

Work Group 2 Meeting (Fire Code Edits)
Henrico Training Center
Wednesday, August 3, 2016

Cindy Davis welcomed the attendees, and after attendee introductions, gave an overview of the new comment feature in cdpVA.

Linda Hale asked how the edits would be correlated with summary notes. She wanted to know if we will see the final updated document. She also wanted to know if the document will be voted on as package or each section individually (change everything or nothing).

Cindy Davis stated, if there was a consensus that something should be done, then that will be done and that will be presented to the board. As soon as the document that will be given to the board is ready, it will be posted. The board will see the final document regarding the consensus of the proposals and they can do what they want, it is up to them on how they are going to vote on it.

Robby Dawson asked if there were any venue or opportunities for corrections to the summaries. Cindy Davis stated you can comment in cdpVA or send an e-mail.

Cindy Davis indicated that the previous meeting had ended in Chapter 6 and that would be the starting point for this meeting. Ms. Davis asked for any comments to Chapter 6.

Linda Hale stated that the requirement to maintain instructions and installation diagrams should be retained in **603.1.6.1**

Anthony Barrero stated that in **601.1 Scope** not all installation provisions have been removed, so deleted "installation" from the paragraph is not warranted.

Anthony Barrero stated he agreed that **601.2 Permits** is an existing state amendment.

Anthony Barrero's suggested combining 603.1, 603.1.1, 603.1.2 and 603.1.3 as follows: "603.1 Installation and Maintenance. New installations of non-portable fuel gas appliances and systems shall comply with the International Fuel Gas Code. New installations of all other fuel-fired appliances, other than internal combustion engines, oil lamps and portable devices such as blow torches, melting pots and weed burners, shall comply with this section and the International Mechanical Code.

Previously installed and approved non-portable fuel gas appliances and systems shall be maintained in accordance with the manufacturer's instructions and to the requirements of the applicable code under which they were installed. Electrical wiring and equipment used in connection with oil-burning equipment shall be

maintained to the standards of (NFPA 70 and?) the applicable codes under which it was installed.

Anthony Milliken will email his clarification of language on 603.

Linda Hale suggested in **603.1.7 Clearances**. NFPA70 or 31 is the language we seek because removing would convolute.

Anthony Barrero suggested the majority of content in **603.1.4 Fuel Oil** does not involve installation, but rather use of the items. He suggested the following: "603.1.4 Fuel oil. The grade of fuel oil used in a burner shall be that for which the burner is approved and as stipulated by the burner manufacturer. Oil containing gasoline shall not be used. Waste crankcase oil shall be an acceptable fuel in Group F, M and S occupancies, when utilized in equipment listed for use with waste oil." ~~and when such equipment is installed in accordance with the manufacturer's instructions and the terms of its listing."~~

Anthony Barrero indicated that he had no comment on **603.1.5 Access**

603.1.6 Testing, diagrams and instructions.

Anthony Barrero suggestion was to simplify 601.6, 601.6.1 and 601.6.2 as follows:

"603.1.6 Instructions and diagrams. Instructions, diagrams, and other paperwork required to be extant on or near the equipment by the code under which it was installed shall be maintained."

603.1.6.1 Diagrams

Linda Hale concerned that diagrams still need to be maintained and if only applicable to the applicable building code, might cause issues beyond authority and timeframes

603.1.7 Clearances

Anthony Barrero suggested "Working clearances between oil-fired appliances and electrical panel boards and equipment shall be maintained in accordance with ~~NFPA 70~~ the code under which the equipment was installed. Clearances between oil-fired equipment and oil supply tanks shall be maintained in accordance with ~~NFPA 31~~ the code under which the equipment was installed."

603.2 Chimneys

Anthony Barrero suggested masonry chimneys, factory-built, and metal chimneys shall be constructed in accordance with the International Building Code. Factory-built chimneys shall be installed in accordance with the International Mechanical Code. Metal chimneys shall be constructed and installed in accordance with NFPA 211. shall be maintained to the standards of the code under which they were constructed and/or installed.

603.3 Fuel oil storage systems

Anthony Barrero suggested ~~Fuel oil storage systems and shall be installed in accordance with this code. Fuel oil piping systems shall be installed in accordance with the International Mechanical Code.~~ Fuel oil storage systems and fuel-oil piping systems shall be maintained to the standards of the code under which they were constructed and/or installed.

603.3.1 Fuel oil storage in outside

Anthony Barrero suggested combining 603.3.1, 603.3.2, 603.3.2.1, 603.3.2.2, 603.3.2.3 and 603.3 as follows: "603.3.1 Fuel oil storage quantity, arrangement and piping. For previously installed and approved fuel-fired appliances, the quantity of fuel oil storage, in any previously approved storage installation, shall be maintained at or less than the quantity approved. For previously installed and approved fuel-fired appliances, the arrangement of fuel oil storage and piping shall be maintained as previously installed and approved.

603.5 Heating appliances

Anthony Barrero suggested 603.5, 603.5.1 and 603.5.2 could be combined into one section. "603.5 Heating appliances. Heating appliances, including all fire and burn safety features, shall be maintained in accordance with the manufacturer's instructions, their listing and the applicable codes under which they were installed."

603.6 Chimneys and appliances

Anthony Barrero suggested Because a primary function of the code is to reduce or eliminate fire hazards through proper maintenance of appliances and systems that are potential fire and life safety hazards, I suggest that the entire paragraph be kept and the desired code wording be appended.

Russell Furr stated shall be maintained to not require a fire hazard. He believes it was added for a reason.

Cindy Davis said we already discussed this when Linda Hale brought it up earlier and we're leaving it in. The maintenance language needs to remain.

