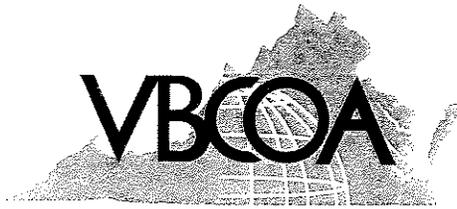


AGENDA
 CODES AND STANDARDS COMMITTEE
 2006 BUILDING AND FIRE CODES – BOOK 2
 February 20, 2007

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VIRGINIA BUILDING & CODE OFFICIALS ASSOCIATION

December 4, 2006

Emory Rodgers, Deputy Director
Division of Building and Fire Regulation
Virginia Department of Housing and Community Development
501 North Second Street
Richmond, VA 23219-1321

Dear Mr. Rodgers:

Please forward the following request to the Board for Housing and Community Development (BHCD) and other interested parties. Speaking on behalf of the more than 900 VBCOA members I would like to request that the Department of Housing and Community Development consider the potential to integrate the upcoming 2006 Virginia Uniform Statewide Building Code (USBC) requirements into the printed version of the 2006 International Code Council's (ICC) International Building Code (IBC). This will benefit the Commonwealth in many ways but mainly it will provide users the advantage of having all the pertinent building code and administrative provisions located in one document. The ease of usability alone is just cause for such an endeavor but in addition, this concept would reflect and memorialize all the hard work and effort put forth from so many Virginia representatives in both the USBC and ICC development process. This undertaking would be another step towards enhancing the customer service aspect from the code enforcement community by providing the best possible code documents for the protection of the health, safety, and welfare of the citizens in Virginia.

Sincerely,

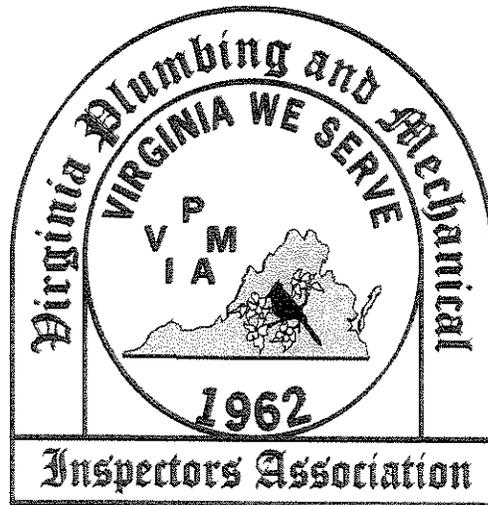
Guy Tomberlin, President
VBCOA

cc: John Glover
Lynn Underwood
Jim Collins

P.O. Box 12164 Richmond, VA 23241 Phone: 804-649-8471 Fax: 804-343-3758 www.vbcoa.org



2004 ICC Chapter of the Year



December 5, 2006

Emory Rodgers, Deputy Director
Division of Building and Fire Regulation
Virginia Department of Housing and Community Development
501 North Second Street
Richmond, Va. 23219-1321

Dear Mr. Rodgers:

Please forward the following request to the Board for Housing and Community Development (BHCD) and other interested parties. Speaking on behalf of the more than three hundred VPMIA members, I would like to request the Department of Housing and Community Development consider the potential to integrate the upcoming 2006 Virginia Uniform Statewide Building Code (USBC) requirements into the printed version of the 2006 International Code Council's (ICC) International Building Code (IBC).

This will benefit the Commonwealth in many ways but mainly it will provide users the advantage of having all the pertinent building code and administrative provisions located in one document. The ease of usability alone is just cause for such an endeavor but in addition, this concept would reflect and memorialize all the hard work and effort put forth from so many Virginia representatives in both the USBC and ICC development process. This undertaking would be another step towards enhancing the customer service aspect

from the code enforcement community by providing the best possible code documents for the protection of the health, safety and welfare of the citizens in Virginia.

Sincerely,

A handwritten signature in cursive script that reads "John B. Seay Jr.".

John B. Seay Jr.

President

Virginia Plumbing and Mechanical Inspectors Association

Cc:

Dennis Martinelli

Mike Clift

John Mills

2006

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM

(Use this form to submit changes to building and fire codes)

<p>Address to submit to:</p> <p>DHCD, the Jackson Center 501 North Second Street Richmond, VA 23219-1321</p> <p>Tel. No. (804) 371 – 7150 Fax. No. (804) 371 – 7092 Email: bhcd@dhcd.state.va.us</p>		<p>Document No. _____</p> <p>Committee Action: _____</p> <p>BHCD Action: _____</p>
<p>Submitted by: <u>Michael D. Redifer</u> Representing: <u>City of Newport News</u></p>		
<p>Address: <u>2400 Washington Avenue Newport News, VA 23607</u> Phone No.: <u>757-926-8861</u></p>		
<p>Regulation Title: <u>Virginia Construction Code</u> Section No(s): <u>R303.9</u></p>		
<p>Proposed Change:</p> <p>R303.9 Insect screens. Every door, window and other outside opening required for ventilation purposes shall be supplied with approved tightly fitted screens of not less than 16 mesh per inch and every swinging <u>screen</u> door shall have a self-closing device.</p>		
<p>Supporting Statement:</p> <p>This proposal is to clarify that the self-closing device need not be installed on the door referenced in the beginning of the section.</p>		

GENERAL REQUIREMENTS

shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Exception: Spas or hot tubs with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.

SECTION 304 EXTERIOR STRUCTURE

304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.2 Protective treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

[F] 304.3 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

304.4 Structural members. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.8 Decorative features. All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.9 Overhang extensions. All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

304.11 Chimneys and towers. All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.12 Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

304.13.1 Glazing. All glazing materials shall be maintained free from cracks and holes.

304.13.2 Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.14 Insect screens. During the period from [DATE] to [DATE], every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

304.15 Doors. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.16 Basement hatchways. Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

304.17 Guards for basement windows. Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

A. 109.1. Inspection: The fire official may inspect all structures and premises for the purposes of ascertaining and causing to be corrected any conditions liable to cause fire, contribute to the spread of fire, interfere with firefighting operations, endanger life, or any violations of the provisions or intent of the SFPC.

Exception: Single family dwellings and dwelling units in two family and multiple family dwellings and farm structures shall be exempt from routine inspections. This exemption shall not preclude the fire official from inspecting under § 27-98.2 of the Code of Virginia for hazardous conditions relating to explosives, flammable and combustible conditions, and hazardous materials.

B. 109.1.1. Right to entry: The fire official may enter any structure or premises at any reasonable time to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the fire official may pursue recourse as provided by law.

Note: Specific authorization and procedures for inspections and issuing warrants are set out in §§ 27-98.1 through 27-98.5 of the Code of Virginia and shall be taken into consideration.

C. 109.1.2. Credentials: The fire official and technical assistants shall carry proper credentials of office when inspecting in the performance of their duties under the SFPC.

D. 109.2. Coordinated inspections: The fire official shall coordinate inspections and administrative orders with any other state and local agencies having related inspection authority, and shall coordinate those inspections required by the USBC for new construction when involving provisions of the amended IFC, so that the owners and occupants will not be subjected to numerous inspections or conflicting orders.

Note: The USBC requires the building official to coordinate such inspections with the fire official.

E. 109.3. Other inspections: In accordance with § 36-139.3 of the Code of Virginia, the State Fire Marshal , upon presenting proper credentials, shall make annual inspections for hazards incident to fire in all (i) residential care facilities operated by any state agency ~~;~~, (ii) ~~adult care residences assisted living facilities~~ licensed or subject to licensure ~~under pursuant to Chapter 9 18 (§ 63.1-172 63.2-1800 et seq.)~~ of Title ~~63.1 63.2~~ of the Code of Virginia which are not inspected by a local fire marshal ~~;~~, (iii) student - residence facilities owned or operated by the public institutions of higher education in the Commonwealth ~~;~~, and (iv) public schools in the Commonwealth which are not inspected by a local fire marshal. In the event that any such facility or residence is found to be nonconforming to the SFPC, the State Fire Marshal or local fire marshal may petition any court of competent jurisdiction for the issuance of an injunction.

13 VAC 5-51-130. IFC Section 202.0. Definitions.

A. Add the following definitions:

Background clearance card: See Section 3301.0.

Vernon Hodge

From: Vernon Hodge
Sent: Monday, November 20, 2006 3:39 PM
To: 'kthompson@kenthompsoninc.com'; 'cns3rd@exis.net'; 'Mays, Eric M.';
'tfleury@vanmetre.companies.com'; 'Dennis Mitchell'; Witt, Rick; 'JOHN CATLETT'
Cc: Emory Rodgers
Subject: Minor Changes to the Base Documents

In response the Eric Mays' concerns expressed at the Codes and Standards Committee meeting with the correlations changes proposed by staff for the USBC and Industrialized Building standards, staff recommends the following language be substituted. Emory asked that I pass it along to you all.

USBC Section 421.6 would say, " ... Such plans and specifications shall be permitted to be submitted in electronic or other available format acceptable to the building official."

IBSR § 13 VAC 5-91-20(C) would say, " ... Additionally, the provisions of this chapter do not prohibit alterations and additions to existing industrialized buildings from being regulated by the USBC or building officials from requiring the submission of plans and specifications for the model involved in electronic or other available format to aid in the evaluation of the proposed addition or alteration."

Should you have any questions or concerns, please let me know.

