

CODES FORUM

a publication of BOCA • ICBO • SBCCI



ICC Considers Its Future

Armed with the actions on resolutions by the members of the model code organizations at their respective annual conferences, the Board of Directors of the International Code Council considered the future of the ICC at their November 11-12, 2000, meeting.

Bylaws Changes

In order to accentuate the focus on the future of ICC and enhance the effectiveness of the ICC Board of Directors, the board unanimously voted to eliminate the positions of the president, vice president, and secretary/treasurer currently occupied by the chief executive officers of the three ICC statutory members. With this change the ICC Executive Vice President becomes the

general manager and chief executive officer of the council. This change will allow a more direct involvement of the board in leading the organization as the code officials of this country unite to promote building safety under the ICC umbrella.

Consolidation of Services—A First Step

The board agreed to begin the consolidation of all ICC code development activities within the ICC organization. An organizational mechanism being developed within ICC will assign responsibility to various Code Councils to oversee code development committee activities such as committee appointments, arrangement and

(continued on page 2)

ICC Makes Progress on the Development of Code Provisions for Existing Buildings

In the fall of 1999 the International Code Council (ICC) Board of Directors appointed the International Existing Building Code (IEBC) Drafting Committee. The drafting committee was assigned the task of developing state-of-the-art code provisions for existing structures.

Existing building provisions have become of more interest to all jurisdictions as the buildings of our country have aged and must be serviced for their continued safe use. The traditional approaches to regulation of existing buildings have been published by the model code organizations for many years. Building Officials and Codes Administrators International (BOCA) established provisions for existing structures in Chapter 34 of the *BOCA National Building Code* (BNBC), the *BOCA National Fire Prevention Code* (BNFPC) and the *BOCA National Property Maintenance Code* (BNPMC), while the International Conference of Building Officials (ICBO) and the Southern Building Code Congress International (SBCCI), in addition to the existing buildings provisions in the *Uniform Building Code* (UBC), the *Standard Building*

Code (SBC), and other related codes such as the Fire and Property Maintenance codes, published separate and comprehensive provisions in the *Uniform Code for Building Conservation* (UCBC) and *Standard Existing Buildings Code* (SEBC). The collective efforts of the three model code organizations to develop one family of comprehensive and correlated codes finally led to the creation of the entire family of *International Codes*. Chapter 34 of the *International Building Code* (IBC) regulates existing structures with the help of complementary provisions in the *International Fire Code* (IFC), *International Property Maintenance Code* (IPMC), *International Plumbing Code* (IPC), and the *International Mechanical Code* (IMC).

Barriers to Rehabilitation

The approach to regulating existing buildings in the early, and in some cases the original, model codes was significantly improved approximately 20 years ago when the old "25 – 50 percent rule" for alterations and

(continued on page 2)



ICC's Future (continued from page 1)

conduct of public hearings, and other such activities. Operation of the Code Councils will be overseen by an ICC Code Development Board.

The board also agreed to begin the establishment of a consolidated ICC National Certification Program. Standardization of certification will better serve the code professional under the single family of I-Codes. Additionally, a single national program will also streamline and bring cost efficiency to the certification process.

Code Development Procedure Changes

The ICC Board of Directors approved several actions intended to enhance the continued development of the coordinated, comprehensive and contemporary family of codes that espouse the broad-based principles of building performance and the purpose of safeguarding public health, safety, and welfare. These latest changes reflect ICC's continued commitment to a consistently open, balanced and inclusive code development process.

The board revised the ICC Code Development Procedures to allow all members of BOCA, ICBO and SBCCI in attendance at the initial code development public hearings to vote on floor motions during assembly consideration of code development committee actions. With this change, voting during assembly consideration is no longer limited only to code officials.

The board also approved a proposal for remote voting on final actions in September 2001 where the broadcast of proceedings is available to the voters.

Interest Categories to Be Established

A proposal to establish interest categories for members serving on ICC codes and standards development committees was approved by the board. Each of the ICC codes and standards development committees will be able to have representation from all appropriate interests in the matters within the committee scope. Each of the committee representatives will be assigned to one of three categories: General Interest, User Interest or Producer Interest. The ICC is an ANSI-accredited organization for standards development for which such categories are needed. ICC is beginning the development of several new standards and is seeking nominations for standards development committee members.