603.6.1 Masonry chimneys

Anthony Barrero suggested 603.6.1, 603.6.2 and 603.6.4 should be combined into one paragraph. "Masonry, metal and factory-built chimneys. Masonry, metal and factory-built chimneys shall be maintained to the requirements of the applicable codes under which they were installed."

MR. Barrero read the following statement:

Currently: 603.6.3 Decorative shrouds. Decorative shrouds installed at the termination of factory-built chimneys shall be removed except where such shrouds are listed and labeled for use with the specific factory-built chimney

system and are installed in accordance with the chimney manufacturer's installation instructions.

The first use of the word 'installed' in this paragraph has nothing to do with installation requirements. It seems to me that someone did a search for all instances of the word 'install' and its variants and then used the strike through key indiscriminately and added 'applicable building code' just as indiscriminately.

I can agree with removing "and are installed in accordance with the chimney manufacturer's installation instructions."

I feel that having the sentence as proposed usurps the building code's installation permission authority. I interpret the sentence as meaning that the VSFPC will permit something only if the building code does. It is an inconsistent message.

This section should be left alone or cut out entirely. Codes can be reactionary. There must have been a problem with decorative shrouds that necessitated this section. (I don't know, I am not a chimney expert. And since I have not seen any evidence that the proposal is coming from a chimney expert, I assume the submitter is not either. So deleting something about which we do not know anything is foolish.)

Linda Hale asked if the applicable code indicates cracks in the mortar? This language is maintenance, it is not directing it to be repaired it is just stating dangerous conditions can't be there.

Shaun Pharr stated it was just common sense reading. Would any of those conditions have been allowed or approved under the applicable building code?

603.6.4 Factory-built chimneys

Linda Hale stated it is not construction, it is maintenance

Anthony Barrero recommends combining and use language: maintained in the standards of the code in which they were installed.

603.6.5 Connectors

Anthony Barrero stated he had no comment on this proposal other than to change their universal replacement language with "shall be maintained to the requirements of the applicable codes under which they were installed."

Linda Hale suggested keeping the language the same as maintenance language.

603.7 Discontinuing operation of unsafe heating appliances

Anthony Barrero suggested Replacing "defective or in violation of code requirements for existing appliances" with "applicable building code" does not make sense. He stated that it is in no way inferring a construction requirement and needs to be kept in order for a fire code official to be able to ameliorate such

hazards. He further agreed that the "Note" is an existing state amendment.

He opined that the replacement at the end of the section is unnecessary, but indicated no major objections to it. He did suggest that the wording should be ALL (not any) violations are CORRECTED (not remedied.)

Linda Hale stated if the appliance is defective it is a maintenance issue.

Robby Dawson stated if a recall notice comes out then it gives us the authority to tell them to fix it.

603.8 Incinerators

Anthony Barrero suggested: "shall be maintained to the requirements of the applicable codes under which they were installed."

603.8.1 Residential incinerators

Anthony Barrero suggested "shall be maintained to the requirements of the applicable codes under which they were installed."

603.8.2 Spark arrestor

Anthony Barrero suggested "The means for arresting sparks shall be maintained to the requirements of the applicable codes under which it was installed."

603.8.3 Restrictions

Anthony Barrero suggested this proposal was inane. There are not burning prohibitions in the building code to refer back to. He suggested no changes.

Robby Dawson asked where the building restricts open burning? Consensus on keeping section as-is.

603.8.4

Robby Dawson, not a condition of the building code. Can't be in an appendix. Consensus on keeping section as-is.

603.8.5 Discontinuance

Anthony Barrero stated there was no need to restrict a fire code official to being able to shut down an incinerator only due to lack of maintenance. There is no need for this change proposal.

Robby Dawson stated that these sections have nothing to do with the construction. None of the strike throughs relate to construction. Because of drought, you are prohibited from burning here. Where does the building code prohibit burning?

Cindy Davis said she agrees with Robby's language in 603.8.3, 603.8.4 and 603.8.5. Leave as is.

603.8.6 Flue-fed incinerators in Group 1-2

Anthony Barrero stated no. The proposal is 180 degrees from the original intent.

603.9 Gas meters

Anthony Barrero suggested the barriers referred to are not noted in the building code. Recommend denial of this proposal.

Section 604 Emergency and Standby Power Systems

604.1 thru 604.1.8

Anthony Barrero suggested these sections are proposed to be deleted in their entirety. Much of this is new language in the 2015 ICC FPC.

Robby Dawson stated this is maintenance language.

Cindy Davis agreed to keep maintenance language. consensus.

604.2 Where required

Anthony Barrero suggested emergency and standby power systems. Where required.

604.4 Maintenance

Linda Hale stated we don't know which requirements should be maintained since we are striking so much of it. She doesn't know if 110 or 111 will cover this.

Section 605 Electrical Equipment, Wiring and Hazards

605.2 Illumination

Anthony Barrero had no objection to this wording change.

605.9.1 Attachment to structures

Anthony Barrero had no objection to this wording change.

605.10.1 Listed and Labeled

Anthony Barrero agrees that this is an existing amendment.

605.11 Solar photovoltaic power systems

Anthony Barrero asked why have the installation provisions been allowed to remain for solar photovoltaic power systems?

Emory Rodgers believes we need to review the construction language again. Solar panels need to be changed to maintenance language.

Andrew Milliken stated we should keep NFPA 70 maintenance language and also have a pointer.

Section 606 Mechanical Refrigeration

606.1 Scope

Anthony Barrero suggested: Refrigeration systems shall be ~~installed in accordance with the International Mechanical Code.~~ Maintained to the requirements of the applicable codes under which they were installed.

