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**Public Works
Department**

711 W. Cinnamon Drive
Lemoore, CA 93245
Phone (559) 924-6735
FAX (559) 924-6708

Staff Report

ITEM 4-1

To: Lemoore City Council
From: David Wlaschin, Public Works Director
Date: August 14, 2014
Subject: Residential Water Heater Issue



Discussion:

Mr. Gerald McCarney, residing in the 600 block of Cayucos Street, wrote the Council on July 22, 2014 about an ongoing issue with his tankless water heater.

Mr. McCarney purchased a Daley home in the Silva Estates subdivision in September 2008. In November 2008, Mr. McCarney contacted the City of Lemoore regarding the possibility of improper venting of his tankless water heater. He claimed that natural gas from the water heater vent was blowing into his house. The builder, Daley Homes, had a plumber repair the vent and on December 17, 2008, Mr. McCarney wrote a letter to Daley thanking them for fixing the problem (see attached).

Mr. McCarney now says the problem has resurfaced. He has contacted the City numerous times to discuss this issue. The Building Inspector has gone out and inspected the vent and has determined that it meets California Code as well as the manufacturer's specifications (see attached).

Mr. McCarney has asked to address the City Council on this matter.

Budget Impact:

None

Recommendation:

For discussion only.

16840

GERALD MCCARNEY

December 17, 2008

Daily Homes John Davis
1356 E. Tulare Avenue
Tulare Ca 93274

Dear John

I want thank you for taking care of my problem with my water heater. Warren your plumber did a great job on the repair it looks so nice it should be in Rinnai water heater book.