11/20/2006

Vernon Hodge

From: Curtis McIver
Sent: Monday, November 20, 2006 1:59 PM
To: Vernon Hodge
Cc: Emory Rodgers
Subject: RE: Minor Changes to IBSR and USBC

That's fine.

Curtis L. McIver
State Building Code Administrator
Department of Housing and Community Development
501 North Second Street
Richmond, VA 23219
(804) 371-7160

From: Vernon Hodge
Sent: Monday, November 20, 2006 1:50 PM
To: Curtis McIver
Cc: Emory Rodgers
Subject: RE: Minor Changes to IBSR and USBC

The IBSR provision is written from the perspective of the building official so it doesn't need to say "acceptable to the building official," but otherwise we could use the same language, shown below:

USBC Section 421.6 would say, " ... Such plans and specifications shall be permitted to be submitted in electronic or other available format acceptable to the building official."

IBSR § 13 VAC 5-91-20(C) would say, " ... Additionally, the provisions of this chapter do not prohibit alterations and additions to existing industrialized buildings from being regulated by the USBC or building officials from requiring the submission of plans and specifications for the model involved in electronic or other available format to aid in the evaluation of the proposed addition or alteration."

From: Curtis McIver
Sent: Monday, November 20, 2006 12:15 PM
To: Vernon Hodge
Cc: Emory Rodgers
Subject: RE: Minor Changes to IBSR and USBC

If you leave it as proposed, it gives only two formats – electronic or microfilm. The proposed change does not include providing paper copies of the plans. If you want to say "in electronic or other available format acceptable to the building official" you would have it covered better in my opinion.

Curtis L. McIver
State Building Code Administrator
Department of Housing and Community Development
501 North Second Street
Richmond, VA 23219
(804) 371-7160

From: Vernon Hodge
Sent: Monday, November 20, 2006 12:04 PM
To: Curtis McIver

11/20/2006

Cc: Emory Rodgers
Subject: RE: Minor Changes to IBSR and USBC

If we said "in electronic or other available format" in Section 421.6 of the USBC, then the building official might still get it in a format that he cannot utilize. The IBSR provision (13 VAC 5-91-20 C) is just permitting the building official to request the plans in electronic format, but it doesn't address how he has to accept it. The USBC provision (421.6), on the other hand, is requiring the building official to accept a certain type of format and that is the provision that Eric had a problem with; he said it has to be in a format that the building official can utilize. Since the original requirement was that the building official must accept approved microfilm (that is in § 13 VAC 5-91-110 (6) of the current IBSR), I guessed the only thing we could do is fall back to that requirement if the building official can't utilize it in other electronic format.

But I'm OK with any tweaks that address Eric's concern.

From: Curtis McIver
Sent: Monday, November 20, 2006 11:35 AM
To: Vernon Hodge
Cc: Emory Rodgers
Subject: RE: Minor Changes to IBSR and USBC

I would suggest using the same language (...in electronic or other available format...) for both code sections and not even mention microfilm.

Curtis L. McIver
 State Building Code Administrator
 Department of Housing and Community Development
 501 North Second Street
 Richmond, VA 23219
 (804) 371-7160

From: Vernon Hodge
Sent: Thursday, November 16, 2006 3:10 PM
To: Curtis McIver
Cc: Emory Rodgers
Subject: Minor Changes to IBSR and USBC

At the Codes and Standards Committee today, Eric Mays voiced concerns about the "electronic format" language we used in the proposed changes to the IBSR and the USBC, so I have made a minor change to both, shown below:

13 VAC 5-91-20. Application and compliance.

(skip A and B)

C. Industrialized buildings subject to any edition of this chapter when constructed shall be maintained in compliance with the applicable edition by the owners or occupants, or both. In accordance with subsection A of this section, the provisions of the USBC shall not be applicable to the design and construction of registered industrialized buildings. However, the provisions of this chapter do not prohibit the administrative provisions of the USBC for permits, inspections, certificates of occupancy and other matters from being applicable to the extent they are not addressed by the requirements of this chapter. Additionally, the provisions of this chapter do not prohibit alterations and additions to existing industrialized buildings from being regulated by the USBC or building officials from requiring the submission of plans and specifications for the model involved in *** electronic or other available format *** to aid in the evaluation of the proposed addition or alteration.

The original change said "electronic or other format[,]" I added "available." That would include microfilm or paper,

11/20/2006

if that's the only way the building officials could read it.

And in the USBC:

421.6 Relocated industrialized buildings; alterations and additions. Industrialized buildings constructed prior to January 1, 1972 shall be subject to Section 117 when relocated. Alterations and additions to existing industrialized buildings shall be subject to pertinent provisions of this code. Building officials shall be permitted to require the submission of plans and specifications for the model to aid in the evaluation of the proposed alteration or addition. Such plans and specifications shall be permitted to be submitted in electronic format if acceptable to the building official or on approved microfilm.

I added "if acceptable to the building official or on approved microfilm[.]"

Eric's concern was that some building departments may not be able to read plans in electronic format. I've tried to keep open the possibility of submitting it to them in electronic format if they can read it that way. Otherwise we would fall back to what the reg used to say about microfilm.

Let me know if OK.

11/20/2006

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
Division of Building and Fire Regulation

DEVELOPMENT OF THE 2006 BUILDING AND FIRE REGULATIONS

STAFF RECOMMENDATION FOR THE BASE DOCUMENT OF THE
VIRGINIA CERTIFICATION STANDARDS

13 VAC 5-21-10. Definitions.

A. The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Applicant" means a person seeking a certificate ~~from the BHCD~~.

"BCAAC" means the Building Code Academy Advisory Committee appointed ~~by the BHCD~~ under pursuant to subdivision 7 of § 36-137 of the Code of Virginia.

~~"BHCD" means the Virginia Board of Housing and Community Development.~~

"Certificate" means a certificate of competence issued pursuant to subdivision 6 of § 36-137 of the Code of Virginia concerning the content, application, and intent of specified subject areas of the building and fire prevention regulations promulgated by the ~~BHCD~~ Virginia Board of Housing and Community Development and issued to present or prospective personnel of local governments and to any other persons seeking to become qualified to perform inspections pursuant to Chapter 6 (§ 36-97 et seq.) of Title 36 of the Code of Virginia, Chapter 9 (§ 27-94 et seq.) of Title 27 of the Code of Virginia, and any regulations adopted thereunder, who have completed training programs or in other ways demonstrated adequate knowledge.

"Certificate holder" means a person to whom ~~the BHCD has issued~~ a certificate has been issued.

"Code academy" means the Virginia Building Code Academy established under subdivision 14 of § 36-139 of the Code of Virginia or individual or regional training academies accredited by ~~DHCD~~ the Department pursuant to subdivision 7 of § 36-137 of the Code of Virginia.

"DFP" means the Virginia Department of Fire Programs.

~~"DHCD"~~ "Department" means the Virginia Department of Housing and Community Development.

"SFPC" means the Virginia Statewide Fire Prevention Code (13 VAC 5-51).

"State Review Board" means the Virginia State Building Code Technical Review Board established under § 36-108 of the Code of Virginia.

"USBC" means the Virginia Uniform Statewide Building Code (13 VAC 5-63).

"VADR" means the Virginia Amusement Device Regulations (13 VAC 5-31).

B. Words and terms used in this chapter that are defined in the USBC, VADR or SFPC and that are not defined in this chapter shall have the meaning ascribed to them in those regulations unless the context clearly indicates otherwise.

13 VAC 5-21-20. Purpose.

The purpose of this chapter is to establish standards for applicants for a ~~BHCD~~ certificate and standards to be used by ~~DHCD~~ the Department in the evaluation and determination of a person's eligibility for the issuance of ~~BHCD~~ certificates.

13 VAC 5-21-31. Qualification and examination requirements.

A. An applicant for a ~~BHCD~~ certificate in categories associated with the USBC or the SFPC shall provide a written endorsement from the code official or the code official's supervisor in the locality in which they are employed certifying that the applicant complies with the qualification section in the USBC or the SFPC for each type of certificate sought. When the applicant for a ~~BHCD~~ certificate in categories associated with the USBC or the SFPC is a nongovernment employee, the applicant shall provide documentation that the applicant complies with the qualification section in the USBC or the SFPC as it would relate to the applicant's job responsibilities for each type of certificate sought.

B. An applicant for a ~~BHCD~~ certificate in categories associated with the VADR shall provide a written endorsement from the applicant's supervisor or a person having a similar relationship to the applicant certifying that the applicant is generally qualified to conduct activities related to the VADR.

C. Applicants for all ~~BHCD~~ certificates shall provide proof of successful completion of approved examinations for each ~~type of~~ certificate sought, except as provided for in 13 VAC 5-21-45. ~~DHCD~~ The Department shall maintain a list of approved testing agencies and examinations that meet nationally accepted standards for each ~~type of~~ certificate offered. For information on approved testing agencies and examinations contact ~~DHCD, Division of Building and Fire Regulation~~ the Department's Technical Assistance Services Office, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7180.

13 VAC 5-21-41. Certification categories and training requirements.

A. ~~DHCD shall maintain~~ The Department maintains a list of all ~~BHCD certification categories certificates offered~~ and the list ~~shall set~~ sets out the required training necessary to attend and complete to obtain a certificate. This section also contains specific training requirements for some ~~certification categories~~ certificates offered that may be duplicated on the list or that may be in addition to those ~~set out~~ on the list. Alternatives to the training requirements set out in 13 VAC 5-21-45 shall be permitted for all ~~categories on the list~~ certificates offered except that no alternative shall be accepted for the code academy core module.