18-Month Code Development Cycle

Another action by the board revises the length of the code development cycle from the current 12 months to 18 months, beginning in 2003. The new 18-month cycle retains two code change cycles between code editions, which are published every three years. The first cycle public hearings will be held at a joint conference in September 2003. A joint conference is also being planned for 2005. This expanded cycle provides additional time for the development and evaluation of code change proposals, permits publication of the code or supplement before the deadline for submission of code change proposals, and does not increase the cost of production of the International Codes.

Existing Buildings (continued from page 1)

repairs was abandoned in favor of provisions that allowed more flexibility in the approval process. The 25 – 50 percent rule based the extent of compliance with the provisions for new construction on the cost of alterations compared to the value of the structure. If the cost of alterations was 25 percent or less of the structure's value, the alterations could be done in the same manner and with the same materials as existed in the structure before the alterations were undertaken. If the cost exceeded 50 percent of the value, the code requirements for new construction were applicable; that is, the building was treated as though it were new construction. Between 25 percent and 50 percent, the code official was authorized to determine the extent to which the portions altered were required to conform to the requirements for new construction.

The difficulties with this approach were many. There was no definition or standard criteria established for determining the value of the structure. Physical value, replacement value, market value, book value are all terms that have different meanings and were available for use (or abuse) in establishing value. A broader problem was that, even discounting the subjective nature of how to determine value, using value to determine the extent of code compliance was totally arbitrary and a poor indicator of the effect of alteration work on the fire- and life-safety attributes of the structure. At the low end, alterations could be undertaken that significantly impacted the means of egress, but if valued at less than 25 percent of the structure's value, upgrading the means of egress would not be required. At the high end—over
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Existing Buildings (continued from previous page)

50 percent—which is where the greatest difficulties existed, the mandate that the entire building meet the requirements for new construction was arbitrary and in many cases impractical to achieve. It often required work to be done to bring the structure into compliance that was not within the scope of the project and in the extreme could result in abandoning a rehab project altogether due to economic infeasibility.

The model codes abolished the 25 – 50 percent rule by eliminating the need to calculate value of proposed work and value of the existing structure and expanding the former “between 25 percent and 50 percent” concept. That is, for any scope of alteration, the code official determines the extent of code compliance required for the project. This was a substantial improvement as it eliminated the most significant barrier to rehabilitation that was attributed to the codes. The current approach has been working reasonably well, certainly better than the old 25 – 50 percent rule, but is dependent on the willingness of the code official to exercise judgment in the approval process. It has been recognized that there is still room for improvement under the current process. The substantial latitude and flexibility of the current system, by its nature, produces nonuniformity jurisdiction to jurisdiction and state to state. Further, designers and builders are faced with uncertainty in what requirements will apply to their project at the initial design stage. While these difficulties can be minimized when there exists early and frequent communication between the designer and the code official, effective communication does not always prevail, and even in the best of circumstances, it is an administratively intensive process. The IEBC efforts are aimed at further improving this process by bringing more uniformity and predictability to the regulation of existing buildings.

The IEBC Drafting Committee consists of 12 members, both code officials and non-code official professionals, each with extensive background and experience in code development, code enforcement and design. Additionally, a number of individuals representing national organizations with diverse interests participate actively and help the committee and staff in the process of IEBC development.

The Mandate

The committee began its work early in 2000 and emphasized that the IEBC provisions should result in consistent interpretation and enforcement in their application. An original list of resource documents consisting of 32 codes, standards and other documents related to structural and nonstructural aspects of existing buildings was developed. This list has evolved and now

includes many other articles and research papers. It was agreed that the committee should do the work of carefully reviewing the resource documents for consistency with the *International Building Code*[®] (IBC). The IBC Chapter 34, Existing Structures, was considered the philosophical base for the IEBC provisions.