Once again I am very happy that the problem has been fixed

Sincerely,
Gerald McCarney
Gerald McCarney

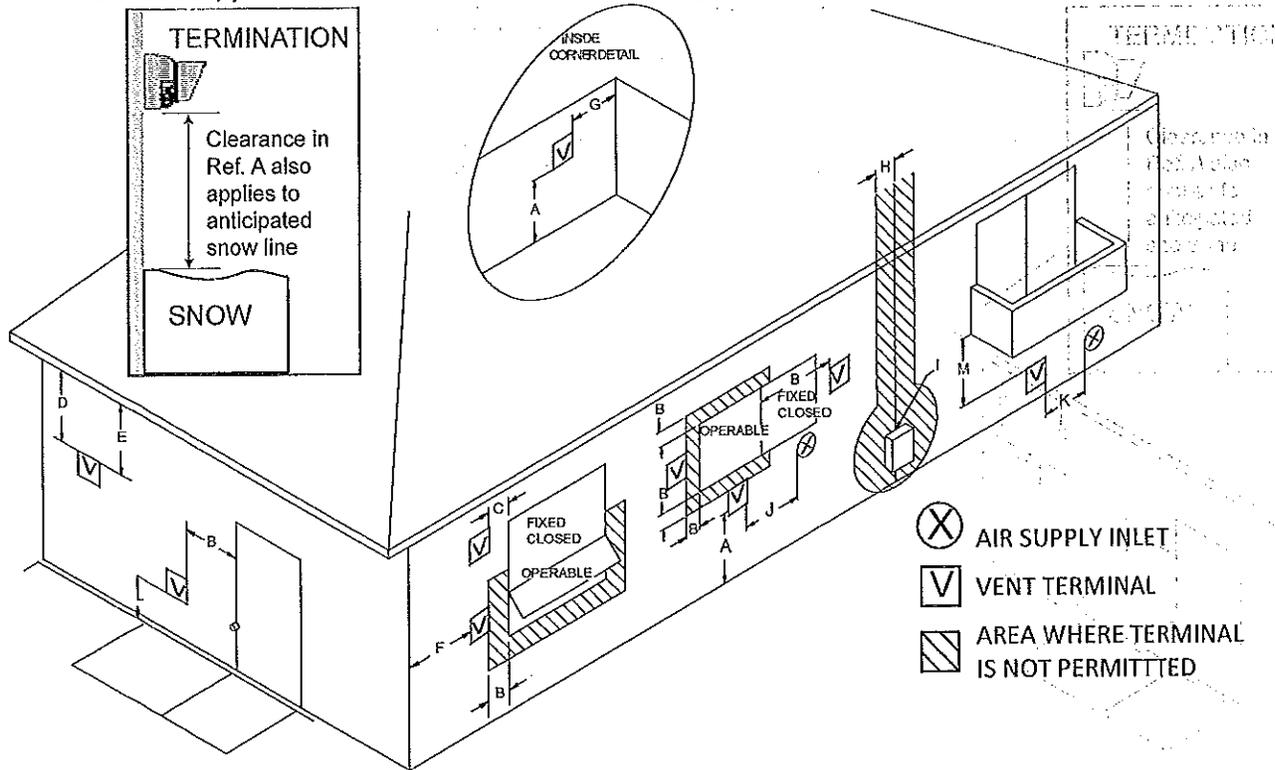
cc Rinnai Thomas Pinocchiaro

R.T. Henson

Vent Termination Clearances

Vent Termination Clearances

For indoor models, you must install a vent termination to bring in combustion air and expel exhaust.



Ref	Description	Canadian Installations	US Installations
A	Clearance above grade, veranda, porch, deck, or balcony	12 inches (30 cm)	12 inches (30 cm)
B	Clearance to window or door that may be opened	36 inches (91 cm)	12 inches (30 cm)
C	Clearance to permanently closed window	*	*
D	Vertical clearance to ventilated soffit, located above the terminal within a horizontal distance of 2 feet (61 cm) from the center line of the terminal	*	*
E	Clearance to unventilated soffit	*	*
F	Clearance to outside corner	*	*
G	Clearance to inside corner	*	*
H	Clearance to each side of center line extended above meter/regulator assembly	3 feet (91 cm) within a height 15 feet (4.5 m) above the meter/	*
I	Clearance to service regulator vent outlet	36 inches (91 cm)	*
J	Clearance to nonmechanical air supply inlet to building or the combustion air inlet to any other appliance	36 inches (91 cm)	12 inches (30 cm)
K	Clearance to a mechanical air supply inlet	6 feet (1.83 m)	3 feet (91 cm) above if within 10 feet (3 m) horizontally
L	Clearance above paved sidewalk or paved driveway located on public property	7 feet (2.13 m) Ⓣ	*
M	Clearance under veranda, porch, deck, or balcony	12 inches (30 cm) Ⓣ	*

- [1] A vent shall not terminate directly above a sidewalk or paved driveway that is located between two single family dwellings and serves both dwellings.
- [2] Permitted only if veranda, porch, deck, or balcony is fully open on a minimum of two sides beneath the floor.

* For clearances not specified in ANSI Z223.1/NFPA 54, clearances are in accordance with local installation codes and the requirements of the gas supplier.

Clearance to opposite wall is 24 inches (60 cm).

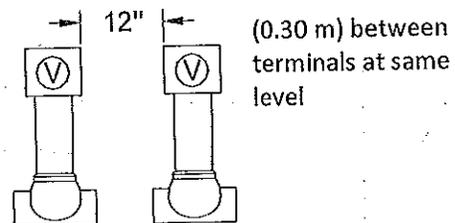
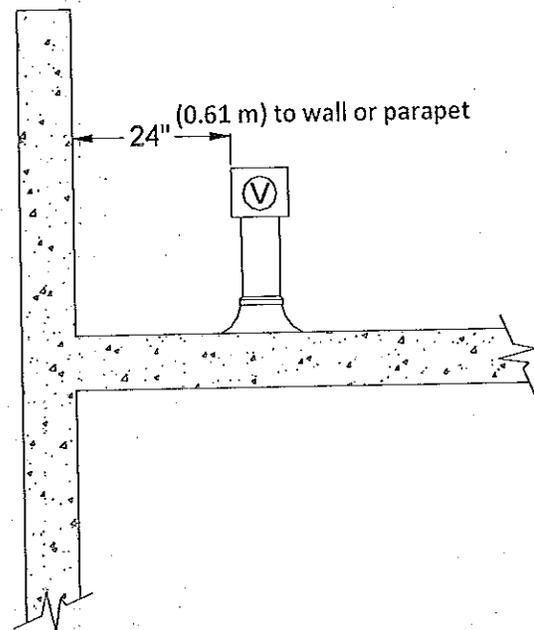
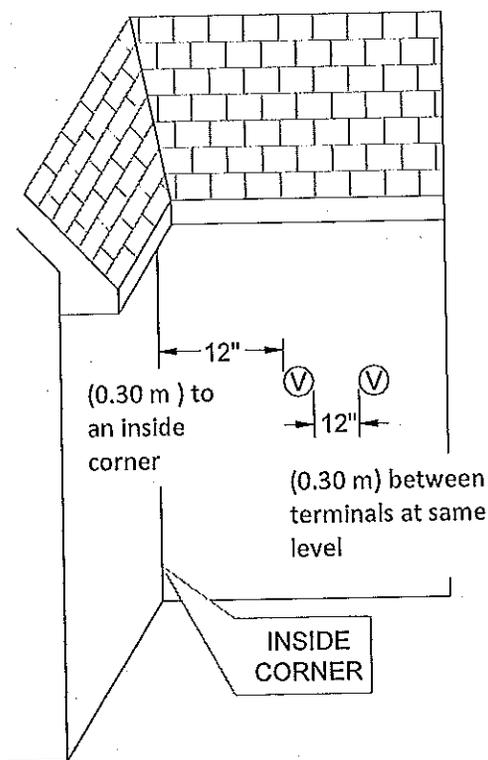
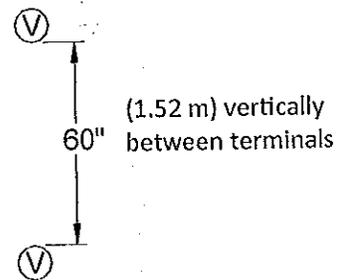
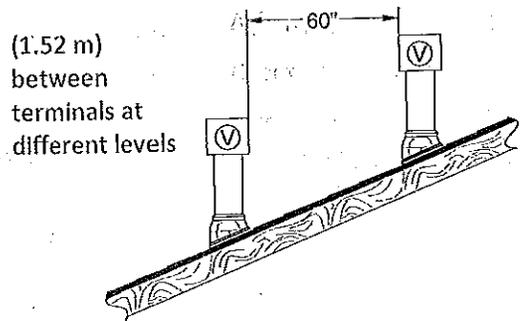
Additional clearances - RL75i, RL94i

