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## 2007 NSA Board of Directors

Dean Schwartz, President  
*SunPorch Structures, Inc.*

Tony Bouquot, Vice President  
*Patio Enclosures*

Russ Schmidt, Secretary/Treasurer  
*Joyce Manufacturing Co., Inc.*

Frank Beato  
*Astro Shapes, Inc.*

Martin Goss  
*Champion Enclosure Suppliers, Inc.*

Craig Joss  
*Craft-Bilt Manufacturing Co.*

Mike Leigh  
*C-Thru Industries*

Tom Blackwood  
*Custom Patio Rooms, Inc*

Brian Fabian  
*Four Seasons Sunroom*

Robert Ottaway  
*Westview Products, Inc*

## Future Meeting Locations

2007 NSA fall meeting –  
October 15-16, 2007 at the LaPlaya  
Beach & Golf Resort in Naples,  
Florida.

2008 NSA spring meeting –  
March 10-11, 2008 at the Marriott  
Rivercenter in San Antonio, Texas.

2008 NSA fall meeting – TBA

## Notes from the Steel City

The National Sunroom Association held its 2007 spring meeting at the Hyatt Regency at the Pittsburgh International Airport. The meeting began on Thursday, April 19, 2007 with a welcome address by NSA President, Dean Schwartz and a management transition update by NSA staff.

Next, NSA Technical Committee Chairman, Terry Cavanagh gave a brief update on a number of different technical committee projects. NSA Technical Director, Dan Walker, presented information to the members on codes and standards affecting the sunroom industry. The members were able to review Mr. Walker's information and they provided him with direction regarding which codes and standards the association should be active in and which ones should be monitored.

Mr. Frank Klasnick of Osmose, introduced a new wood pressure treatment chemical called

Smart Sense with MicroPro Technology. Mr. Klasnick informed the members of this revolutionary new product that significantly improves corrosion rates for applications where metals are put into contact with pressure treated wood.

The NSA members welcomed Mr. Tom Click, Vice President of Marketing and Product Development for Indalex Aluminum Solutions. Mr. Click gave an insightful presentation on Indalex's line of powder-coated products.

The final presentation of the day was given by Dr. Thomas Culp, from Birch Point Consulting. Dr. Culp has been working with the Aluminum Extruders Council (AEC) in their Keep Aluminum Windows campaign. Dr. Culp's presentation highlighted key activities in the energy codes (IRC, IECC, ASHRAE) and fenestration programs (Energy Star, NFRC, AAMA).

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## President's Message



The NSA Spring meeting in Pittsburgh was the first official meeting coordinated by Thomas Associates as the new management company for NSA. It was put together on very short notice and they did a great job under the circumstances. With the transition now complete, operations are flowing on a much more consistent basis.

The NSA has increased our pro-active approach with a technical director. Dan has done an excellent job of documenting "everything" under the sun pertaining to codes and sunrooms. The technical committee has been doing a great job as well, keeping the membership well informed. The staff at Thomas has been very active in publishing the newsletter on a timely basis. The support staff has been very helpful to the board and has reorganized many of the loose ends. A special thanks to all those that have helped us work during this hectic period.

The Spring meeting was well attended and extremely productive. There was great progress from the technical committee as they continue to press forward. There was also a discussion on the strategic direction and future of NSA. There is a lot of interest by the membership and those outside the trade to know more about the sunroom industry. The board has formed a new committee to create an industry survey and attempt to gather some industry statistics.

Lastly, it has been many years since the NSA was founded. Therefore, the types of memberships, levels and dues structure of the organization have become dated. The majority of our revenues are based upon membership dues. Henceforth, the board has done a membership audit and determined that a restructuring is an essential requirement for the financial health of the organization. While all of our companies have changed and prospered over the years, the current association dues structure neither fairly represents our companies nor adequately generates revenues to operate profitably. Over the next few months, the board will propose revised membership levels and dues for Fiscal Year 2008. Your continued understanding and assistance in implementing these changes is most appreciated.

Have a Great Summer,



Dean A Schwartz  
President, NSA

### Notes from the Steel City *continued from page 1*

The 2006 Design Awards Presentation was given after the Association dinner. Design Awards Committee Chairman, Mr. Tony Bouquot, introduced each entry and announced the winners in each category. Mr. Bouquot thanked all of the dealers and manufacturers for participating in this year's Design Awards.