~~For further information on BHCD certification categories and required training, contact: DHCD, Division of Building and Fire Regulation, 501 N. 2nd St., Richmond, VA 23219, (804) 371-7180.~~

B. Applicants for ~~all BHCD~~ certificates shall attend and complete the code academy core module. In addition to the completion of the core module, applicants for the following ~~categories of BHCD certification certificates~~ are required to attend and complete the following code academy training, except as provided for in 13 VAC 5-21-45:

<u>Category of BHCD Certification Certificate</u>	<u>Code Academy Training</u>
Building official	Advanced official module
Fire official	Advanced official module and the 1031 school as administered by DFP
Building maintenance official	Advanced official module and the property maintenance module
Fire prevention inspector	The 1031 school as administered by DFP
Amusement device inspector	Amusement device inspection module

13 VAC 5-21-45. Alternatives to examination and training requirements.

A. An applicant for a BHCD certificate with the written endorsement or documentation required by 13 VAC 5-21-31 may submit a written request to ~~DHCD~~ the Department to approve an equivalent examination by a testing agency not on the list of approved testing agencies ~~maintained by DHCD~~ to satisfy the examination requirements of 13 VAC 5-21-31. ~~DHCD may request the assistance of BCAAC~~ may be consulted with in any such consideration.

B. Upon written ~~application by any applicant for a BHCD certificate, DHCD may approve request,~~ alternative training or a combination of training, education or experience to satisfy the training requirements of 13 VAC 5-21-41 may be approved , provided that such alternatives or combinations are determined to be equivalent to that required. However, as provided in 13 VAC 5-21-41, no substitutions shall be approved for the code academy core module. The types of combinations of education and experience may include military training, college classes, technical schools or long-term work experiences, except that long-term work experiences shall not be approved as the sole substitute to satisfy the training requirements. ~~DHCD may request the assistance of BCAAC~~ may be consulted with in any such consideration.

13 VAC 5-21-51. Issuance of certificates.

A. Certificates will be issued when ~~DHCD determines~~ an applicant has complied with the applicable requirements of this chapter ~~for the certification sought~~ . Certificate holders will be classified by ~~DHCD~~ as active or inactive. An active certificate holder is a person who is certified and who has attended all periodic training courses designated by ~~DHCD~~ the Department subsequent to becoming certified. An inactive certificate holder is a person who is certified but has not attended all such training courses. An inactive certificate holder may request reinstatement ~~from DHCD~~ as an active certificate holder after completing make-up training courses authorized by ~~DHCD~~ the Department . ~~DHCD may also issue Provisional certificates~~ may also be issued in accordance with subsection C of this section.

B. All certificates issued ~~by the BHCD~~ since June 1978 are considered to be valid unless revoked or suspended ~~by the BHCD~~, except that provisional certificates shall remain valid as set out under subsection C of this section.

C. A provisional certificate may be issued ~~by the BHCD~~ to (i) a person who has been directed by the BHCD Department to obtain a certificate; (ii) an applicant requesting a certificate under the alternative examination or training provisions of 13 VAC 5-21-45; or (iii) an applicant when the required ~~DHCD or DFP~~ training has not been provided or offered.

Such a provisional certificate may be issued when the applicant has (i) provided the written endorsement or documentation required by 13 VAC 5-21-31, (ii) satisfactorily completed the code academy core module, and (iii) completed any training through the code academy or through other providers determined ~~by DHCD~~ to warrant the issuance of the provisional certificate.

The provisional certificate is valid for a period of one year after the date of issuance and shall only be issued once to any individual, except that a provisional certificate shall remain valid when the required ~~DHCD or DFP~~ training has not been provided or offered.

13 VAC 5-21-61. Sanctions.

When ~~the BHCD determines~~ a certificate holder has failed to comply with an order issued by the State Review Board or failed to meet the required training or testing requirements, ~~then a warning letter may be issued and kept in records by DHCD for that individual to the certificate holder or a certificate issued under this chapter may be revoked or suspended by the BHCD.~~ Any action taken pursuant to this section shall be retained in the training record of the certificate holder.

13 VAC 5-21-70. Appeal Appeals .

~~Decisions of the BHCD regarding an applicant for a certificate or a certificate holder shall be final unless appealed.~~

~~Actions under this regulation are governed by the Virginia Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia) and are subject to judicial review in accordance with that law.~~

In accordance with § 36-114 of the Code of Virginia, the State Review Board shall have the power and duty to hear all appeals from decisions arising under application of this chapter. In addition, as a requirement of this chapter, an appeal shall be filed within 30 days of the receipt of the decision being appealed.

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM
 (Use this form to submit changes to building and fire codes)

Address to submit to: DHCD, the Jackson Center 501 North Second Street Richmond, VA 23219-1321 Tel. No. (804) 371 – 7150 Fax No. (804) 371 – 7092 Email: bhcd@dhcd.state.va.us		Document No. _____ Committee Action: _____ BHCD Action: _____
Submitted by: Ron Clements Representing: VBCOA and the Amusement Device Technical Advisory Committee (ADTAC) Address: 9800 Government Center Pkwy Phone No.: (804) 751-4163 Regulation Title: <u>USBC, Part I, Virginia Construction Code</u> Section No(s): <u>102.3(4)</u>		
Proposed Change: Change Item 4 of Section 102.3 to read as follows: 4. <u>Non-mechanized playground or recreational equipment such as swing sets, sliding boards, climbing bars, jungle gyms, skateboard ramps, and similar equipment when such equipment is not regulated by the VADR where no admission fee is charged for its use or for admittance to areas where the equipment is located .</u>		
Supporting Statement: This code change proposal and its companion change correlate the exemption in the USBC with the exemption in the Virginia Amusement Device Regulations for playground and recreational equipment.		

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM

(Use this form to submit changes to building and fire codes)

<p>Address to submit to:</p> <p>DHCD, the Jackson Center 501 North Second Street Richmond, VA 23219-1321</p> <p>Tel. No. (804) 371 – 7150 Fax No. (804) 371 – 7092 Email: bhcd@dhcd.state.va.us</p>		<p>Document No. _____</p> <p>Committee Action: _____</p> <p>BHCD Action: _____</p> <p align="center"><i>10/26/06</i></p>
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Submitted by: John Catlett Representing: VBCOA

Address: 401 Lafayette Street, Williamsburg VA 23185 Phone No.: (757) 220-6135

Regulation Title: Virginia New Construction Code Section No(s): 103.11

Proposed Change:

103.11 Functional design. The following criteria for functional design is in accordance with Section 36-98 of the Code of Virginia. The USBC shall not supersede the regulations of other state agencies which require and govern the functional design and operation of building related activities not covered by the USBC including but not limited to (i) public water supply systems, (ii) waste water treatment and disposal systems, (iii) solid waste facilities. Nor shall state agencies be prohibited from requiring, pursuant to other state law, that buildings and equipment be maintained in accordance with provisions of this code. In addition, as established by this code, the building official may refuse to issue a permit until the applicant has supplied certificates of functional design approval from the appropriate state agency or agencies. For purposes of coordination, the locality may require reports to the building official by other departments or agencies indicating compliance with their regulations applicable to the functional design of a building or structure as a condition for issuance of a building permit or certificate of occupancy. Such reports shall be based upon review of the plans or inspection of the project as determined by the locality. All enforcement of these conditions shall not be the responsibility of the building official, but rather the agency imposing the condition.

Note: Identified state agencies with functional design approval are listed in the "Related Laws Package" which is available from DHCD.

Supporting Statement: Clarifies that failure to receive approval from state and local agencies for functional design issues relating to construction can be grounds to withhold a permit or occupancy permit.

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM
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Submitted by: John Catlett Representing: VBCOA
 Address: 401 Lafayette Street; Williamsburg VA 23185 Phone No.: (757) 220-6135
 Regulation Title: Virginia New Construction Code Section No(s): 113.7 (revised 12/14/06)

Proposed Change:

113.7 Approved inspection agencies. The building official may accept reports of inspections and tests from approved individuals or approved inspection agencies approved in accordance with building official's written policy required by Section 113.7.1, which satisfy The individual or inspection agency must meet the qualifications and reliability requirements established by the written policy. Under circumstances where the building official is unable to make the inspection or test required by Sections 113.3 or 113.4 within two working days of a request or an agreed upon date, or if authorized for other circumstances in the building official's written policy, the building official shall accept reports for review. The building official shall approve the report from such approved individuals or agencies unless there is cause to reject it. Failure to approve a report shall be in writing within two working days of receiving it stating the reason for the rejection. Such Reports of inspections conducted by approved third party inspectors or agencies shall be in writing, shall indicate if compliance with the applicable provisions of the USBC have been met and shall be certified by the individual inspector or by the responsible officer when the report is from an agency.

Note: Photographs, videotapes or other sources of pertinent data or information may be considered as constituting such reports and tests.

113.7.1 Third-party inspectors. Each building official charged with the enforcement of the USBC shall have a written policy establishing the minimum acceptable qualifications for third-party inspectors. The policy shall include the format and time frame required for submission of reports, any prequalification or pre-approval requirements before conducting a third party inspection; and any other requirements and procedures established by the building official.

113.7.2 Qualifications. In determining third party inspector qualifications, the building official may consider such items as Virginia Department of Housing and Community Development inspector certification, other state or national certifications, state professional registrations, related experience, education, and any other factors which would demonstrate competency and reliability to conduct inspections.