Check on whether local codes supersede these clearances.

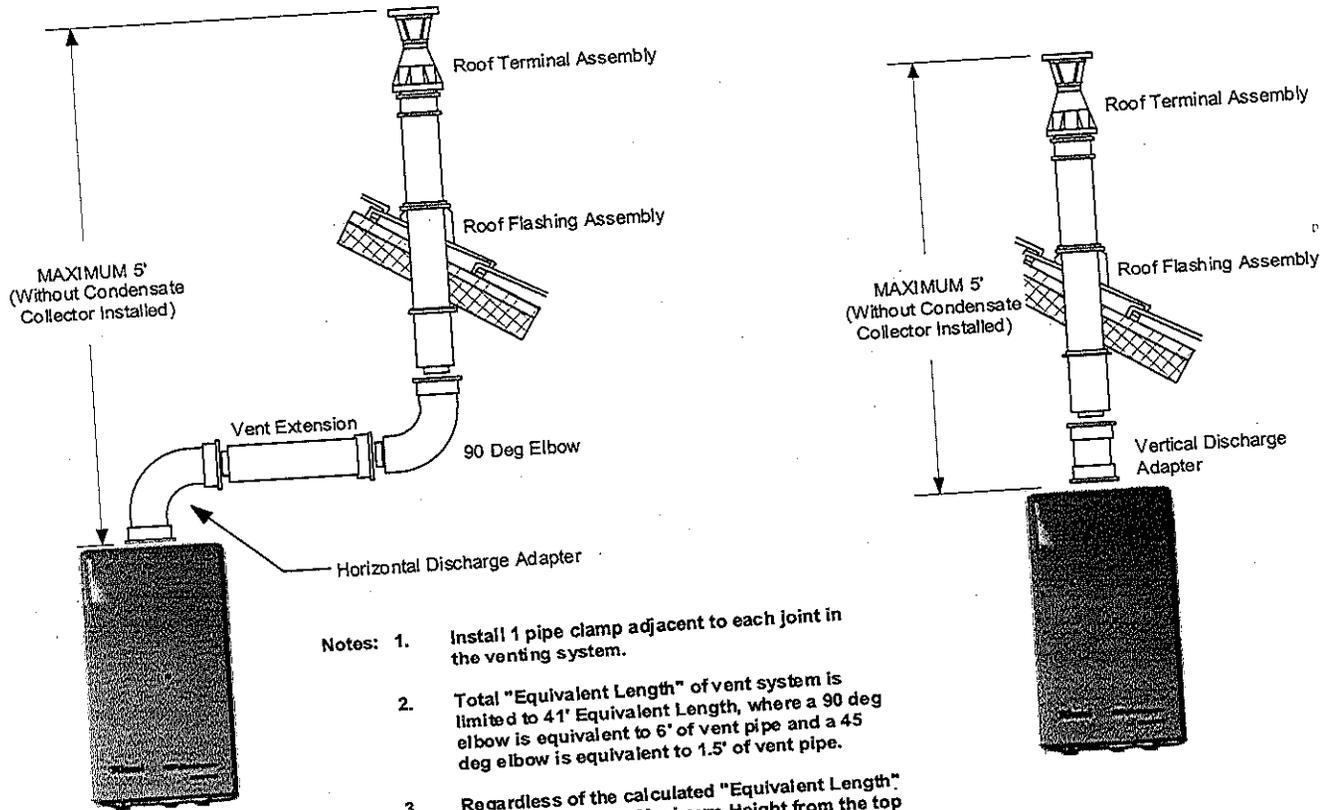
- Avoid termination locations near a dryer vent.
- Avoid termination locations near commercial cooking exhaust.
- You must install a vent termination at least 12 inches from the ground.

