building Officials Association of Texas,

As you know, the codes for commercial and residential construction changed on April 1, 2011. The State Energy Conservation Office is pleased to announce the launch of an online video tutorial about the 2009 International Energy Conservation Code to support your continuing education efforts. This video focuses on the significant differences from previous Texas code to the 2009 IECC. The video also covers:

- code development and the adoption process
- energy savings for Texas;
- Texas climate zones; and
- an overview of the commercial and residential code.

Your members can watch the video at www.txbuildingenergycode.org. This updated Web site is devoted exclusively to Texas Building Energy Code and provides builders, architects, and city building officials the latest information on Texas codes, available training, and compliance tools.

Please share this information with your building officials association.

We are interested in other opportunities to promote the updated Web site, including trade shows, sponsorships, and advertising opportunities. Please contact Alison Nathan at 512-463-3868 or alison.nathan@cpa.state.tx.us if you would like to partner with SECO to increase awareness of the Texas Building Energy Code within the building community.

Thank you for your support,

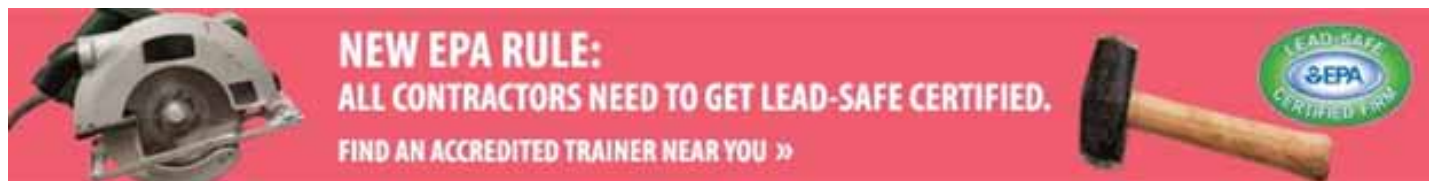
Alison Nathan
Building Energy Code Program Manager
Building Energy Code Outreach Data Services
Texas Comptroller of Public Accounts

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Renovate Right – USEPA Wants to Get the Word Out!



Lead poisoning exists – and it affects our communities, especially our children.

Almost everyone knows that lead is a highly toxic metal, affecting both children and adults. But everyone doesn't know that USEPA issued a new rule that went into effect last year, designed to reduce exposure to lead during renovation projects.

Exposure to lead, even in minute amounts, can result in irreversible damage, including lowered IQs, behavioral issues and even death. More than one million children are currently affected! Many children are exposed to lead's harmful effects as a result of dust and particles generated from paint used in homes constructed before 1978 – the year the US Consumer Product Safety Commission banned the use of lead-based paint for residential housing. During the more than 8.5 million renovation or repair projects occurring annually for this type of housing, much work needs to be done to ensure the use of lead-safe work practices to minimize children's exposure to lead paint hazards – particularly children under the age of 6.

USEPA Region 6 is asking for your help in educating professionals in the construction trades – the people you interact with daily as they apply for building permits. We have several publications explaining the new requirements, including lead-safe work practices, the dangers of lead, and other lead-related information. Will you consider partnering with us by distributing these free publications?

We will be happy to send you the materials to distribute – at no charge to your office. So give us a call, and we will work together to keep our children and communities safer and healthier.

Contact information:

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NEW MEMBERS CORNER!

George Dixon, Building Official, Baytown - Population 78,000

George came to Baytown from the private sector where he worked, since 2002, in the build environment with independent firms performing plan review and inspection duties. He started a new branch office in the State of Washington, and with the downturn in the economy, as we all know, issues arose, so he began his tenure as the Baytown building official in June 2010. His first encounter with the build environment came while he lived in Florida, which is where he obtained his many ICC certifications, along with the certifications required by the State of Florida. George has been a Certified Building Official since 2000 and enjoys his chosen profession very much. He enjoys the people he works with in Baytown, as they all seem committed to a job well done and enjoy keeping busy, which he says thus far has not been a problem. One of his favorite ways to help people is working through code compliance issues. His favorite saying is, "Use the Code as a Tool, Not a Weapon"—a saying we can all live by. He admires integrity most of all in people and would, if he could, sit down with Abraham Lincoln and just listen to what he had to say. When asked, "What is something most people don't know about you?" he replied, "I love to sail." He owns a sail boat, and he keeps it right down the street in North Carolina—yeah, the state. Maybe now that he's living close to the Gulf he will bring his sailing vessel down here.



He looks forward to working with BOAT in the coming years and being new to Texas, which we won't hold against him, because he is here now. He looks for guidance through the Texas Administration of Codes and the legislative process.

George has one daughter, who also loves sailing. He also enjoys wood working, not to sell in flea markets, but for his enjoyment.

Welcome, George Dixon, to the BOAT family! Let's grow together.

John R. Brown, MCP, CFM
BOAT Director at Large

Ronald (Ron) Grider, Director of Building Safety, Charles Abbott Associates

Ron has been in the build environment for 29 years—13 years as a general contractor and 16 years with Charles Abbott Associates. He has worked mostly in California and Nevada; however, back in October 2010, Charles Abbott opened its office in The Woodlands, north of the Houston area.

When asked what he enjoyed most about his job, he stated being able to directly affect the life safety of persons who reside or work in structures he inspected. He also feels his greatest strength lies in being able to communicate with people and contractors—being able to have them feel he is on their side and that any items listed in an inspection report or contained in a plan review are items needed to meet minimum code and to provide life safety to the occupants, while coming away, if not happy, at least understanding the reasons for his decisions. Ron hopes his association with BOAT will help him build professional relationships while keeping him informed on statewide and local training opportunities.

