

Code tiff has Phoenix seeing red

Intense lobbying preceded vote on construction rules

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Who would have thought a decision as mundane as choosing a building code could cause such a ruckus?

But that's exactly what happened last week at Phoenix City Hall, where elected officials accused hired guns of trying to unduly influence their vote on the issue via political threats and heavy-handed lobbying tactics.

"It just got ridiculous," Vice Mayor Peggy Bilsten said of the efforts to sway the council. "At one point I just quit responding to e-mails and taking calls and visits."

The city set out to replace its current, and outdated, set of construction regulations, called the Uniform Building Code. But officials struggled with whether to use a set of standards known as NFPA 5000 or the more commonly used International Building Codes, called the "I-Codes."

Both books cover every important aspect of a how a building is constructed, from its frame to the electrical and plumbing that goes inside.

In recent months, two opposing groups - the Safety First Coalition and the International Code Council - have been vying for council support of their preferred code.

There have been e-mail campaigns, meetings, letters, phone calls, even threats of political retribution.

Things escalated last week as the council prepared to decide the issue once and for all.

In the days before the vote, the Safety First Coalition, which supported the NFPA 5000 rules, blanketed city residents with automated messages in support of the code.

According to a script provided by Goodman Schwartz, the consulting group that organized the call blitz, the message asked residents to encourage their council members to "join with neighborhood leaders and people with disabilities by putting safety first" and to oppose "the new citywide building code written by developers and builders."

But some at City Hall said they were told the message included a scare tactic: the voice of a woman who said her son died after a pipe exploded in her house. The message allegedly left listeners with the impression that the other code was unsafe.

But David Schwartz said no such thing was said in the messages his company sent out.

"We had a base script, and there may have been slight deviations in the wording," said Schwartz, a member of the Safety First Coalition. "But that is absolutely false, a complete fabrication of the truth."

Officials said one of the most egregious displays of pressure came from the International Code Council, which wanted the council to adopt its rules. The ICC ran a full-page ad in Wednesday's *Arizona Republic*, thanking City Council members for "supporting the unanimous recommendation of the Code Review Committee" and adopting the I-Codes.

Council members were furious with the \$5,600 advertisement because it ran before they voted and claimed the committee's recommendation was unanimous. It was a 5-4 split in favor of adopting the I-Codes.

Councilman Claude Mattox likened the antics of both groups to "a circus."

"This has been like a long root canal," Mattox said. "The tactics that have been used to lobby us, the pressure that's been put on staff, those things are reprehensible."

On Thursday, political analyst Chuck Coughlin, whose firm, High Ground Inc., placed the ad on behalf of the ICC, said he was sorry if anyone was offended.

"Our intent was not to upset people," he said. "It was not meant to be presumptive, but rather to thank them for their hard work, for doing the job they did."

So what are the major differences between the two codes that sparked such a ruckus?

Most people can't even tell. Those who have spent months - even years - studying the codes say that both are lengthy, technical documents, and that few people are expert enough in all sections to say specifically how they differ or whether one is better than the other.

Mattox went so far to say that the scuffle between the two sides was less about safety and more about financial gain.

"My feeling is that this is more about who gets to control the codes and who gets to make the money off the publication of the code (books)," he said.

In the end, council members followed the staff's and the advisory committee's recommendations and voted 6-3 to adopt the I-Codes.

But in making their decision they said they believed that either code would serve residents well.

"Neither code would negatively affect the city," Mayor Phil Gordon said.

The code that was adopted will need to be amended to work with Phoenix's unique characteristics and ordinances and likely will not go into effect until late next year, said Alton Washington, special assistant to the city manager.

In the meantime, officials say they are just breathing a sigh of relief that the arduous process is behind them.

"I am just glad we finally settled on a code," Washington said. "That's really all we wanted."