Important considerations for locating vent termination under a soffit (ventilated or unventilated or eave vent; or to a deck or porch)

- Do not install vent termination under a soffit vent such that exhaust can enter the soffit vent
- Install vent termination such that exhaust and rising moisture will not collect under eaves. Discoloration to the exterior of the building could occur if installed too close.
- Do not install the vent termination too close under the soffit where it could present recirculation of exhaust gases back into the combustion air intake part of the termination.



Vertical Venting - Vent Heights under 5'



- Notes:
1. Install 1 pipe clamp adjacent to each joint in the venting system.
 2. Total "Equivalent Length" of vent system is limited to 41' Equivalent Length, where a 90 deg elbow is equivalent to 6' of vent pipe and a 45 deg elbow is equivalent to 1.5' of vent pipe.
 3. Regardless of the calculated "Equivalent Length" of vent system, the Maximum Height from the top of the water heater to the top of the highest point in the vent system is limited to 21 feet.

Gerald McCarney

**City of Lemoore
City Council Members**

July 22, 2014

I am asking you to address this issue at your next City Council Meeting.

I have tried to solve this unsafe situation through Lemoore's building Department, on several occasions with certified mail addressing the issue and with no response.

I've tried addressing this issue with the city manager Mr. laws who explained to me that outside inspector's did not want to get involved in this issue.

The issue we are talking about his health and safety. Unfortunately years ago we bought New Home which was built in Lemoore and improperly inspected and passed to be up to California standards as far as safety goes. The deficiencies in this house which were few were appalling, but the main and the most dangerous building defect which was present since that day we moved in has still not been corrected appropriately from your building Department.

The issue that is being addressed is a tank list water heater that was installed one the home was built without a permit apparently and never should have passed a city inspection to be approved for sale of the home.

We have been gassed out numerous times in our home due to these deficiencies and still are getting gases from and improper installation of this unit. Once again I would like to make it clear we moved up to Lemoore purchased a new home \$300,000 range that was supposed to be built up to California building codes which it was not. It was also supposed to be properly inspected and signed off by your building Department and apparently the inexperienced individuals concerning this issue or nowhere of California building codes were overlooked them.

After showing documentation to Lemoore "**Lemoore Fire Department**" and showing them photographs of the situation which in your exact words were "**that's not good**" they recommend that I contact the gas company which was a little over a month ago.

The gas company came out and inspected the venting on this house and **red tagged it for use.**

I truly feel I went through all the proper steps to correct this deficiency from the builder Daley homes who told me in the beginning I would have to live with it? I've contacted manufacture contacted me and told me it does not meet California building code and ho it ever pass the city inspection. If all these agencies are telling me water heater vent is unsafe I don't understand why there is not any kind of enforcement to correct this problem especially when it can involve serious injury and possible death?

Thank you for your time in this matter Gerald McCarney

Gerald McCarney

Ashley Murray

Miller Brooks
11712 N. Michigan Road
Zionsville, IN 46077
ashley@millerbrooks.com

Ashley Murray I would appreciate for you to read this letter and forward it to Mr. Takashi Sonoda

Improper installation of a Rannia Water Heater and the vent system and components, and improper installation of the Rannia Heater has put my family in possible danger more Than Once.

We bought a brand new home a few years ago. We've had nothing but problems because of your Rannia tankless water heater due to the poor installation. Within the first few days of living here we had carbon dioxide poisoning from the attic due to this water heater and venting system.