Supporting Statement:

There has been a continued debate regarding the use and qualifications of third party inspectors for several code changes. Past code language has been ambiguous and highly interpretive leading to misapplication, confusion, and sometimes delays in approval of third party agents. The code change adopted in 2003 made strides in improving this sections application.

The propose text is a sort of "next step" from the code language change approved with the 2003 USBC. The change to Section 113.7 is intended to remove duplicated language and recognize that there is a requirement for a local written policy regarding third party inspections. The second part of this change recognizes that third party inspection are not only allowed to be conducted when the building official cannot respond within two working days, but when the local written policy allows third party inspection by right or when required by such other polices such as shrink-swell soils.

Section 113.7.1 clarifies that the written policy may establish certain criteria and approvals before the inspection is conducted. This allows the building official to not only approve the agent and actual inspection, but allows the building official to be looking for reports of the inspection to satisfy the USBC minimum inspection requirements.

Section 113.7.2 is intended to provide guidance to the many local building officials that have not established a written third party inspection policy. Many have difficulty establishing the minimum level of qualifications and the types of issues that should be included therein. The qualifications suggested are a compilation of several policies that have been developed since the 2003 code change. The change provides guidance as to the intended level of expertise necessary for the third party provider and a way for the building official to evaluate their credentials.

The provision clarifies that nothing in this section is intended to limit a local building official from establishing a more restrictive requirement for qualifications. In addition, the written policy may require an approval process that may include ride alongs with locality inspectors to verify code knowledge and application, verification and/or minimal levels of field experience in the trade area inspected and attendance to training that the locality would require for their own inspectors to keep current on specific topics affecting the locality. In addition, legal council for some localities have recommended that third party inspectors carry a minimum level of insurance.

As noted before, this code change is intended as a "next step." The previous code change has required the local building official to examine the issue of third party inspections and has opened the door to some creative, but reasonable local policies. This code change should take it to the next level and actually provide a basic format for localities that have not created a local policy.

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM

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<table style="width:100%; border: none;"> <tr> <td style="width:50%; border: none;">Submitted by: John Catlett (Rick Witt)</td> <td style="width:50%; border: none;">Representing: Virginia Building and Code Officials Assoc.</td> </tr> <tr> <td style="border: none;">Address: P.O. Box 40, Chesterfield, Virginia 23832</td> <td style="border: none;">Phone No.: (804) 751-4161</td> </tr> <tr> <td style="border: none;">Regulation Title: Virginia Construction Code</td> <td style="border: none;">Section No(s): 112.3</td> </tr> </table>			Submitted by: John Catlett (Rick Witt)	Representing: Virginia Building and Code Officials Assoc.	Address: P.O. Box 40, Chesterfield, Virginia 23832	Phone No.: (804) 751-4161	Regulation Title: Virginia Construction Code	Section No(s): 112.3
Submitted by: John Catlett (Rick Witt)	Representing: Virginia Building and Code Officials Assoc.							
Address: P.O. Box 40, Chesterfield, Virginia 23832	Phone No.: (804) 751-4161							
Regulation Title: Virginia Construction Code	Section No(s): 112.3							
<p>Proposed Change:</p> <p>112.3 Documentation and approval. In determining whether any material, equipment, device, assembly, or method of construction complies with this code, the building official shall approve items listed by nationally recognized testing laboratories (NTRL), when such items are listed for the intended use and application, and in addition, may consider the recommendations of RDP's. Approval shall be issued when the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code and that the material, equipment, device, assembly or method of construction offered is, for the purpose intended, at least the equivalent of that prescribed by the code, in quality, strength, effectiveness, fire resistance, durability, and safety. Such approval..... (remainder of text unchanged)</p>								
<p>Supporting Statement: When a code official attempts to determine if any material, equipment device, etc. is approvable for use he/she will make a judgement based on the intent of the code. A laundry list of items is unnecessary and tends to leave out other factors and the ones listed are somewhat subjective.</p>								

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<p>Submitted by: <u>John Catlett</u> Representing: <u>VBCOA</u></p> <p>Address: <u>401 Lafayette Street; Williamsburg VA 23185</u> Phone No.: <u>(757) 220-6135</u></p> <p>Regulation Title: <u>Virginia New Construction Code</u> Section No(s): <u>115.2.1</u></p>		
<p>Proposed Change: 115.2.1 Notice not to be issued under certain circumstances. When violations are discovered more than two years after the certificate of occupancy is issued or the date of initial occupancy, whichever occurred later, or more than two years after the approved final inspection for an alteration or renovation, a notice of violation shall only be issued upon advice from the legal counsel of the locality that action may be taken to compel correction of the violation. When compliance can no longer be compelled by prosecution under Section 36-106 of the Code of Virginia, the building official, <u>when requested by the building owner</u>, shall document <u>in writing</u> the existence of the violation and <u>noting</u> the edition of the USBC the violation is under.</p>		
<p>Supporting Statement: The code change is intended to clarify the method of documentation and where to store it when required by the section.</p>		

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Submitted by: John Catlett (Rick Witt)	Representing: Virginia Building and Code Officials Assoc.							
Address: P.O. Box 40, Chesterfield, Virginia 23832	Phone No.: (804) 751-4161							
Regulation Title: Virginia Construction Code	Section No(s): Section 119.5							
Proposed Change: Section 119.5 Right of Appeal; filing of appeal application. The owner of a building or structure, the owner's agent or any other person involved in the design or construction of a building or structure may appeal a decision of the building official concerning the application of the USBC to such building or structure and may also appeal a refusal by the building official to grant a modification to the provisions of the USBC pertaining to such building or structure. The applicant shall submit a written request for appeal to the LBCCA within 90 <u>30</u> days of the receipt of the decision being appealed.(remainder of section is unchanged)								
Supporting Statement: This change is one of two proposed changes to bring consistency to all of the codes with respect to the time frames for the appeals process. Based on the lowest common denominator, 30 days would allow adequate time for anyone whom has disagreements with the decision of the building official to file an appeal. Lengthier time frames are not needed as typically the aggrieved party has some financial implications or timeliness issues with their project which drives the necessity to obtain quick resolution								

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
REGULATORY CHANGE FORM**

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Submitted by: State Building Code Technical Review Board Representing: _____

Address: _____ Phone No.: _____

Regulation Title: USBC, Part I – Virginia Construction Code Section No(s): 310

Proposed Change:

Change R-5 occupancy classification as follows:

~~R-5 Residential occupancies in detached one- and two-family dwellings and multiple single-family dwellings (, townhouses) not more than three stories high with separate means of egress and their accessory structures within the scope of the International Residential Code, also referred to as the "IRC . "~~

Change Section 310.3 to read as follows:

310.3 Group R-5. The construction of Group R-5 structures shall comply with the ~~International Residential Code, also referred to as the " IRC. "~~ The amendments to the IRC set out in Section 310.6 shall be made to the IRC for its use as part of this code. In addition, all references to Section 101.2 in the IBC relating to the construction of ~~one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height~~ such structures subject to the IRC shall be considered to be references to this section.

Supporting Statement:

In review of the provisions of the USBC permitting the use of the International Residential Code under an appeal and in consideration of an interpretation request, the Review Board found that the wording in the 2003 USBC and in Section 101.2 of the IBC could be read to permit a four story dwelling since the language uses definitions under the IBC rather than definitions under the IRC. This proposal makes it clear that Group R-5 structures are those structures that are within the scope of the IRC, which is limited to structures no more than three habitable stories in height plus an unfinished attic.

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Submitted by: Joseph J. Messersmith, Jr.	Representing: Portland Cement Association
Address: 11479 Primrose Lane, Rockville, VA 23146	Phone No.: 804-749-3584
Regulation Title: Virginia Construction Code (IRC)	Section No(s): R404.1

Proposed Change: Delete the following text from Section R404.1 and delete Tables R404.1(1), R404.1(2) and R404.1(3).

R404.1 Concrete and masonry foundation walls. Concrete and masonry foundation walls shall be selected and constructed in accordance with the provisions of Section R404 or ..., unless otherwise required by the state law of the jurisdiction having authority.

~~Foundation walls that meet all of the following shall be considered laterally supported:~~

- ~~1. Full basement floor shall be 3.5 inches (89 mm) thick concrete slab poured tight against the bottom of the foundation wall.~~
- ~~2. Floor joists and blocking shall be connected to the sill plate at the top of wall by the prescriptive method called out in Table R404.1(1), or, shall be connected with an approved connector with listed capacity meeting Table R404.1(1).~~
- ~~3. Bolt spacing for the sill plate shall be no greater than per Table 404.1(2).~~
- ~~4. Floor shall be blocked perpendicular to the floor joists. Blocking shall be full depth within two joist spaces of the foundation wall, and be flat blocked with minimum 2-inch by 4-inch (51 mm by 102 mm) blocking else where.~~
- ~~5. Where foundation walls support unbalanced load on opposite sides of the building, such as a day light basement, the building aspect ratio, L/W , shall not exceed the value specified in Table R404.1(3). For such foundation walls, the rim board shall be attached to the sill with a 20-gage metal angle clip at 24 inches (610 mm) on center, with five 8d nails per leg, or an approved connector supplying 230 pounds per linear foot (3.36 kN/m) capacity.~~

~~Table R404.1(1)
Top Reactions and Prescriptive Support for Foundation Walls~~

~~Table R404.1(2)
Maximum Plate Anchor Bolt Spacing for Supported Foundation Wall~~

~~Table R404.1(3)
Maximum Aspect Ratio, L/W for Unbalanced Foundations~~

Supporting Statement: The provisions for laterally supporting basement walls at the top and bottom that are in the 2000 & 2003 IRC were previously in the CABO One-and Two-Family Dwelling Code for many years. Basement walls constructed in accordance with these provisions have performed successfully with no evidence of code deficiencies. Code change S89-04/05 revised the lateral support provisions based on engineering analysis that indicate the 2003 IRC provisions were unconservative. In the reason statement for the code change, the proponent suggested there have been failures of foundation walls built according to these provisions but no detailed data to substantiate these failures was provided. Absent sufficient technical justification for the change, the IBC Structural Committee correctly took action to recommended its disapproval.