606.2 Refrigerants

Anthony Barrero said he doesn't believe that this change should be made. There are no refrigerant regulations in the building codes. Even if there were, the original refrigerant can be replaced without a building permit. Therefore the only regulations are in the International Mechanical Code. These regulations are necessary as refrigerants can be considered hazardous materials and pollutants.

606.3 Refrigerant classification

Anthony Barrero stated he doesn't believe this change should be made. There are no refrigerant regulations in the building codes. Therefore the only regulations are in the International Mechanical Code. These regulations are necessary as refrigerants can be considered hazardous materials and pollutants.

606.4 Change in refrigerant type

Anthony Barrero said this change shouldn't be made. There are no refrigerant regulations in the building codes. Even if there were, the original refrigerant can be changed without a building permit. Therefore the only regulations are in the International Mechanical Code. These regulations are necessary as refrigerants can be considered hazardous materials and pollutants.

606.7 Emergency signs

Anthony Barrero believes the first change shouldn't be made. These regulations are necessary as refrigerants can be considered hazardous materials and pollutants. What is the difference between 'provided with' and 'maintained' if the paragraph only references the current edition of NFPA 704? For the second change, the deletion of the last sentence, I have no objection to it being moved to the appendix, but see no need for it to move.

Robby Dawson stated that the signage is not maintenance it is construction. Consensus to keep as is.

Cindy Davis agreed the signage should stay.

606.8 Refrigerant detector

Anthony Barrero stated the proposed change moves the regulation from being about refrigerant detection to being about machinery rooms. He suggested for the first sentence: Required refrigerant detectors with an audible and visual alarm, installed in a machinery room, shall be maintained to the requirements of the applicable codes under which they were installed. No change proposed to 2nd sentence.

He opposed the change to the 3rd sentence. TLV-TWA values are not referenced in the Building Code.

Robby Dawson stated this is an OSHA requirement. The building code does not provide TLV. The fire code should have the ability to change this value.

606.9 Remote Controls

Anthony Barrero believes he understands the goal of the proposed changes, but thinks the reference to Section 1106 of the IMC (Machinery Room, Special Requirements) must be kept. In total, the same thing can be stated more simply. He suggested:

“606.9 Remote controls. Where flammable refrigerants are use and compliance with Section 1106 of the International Mechanical Code is required, remote control of the mechanical equipment and appliances located in the machinery room shall be maintained to the requirements of the applicable codes under which they were installed at an approved location immediately outside the machinery room and adjacent to its principal entrance. This includes, but is not limited to, the refrigeration system emergency shutoff and the machinery room ventilation fan switches.

Robby Dawson stated he had an issue with 606.9. 606.9.2 is moving to an appendix.

606.10 Emergency pressure control systems

Anthony Barrero stated the proposal is more encompassing than the original requirement. He suggested: “606.10 Emergency pressure control system. Emergency pressure control systems for refrigeration systems containing more than 6.6 pounds (3 kg) of flammable, toxic or highly toxic refrigerant or ammonia shall be maintained to the requirements of the applicable codes under which they were installed.

Emory Rodgers stated we should leave manufactured instructions in USBC when appropriate.

606.10.1 Emergency pressure control system

Anthony Barrero suggested “606.10.1 Each high- and intermediate-pressure zone in a refrigeration system provided with a single automatic valve providing a crossover connection to a lower pressure zone shall be maintained to the requirements of the applicable codes under which it was installed, including, but not limited to, overpressure limit set points and manual operations.

George Hollingsworth stated if we continue to use applicable building codes, it might present an issue or conflict if there was a modification. We need originally approved language.

Glenn Dean stated we don't know what this means regarding the applicable building code.

Kenney Payne suggested we pull up the new proposed definition. Applicable Building Code. Whatever local or state building code in effect when a building was initially constructed, or underwent a subsequent alteration or change of occupancy. If no local or state building code was in effect when a building was initially constructed, or underwent a subsequent alteration or change of occupancy, then the phrase “shall be maintained in accordance with the applicable building code” shall mean to maintain as originally constructed.

Glenn Dean asked about change of occupancy.

Cindy Davis asked if applying this definition was clear?

Kris Bridges stated that it was clear, however, it didn't spell out how the process applies.

Kenney Payne stated we added as approved by building official.

William Lloyd stated as approved if you have to do anything. He agreed with Glenn

Kris Bridges stated change of occupancy or as otherwise approved.

Linda Hale asked if the subsequent alterations are a defined term during renovations?

Kenney Payne said right now between building codes, you can use the same definition of USBC and IFC. The change of occupancy definition will be just one.

Andrew Milliken asked the purpose of removing this section. There seemed to be no guidance for this quantity in the building code.

Emory Rodgers stated he didn't understand the question. Quantities are less and some are more, the owners have to have AMSDS sheets.

606.10.1.3 System Design Pressure

Anthony Barrero stated if the goal is to remove installation references in the Fire Code, this section could be deleted in its entirety.

606.10.2 Automatic emergency stop

Anthony Barrero suggested Automatic emergency stop. Required automatic emergency stop features shall be maintained to the requirements of the applicable codes under which they were installed.

606.10.2.1 Operation of an automatic crossover valve

Anthony Barrero suggested Operation of automatic crossover valves shall be maintained to the requirements of the applicable codes under which they were installed.

606.10.2.2 Overpressure in low-pressure zone

Anthony Barrero suggested Operation of overpressure sensing devices shall be maintained to the requirements of the applicable codes under which they were installed.

606.12 Discharge and termination of pressure relief and purge systems

Anthony Barrero suggested that a haz mat expert as well as a mechanical systems expert should evaluate these sections. He is not comfortable saying that systems discharging ammonia, flammable, toxic and highly toxic substances should be maintained to the codes under which they were constructed. Newer regulations for the hazardous substances might necessitate a change to the systems.