Certain incentives are needed for voluntary improvement of the condition of existing structures and the financial implications need to be brought to the attention of code users in some way. As a result of this and other extensive discussions, the committee agreed on the following mission statement and goal:

Mission Statement: The IEBC Drafting Committee will develop a comprehensive document (code or guide) that will provide direction and understanding of regulations for existing buildings in the *International Codes*.

Goal: The goal of the IEBC is to encourage use and re-use of existing buildings while requiring reasonable improvements or upgrades.

Presentations were made by experts covering the philosophy and main thrust of several documents including: Draft Code for Historic Building (A Project of the Association for Preservation Technology International), several ASCE Standards and other ASCE documents, NFPA 101A, IBC Section 3409 (Compliance Alternatives), seismic retrofit provisions of the UCBC, the New Jersey Code (NJ), the Nationally Applicable Recommended Rehabilitation Provisions (NARRP), 2000 Draft of the UCBC and the Massachusetts Code. Task groups and subcommittees were formed to study specific issues and report back to the full IEBC Committee. Such task groups include: Historic, Structural, NFPA 101A/IBC 3409, NJ/NARRP/UCBC, Maintenance/Retrofit, Relocated and Moved Structures, Additions, Categories of Work (Definitions) and Materials and Methods. It was agreed that the draft IEBC be developed using the NARRP structure and in keeping with the stepped and proportional approach.

Critical Issues

The more than one year of discussions and debates have identified many critical issues, one of the most important of which is how to encourage continued use and re-use of existing buildings by providing incentives for the owners and at the same time achieve a certain degree of improvement in the safety of such buildings. In the case of two similar buildings, if one owner decides to make certain improvements, the process will most likely result in other code-mandated improvements. The

(continued on page 4)



Existing Buildings (continued from page 3)

process of permitting, approvals and inspections is also complex, costly and sometimes an unexpected nightmare. This phenomenon in many instances causes owners to refrain from taking any steps for improvement of their buildings. As a result, the demise of many existing older structures has become a familiar scene.

This is a dilemma that must be addressed from a public policy as well as a technical perspective. Should voluntary improvements, whatever their extent, be allowed without such improvement triggering an upgrade of certain other elements in the building? Or should this opportunity be used to achieve a higher level of safety, particularly the safety of the building occupants? If a certain level of mandatory improvement is expected, then what would trigger the requirement of such improvement? Many view the fire code as the absolute minimum base with which all buildings must comply. Others believe that compliance with the provisions of the code under which a building was legally built should be the minimum. Beyond the baseline, supplemental requirements should be established. The two-tier system of baselines and supplemental requirements could be triggered based on the concept of proportionality: The more work involved, the more mandatory improvement would be required. Here the triggers for various levels of work must be identified and the extent of such improvement and the building elements involved might be different based on the occupancy classification and building use.

The concept of more work, more improvement necessitates a definition for "work area." The definition of "work area" must be drafted such that it would properly fit into the systematic approach and philosophy used. Different categories of work must also be identified and defined. The two traditional approaches to the work categories have been that of the NARRP, with seven categories consisting of *Maintenance, Repair, Renovation, Alteration, Reconstruction, Addition and Change of Occupancy*; and that of the model codes, with five categories consisting of *Maintenance, Repair, Alteration, Addition and Change of Occupancy*.

Seismic and Structural Assesment Considerations

For structural-related provisions, in addition to all of the issues already discussed, other more specific concepts

such as stress limitation for "dangerous," collapse prevention and the effects of various catastrophic events must also be considered. Seismic retrofit guidelines have been used successfully for many years, mainly in the Western states. These guidelines have been developed with the active participation of structural engineers, especially the Structural Engineers Association of California (SEAOC). The guidelines address specific remedies for problems such as Unreinforced Masonry Bearing Wall Buildings, Reinforced Concrete and Reinforced Masonry Wall Buildings with Flexible Diaphragms, Wood Frame Residential Buildings with Soft, Weak or Open Front Walls and Concrete with Masonry In-fill Buildings. Parallel to these guidelines, are other more comprehensive documents, which have been presented to the IEBC Drafting Committee for consideration as reference or alternate methods. These documents include SEI/ASCE 11-99, Guidelines for Structural Condition Assessment of Existing Buildings; the updated version of FEMA 310, ASCE Standard for Seismic Evaluation of Existing Buildings (yet unnumbered); and FEMA 356, Prestandard for the Seismic Rehabilitation of Buildings.