BOAT News

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NEW MEMBERS CORNER!

(CONTINUED)

When Ron was asked what was something that most people would not know about him, he stated that he was an avid jazz enthusiast. Then he said he once played in a golf tournament (it was only his second time to ever play), and he was paired up with Wally Bailey, a past president of ICC. He said Wally was very gracious and patient for the entire round.

Ron is not currently married; however, he is engaged and has a beautiful four-year-old daughter. His hobbies are traveling and enjoying outdoor jazz concerts.

Welcome, Ron Grider, to the BOAT family!

John R. Brown, MCP, CFM
BOAT Director at Large

Charles Abbott Associates, Inc. (CAA) is a contract service provider to state and local government agencies. The expertise we provide to agencies includes the departmental functions of building and safety, city engineering/public works, environmental, and fire prevention. With 25 years of experience as a firm serving the public sector, CAA has earned respect in the industry for the outstanding service we provide our clients. The three new professional members to BOAT from CAA are Buster School, Greg Robinson, and Ed Chock.

Jim Olk, Building Official
BOAT TML Representative

Brad Newton, City Manager, Breckenridge - Population 6,000

Brad came to Breckenridge from Presidio. Brad is a fifth-generation Texan from the Ft. Stockton area. His ancestors arrived in the Ft. Griffin area in the 1850s. He has been in Breckenridge since March 14, 2011. Brad's especially pleased with assets that exist in Breckenridge (for example, a swimming pool, great facilities, good chamber of commerce, good group of organizations that want to see the city succeed). Brad has a wide diversity of hobbies, which include arrowhead hunting, pottery, wood carving, and photography. I told you that was a wide range. He feels his greatest strength is "Thinking outside the Box." If he had the opportunity, he would like to sit down and have dinner with Bob Bullock. He admires him very much, especially one of his quotes, "I don't care who gets the credit, as long as the job gets done." The quality Brad admires most in others is honesty. That is very important to him. He is looking for BOAT to provide information and training opportunities. Brad has a state license as a Master Electrician. His dad was in the electrical business for many years.

Oh yeah, I almost forgot—Brad also does Western reenactments with guns and horses and all kinds of cool stuff.

I tried to contact Brad on April 19, but I wasn't able to reach him because he was out fixing potholes. A working city manager—how cool is that? Brad has a wife named Peggy, and she's from Alaska. He has two daughters—Amanda, 25, who lives in Odessa and works for GSR as a tire saleswoman, and Angela, 22, who will graduate from UT San Antonio and is currently student teaching. Please join me in welcoming Brad Newton to the BOAT family. He is, without a doubt, the most interesting and colorful person I talked to today.

Randall R. Childers, CBO, CPM
BOAT Past President

BOAT News

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NEW MEMBERS CORNER!

(CONTINUED)

Reggie Jackson, Associate Training Specialist, Texas Engineering Extension Service (TEEX)

Reggie is a native Texan and has provided more than 25 years of service to the City of Fort Worth and the State of Texas. Reggie attended both high school and college in Fort Worth. His service includes ten-plus years as a firefighter/EMT and fire inspector, and 14 years as a state registered code enforcement officer, senior code officer, code supervisor, interim superintendent, and budgeted senior training officer—all positions with the City of Fort Worth. He is currently a training instructor of construction technology, safety, and codes with the State of Texas in affiliation with (TEEX) Texas Engineering Extension Services, a department of Texas A&M University. As an instructor, he has the responsibility of providing training and certification for the state's registered code officers. Reggie also has extensive knowledge of city, state, health, building, environmental, zoning, and fire codes.

Mr. Jackson's efforts to promote professionalism and develop better standards for all the code enforcement professionals in Texas are further exhibited in the initial code enforcement newsletter at the following link: <http://www.teex.org/updates/codeenforcement/march11.html>. I have had the privilege of working with Mr. Jackson, and I believe we are fortunate to have him as part of our organization.

When I visited with Reggie, I asked, "If you could have dinner with any one person, who would that be?" He thought about it, and his first answer was, "God, because he could answer any and all questions; however, it would probably be too mind boggling/blowing, and I don't know if this small brain of mine could handle such knowledge, so I would have to say I would want to sit and talk with President John F. Kennedy."

Reggie Jackson is a great addition to the BOAT family, and I personally look forward to all our new relationships and the benefits for all the membership.

*Scott McDonald, CBO
BOAT President*

Batsheba "Betty" Antebi, PE, Building Official, City of Dallas - Population 1,316,350

Betty manages a staff of 127 and is responsible for administering and enforcing building codes within the city. She has had a long history with the City of Dallas and a lifetime of experiences in the Metroplex area. Ms. Antebi's diverse experience with the City of Dallas has spanned more than 20 years in more than six major departments/program areas. Prior to coming to the City of Dallas, she worked with a couple of different engineering firms, including the U.S. Corps of Engineers. Betty obtained both of her degrees in the Dallas area, notably her bachelor's degree from The University of Texas. Please welcome her to the association; we look forward to hearing more from our distinguished colleague.

*Scott McDonald, CBO
BOAT President*

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MARK YOUR CALENDAR

May 16-22, 2011

2011 ISPC/IGCC Code Development Hearings in Dallas

May 23-27, 2011

Arlington Building Professional Institute

October 11 – 14, 2011

TML Annual Conference and Exhibition, Houston

October 30 – November 6, 2011

2011 ICC Annual Conference and Final Action Hearings, Phoenix, AZ



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