We still to this day have back drafting from the water heater vent that is too short and the gases are actually entering our kitchen window and will pass through the house if the other window is open on the other side of the house. The Kitchen vents that enter our home in the water heater vent are the same level.

Truly all I want is a safe home to live in and not worry about toxic gases coming in my house which they do through the microwave that at 2 AM in the morning and killing us. I know dying in your sleep has been said, to be the peaceful way to pass away but I prefer to do it from natural living not from a hazard.

Mr. Takashi Sonoda I truly have nothing against your company but if a building contractor is installing these in the same manner as ours there is a very good chance someone could get severely injured or killed by the way these are being installed by this installation. Once again your Rannia heater works well but if it is installed unsafely or incorrectly it could be dangerous to the resident.

Please see attached video I made to emphasize just how dangerous the situation is and cause by your Rannia water heater installation which you have no control over but still needs to be addressed so I can live safely in my home.

<https://www.youtube.com/watch?v=0uUEYITc7IQ>

My other concern is if they built this house this way with your Rannia Water Heater how many others did they do the same way?

Sincerely
Gerald McCarney

Gerald McCarney

City of Lemoore
City Manger Jeff Laws
119 Fox Street, Lemoore
Ca, 93245

Mr. laws

June 25, 2014

Once again I appreciate meeting with you on this safety issue I'm having at my house. I truly feel the documentation I gave you should have been enough to get this addressed so we can have a safe and comfortable place to live in. Safe to me is living in a home and not worrying about it defective installation of a product that was installed by the builder.

A few weeks ago I showed photographs of the situation to the Leemore fire department, their reaction was " that's not good" and they were not sure how to handle this issue. Since this issue was already addressed to the building Department of Lemoore they recommended that I contact Gas company for their opinion since they were the experts. Even though we did meet on Monday of this week and you said you're going to pass it on to Lemoore building Department again. Also I'm not sure he if you were or were not going to contact the builder Dailey homes.

The Gas Company stop by today to make improvements on their gas meters to change them to read electronically. While the technician was here I asked him about the water heater vent which is on the same side as a gas meter he was working on. He explained to me that it was not safe and should call gas company customer service which I did. The technician came out within 30 min. of the call and red tagged the situation in regards to the water heater vent.

The red tag says, notice of hazardous conditions: do not use until corrected, it may result in property damage, personal injury or loss of life. Once again this is a professional agency that knows what it's doing. I am sending you the following copies of:

- Gas Companies, red tag warning dated 6/25/2014 (water heater vent unsafe)
- Premier Plumbing who was contracted by Rannia water heater company to inspect our heater their conclusion is(water heater vent does not meet California building codes)letter dated 6/3/2014
- fax cover letter to senior building inspector city of Lemoore dated 11/20/2008 (water heater vent unsafe smelling gases) the building inspector requested Dailey homes to repair which has not been done.

If all these agencies are telling me that the water heater vent is not safe which I have been dealing with this entire time I truly don't understand why there is not any kind of enforcement to correct their problem with installation of their tankless water heater.

Thank you for your time again, Gerald McCarney

ADDRESS



APT. NO.

57

CITY

Lemoore

 NOTICE OF HAZARDOUS CONDITIONS: DO NOT USE UNTIL CORRECTED:
 It may result in property damage, personal injury or loss of life.

 NOTICE OF UNSATISFACTORY CONDITIONS: Continued use may be Hazardous: All responsibility for use of this equipment under existing conditions must be assumed by the user.

 Inspection of your Water Heater disclosed the Hazardous/Unsatisfactory conditions noted below. The service needed to correct this condition is beyond that given by our company. We recommend you call your:

 A Plumber
 B Range repairer
 C Heating agency
 D Other _____
 E Owner/Landlord

 1 Unvented illegal heater.
 2 Not venting properly during inspection.
 3 Firebox appears cracked or ruptured.
 4 Cracks in closet or around base of furnace may allow products of combustion to mix with circulating air.

 5 Conditions permit products of combustion to mix with circulating air.
 6 No operable safety device to close main burner gas supply if pilot outage occurs.
 7 A gas leak in your housepiping of approx. _____ Cu. Ft. an hour with all known appliances off.
 8 Gas logs in fireplace and damper not permanently blocked open.

 9 Floor furnace inaccessible for inspection of vent and connector.
 10 To reduce the risk of flammable vapors igniting from the water heater, the main burner and pilot must be elevated at least 18 inches above the floor.