During the challenge process public comments were submitted requesting that code change S89-04/05 be approved as modified. These challenges again alluded to foundation wall failures but no data to substantiate a deficiency with the existing provisions was offered. Unfortunately, the challenges to S89-04/05 were discussed in the public hearings in Detroit very late one evening. With a very small representation of the voting membership present, the action of the IBC Structural Committee was overturned and the foundation anchorage provisions were revised to include three new tables and additional limitations to be evaluated for applying prescriptive provisions to foundation walls.

This proposed change deletes these new tables and additional limitations placed on foundation walls so that the requirements for laterally supporting foundation walls will be returned to those of the 2003 IRC and its predecessor codes.

NOTE: An identical code change (RB149-06/07) has been submitted to the IRC by the following proponents: Concrete Foundation Association, National Association of Home Builders, National Concrete Masonry Association, National Ready Mixed Concrete Association, and Portland Cement Association.

RE: 2006 Virginia uniform Statewide Building Code- Recommended Amendment

January 19, 2006

Dear Mr. Hodge,

Winchester Homes, Inc would like to submit the following recommend amendments for consideration and incorporation into the 2006 edition of the Virginia uniform Statewide Building Code. Thank you for your consideration of this matter. If you should need to contact me please don't hesitate to either e-mail me or call me directly at (410) 365-7781.

Sincerely,

Winchester Homes, Inc.
By Randall K. Melvin
Director Codes and Construction Risk

cc: Mr. Denis Mitchell Loudoun County, Virginia
Mr. Lynch Fairfax and Mr. Chris McArtor Fairfax County, Virginia
Mr. Eric Mays Prince William County, Virginia
Mr. Jim Williams NVBIA

Virginiacodeammendmentrequests12006.doc

Issue: Concrete Masonry Foundation Wall Support

2006 IRC Section: R404.1 Concrete and masonry foundation walls

Recommended Amendment: 1.) Delete text as follows
2.) Delete Tables R404.1(1), R404.1(2),
R404.1(3)

R404.1 Concrete and masonry foundation walls. Concrete and masonry foundation walls shall be selected and constructed in accordance with the provisions of Section R404 or in accordance with ACI 318, ACI 332, NCMATR68-A or ACI 530/ASCE 5/TMS 402 or other approved structural standards. When ACI 318, ACI 332 or ACI 530/ASCE 5/TMS 402 or the provisions of Section R 404 are used to design concrete or masonry foundation walls, project drawings, typical details and specifications are not required to bear the seal of the architect or engineer responsible for design, unless otherwise required by the state law of the jurisdiction having authority.

Foundation walls that meet all of the following shall be considered laterally supported.

- ~~1. Full basement floor shall be 3.5 inches (89 mm) thick concrete slab poured tight against the bottom of the foundation wall.~~
- ~~2. Floor joists and blocking shall be connected to the sill plate at the top of the wall by the prescriptive method called out in Table R 404.1(1), or, shall be connected with an approved connector with listed capacity meeting Table R 404.1(1).~~
- ~~3. Bolt spacing for the sill plate shall be no greater than per Table R404.1(2).~~
- ~~4. Floor shall be blocked perpendicular to the floor joists. Blocking shall be full depth within two joist spaces of the foundation wall, and be flat blocked with a minimum 2 inch by 4 inch (51 mm by 102 mm) blocking elsewhere.~~
- ~~5. Where foundation wall walls support unbalanced load on the opposite sides of the building, such as a daylight basement, the building aspect ratio, L/W , shall not exceed the value specified in Table R 404.1(3). For such foundation walls, the rim board shall be attached to the sill with a 20 gage metal angle clip at 24 inches (610 mm) on center, with five 8d nails per leg, or an approved connector supplying 230 pounds per linear foot (3.36 kN/m) capacity.~~

Reason:

There is no history of failures or any data indicating or even implying that existing IRC requirements for concrete and masonry foundation walls are inadequate and no substantiation for the need for the additional provisions in the 2006 IRC. The new provisions are overly conservative, based only on theoretical assumptions, do not have research backing and have not been applied in conventional construction as they are intended to be here.

Furthermore, little consideration has been given to the practical impact the additional provisions will have on conventional construction which will result in needless increases in housing costs for consumers. The new provisions complicate framing and inspection practices, require exponentially more connectors in many cases, require bracing where it is not needed which further complicates the installation of HVAC, electrical and plumbing systems all to address a problem that is only theoretical and has not been substantiated in any way. Existing IRC requirements without the added provisions in the 2006 edition have a proven track record for constructing sound, safe and durable foundations with no history of failure. The provisions added to the 2006 IRC are therefore not needed and will needlessly burden builders and inspectors who are responsible for ensuring the provisions are met in-turn resulting in increased construction and inspection costs that consumers must bear without providing them a needed benefit.

Representative impacts:

Un-amended, this section of the 2006 IRC, as referenced in (Table R404.1(2) ,will require ½” diameter anchor bolt to be spaced nine inches (9”) on-center for 8’ foundation walls that are backfilled with 7’ of SC, MH, ML-CL and inorganic CL soil and seven inches (7”) on-center anchor bolt spacing for 9’ high foundation walls that are backfilled with 8’ of SC, MH, ML-CL and inorganic CL soil.

For the above, 8’ high walls, Table R404.1(1) requires joist, spaced a maximum of 24” on-center, one will need to be connect to the mudsill with a ¼” thick steel angle which are angle bolted down with one of the immediately adjacent sill bolts and then its vertical leg attached to the joist with the minimum of a ½” diameter bolt. For the above, 9’ high walls scenario, ¼” angles will be required on both sides of the joists.

Regardless of the height of wall and type of backfill material, the entire first floor system will need to be blocked a maximum of 24” on center, with full height blocking for the first two joist bays, and a minimum of flat 2 “ X 4” blocking elsewhere. This more than doubles the labor necessary to install the first floor, floor system and requires approximately a third more framing materials for the first floor.

Conclusion:

Un-amended, section: R404.1 of the 2006 IRC imposes onerous and, historically proven, unnecessary requirements on builders and citizens of the Commonwealth of Virginia.

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Submitted by: Representing: Address: Phone No.: Regulation Title:	Chuck Bajnai Chesterfield County 9800 Government Parkway Chesterfield, VA 23832 (804) 717-6428 2006 IRC Section R602.10	Brian Foley Fairfax County 12055 Government Center Parkway Fairfax, VA 22035 (703) 324-1842

Proposed Change:

Delete 2006 IRC Section R602.10 in its entirety and substitute new Section.

Supporting statement:

Virginia has enjoyed representation on two nationwide committees on wall bracing, the ICC Ad Hoc Committee on Wall Bracing (AHWB) and the IRC Wall Bracing Committee led by Dan Dolan of Washington State University (Dolan Group). These two committees have been meeting for over a year and have far reaching goals.

The Dolan Group is charged with setting consistent testing procedures and technical protocols. With uniformity, the various testing agencies, universities and organizations can share results and data to collaboratively provide the framework for the next generation of wall bracing provisions which are expected to be a dramatic departure from the current provisions.

The AHWB committee has two broad goals. The first is to evaluate and recommend improvements to the existing wall bracing provisions for immediate implementation to the 2008 supplement to the 2006 IRC. In this regard, the committee, worked hard to produce a new version of Section R602.10 that was approved in Orlando, and the committee is expecting further improvements in Rochester. As a result, all IRC stakeholders will be able to benefit from this effort sooner rather than later. The second goal for the AHWB is to use the findings from the Dolan Group and produce the next generation of wall bracing provisions.

At the request of DHCD, Brian Foley and Chuck Bajnai, members of both nationwide committee, formulated a Virginia version of the final document produced by the AHWB for Rochester. Affectionately called the Virginia EZ Read, the code section will align the 2006 USBC/IRC to equal the eventual wall bracing provisions of the 2009 IRC.

The foundation to this code change comes from the fact that the current provisions contain significant technical and functional problems. Both national committees' goals are based on resolving these issues and this code change is the first step to realizing these goals.

It is expected to take many years (2012 IRC perhaps?) to establish the sweeping changes Virginians and the rest of the nation have been clamoring for. An ASTM standard is in development, new standardized tests must be conducted, new conclusions must be formulated, and new code language must be drafted. However, until that time, the Virginia EZ Read will provide users with more flexibility in a format that is easier to read and understand.

