

## BIG BOX STORES UNDER SCRUTINY

PHOENIX, AZ WOULD be the latest city in the region with tough regulations on big box retailers if a new proposal requiring special permits is adopted. City officials say they want retail stores larger than 130-thousand square feet to go before the Planning Commission for approval. Scottsdale, Chandler, Peoria and Queen Creek already have special laws for larger stores.



Source: www.enr.com

NOW, IF THE plot is zoned correctly builders only have to make sure they meet rules on landscaping, signs, outside sales and distance from homes. The proposed new ordinance would allow restrictions on many other aspects of the store's operations as a condition of approval.

**EDITOR'S NOTE:** The codes need to address these store classifications. Some of these larger mercantiles are more like warehouses than your traditional retail use. Compared to a warehouse environment, these big box stores can have a high occupant load.

### ON THE INTERNET ☺ ☺ ☺


**VIRTUAL STAIRWAY DETAILS** of the *2006 International Residential Code* are available from the Stairway Manufacturers Assoc., at: [www.stairways.org](http://www.stairways.org). The illustrated rise and run charts and detailed illustrations are a good design tool in understanding the code.

**ENERGY CODES 101 - CODE 101** is a new, self-paced training tool for understanding the use and application of the energy codes. All versions of *REScheck* and *COMcheck* will soon offer users the option to specify Preference options. The *2006 International Energy Conservation Code (IECC)* compliance requirements will be included in the update. For more info go to: [www.energycodes.gov](http://www.energycodes.gov). These energy websites logged more than 3 million hits a month.

### LAW REVIEW

**MINNESOTA** - LAST MONTH I gave you the case of *State v. Arkell, 657 N. W. 2d 883 (Minn. Ct. App. 2003)* where a CEO of a construction company was found criminally liable for building code violations. As expected, the defendant appealed to the State Supreme Court who decided that building code statutes were held not to be strict liability offenses. The Court did not reach the issue of whether the Responsible Corporate Officer Doctrine would be applied had building code violations been found to warrant strict liability. Again, the playing of the legal games lets code violators off the hook. (Refer to the first page story on The Station nightclub convictions.)

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Kelly P. Reynolds

*"The Pure and Simple Truth Is Many Times Not Pure and Usually Never Simple."*