606.13 Discharge location for refrigeration machinery room ventilation

Anthony Barrero stated the title of this subsection is misleading. It does not specify a discharge location, but rather treatment of exhaust from certain mechanical ventilation systems. He suggests his preferred wording "shall be maintained to the requirements of the applicable codes under which they were installed."

606.15 Records

Anthony Barrero suggested no changes proposed, however, the last sentence of the 2012 VA code is missing and I believe that it should be restored.

606.16 Electrical equipment

Anthony Barrero suggested the proposed wording to mean that the classification of the rooms be maintained while the original code intent was to have the rooms conform to certain NFPA specs. He suggests: "Where refrigerants of Groups A2, A3, B2 and B3, as defined in the *International Mechanical Code*, are used, refrigeration machinery rooms shall be maintained to the requirements of the applicable codes under which they were installed."

Section 607 Elevator Operation, Maintenance and Fire Service Keys

607.2

Emory Rodgers stated that the standby power should be struck out.

George Hollingsworth stated the maintenance language in the building requirement should be added. When it's required, these are some of the things we need to be looking at.

Cindy Davis stated that we agree with that.

Anthony Barrero suggested in 2012 this was 607.2 Emergency signs which moved to 607.3 in 2015. 607.2 is now Standby power. 607.2 through 607.2.4 are

installation requirements and need to be changed to maintenance requirements to be consistent if the remainder of the code is changed. He suggests: 607.2 Standby power. Standby power refers back to 604

607.5 Occupant evacuation elevator lobbies

Anthony Barrero suggested being consistent with section 607.4 He suggests: 607.5 Occupant evacuation elevator lobbies. Where occupant evacuation elevators are ~~provided~~ required in accordance with the building code under which the elevators were installed, occupant evacuation elevator lobbies shall be maintained free of storage and furniture.

607.6 Water protection of hoistway enclosures

Anthony Barrero suggests his preferred replacement wording: "shall be maintained to the requirements of the applicable codes under which they were installed.

607.8 through 607.8.4

Anthony Barrero stated this was verbatim from Section 607.5 in 2012. He considers the language in 607.8 as leaning towards a construction requirement, but there is no proposal for change. If all the proposals are adopted, perhaps this section should also be tweaked.

Section 608 Stationary Storage Battery Systems

Anthony Barrero stated he was not sure where original installation of these systems is regulated. There is no mention of them in the index of either the building code or the mechanical code.

608.6.1 Room ventilation

Anthony Barrero suggested ventilation shall be maintained to the requirements of the applicable codes under which it was installed. Delete remainder of section.

608.6.2 Cabinet ventilation. #2

Anthony Barrero stated he does not agree with this deletion. The ventilation products as just as hazardous in a room (of unknown cubic volume) as they are in a cabinet. The room into which the cabinet ventilates must also be ventilated.

608.6.3 Supervision

Anthony Barrero stated the proposal is to delete the requirements for supervision of ventilation systems required previously in the Fire Code. It makes no sense to say that they must be maintained in accordance with the applicable building code when the building code is not what required them in the first place. He suggests his preferred wording "maintained to the requirements of the applicable codes under which they were installed. He wanted to know what Appendix N meant.

Bob Adkins wanted to point out that the building code that is used here indicates the VCC and that is what we reference and use every day. He doesn't think we are gaining anything by changing this.

Cindy Davis stated that the (N) is used to designate current construction requirements for new construction in that section that has been moved to the appendix so that if someone is using this to do inspections on current new construction and is using the fire code as a guide they would be able to see what the requirements for current construction is. The maintenance language that is being replaced means that whether or not it was required you have to do research which doesn't change. Nothing is changing, we are just moving the current requirements to the appendix and putting in the maintenance language.

608.8 Seismic protection

Anthony Barrero stated as noted in the chapter heading cell, He does not know where original installations are regulated. If they are regulated by the Fire Code, this section should be retained.

608.9 Smoke detection

Anthony Barrero stated as noted in the chapter heading cell, he does not know where original installations are regulated. If they are regulated by the Fire Code, this section should be retained. However, it refers to 907.2 which might be deleted.

Section 609 Commercial Kitchen Hoods

609.1 General

Anthony Barrero does not agree with this proposal. Since hoods are not regulated by the building code, he suggests: Commercial kitchen exhaust hoods shall be maintained to the requirements of the applicable International Mechanical Code and other applicable codes under which they were installed.

Linda Hale stated that the commercial language shall be maintained in the applicable building section.

609.2-609.3.3.2

Anthony Barrero said no changes are proposed, even though 609.2 is an installation requirement.

609.3.3.3.1 Tags

Anthony Barrero stated the change from inspected to cleaned is NOT an existing state amendment. I believe "inspected" should be kept because it is more encompassing than cleaned. All cleanings should have an inspection component, but not all inspections necessitate a cleaning.

609.4 Appliance connection to building piping

Anthony Barrero stated this is new in 2015 but it has not been called out as such.

Section 610 Commercial Kitchen Cooking Oil Storage

610.1-610.7 Anthony Barrero stated much of this section is new in 2015, but some parts were already state amendments. No changes proposed.

Section 611.1 – 611.2 Hyperbaric facilities

Anthony Barrero said this section is new in 2015 but is not called out as such. No changes are proposed.

Chapter 7 Fire Safety Requirements

703.1 Maintenance

Andrew Milliken asked about removing visually inspected,

Robby Dawson stated that inspections and maintenance requirements are scattered throughout and is enforceable. The original intent is to remove construction provisions, however, removing this is outside of the scope of this effort.