Changes

- The structure of R602.10 was reconfigured to improve flow and to bring hidden footnotes into actual code provisions.
- Since the design requirements in Virginia are driven by wind, the Virginia EZ Read first and foremost eliminates inapplicable seismic provisions.
- Long code narratives were replaced with single figures and/or tables.
- Tables were simplified and made easier to read.
- Tables were reformulated to reduce the amount of interpolation needed, i.e., Table R602.10.4.1.1.
- Adjustment factors were incorporated into tables or eliminated altogether.
- New figures were added to better explain definitions and design options, i.e., Figures R602.10.1.3(1) and R602.10.1.3(2).
- "Real-life" conditions are offered to provide design flexibility, e.g., angled walls (R602.10.1.4) and the so called "partial credit" exception (Table R602.10.2.4).
- Approaches to bracing were changed to provide distinction and clarity:
 - i. Intermittent methods (not changed from previous eight methods),
 - ii. Intermittent narrow methods (previously treated as exceptions and footnotes),
 - iii. Continuous sheathing methods (previously treated as exceptions and footnotes).

R602.10 Wall bracing. All exterior walls and interior braced wall lines, where required by Section R602.10.1.5, shall be braced in accordance with this section. Where a building, or portion thereof, does not comply with one or more of the bracing requirements in this section, those portions shall be designed and constructed in accordance with accepted engineering practice. For structures in areas where the wind speed from Table R301.2(1) is 110 mph or greater, an engineered design is required.

All method(s) of bracing used shall be identified and located on the construction documents.

R602.10.1 Braced wall lines. Braced wall lines, both interior and exterior, shall be provided with braced wall panels in the percentage and location specified in this section.

R602.10.1.1 Braced wall panels. Braced wall panels shall be in accordance with one of the following: intermittent bracing methods as specified in Section R602.10.2, the intermittent narrow methods as specified in Section R602.10.3, or the continuous sheathing methods as specified in R602.10.4. Bracing shall be permitted to vary as follows:

1. Variation in bracing methods from braced wall line to braced wall line within a story is permitted, except that continuous sheathing shall conform to the additional requirements of Section R602.10.4.
2. Variation in intermittent bracing methods within a braced wall line is permitted for single-family dwellings in Seismic Design Categories A, B and C and townhouses in Seismic Design Categories A and B. The required percentage of bracing for the braced wall line with mixed methods shall use the higher bracing percentage, per Table R602.10.1.2, of all methods used.

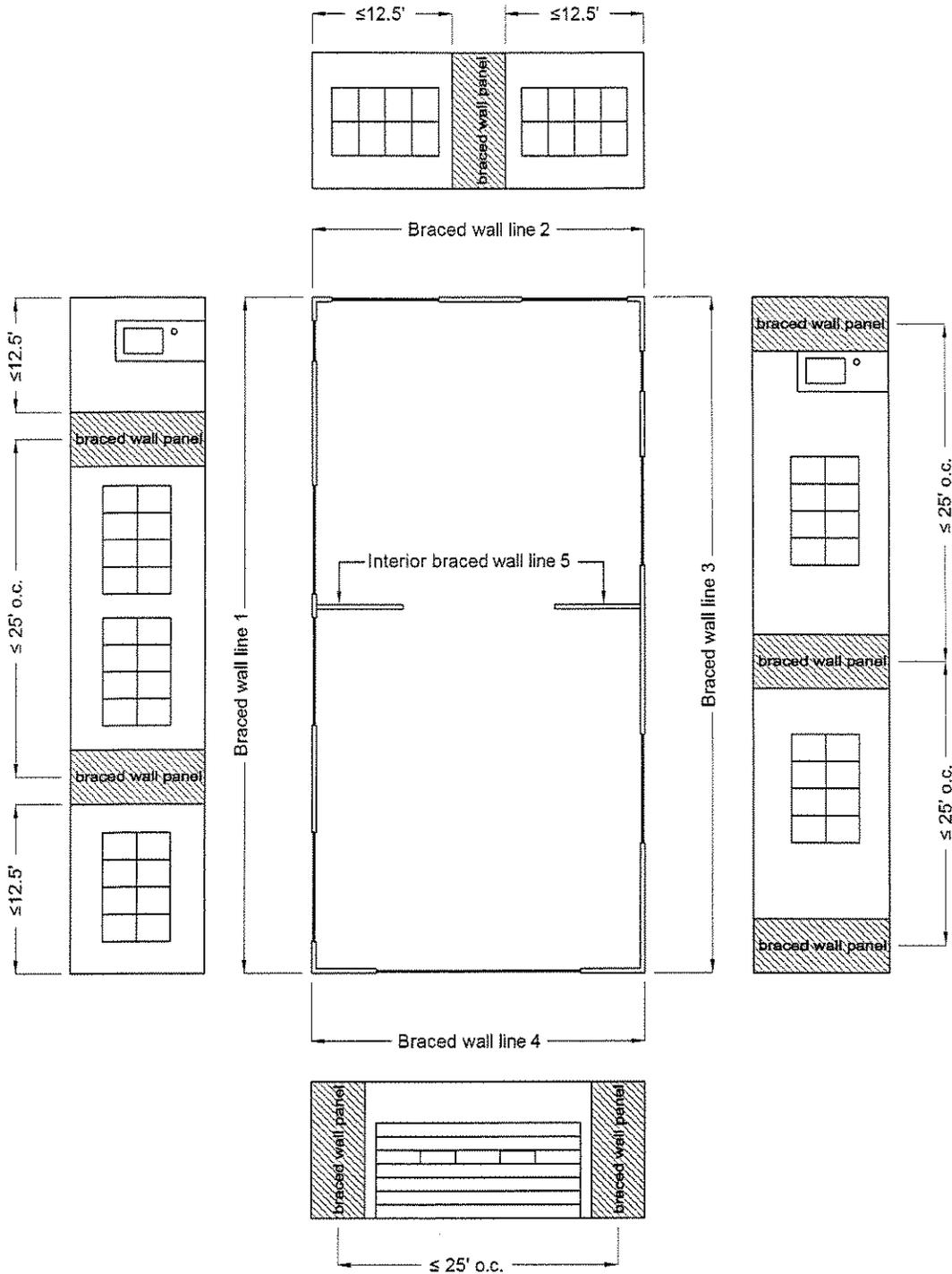
R602.10.1.2 Percentage of bracing. The percentage of bracing along each braced wall line shall be in accordance with Table R602.10.1.2 and shall be the greater of that required by the Seismic Design Category or the design wind speed.

TABLE R602.10.1.2^{a,b}
MINIMUM REQUIRED PERCENTAGE OF WALL BRACING

SEISMIC DESIGN CATEGORY (SDC) OR WIND SPEED	FLOOR		MINIMUM REQUIRED PERCENTAGE OF FULL-HEIGHT BRACING PER WALL LINE ^c	
			Method 3, and Continuous-sheathing ^d	Methods 2, 4, 5 ^e , 6, 7, 8
SDC A, B, ≤ 100 mph		One-story house or top floor of a two- or three-story house.	16%	16%
		First floor of a two-story or second floor of a three-story house.	16%	25%
		First floor of a three-story house	25%	35%
SDC C, < 110 mph		One-story house or top floor of a two- or three-story house.	16%	25%
		First floor of a two-story or second floor of a three-story house.	30%	45%
		First floor of a three-story house	45%	60%

- a. Foundation cripple wall panels shall be braced in accordance with Section R602.10.7.
- b. Methods of bracing shall be as described in Section R602.10.2.
- c. Method 1 bracing is exempt from % bracing requirement.
- d. Continuous sheathing shall be described in Section R602.10.4.
- e. For Method 5, the percentage required shall be doubled for one-sided applications.

R602.10.1.3 Braced wall panel location. Braced wall panels shall be located at least every 25 feet (7620 mm) on center and shall begin no more than 12.5 feet (3810 mm) from each end of a braced wall line per Figure R602.10.1.3(1) but not less than the percentages given in Table R602.10.1.2. Braced wall panels may be offset out-of-plane up to 4 feet (1219 mm) provided that the total out-to-out offset in any braced wall line is not more than 8 feet (2438 mm) as shown in Figure R602.10.1.3(2).



For SI: 1 foot = 305 mm

**FIGURE R602.10.1.3(1)
BRACED WALL PANELS AND BRACED WALL LINES**

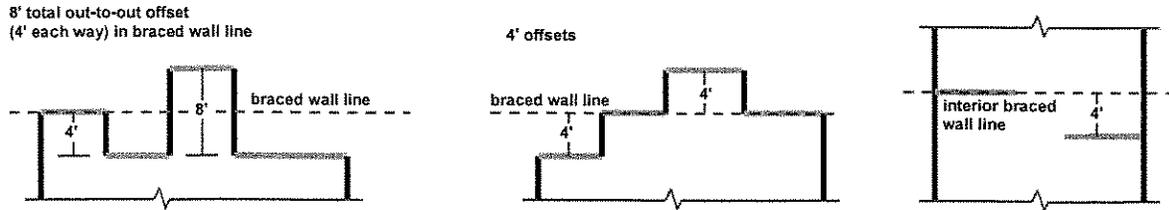
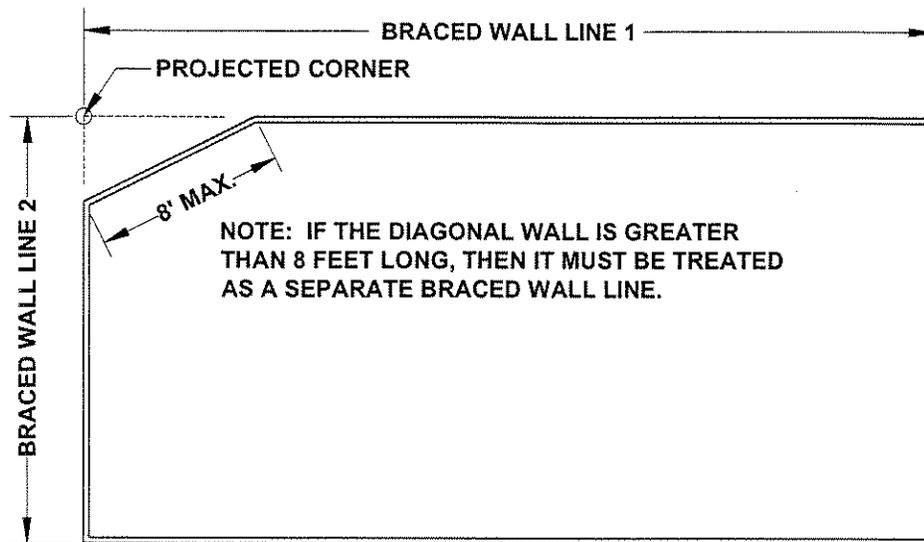