The NSA Technical Committee met on Friday morning. The Committee was pleased to welcome Dr. Lee Shoemaker, Ph.D, who is a member of ASCE 7 Committee. Dr. Shoemaker gave a presentation on snow loads and wind loads, as well as the current status of the ASCE 7 Committee. Following the presentation, the Technical Committee members reviewed a number of projects still being finalized.

The Board of Directors meeting concluded the 2007 NSA spring meeting. The Board discussed the direction of the association and the information presented during the strategic planning session. Another hot issue before the Board is the association dues categories. NSA Chief Financial Officer, Russ Schmidt will review the current dues categories with NSA staff, and make a proposal to the Board this summer. Any changes to the dues structure will most likely be voted on at the 2007 fall meeting. The Board is also considering the development of a statistics program that would give the members a better idea of the size of the sunroom industry. A full Board report, and an Association update will be given to the entire membership at the next meeting. ●

### NSA Legal Update

Following the NSA spring meeting, the Board of Directors received Mr. Bill Uffelman's resignation as NSA legal counsel. Mr. Uffelman indicated that his duties as President of the Nevada Banker's Association have made it difficult to give NSA the attention the association deserves.

The Board has retained Ms. Naomi Angel from the law firm of Howe & Hutton in Chicago, Illinois. Ms. Angel will be presenting at the NSA 2007 fall meeting. If you have any questions for Ms. Angel, please contact the NSA office.

### Member Feedback

The NSA office would like your comments and suggestions to make NSA better than ever. If you have a meeting presentation topic, a suggestion for the website, potential member information, or anything that would benefit the NSA, please email association headquarters at [info@nationalsunroom.org](mailto:info@nationalsunroom.org).



# NSA Technical Update

## NSA Technical Projects

### Standardized Sunroom Inspection Checklist

This document is complete and is available for download from the NSA members only website. The checklist is intended to be a guide for building plans examiners, code officials and site inspectors to give them a handy checklist of items in the code that apply to sunroom projects.

The benefit of this list is that it will hopefully alleviate the situation where local jurisdictions might try to enforce code provisions that were never intended for sunrooms. Feel free to print as many copies as you like and give them to your local building department staff when applying for a permit.

If you have questions about how to log into the members only website, please contact the NSA office and we will help get you on the site.

## ICC Update

The ICC Final Action Hearings were held in Rochester, NY May 21 – 26, 2007, and NSA Technical Director Dan Walker was there to monitor and speak on behalf of NSA. There were many code change proposals that have a direct bearing on the sunroom industry (too many to list all of them in this newsletter). We have provided summaries of the code proposals we feel are of most importance to the NSA members and contractors.

Bear in mind that all of the code change proposals adopted during this code cycle will be published in what is known as the “2007 Supplement to the I-Codes”, which is a single volume that will contain all of the changes. The 2007 supplement is not usually adopted directly by many jurisdictions, but it is possible you might see these new provisions on a local basis.

All the changes are automatically scheduled to be incorporated in the next published editions of the codes in 2009 (unless successfully challenged during the upcoming 2009 ICC code cycle). The deadline to submit the next round of changes for the 2009 I-Codes is August 20, 2007, and NSA is already planning to submit several changes that would benefit the sunroom industry. If you have questions about the changes for the 2007 I-Codes Supplement discussed here, please feel free to contact Dan Walker at the NSA office.

### New Deck Ledger Attachment Requirements

The 2007 Supplement to the International Residential Code will contain a brand new requirement for the attachment of ledgers that support decks. The new provisions contain a minimum requirement of 1/2" diameter lags or (bolts with nuts and washers) and also has a table that outlines the spacing and pattern for the fasteners. The use of nails to attach ledgers is strictly prohibited. The spacing of the lags or bolts is listed in a table based on the length, or projection, of the deck.