Vernon Hodge stated the directive from the board was to remove the unenforceable provisions from the model codes, not just construction, but unenforceable provisions. In the maintenance code most of the language looked at was mostly retrofit language, however, they also looked at the Administrative conflicts that existed in the Maintenance Code. The fire code was looked at in the same perspective. This language was debated in the last cycle. There were some changes being made to Chapter 1 which looked at whether the language in the model code is actually enforceable. We already have a proposal submitted that will get looked at by the board even if it doesn't get looked at in this re-write. Chapter 1 states that anything that deals with inspections and gives the authority having jurisdiction to the fire official to have the right to do inspections.

Deidra Peterson stated that we can't require third party inspectors but we can accept them.

Shaun Pharr stated that as a property owner representative he agrees with the revised wording of the authority of inspectors. They are not going to tell you how to do it, the bottom line is that you have to maintain these elements. He believes this enhances the hands of the inspector. Mr. Pharr objects to being maintained on the premises.

Steve Ennis asked if the fire marshal walks in to his hospital doing an inspection it sounds like if we asks me to do certain things, according to this, I don't have to do anything.

Cindy Davis stated that this is not the case. This goes back to Chapter 1.

Andrew Milliken stated that the annual maintenance inspection needs to be done, however, no additional requirements need to be done until the fire official says there is a problem.

Anthony Barrero said he would like this added, "Records of the inspection and maintenance shall be maintained on the premises for a minimum of three years and shall be copied to the fire official upon request".

George Hollingsworth stated we have lost track over one word. The inspection needs to be done annually by someone, if not the owner then someone needs to do the inspection for the owner.

Russell Furr stated the owner shall be responsible for the inspection. The owner is the one responsible. Why is this a conflict?

Glenn Dean stated that the records need to be readily available.

Anthony Barrero said he made a change to this language, "Records of the inspection and maintenance shall be maintained for a minimum of three years and shall be copied to the fire official upon request." He is removing on the premises. Would this be acceptable language?

There is consensus on this language.

Emory Rodgers stated Rick Witt was going to work with Robby Dawson and Zack Adams for clarity of language for what you have been doing.

Linda Hale-asked where to find the conflict in Chapter 1.

Cindy Davis stated this was going to be a state amendment.

703.2 Andrew Milliken suggested adding approved or reference for maintenance language. Include to pointer to 105.

Chris Anderson suggested to un-strike the changes in 703.1.2 because it doesn't seem to be construction language.

Cindy Davis stated it is unstricken.

Chapter 8 Interior finish, Decorative materials and Furnishings

Linda Hale stated the existing building requirements should remain.

Andrew Milliken asked why we need chapter 8 except for 801.1 Scope. Go back to the building code in which it was built. Strike entire chapter

George Hollingsworth said the majority of the fire officials want to leave this alone. He believes there is disagreement on this section.

Glenn Dean stated to leave it alone.

Linda Hale asked about public schools wanting to decorate for prom. When the school wants to decorate they are going to need to go to the building official to get a permit? This is essentially a double inspection. Do we do temporary permits?

Kenney Payne asked if we need to strike anywhere it says existing or new building?

Linda Hale asked about specific thickness. Some of this is to have the schools use certain materials that are flame retardant flame resistant and to meet NFPA code. It's utilized for things on a temporary basis.

Cindy Davis said we hear lots of disagreement, we will put all the comments and disagreements in here and go through and try to identify the construction related material language and put them in the appendix and keep maintenance language for the rest.

Chris Phillips stated they had a haunted house incident in Prince William County that caused a loss of life. He didn't believe they had a permit. The fire marshal has to have access without having to go to the building official.

Andrew Milliken states there are numerous references to sprinklers. We need to specify NFPA 13 systems. Where an allowable exception issued.

Kenney Payne asked that in the scope 808.1 is it the intent to strike existing and new. Will it be correlated through this chapter? If they stay it could cause confusion.

Cindy Davis asked Richard Potts to look up the comments that were made in the fire code edit sessions for this particular section. This does need to be reviewed.

Monty Willaford mentioned he talked with some board members and they do not know why we are doing this. This thing is getting so big and out of control. How are we making a decision on this? Why are we even here? I want everybody to hear about this (edit) The keyhole we are being pulled through. You are taking this away and this will affect public safety. I want this to be seen by the General Assembly, Governor, BHCD, I want everybody to hear what is going on with this (EDIT). He stated that members of the BHCD are questioning this process as well and building departments are not able to do any of this with the work they already have to do. This has turned into a fiefdom and will affect public safety. Somebody has to stand up and say it. I support Loudon and I support Stafford.

Linda Hale asked are those consistent for mattresses and furnishing in multiple sections?

Cindy Davis stated in Chapter 8 we will need to see what needs to be removed. We are trying to abide with Virginia law.

Robby Dawson commented he heard the comments and the way we have gone about this is broken. The people who are making the determinations are non-fire related people or non-fire code certified and don't understand how the fire code is enforced. I believe this is the root of the problem.

Emory Rodgers stated the draft language is from VBCOA that was assigned this. There are very difficult sections in here in 807 building officials would like fire officials to take over this section.

Chapter 9

Fire Protection Systems

Ron Reynolds asked how we are going to get everyone on the same page. This will be a huge job for him because he has five offices across the state from one end of the state to the other. This is nothing against DHCD staff, he just thinks we are moving so fast with this and it is to large right now.

Cindy Davis thanked Ron for his comments.

901.2 William Andrews asked what is wrong with getting construction documents? If the code allows us to require documents and we do not get them, why wouldn't that be enforceable?

Robby Dawson stated by removing his ability to require the plans, he has no way to evaluate this system. Without the ability of having the plans, I don't have a way to evaluate this situation. I think deleting this is a problem.