Meetings and Public Forums

The meetings of the IEBC Drafting Committee have been scheduled on a regular basis every two or three months, with the first meeting of 2001 scheduled for mid-February in Nashville, TN. The committee will be holding a public forum during the ICC Code Development Hearings of March 18 through 31 in Portland, Oregon. Additional public forums may also be held before the final draft of the IEBC is placed through the ICC's code development cycle.

With the completion of the public hearings and code development process, ICC will publish the best of the comprehensive provisions for existing buildings for use across the country and beyond.

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FORUM NEWS

ICC Publishes Housing Accessibility Requirements

The International Code Council, Inc. recently announced the publication of the *Code Requirements for Housing Accessibility* (CRHA). The requirements contained in this document constitute a safe harbor for compliance with the Fair Housing Act's accessibility requirements. Presented in a form readily adoptable by any state or local jurisdiction, the CRHA will enable jurisdictions that adopt these codes to enforce provisions that are at least equivalent to the act's requirements through their routine code enforcement activities.

As state or local jurisdictions adopt and enforce the requirements contained in the CRHA, thousands of code officials across the country will be able to determine that buildings have achieved compliance with provisions that are at least equivalent to the act's requirements.

Part of an initiative begun in conjunction with the National Association of Homebuilders (NAHB) and the U.S. Department of Housing and Urban Development (HUD) in 1997, the aim of the CRHA is to bring together contemporary and up-to-date provisions from model codes and consensus national standards that will meet or exceed the minimum requirements of the federal civil rights law, regulations and the *Fair Housing Accessibility Guidelines* (FHAG). This effort incorporated a comprehensive review of the 2000 *International Building Code*® (IBC), the 2001 *IBC Supplement*, and the *ICC A117.1 - 1998 Standards for Accessible and Usable Buildings*.

State and local building code enforcement will increase the accessible housing stock more effectively and pro-actively than the enforcement mechanism available under the act, without reducing the federal government's authority to pursue enforcement under the civil rights law. Additionally, confusion and unpredictability for the industry will be substantially reduced as architects, builders and developers encounter requirements written in traditional code language and can operate within the familiar code enforcement system.

A jurisdiction anticipating the adoption of the 2000 IBC can adopt the CRHA as an interim measure to provide enforceable provisions that would provide the desirable safe harbor until such time as the 2000 IBC with the 2001 IBC Supplement is adopted.

Copies of the CRHA can be obtained by contacting one of the three model code organizations:

BOCA: (800) 214-4321

ICBO: (562) 699-0541

SBCCI: (800) 877-2224

International Building Safety Week April 8 - 14, 2001

International Building Safety Week (IBSW), April 8 through 14, will promote the use and understanding of construction and building codes worldwide. Since 1980, this annual event has helped building department personnel demonstrate to the people they serve how the construction of safe, sound and accessible buildings is achieved.

Organized cooperatively by Building Officials and Code Administrators International, International Conference of Building Officials, and Southern Building Code Congress International, IBSW is the perfect opportunity to promote a lasting public interest in the work of building departments.

Contact your model code organization for the 2001 IBSW Campaign Kit, which includes sample press releases and letters to the editor, a poster and activity book, as well as other promotional materials.

I-Codes™ Recognized as Year's Single Greatest Achievement

Keeping track of the myriad code requirements for windows and doors has always presented a challenge to the industry. When different codes contain different testing requirements, it can represent a significant expense, as well.

Although acknowledging that state and local codes will continue to feature their own unique elements, *Window & Door* magazine lauded the three model code organizations for taking a giant step forward toward addressing that variability when, more than five years ago, they sat down to develop a single set of comprehensive and coordinated international codes.