The spacing of fasteners required in the new provisions will probably be a lot closer than what some contractors are used to installing. For example, a deck that projects 12 feet from the house (without a center carrier beam) will require 1/2" diameter lags with a staggered spacing of 13 inches on-center. If bolts are used in the same case, the spacing increases to 24 inches on-center staggered (for non-stacked washers) or 21 inches on-center staggered (for washers stacked between the ledger and house rim joist to promote drainage and drying).

### Increasing Energy Code Requirements

There were a tremendous number of energy code changes that will affect conditioned, habitable sunrooms. **Insulation**

**Measurements:** A proposal that adds the CFR Title 16, Part 460 specification as the method for reporting insulation R-Value. This method uses a 75-degree mean temperature for the hotbox testing of insulation products. Previously it was unclear how this was to be measured, but the adoption of the Part 460 specification will level the playing field. **AAMA 507 Method Denied:** AAMA tried to add this standard as an alternate method to NFRC 100 for certifying window and door U-factors, but it was denied. The AAMA 507 method is reported to require less lead time to obtain certification, and proponents said it is preferred for commercial units over the NFRC method. **Removal of Fenestration Trade-Off Limits in IRC:** The proposal successfully removed an unnecessary trade-off limit that was introduced in previous editions of the code. The limit would prevent the use of lesser performing fenestration products even though the shortcomings of those products would be offset by other energy saving measures within the building design. By removing the limits, which favor certain types of products, the code will no longer arbitrarily prevent the use of materials where the overall building performance approach is used and the building is in overall compliance for the energy budget.

## State Code Issues

**Noteworthy:** The ICC Codes have now officially been adopted in all 50 States and Washington, D.C.

### Minnesota

The Minnesota Senate and House have both approved a compromise version of the safety screen bill, now known as “Laela’s Law”. The state is the first in the U.S. to adopt such a measure, but it is anticipated that other states will soon follow.

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### NSA Technical Update *continued from page 3*

The bill is named for Laela Shaugobay, a two-year old girl that fell from a fourth story window and was seriously injured. The legislation originally called for safety screens to be installed that could withstand a 30 pound force, but was eventually expanded through the work of the Window & Door Manufacturer's Association (WDMA) and other window industry advocates to include safety devices such as guards in lieu of screens.

The law requires the commissioner of labor and industry for the State of Minnesota to adopt rules for window fall prevention devices as a part of the state's building code. The law also calls for the creation of an educational safety program targeted at parents and caregivers of young children. The fall prevention devices referenced in the code will include safety screens, hardware, guards and other devices that comply with ASTM Standards F2006 and F2090.

The rules will become effective July 1, 2009, and they include a requirement that the commissioner will prepare a yearly progress report to the legislature to measure the effectiveness of the new law in preventing child window falls. ●

## Highlights from the Spring Board of Directors Meeting

- Board to review NSA dues structure
- Statistics program being considered
- Members allowed to vote on association matters via email
- New Program Planning Committee formed
- Mike Leigh of C-Thru Industries named Design Awards Chairman

## 2006 NSA Design Awards

The National Sunroom Association was pleased to announce the winners of the 2006 Design Awards during the 2007 spring meeting. The winners were as follows:

**Category:** Glazed Roof Sunrooms less than \$15,000  
**Winner:** SunPorch Structures  
**Manufacturer:** SunPorch Structures

**Category:** Glazed Roof Sunrooms \$15,000 - \$30,000  
**Winner:** Canterbury Conservatories  
**Manufacturer:** K2 USA

**Category:** Glazed Roof Sunrooms over \$30,000  
**Winner:** Better By Design, Inc.  
**Manufacturer:** Four Seasons Sunrooms

**Category:** Opaque Roof Sunrooms less than \$15,000  
**Winner:** Dream Room Design  
**Manufacturer:** C-Thru Industries

**Category:** Opaque Roof Sunrooms \$15,000 - \$30,000  
**Winner:** Sunnyside Designs, Inc.  
**Manufacturer:** Four Seasons Sunrooms

**Category:** Opaque Roof Sunrooms over \$30,000  
**Winner:** Westview of Dallas  
**Manufacturer:** Westview Products

The NSA Design Awards Committee, as well as the entire membership would like to thank each company that participated in the Design Awards. Thank you for your support.

Please visit the NSA website at [www.nationalsunroom.org](http://www.nationalsunroom.org), to view all of the entries from the 2006 Design Awards.