FIGURE R602.10.1.3(2)
OFFSETS PERMITTED FOR BRACED WALL LINES

R602.10.1.4 Angled walls. Braced wall lines shall be permitted to angle out of plane for a maximum diagonal length of 8 feet (2438 mm). Where the angled wall occurs at a corner, the length of the braced wall line shall be measured from the projected corner as shown in Figure R602.10.1.4, and the first braced wall panel shall begin no more than 12.5 feet from the projected corner. Where the diagonal length is greater than 8 feet (2438 mm), it shall be considered its own braced wall line.



For SI: 1 foot = 305 mm

FIGURE R602.10.1.4
ANGLED CORNERS

R602.10.1.5 Braced wall line spacing and interior braced wall lines. Spacing of braced wall lines shall not exceed 35 feet (10,668 mm) on center unless an interior braced wall line is provided. Interior braced wall lines shall intersect at perpendicular interior or exterior braced wall lines.

Exception: Spacing of braced wall lines may extend to 50 feet (15,240 mm) where the wall bracing provided equals or exceeds the percentage of bracing required by Table R602.10.1.2 multiplied by a factor equal to 1.4.

R602.10.2 Intermittent Bracing Methods. Intermittent braced wall panels shall comply with this section. The location of each panel shall be identified on the construction drawings.

R602.10.2.1 Intermittent braced wall panel construction methods. Intermittent braced wall panels shall be constructed in accordance with one of the following methods:

1. Nominal 1-inch-by-4-inch (19.1 mm by 88.9 mm) continuous diagonal braces shall be let in to the top and bottom plates and the intervening studs or approved metal strap devices shall be installed in accordance with the manufacturer's specifications. The let-in bracing shall be placed at an angle not more than 60 degrees (1.06 rad) or less than 45 degrees (0.79 rad) from the horizontal. This method is prohibited in the first floor of a three-story house in Seismic Design Categories A, B, and C and in the first story of a two-story house or second story of a three-story house in Seismic Design Category C.
2. Wood boards of 5/8-inch (15.9 mm) net minimum thickness shall be applied diagonally on studs spaced a maximum of 24 inches (610 mm) on center in accordance with Table R602.3(1).
3. Wood structural panel sheathing with a thickness not less than 3/8-inch (9.5 mm) shall be installed in accordance with Tables R602.3(3) and R602.3(1).
4. One-half-inch (12.7 mm) or 25/32-inch (19.8 mm) thick structural fiberboard sheathing shall be applied vertically or horizontally on studs spaced a maximum of 16 inches (406 mm) on center in accordance with Table R602.3(1).
5. Gypsum board with minimum 1/2-inch (12.7 mm) thickness shall be placed on studs spaced a maximum of 24 inches (610 mm) on center and fastened at panel edges including top and bottom plates as specified in Table R602.3(1) for sheathing. For interior gypsum board, fasteners in accordance with Table R702.3.5 shall be permitted, but fastener spacing shall comply with Table R602.3(1).
6. Particleboard wall sheathing panels shall be installed in accordance with Table R602.3(4) and Table R602.3(1).
7. Portland cement plaster on studs spaced a maximum of 16 inches (406 mm) on center shall be installed in accordance with Section R703.6.
8. Hardboard panel siding shall be installed in accordance with Table R703.4.

R602.10.2.2 Braced Wall Panel Interior Finish Material. Braced wall panels shall have 1/2 -inch thick gypsum board installed on the side of the wall opposite the bracing material and fastened in accordance with Table R702.3.5.

Exceptions:

1. Wall panels that are braced in accordance with Method 5.
2. When an approved interior finish material with an in-plane shear resistance equivalent to gypsum board is installed.
3. For Methods 2, 3, 4, 6, 7, and 8, interior gypsum board may be partially or entirely omitted provided the minimum required percentage of bracing in Table R602.10.1.2 is multiplied by a factor of 1.5.

R602.10.2.3 Minimum length of intermittent braced wall panels. The minimum length of intermittent braced wall panels shall comply with Table R602.10.2.3. Each panel shall cover at least three studs where studs are spaced 16 inches (406 mm) on center, and at least two studs where studs are spaced 24 inches (610 mm) on center.

**TABLE R602.10.2.3
MINIMUM REQUIRED LENGTH OF INTERMITTENT BRACED WALL PANELS ^{a,b}**

BRACING METHOD	HEIGHT OF INTERMITTENT BRACED WALL PANEL				
	8'	9'	10'	11'	12'
2, 3, 4, 5 ^c , 6, 7, 8	48"	48"	48"	53"	58"

For SI 1 foot = 304.8 mm, 1 inch = 25.4 mm

- a. Interpolation shall be permitted.
- b. Does not apply to Method 1. Panel length is determined by the angle of the brace.
- c. Gypsum board applied to both sides of the braced wall panel; where the gypsum board is applied to one side, the required length shall be doubled.

602.10.2.4 Contributing length of intermittent braced wall panels. For Methods 2 - 8, the length of a braced wall panel for purposes of determining compliance with the percentage of bracing required by Table R602.10.1.2, shall be equal to the actual length of the panel when it is greater than or equal to the required length in Table R602.10.2.3.

Exception: For Methods 2, 3, 4, 6, 7 and 8, partial credit shall be permitted for panels between 36 inches and 48 inches to count towards the required percentage of bracing in Table R602.10.1.2 based on the contributing lengths in Table R602.10.2.4.

**TABLE R602.10.2.4
CONTRIBUTING LENGTHS FOR BRACE WALL PANELS
LESS THAN 48 INCHES IN ACTUAL LENGTH^a**

ACTUAL LENGTH OF BRACED WALL PANEL	CONTRIBUTING LENGTH OF BRACED WALL PANEL ^{a,b}		
	8' WALL HEIGHT	9' WALL HEIGHT	10' WALL HEIGHT
48"	48"	48"	48"
42"	36"	36"	N/A
36"	27"	N/A	N/A

For SI: 1 inch = 25.4 mm

a. Interpolation shall be permitted.

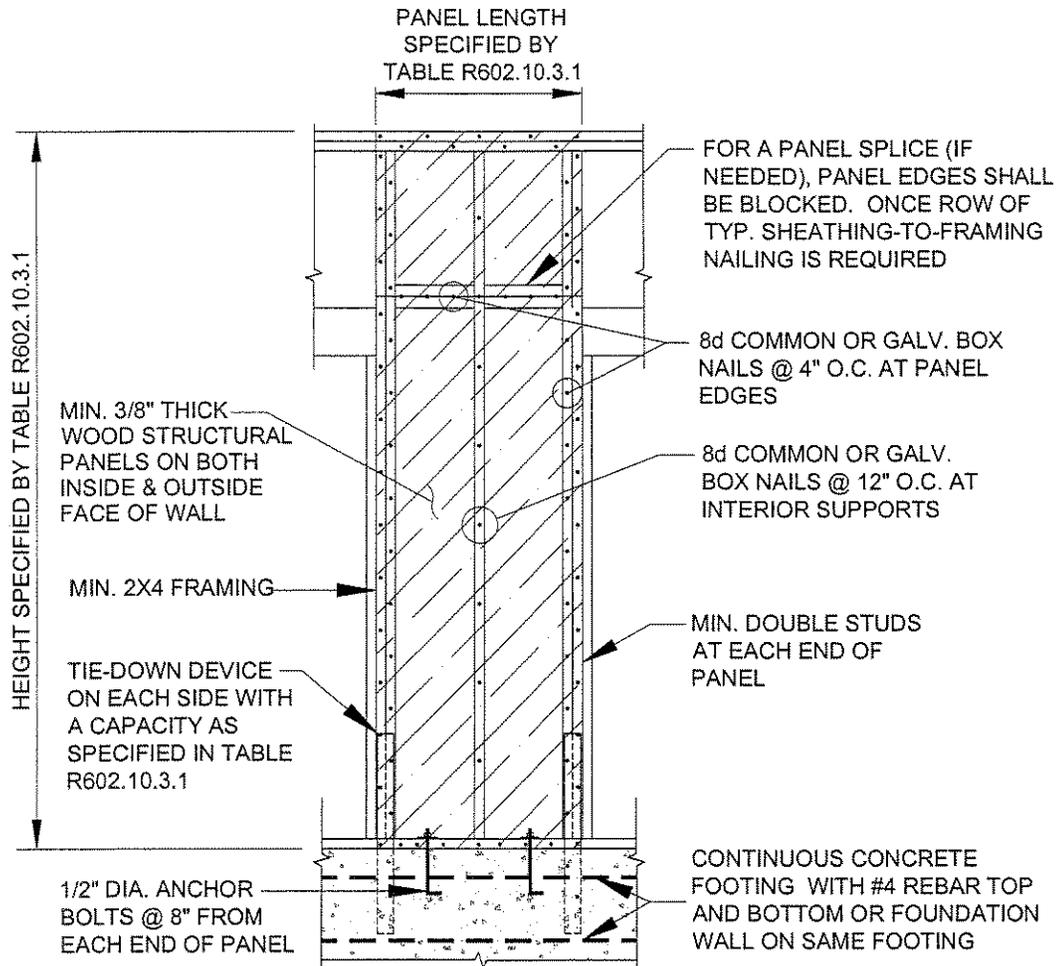
b. Partial credit is prohibited for walls greater than 10 feet in height.