The joining of BOCA, ICBO, and SBCCI to create one code represents a significant achievement, also recognized recently by the American Institute of Architects. In presenting the heads of the three model code groups with a special citation, Michael J. Stanton, AIA president,

(continued on page 6)



Forum News (continued from page 5)

credited the leaders for recognizing an emerging threat to America's design and construction industry. "You saw there was a need to maintain this country's competitive position on a world scale by simplifying and clarifying the regulatory process," said Stanton. "You understood the wisdom of working together—on behalf of the national and international building community. You appreciated the savings of time, money, and human creativity that could be passed on to the public we all serve."

Despite some provisions that may not please everyone in the window and door industry, and despite the fact that universal acceptance of the *International Building Code* and the *International Residential Code* is not yet a reality, the potential benefits to the industry are numerous.

More uniform code requirements simplify activities for window and door manufacturers and distributors working in multiple states and localities. Theoretically, determining what the local code requirements are for each application will become less burdensome. Moreover, a single building code is likely to be more universally adopted, as state and local officials are less likely to pick and choose among the provisions of what were three model codes and less prone to develop alternative requirements unless local conditions dictate. A single family of codes could also represent a savings of time and money in testing various products to show compliance with many different code requirements.

Builders Applaud ICC for Adding Affordability to Code Criteria

The National Association of Home Builders (NAHB) applauded recent action by the International Code Council to add "affordability" to the purpose statement section of the *International Residential Code*.

"This will greatly benefit new home buyers and is an important victory for NAHB, which has long advocated making housing affordability a consideration when residential building codes are developed," said NAHB President Robert L. Mitchell, a home builder from Rockville, Maryland.

"Throughout the IRC drafting process, NAHB sought to have housing affordability recognized as a legitimate concern when establishing minimum requirements for a residential building code," said Mitchell. This action brings the IRC into agreement with NAHB policy, which calls for "a simple, user-friendly and stand-alone residential building code that includes housing affordability as a major criterion in its development."

National Park Service to Use Family of International Codes

In the 84 years since its creation, the National Park Service (NPS) has grown from 40 parks and monuments to today's 378 areas covering more than 83 million acres in 49 states, the District of Columbia, American Samoa, Guam, Puerto Rico, Saipan, and the Virgin Islands. These areas are of such national significance that they justify special recognition and protection in accordance with acts of Congress. The NPS is caring for the American legacy by conserving the scenery and natural and historic objects of our country and ensuring they remain sound for our enjoyment and for the enjoyment of future generations.

The NPS, in its mission to provide not only enjoyment of our historic sites but also to provide for the health and safety of their employees and visitors, has adopted NPS Director's Order #50B, which, in part, reads, "The International Family of Codes, primarily the *International Building Code*, will be used in all new and remodeled buildings. . . ." ICC supports the mission of the National Park Service and looks forward to working with NPS to continue the preservation of America's historic sites.

Cuomo Appoints Members of U.S.-Israel Binational Commission on Housing

U.S. Department of Housing and Urban Development Secretary Andrew Cuomo recently appointed 20 members of the American delegation to the newly formed U.S.-Israel Binational Commission on Housing and Community Development.

During a trip to the Middle East in June of 2000, Secretary Cuomo joined then-Israeli Construction and Housing Minister Yitzhak Levy in signing an historic joint agreement to create the commission, the first-ever formal housing agreement between the United States and Israel.

The commission is designed to bring American and Israeli experts together to learn from each other and to develop new ideas and projects that can be used to benefit both countries by:

- expanding the supply of affordable housing,
- helping to increase home ownership,
- creating jobs and helping businesses grow as part of an effort to revitalize communities, and
- making improvements in construction technology and architecture to allow housing to be built at a higher quality and lower cost.



ASHRAE to Strengthen Involvement in Model Code Development

The American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) recently formed a committee to increase the society's participation in the development of model building codes. "This committee will provide ASHRAE with a stronger voice in development of U.S. model building codes," said Bruce Hunn, ASHRAE's director of technology. "The committee will provide ASHRAE consensus recommendations for code changes, as well as review and take positions on code changes proposed by others to U.S. model building codes."