 11 Inaccessible roof mounted Forced Air Unit
 12 Vent should extend
2 feet above House. Should not be within 4 feet of opening

 NAME Ar Arnold
 Equipment Disconnected
 Equipment Left On Off
 Meter Left On Off
 OFF-READ

 SIGNATURE [Signature]
 TENANT _____
 OWNER
 AGENT _____
 TIME: 12:19 AM/PM
 DATE: 6/25/14
 BY: HA31
I HAVE READ, UNDERSTOOD AND ACKNOWLEDGE RECEIPT OF THIS NOTICE

The above condition should be verified before repairs are made. Certain repairs may require a permit. Please call your local building inspection department for information.

 SCG — Fm # 1813, REV 07/04
 SDG&E — Fm # 108-02132, REV 07/04

Premier

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1497 Railroad Ave. Clovis, CA 93612 Phone: (559) 322-7055 Fax: (559) 322-7451

Date: 6-13-2014

To: Gerald McCarney

[REDACTED]
Lemoore, CA 93245

Phone: [REDACTED]

Email: [REDACTED]

Re: Relocation of Rinnai vent through roof

We propose to complete the following work:

1. Remove existing vent from Rinnai that is too close to the second story vertical wall causing exhaust fumes to be drawn into the home through appliance venting
2. Reroute up the roof line and further from wall through attic space
3. Create new roof penetration (Roof work to be performed by licensed roofer)
4. Test system after completion of the new vent
5. Connect condensation drain to exterior as needed

Notes:

1. Permit and inspection included
2. Estimated bid for roof work @\$350.00, (I can't get a roofer to answer their phone)
3. Premier Plumbing will supply all parts necessary for this job.
4. Premier Plumbing will warrant our installations for 1 year of completion.

PRICE FOR PROPOSED WORK: \$1,875.00, one thousand eight hundred seventy-five and 00/100 dollars with payment due upon completion of job.

All work to be completed in a workmanlike manner according to standard practices. Any Alteration or deviation involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delays beyond our control.

This proposal subject to acceptance within 15 days and is void thereafter at the option of the undersigned:

AUTHORIZED SIGNATURE: *Terry Trout*

THE ABOVE PRICES, SPECIFICATIONS AND CONDITIONS ARE HEREBY ACCEPTED. YOU ARE AUTHORIZED TO DO THE WORK SPECIFIED:

AUTHORIZED SIGNATURE: _____

DATE: _____

From: Janie Venegas
To: [Janie Venegas](mailto:Janie.Venegas)
Bcc: [REDACTED]
Subject: Council Agenda Item 4-1 - Additional information
Date: Monday, August 18, 2014 11:50:00 AM
Attachments: [ccp1.png](#)
[ccp2.png](#)
[ccp3.png](#)
[CCP4.png](#)

Good afternoon Council,

Mr. Gerald McCarney asked that his email (below) be sent to Council along with the attached photos. This belongs with agenda Item 4-1 – Residential Water Heater Issues.

Thank you.

Janie Venegas

City Clerk / Administrative Secretary
119 Fox Street
Lemoore, CA 93245
559-924-6705
559-924-9003 (Fax)

From: Jerry Micheal [<mailto:sgtmac54@gmail.com>]
Sent: Sunday, August 17, 2014 1:53 PM
Subject: City Council misinformed

Good Morning, after reading what was on the agenda for the city Council on Tuesday some of what was submitted can be misinterpreted in regards to water heater vent.

I would appreciate sending forward documentation which are basically photographs with interpretations on them to all the city Council members and Mr. laws prior to the meeting to make it perfectly clear what's been happening.

I also would appreciate sending this e-mail with documentation along with this remarks. How can the Southern California Gas Company, inspect my home and red tag it to unsafe situation and the building inspector from Leemore who came out last Friday said it was safe according to his guidelines.

How can Rannia the manufacture of the water heater contract their licensed plumber on the West Coast to come out and inspect the venting system on their behalf to cover their liabilities to this issue. Their conclusion was it was too short and unsafe due to it being at the same level at the events of the house. according to their guidelines was a licensed plumber for the state of California says it does not meet California building codes.

Even though this is on the agenda for the 19th of this month I'm not sure if this is

the appropriate way to add additional comments. If it is not please let me know and I will be glad to submit them prior to the next board meeting. Either way thank you for your time in service to Lemoore.

Gerald McCarney