Andrew Milliken stated to retain the first portion and remove everything after the fire protection systems.

Emory Rodgers recommends a code change for 109 to address their concerns.

Sean Farrell suggested considering the Records Retention Act.

Ron Clements said to require copies of existing construction documents and calculations. They need to have this information to make a determination of a violation.

William Andrews said he doesn't believe it is un-enforceable.

Robby Dawson stated this is up to interpretation and fire officials are responsible for this.

Kenney Payne stated he thinks part of the problem is the change of occupancy definition in the fire code is different than what Cindy is referring to. This needs clarification.

Ron Clements stated he doesn't have a problem with the fire officials having a set of plans.

Andy Wilson stated it was the owner's responsibility, someone has to have the information.

Shaun Pharr asked if it is problematic to go to your building official and say we have encountered this problem at this address?

Linda Hale stated that going to the zoning office is not the approved plans.

Robby Dawson asked if a building official can ask for construction drawings if they don't exist?

Emory Rodgers stated that if something has changed. You can't approve if you don't have a copy of the drawings.

Cindy Davis stated there is no agreement on this. The desire is for the first sentence to remain.

901.2.1 Andrew Milliken stated this was not replicated in the construction code. Maybe we should combine 901.2 and 901.2.1.

Emory Rodgers stated that the records of compliance are the permits and approvals.

Kenney Payne stated he heard the term "as built" are different than the construction documents that were approved. Another cost the owner will need to incur.

Robby Dawson stated this is more than mechanical it also addresses the calculations.

Anthony Barrero stated if you take the changes out, it leads to unpermitted work issues.

George Hollingsworth asked what do you right someone up for when you suspect there is an issue with the fire protection system. You tell the person to go to the building official to get a permit.

Jerome Swain stated that we expect that there is an exceeded hazard. We need the original drawings to know what it was designed for. We need the drawings up front.

Cindy Davis asked should you make the determination or should the fire official. There is a concern that building officials may not be doing what they should be doing.

William Lloyd stated that not every fire department uses the same equipment and pressure.

Shaun Pharr stated that it can't reside with the fire official if VA laws say otherwise.

Andy Wilson said he doesn't see this as unenforceable. Sometime, we cannot give them an informed opinion.

Robby Dawson stated a lot of this is interpretation.

George Hollingsworth said he thinks the issue in the majority of cases, I don't think there are a lot of fire marshals say they need something. We are providing a service of knowledge for them instead of just telling them to go see the building official..

William Lloyd stated that every fire marshal is trained through extensive training that they may not require equipment or anything that relates to the methods of construction. They are re-trained on this in a regular in-service manner.

Glenn Dean made a comment that there is a lack of quantifiable and identifiable problems.

Monty Willaford stated this is about good customer service.

Anthony Barrero stated he knows no reason to change Chapter 8, Chapter 9, or Chapter 10. You are taking away safety guidelines that we work with every day and there maybe consequences if you take this away. Consensus of fire officials to not change Chapters 8,9 or 10.

Cindy Davis stated that it is the fire officials' belief that there are no unenforceable provisions in these chapters and everything should stay as it is.

Mike Maenner stated that in Section 907, Fire Alarm and Detection Systems, the commentary states as indicated in this section, only Section 907.9 is intended to be applicable to existing buildings and structures.

Linda Hale stated when we remove something from the codes, we you remove some language, that tie to help the building official get a right of entry to go in and be able to require unpermitted work to be corrected.

Emory Rodgers stated that un-permitted work that is brought to the building officials they can handle under our current USBC. There is a section that deals with this. Linda, your point about what your building official is doing or not doing, if it is brought to the attention that there is a possible violation for existing buildings or while a building is under construction they do have in Chapter 1 of the USBC the right of entry. This is taught in the CORE program. We have had some instances of some of these violations. There isn't a public safety loss by separating in Virginia in accordance with the statutes the roles and duties of the code official. understanding that if they don't work together as a team it is going to be less user friendly and more difficult to get and keep and maintain buildings for the public safety.

Sean Farrell stated that the building official can always delegate enforcement of the USBC to the fire officials as technical assistants if that is what your locality wants to do. So you may already be empowered.

William Andrews stated that in Chapter 9, 904.12 Commercial cooking systems. These are self-contained. This still needs to be regulated.

Glenn Dean again in 904.12 the hood system language is saying the non URL 300 systems need to be maintained. Are you saying that if they can't maintain it, if the parts are not available, they need to upgrade?

Shaun Pharr stated the only way to remedy the situation is to upgrade.

Mike Maenner said in 106.5.1 the fire official shall prove the use of alternative requirements to the code. You can already do that.

Andrew Milliken said in 901.5, striking the language in the first part doesn't make sense since it sets up the rest of the section.

Cindy Davis said she agreed.

901.5.1 Don't delete

This should stay

Blake Toepke stated that his building official has started granting partial change of occupancy. This means that the occupant can occupy certain floors while others are under construction, if you take this away we have no leverage to say that this is not safe. These were apartment buildings and hotels.

Anthony Barrero stated we have been talking about this section for some time, there are so many changes that are going to affect citizens. This takes away our

authority and will promote unpermitted work. Do we need to oppose these changes?

Emory Rodgers addressed this to Anthony, when a new building goes up some floors can be used while the others are still being renovated. The USBC allows this to happen and to issue a temporary certificate of occupancy. Conditions are set on the uncompleted work areas. I don't think the code is broken.

Andy Wilson stated we came here to discuss the changes. I understand what Anthony is saying but I don't know if Anthony understands what you are saying. If we decide to close off discussions on these chapters it does not mean you are accepting Anthony's suggestion that these will remain the same.