Information on the 2007 NSA Design Awards will be available later this summer. Check the website for updates.



Sunnyside Designs, Louisville, KY — Opaque Roof Sunrooms \$15,000 - \$30,000

## Legal Brief *By Naomi R. Angel, Esq., NSA Legal Counsel*

NSA welcomes Naomi Angel as the new legal counsel for NSA. Naomi is a partner with Howe & Hutton, Ltd. Her practice is concentrated in the general representation of not-for-profit national and international trade associations of manufacturers and distributors, with particular emphasis on standards setting activities, certification, product liability, antitrust, intellectual property, and governance issues.



### Your Trademarked Product May Not Be Protected

A “Beef Stick” is just a beef stick.

A federal court in Chicago cancelled a company’s registered trademark “Beef Stick” (a beef product designed to be eaten on the go), ruling that the term was descriptive and generic. Similarly, the trademark registration “Turkey Stick” also did not pass muster with the court.

In the turkey case, the trademark owner sued a rival for trademark infringement, unfair competition, and dilution of its trademarks. The rival responded that both marks were generic and asked the court to cancel the mark that was still registered. The court agreed.

The Patent & Trademark Office generally refuses to register marks that use generic and descriptive terms. Even if your mark is registered, it is still subject to challenge. ●

### Is the Employer Liable for Its Employees’ Gossip?

An Illinois hospital employee gossiped to a friend about the medical treatment of the friend’s twin sister at the hospital. This gossip was a direct violation of the hospital’s confidentiality policy regarding patient information.

Nonetheless, the friend’s sister then sued the hospital, saying the hospital was liable for its employee’s disclosure of her confidential information. An appellate court decided in favor of the patient. However, the Illinois Supreme Court ruled that the employee’s off-duty breach of confidentiality could not be attributed to the hospital itself.

The court used a three-prong test to determine if the employee was acting within the scope of her employment. (1) Was the gossip something she was employed to perform? (2) Did the gossip occur within authorized time and space limits? (3) Was it intended to serve the employer’s interest?

Employers are often repositories of confidential information about business matters, and disclosure of such information may be harmful to the employer’s interests. A good confidentiality policy is a wise and useful safeguard for the employer. ●

### Court Upholds Non-Competition Restriction

A federal appellate court in Chicago barred a former plant manager from working as a plant manager for a competitor of his former employer. After the plant manager left a position in Texas to take a similar position with a competitor in Illinois, his former employer attempted to enforce the terms of a one-year non-competition agreement signed by its former employee.

A lower trial court had ruled that the non-compete agreement cited Pennsylvania law (the location of the firm’s headquarters) that would not be enforced in Illinois. Also, the former employer could not show that its former manager was actually using trade secrets learned in Texas.

However, the appellate court ruled that Pennsylvania’s laws are reasonably necessary to protect an employer’s business interests. The court also said it made little sense to require the former employer to prove the manager was using its confidential information because that would be very difficult to do.

This was not a case in which the employee argued the non-competition provision was too long in time (one year) or that its geographic scope was too large (national) because competition in the industry was national and international. Rather, the appellate court and the trial court had different interpretations of Pennsylvania law. ●

*These articles are provided solely for informational purposes and do not constitute legal advice. If you have specific questions or concerns about a legal issue, consult your company’s legal counsel for guidance.*

## Industry Events

### 2007

NFRC Membership Meeting	July 23-26	Denver, Colorado
GICC	July 31	Atlanta, Georgia
GANA Fall Conference	September 12-14	Atlanta, Georgia
ICC Educational Conference	Sept 30-Oct 4	Reno, Nevada
AAMA Fall Meeting	October 14-17	Orlando, Florida
NSA Fall Meeting	October 14-16	Naples, Florida

### 2008

AAMA Annual Meeting	Feb 10-13	Palm Springs, California
Glass Week 2008	Feb 13-17	Las Vegas, Nevada
NSA Spring Meeting	March 10-11	San Antonio, Texas
AAMA Summer Meeting	June 1-4	Hershey, Pennsylvania
ICC Annual Conference & Final Action Hearings	Sept 14-23	Minneapolis, Minnesota