

PUBLIC WORKS COMMITTEE REPORT

March 9, 2011 10:35 AM

City Council Chambers

Members Present: Jason Wiener (chair), Ed Childers, Lyn Hellegaard, Bob Jaffe, Marilyn Marler, Renee Mitchell, Pam Walzer, Jon Wilkins, Cynthia Wolken

Members Absent: Dick Haines, Stacy Rye, Dave Strohmaier

Others Present: Don Verrue, Tim Netley, John Hendrickson, Jerry Ballas, Scott Holgate, Roger Peterson

I. ADMINISTRATIVE BUSINESS

A. Approval of the minutes of – [March 2, 2011](#) – Approved.

B. Announcements – None

C. Public Comment on Non-Agenda items – Jason Wiener stated that there were two new referral items coming forward on potholes and parking. Potholes would be discussed on the 16th and parking, along with the appointments to the parking commission, would be discussed on the 23rd.

II. CONSENT AGENDA ITEMS

1. Consider an ordinance amending Missoula Municipal Code Chapter 15.32 Entitled “Building Permits,” Providing for Low Voltage Permits. ([memo](#))—Regular Agenda (Don Verrue) (Referred to committee: 02/07/11) ([Update](#))

Motion: The committee recommends the City Council set a public hearing on April 11, 2011, to consider an ordinance amending Missoula Municipal Code, Chapter 15.32 entitled “Building Permits,” providing for low voltage permits.

Don Verrue, Building Official, expressed his appreciation to all the experts involved in discussing and outlining the low voltage permit issues. The group made the following determinations:

- A permit would only be required for commercial, industrial, and multi-family applications (3-plex and above).
- It was recommended that installations associated with a building permit would not require a low voltage permit because there would already be an inspector present for the building permit and the electrical permit.
- The installation of new cable in existing pathways, or cable runs, would not require a permit as long as the existing pathways were in compliance with the codes.
- The City was in the process of putting together a checklist as an educational tool so installers would know what to expect and what they needed to do in order to meet the national electric code requirements.
- A flat fee of \$64, per commercial low voltage permit, would be charged during the first six months after the adoption of the ordinance.
- Fees would be based on the project cost, which is the cost of all labor and materials to complete the low voltage project. Electrical materials furnished by the owner must be included in the total low voltage project cost, and devices would not be included in the total cost in determining the low voltage permit fee.

Mr. Verrue stated that the last language included in the requirements would be standard permit language indicating that the permit would expire, etc. He further explained that the group still agreed with the ordinance language and the fee schedule and it would be kept as is.

Jason Wiener asked if the recommendations would be translated into the ordinance. Mr. Verrue indicated that the Building Division's administrative rule would include the recommendations, but the fee schedule would be included in the ordinance.

Ed Childers asked if a low voltage permit would be required if there was already an existing building permit. Mr. Verrue said no. Mr. Childers then clarified that if a low voltage system was installed after a building permit was finalized then a low voltage permit would be required. Mr. Verrue said yes, then a new permit would be required.

Bob Jaffe wondered who would be responsible for any problems with a low voltage system installation in a building with a current building permit. Mr. Verrue stated that it would be the responsibility of the general contractor. Mr. Jaffe then asked if there were any exemptions to the permit requirements for smaller installations. Mr. Verrue explained that there were no exemptions for any installations and permits were required even with a small project. Mr. Jaffe felt that the requirements needed to be better defined, especially in cases where one work station was installed. Mr. Verrue explained that language could be added to the administrative rule which would better define projects that did and did not require permits and he asked Mr. Jaffe for suggestions. Mr. Jaffe said he would get back to Mr. Verrue with some suggested language. Mr. Verrue asked if the administrative rule could be worded to require a permit only when there was penetration of a fire wall. Mr. Jaffe thought that could work. Mr. Verrue stated that his concern was that many people did not understand what a fire wall was and may have no idea if they were breaching one. Mr. Jaffe's hope was that someone would come forward and create requirements for small installations.