Cindy Davis stated so we will continue chapter by chapter.

Shaun Pharr said in Chapter 9 for instance there are dozens of sections that have been revised and the note says, deleted construction related provisions; and if you look at many of those provisions if not all of them they are undeniably construction related.

William Lloyd said that we made reference regarding obtaining the AG's opinion.

Cindy Davis said that as part of the regulatory process, the regulations have to be approved by the Attorney General. No opinion just the process.

Andrew Milliken stated **905.7.1** and **905.7.2** should be unstricken.

Cindy Davis agreed.

William Andrews stated 904.12.6.1 rather than delete, needs to be maintained. We missed putting maintained in it.

Cindy Davis said we got that.

Chapter 10

Section 1001 General

Anthony Barrero stated the proposal to remove all language that seems to be a new construction requirement is too far-reaching. Things such as temporary tents and public assemblages not inside a building still require egress, but egress cannot be required under the VCC. All parts of chapter 10 that must be used if the VCC is not used must be retained, but perhaps altered to clarify the extent of use.

My suggestion is: 1001.1 General. ~~Buildings or portions thereof shall be provided with a means of egress system as required by this chapter. The provisions of this chapter shall control the design, construction and arrangement of means of egress components required to provide an approved means of egress from structures and portions thereof. Sections 1003 through 1029 shall apply to~~

~~new construction. Section 1030 shall apply to existing buildings.~~

~~**Exception:** Detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the *International Residential Code*.~~

Means of egress systems for buildings or portions thereof which have received a Certificate of Occupancy from the Building Official shall be maintained to the requirements of the applicable code under which they were installed. Buildings or public gatherings not subject to the VCC shall be provided with a means of egress system as required by this chapter.

Ron Clements stated that this is right out of the building codes. It is clearly for buildings and not outdoor events.

Chris Phillips stated this needs to be included .

Linda Hale stated there are many scenarios that this could apply to., but it doesn't apply to axles.

Monty Willaford said we don't live in a black and white world. We have to deal with this.

Emory Rodgers stated we have gaps in every code cycle. This is a separate issue.

Cindy Davis said the first part of his language is perfect, however, the second part Introduces a new part that has not been covered by the code before and may need to be addressed separately.

Sean Farrell stated that if you limit it to those that have been given a certificate of occupancy by the building official what do you do with pre-USBC that the building official has not issued the co for?

Anthony Barrero stated he cannot agree with this proposal for the reasons stated in 1001.1. They shall be retained! At worst, sections 1003 thru 1015 can be created as an annex with specific language in the body of the code that directs and makes legal the use of the Annex in situations not covered by the VCC. As proposed, only 1003 through 1010 are in Annex N and they are specifically not enforceable.

1001.3 Overcrowding

Anthony Barrero stated he agreed that this is an existing amendment. Should USBC be changed to the VCC?

Linda Hale stated we need to reduce occupancy load .

1010.1.9.1 Hardware William Andrews stated maintaining is not enough, it needs to be maintained.

1004.3 Posting of occupant load Robby Dawson stated in keeping with consistency of keeping sign sections unchanged, shouldn't we be able to keep this?

Anthony Barrero stated in **1003.2 through 1015** the most harm would be done by losing sections:

1004.1 Occupant load. As an aside, I do not like ICC changing the first 'shall' in the sentence to 'are'.

1004.1.2 Allows use of table 1004.1.2 and directs the Fire Code Official to determine occupant load in areas without fixed seating.

1010.1.9 Door operations. Readily openable without use of key or special knowledge or effort.

1010.1.9.4 No bolt locks.

1017 Exit access travel distance. This section gets used in evaluating new layouts for booths and displays in the Expo Center. No building permit needed to move around the pipe and drapes, but they can be set up so no one can quickly get to an exit.

Emory Rodgers said we don't have anything about food trucks in the code now but the 2018 does. F23 puts in a whole new standard. He is hoping that fire services will support putting this in their fire prevention code for both operational permits and standard so it will be statewide.

Robby Dawson stated that this reference of signage is a maintenance issue, so **Section 1004.3** shall remain?

Cindy Davis stated that if a sign is required by the building code, if it gets missed, destroyed or removed illegally you still have the authority to require it.

Emory Rodgers stated that zoning is a land use decision.

William Andrews – already required under retrofit. 1701.

Anthony Barrero stated in **1017 Exit access travel distance.** This section gets used in evaluating new layouts for booths and displays in the Expo Center. No building permit needed to move around the pipe and drapes, but they can be set up so no one can quickly get to an exit. It needs to be retained along with the table.

Anthony Barrero stated **1018 Aisles.** This section gets used in evaluating new layouts not only for the Expo Center, but in mercantiles when displays are rearranged. It needs to be retained.

Sean Farrell stated in Part 3 of the VA Maintenance Code all buildings must be maintained in the code in which it was constructed.

Robby Dawson stated signage on a door appendix is not enforceable.

Anthony Barrero stated in **1023.5 Stairway penetrations**. A critical section, the remediation of the penetrations must be immediate. Not whenever the building official can investigate the FCO generated complaint. John Sevier Hotel Fire. Although not a stairway penetration, on Christmas Eve, 1989, 16 elderly residents died in a fire in a building that met all the codes when it was converted to housing. “The Johnson City (TN) Fire Marshal's office had investigated the fire which occurred on October 25, 1989. A final inspection of Apt #513 was also conducted during the week of November 27. Another inspection of smoke towers and standpipes was also conducted because of reports that heavier than usual accumulations of smoke had traveled to the upper floors at the time of the fire. This heavy smoke accumulation was later attributed to a break in the pipe chase between floors, thereby allowing the smoke to travel freely to the upper floors of the building. Fire officials had attempted to correct the situation by working with building officials and engineers to convince the owner of the seriousness of this situation and bring the building into compliance.” However, 16 persons lost their lives, because the deficiency was not fixed immediately. I do not have access to the NFPA report, but seem to remember that the size of the penetration was tiny.