The Code Development Committee, which reports to the existing Code Interaction Subcommittee, will prepare consensus-developed recommendations on proposed revisions to various codes, primarily those of the International Code Council. Currently, no formal mechanism exists within ASHRAE to develop consensus recommendations on codes, according to Hunn.

The committee will consider proposed code changes suggested by ASHRAE members. Such changes will first be put out for internal public review by ASHRAE members. Once consensus has been reached within ASHRAE, the proposed changes will be submitted to the appropriate model code group. The committee also will consider comments from ASHRAE members on proposed changes from other organizations.

Call for Committee Members: ICC to Develop New Safety Standards

The ICC Board of Directors has approved the development of five new safety standards for the built environment. They are the Standard for Determining Impact Resistance from Windborne Debris, Standard for Determining Wind Resistance of Concrete or Clay Roof Tiles, Standard for Soil Expansion, Standard for Hurricane Resistant Residential Construction, and the ICC Amusement Device Code.

These standards are intended to work in conjunction with the ICC *International Building Code* and other model building codes, and will be developed under the ANSI-approved Consensus Procedures of the International Code Council. ICC is accepting applications for membership on these committees.

Interested parties are encouraged to obtain an application form from the ICC web site at www.intlcode.org, or by calling ICC at (703) 931-4533.

Program Manager Joins ICC Staff

Lawrence Brown, CBO, has joined the International Code Council as Program Manager. Brown comes to ICC from the National Association of Home Builders (NAHB), where he served as a Construction, Codes and Standards Specialist.

2001 ICC Code Development Hearings

March 18 - 31

(tentative)

DoubleTree Hotel Columbia River Complex

909 N. Hayden Island Drive

Portland, Oregon 97217

(503) 283-4466

Hotel Reservations:

To make your hotel reservation, call (503) 283-4466 and ask for the special ICC Code Hearing room rates. DoubleTree Hotel Columbia River Complex is just minutes from the Portland International Airport, downtown Portland and Vancouver attractions.

Guest Room Rates:

- Single/Double/Triple/Quad Occupancy \$90.00

Government per diem Room Rates:

(limited availability)

- Single/Double/Triple/Quad Occupancy \$77.00

Cut-off date for guest room rates—March 3, 2001

Transportation:

Complimentary courtesy van service to and from the Portland International Airport every 30 minutes from 6 a.m. through 11 p.m. daily. Fifteen minutes travel time from airport to hotel via complimentary hotel transportation.



Calendar of 2001 Events

February

- 6 – 8 Construction Safety Council Conference and Expo, Rosemont, Ill.
- 9 – 12 International Builders' Show, Atlanta, GA
- 14 – 16 IEBC Drafting Committee - TBD

March

- 4 – 7 Plumbing Manufacturing Institute Spring Meeting, Marco Island, FL
- 12 – 14 Access Board Meeting - TBD
- 18 – 30 Code Development Hearings, Portland, OR
- 18 ICC Industry Advisory Committee, Portland, OR
- 24 Meeting of the Board of Governors of the World Organization of Building Officials, Amman, Jordan
- 24 – 25 ICC Board of Directors Meeting, Portland, OR

April

- 9 – 11 Australian Building Codes Board Conference, Queensland, Australia
- 14 – 16 ASTM Committee E06 on Performance of Buildings Standards Development Meeting, Pittsburgh, PA
- 19 – 21 National Technology Forum, Gaithersburg, MD

May

- 13 – 17 NFPA World Fire Safety Congress and Exhibition, Anaheim, CA
- 17 – 19 AIA Convention, Denver, CO
- 19 C.B.O. Examination, various locations

June

- 5 – 10 NAHB Spring Board of Directors' Meeting, Washington, D.C.
- 25 – 26 Government Relations School and Legislative Summit, Washington, D.C.

Codes Forum is a publication of the International Code Council. *Codes Forum* appears bimonthly in publications offered by the three members of the ICC: BOCA, ICBO and SBCCI. The International Code Council, established in 1994, is a nonprofit organization dedicated to developing a single set of comprehensive and coordinated national codes.

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