Pam Walzer suggested that if a wall was not penetrated, and there was no floor or ceiling penetration, maybe that language would work. She could not see installations hanging from a baseboard on an outside wall causing any life safety issues. It could be defined by where the run was going and what it was affecting. Don agreed that language could be drafted about penetration of the floor, wall, or ceiling.

Jason Wiener asked if the seven bullet points on the Low Voltage Committee Recommendations would make up the administrative rule. He thought it would be more helpful to have the administrative rule in front of the committee so they would know when a permit was being required and when it would not be. Mr. Verrue stated that the administrative rule would be ready for the public hearing.

Scott Holgate from the university explained that the purpose of the permit and the requirements were solely for commercial installations. A permit would not be required for cable in a temporary use situation. The commercial installation permit was also for a controlled, permanent space, for example, a wall outlet to a hub. He felt it was also a better idea to base the permit on pathways and not distance of cable being installed and if the cable being used would penetrate a wall and leave gaping holes. Using pathways also made more sense when it came to life safety issues.

Ms. Walzer asked how the situation of a small software company, in a small room, installing cords along the outside of a wall along a baseboard where the cable was not passing through a fire wall could be addressed. Don deferred to Mr. Holgate or Tim Netzley. Mr. Holgate explained that, although ugly, it would not be illegal since the cable was not penetrating a fire wall, or in a controlled/restricted space or plenum where the type of cable would need to be specified for use above a drop ceiling. Mr. Holgate wondered how to define it even if distance of cable was used to determine if a permit would be needed, but then the discussion would be back where it started. Ms. Walzer thought language about what Mr. Holgate was discussing with restricted space could be used.

Mr. Wiener stated that the motion was to set a public hearing for March 28th but he asked if the hearing could be set for April 11th instead. Mr. Verrue said it was fine.

John Hendrickson, with MBIA, thanked Mr. Verrue and Mr. Netzley for working with contractors in the community on the permit requirements.

Jerry Ballas from the university also thanked Mr. Verrue for having the professional community involved in the process. He felt that the most important issue was life safety and that was what needed to be addressed in

the ordinance and the fee for the permit. Low voltage installations were becoming more and more critical with life safety and the installations needed to be reliable.

Jon Wilkins made the motion to set the public hearing for April 11th. He also thought it was great that all interested parties were able to get together and work out solutions with the permit requirements.

The motion carried unanimously and the item was placed on the consent agenda.

III. HELD AND ONGOING AGENDA ITEMS

1. Discussion on the sizes of grease interceptors for the restaurant industry ([Grease Interceptor PowerPoint](#)) ([memo](#)).—Regular Agenda (Stacy Rye and Bob Jaffe) (Referred to committee: 04/21/08)
2. Review infrastructure conditions at the locations of serious and fatal traffic accidents: 2007-2009 ([memo](#)).—Regular Agenda (Jason Wiener) (Referred to committee: 01/25/10)
3. T4 America partner support ([memo](#)) – Regular Agenda (Stacy Rye) (Referred to committee: (Referred to committee: 08/16/10)
4. Presentation from Public Works staff regarding proposed process for finding contractors and awarding bids for reconstruction of Russell Street. ([memo](#))—Regular Agenda (Bob Jaffe) (Referred to committee: 11/15/2010)
5. Resolution to change the speed limit on Reserve Street between Brooks and 39th Street. ([memo](#))—Regular Agenda (Wayne Gravatt) (Referred to committee: 01/24/11)
6. Discuss the city's strategy to patch the plethora of potholes on Missoula's streets. ([memo](#))—Regular Agenda (Dave Strohmaier) (Referred to committee: 03/07/11)
7. Update from the Parking Commission. ([memo](#))—Regular Agenda (Bob Jaffe) (Referred to committee: 03/07/11)

III. ADJOURNMENT

The meeting adjourned at 11:06.

Respectfully Submitted,
Heidi Bakula, Program Specialist
City Public Works Department