1010.1.9.3 Locks and Latches

Linda Hale asked about 2.2 regarding a readily visible durable sign is posted on the egress side on or adjacent to the door stating: This door to remain unlocked when this space is occupied.

Robby Dawson stated if it wasn't required by the building code, can he tell them to put the sign up?

Chapter 11 deleted

Chapter 20

Robby Dawson **Helistop 2007.2** Clearances need to remain. Un-strike, it must be maintained.

Cindy Davis said we are un-striking heliports.

Emory Rodgers said he agreed with un-striking heliports

Robby Dawson stated in **2007.2** that this is a safety regulation and needs to remain. Clearance is not just related to structures. Un-strike consensus.

Robby Dawson said he also has concerns with removing 903-905. It depends on the correlation with what is being deleted.

Chapter 21 Dry Cleaning

Linda Hale stated in **2105.2.3 Ventilation**, we need to put in maintenance language per Cindy.

William Andrews said this must be operating as required. This is an operational issue. Using maintenance language doesn't guarantee its use. Consensus to add applicable operational language.

William Lloyd stated in **2104.2.4 Bonding and grounding** that it does not require a permit from the building official. It is not a construction requirement but a life safety requirement.

Robby said it could be a drum that is being transported that needs to be grounded.

Cindy Davis stated that we will take a look at this.

Robby Dawson said it might include things that aren't building code related such as a 55 gallon drum.

Linda Hale stated in **2105.2.3 Ventilation** that this is maintenance.

The consensus was to add the maintenance language as it relates to operations.

Linda Hale stated in **2105.3 Type IV and V Systems** that this is also maintenance.

The consensus was to add the maintenance language.

William Lloyd stated in **2106.3 Class II and III solvents**, said this needs to remain. Disagreements with quantity direction.

Andrew Milliken agreed in **2108.4** to leave in, however, the language needs to be cleaned up. Reference to 906 is okay. Approved fire extinguishers for this purpose. It needs a pointer.

Cindy Davis asked if we said approved portable fire extinguishers shall be installed and maintained.

Vernon Hodge stated he thinks we need to un-strike that whole section.

Robby Dawson stated I agree with Vernon Hodge.

Cindy Davis said this was a good place to talk about quantities of materials. We were at a meeting that there was a discussion and we said we didn't know. Wonder if there was a dry cleaning facility under a code in the 1980's were permitted to have additional materials. Half said they could not remain, half said they could remain. She explained the position of the AGs office on this topic.

Virginia statutes and laws are written is to generally allow whatever was constructed at the time to remain and it could continue. Quantities can remain.

Kenney Payne asked that in **2108.4** that you are going to un-strike all of it?

Chapter 22 Combustible Dust-Producing Operations

Nothing

Chapter 23 Motor Fuel-Dispensing Facilities and Repair Garages

William Andrews stated in **2301.3** we need to keep these in order to know what's there.

Robby Dawson suggested that we needed to keep NFPA 30A in **2301.4 and 2301.5** since it contains many operational requirements.

Russell Furr commented on **2301.4.1** that this was operational to prevent flammable liquids to flow from one area to another.

Robby Dawson stated that in **2304.3.7 (2) Quantity limits** that this is operational and not regulated by the building code. This needs to stay here.

Robby Dawson commented that in **2306.1 General** that we need to change to the original language or at the very minimum keep the last part. This just changes the scope drastically.

Cindy Davis stated that the staff would check the storage requirements.

William Lloyd states that in **2306.2.1.1 Inventory control for underground tanks**. This is an existing amendment. Notify the fire official after consistent loss of product.

Anthony Barrero stated that in **2306.7.4 Dispenser emergency shutoff valve** This could be potentially fatal to everyone and especially first responders. Un-strike this.

Vernon Hodge stated we can't retroactively require it. We can un-strike where installed provisions.

Andrew Milliken suggested in **2306.7.5 Dispenser hose** that we un-strike this language.

William Andrews stated that in **2306.7.8 Gravity and pressure dispensing** that this is operational. Flammable liquids by gravity need to be regulated.

Cindy Davis said staff will look at this.

William Andrews said in **2306.8.1 Listed equipment** that this should be un-stricken.

Vernon Hodge stated we should un-strike it. **Consensus to un-strike**

William Andrews said in **2309.3.1.2.3 Ignition source control**. that the building code does not regulate these items. I suggest un-striking.

Cindy Davis agrees

Linda Hale stated that in **2310.3.4 Portable containers, 2310.6.1 Standpipe hose station and 2311.2 Storage and use of flammable and combustible liquids** needs to be un-stricken.

Robby Dawson stated that **2309.1 General** along with **2309.3.1 Location of operations and equipment and 2309.3.2 Canopies**, references Chapter 58

Andrew Barrero said that Chapters 20-30 strikes a lot of safeguard issues.

Vernon Hodge commented that if required it needs to be maintained.

Robby Dawson stated that in **2309.5.1.1 Vehicle fueling pad** , Hydrogen fueling needs to stay, or add verbage that the vehicle needs to be grounded, this is operational.

Linda Hale and William Andrews stated in **2310.3.4 Portable containers** to un-strike

William Andrews stated **2311.3 Sources of ignition** needs to be left in.

Cindy Davis indicated that this has been captured.

Emory Rodgers stated that public and private unattended motor fuel dispensing inconsistent will you please check into this?