R602.10.2.5 Adhesive attachment of sheathing in Seismic Design Category C. Adhesive attachment of wall sheathing shall not be permitted in Seismic Design Category C.

R602.10.3 Intermittent narrow methods. As an alternative to the bracing methods in Section R602.10.2, braced wall panels constructed in accordance with this section shall be permitted.

R602.10.3.1 Alternate braced wall panels. Alternate braced wall panels constructed in accordance with Figure R602.10.3.1 shall be permitted to replace any intermittent braced wall panel. The height, length and tie-down force of each panel shall be in accordance with Table R602.10.3.1.

For purposes of determining compliance with the percentage of panel bracing required by Table R602.10.1.2, the lengths of the alternate braced wall panels are permitted to contribute 48" (1219 mm).



For SI 1 foot = 304.8 mm, 1 inch = 25.4 mm

**FIGURE R602.10.3.1
ALTERNATE BRACED WALL**

**TABLE R602.10.3.1
MINIMUM LENGTHS AND TIE-DOWN FORCES OF ALTERNATE BRACED WALL PANELS**

REQUIREMENT		HEIGHT OF ALTERNATE BRACED WALL PANEL					
		8'	9'	10'	11'	12'	
Panel length		28"	32"	34"	38"	42"	
Tie-down capacity, lbs		One-story house.	1,800	1,800	1,800	2,000	2,200
		First floor of a two-story house.	3,000	3,000	3,000	3,300	3,600

For SI: 1 inch = 25.4 mm, 1 foot = 305 mm, 1 pound = 4.45 N

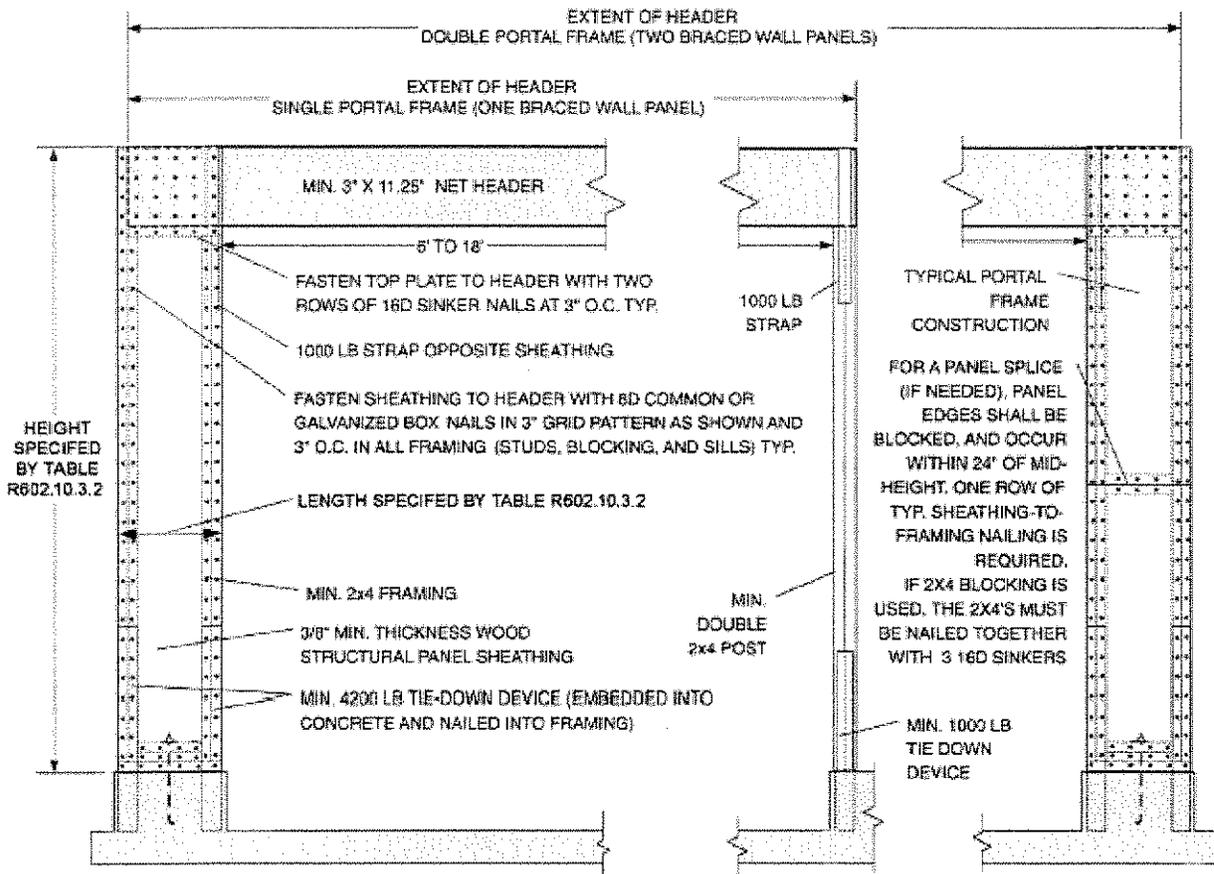
R602.10.3.2 Portal frame braced wall panel adjacent to an opening. Portal frame braced wall panels constructed in accordance with Figure R602.10.3.2 are permitted to replace any intermittent braced wall panel for use adjacent to a window or door opening with a full-length header. Each panel constructed in accordance with Figure R602.10.3.2 shall have a length and height in accordance with in Table R602.10.3.2.

For purposes of determining compliance with the percentage of panel bracing required by Table R602.10.1.2, braced wall panels constructed in accordance with Section R602.10.3.2 shall use the actual length of the panel when it is greater than or equal to the required length of Table R602.10.3.2.

TABLE R602.10.3.2.
LENGTH OF PORTAL FRAME BRACED WALL PANEL FOR INTERMITTENT BRACING

FLOOR		HEIGHT OF PORTAL FRAME BRACED WALL PANEL				
		8'	9'	10'	11'	12'
	One-story house.	16"	16"	16"	18"	20"
	First floor of a two-story house.	24"	24"	24"	27"	29"

For SI: 1 inch = 25.4 mm, 1 foot = 305 mm



For SI: 1 inch = 25.4 mm, 1 foot = 305 mm, 1 pound = 4.45 N

FIGURE R602.10.3.2.
PORTAL FRAME BRACED WALL PANEL ADJACENT TO AN OPENING

R602.10.4 Continuous sheathing method. Braced wall lines with continuous sheathing constructed in accordance with this section shall be permitted.

R602.10.4.1 Requirements for braced wall lines with continuous sheathing. Braced wall lines with continuous sheathing shall have wood structural panels with a thickness not less than 3/8 inches (9.5 mm) applied to all exterior sheathable surfaces of the braced wall line, including areas above and below openings. Wood structural panels shall be installed in accordance with Tables R602.3(1) and R602.3(3). The interior side of the braced wall line shall have 1/2-inch thick gypsum board installed in accordance with Section R602.10.2.2. Different bracing methods shall not be permitted along a braced wall line with continuous sheathing.

R602.10.4.1.1 Length of braced wall panels with continuous sheathing. Braced wall panels within a braced wall line with continuous sheathing shall be full-height with a length in accordance with Table R602.10.4.1.1.

For purposes of determining compliance with the percentage of panel bracing required by Table R602.10.1.2, the length of the braced wall panel shall be equal to its actual length provided the length is greater than or equal to the required length in Table R602.10.4.1.1.

**TABLE R602.10.4.1.1
LENGTH REQUIREMENTS FOR BRACED WALL PANELS
IN A BRACED WALL LINE WITH CONTINUOUS SHEATHING ^a**

ADJACENT CLEAR OPENING HEIGHT	WALL HEIGHT				
	8'	9'	10'	11'	12'
64"	24"	27"	30"	33"	36"
68"	26"	27"	30"	33"	36"
72"	28"	27"	30"	33"	36"
76"	29"	30"	30"	33"	36"
80"	31"	33"	30"	33"	36"
84"	35"	36"	33"	36"	36"
88"	39"	39"	36"	38"	36"
92"	44"	42"	39"	41"	36"
96"	48"	45"	42"	43"	39"
100"		48"	45"	47"	42"
104"		51"	48"	48"	44"
108"		54"	51"	51"	47"
112"			54"	53"	50"
116"			57"	56"	53"
120"			60"	58"	55"
124"				61"	58"
128"				63"	61"
132"				66"	64"
136"					66"
140"					69"
144"					72"
GARAGE DOOR OPENING WHEN SUPPORTING ROOF LOAD ONLY^b	24"	27"	30"	33"	36"

For SI: 1 inch = 25.4 mm, 1 foot = 305 mm

a. Interpolation shall be permitted.

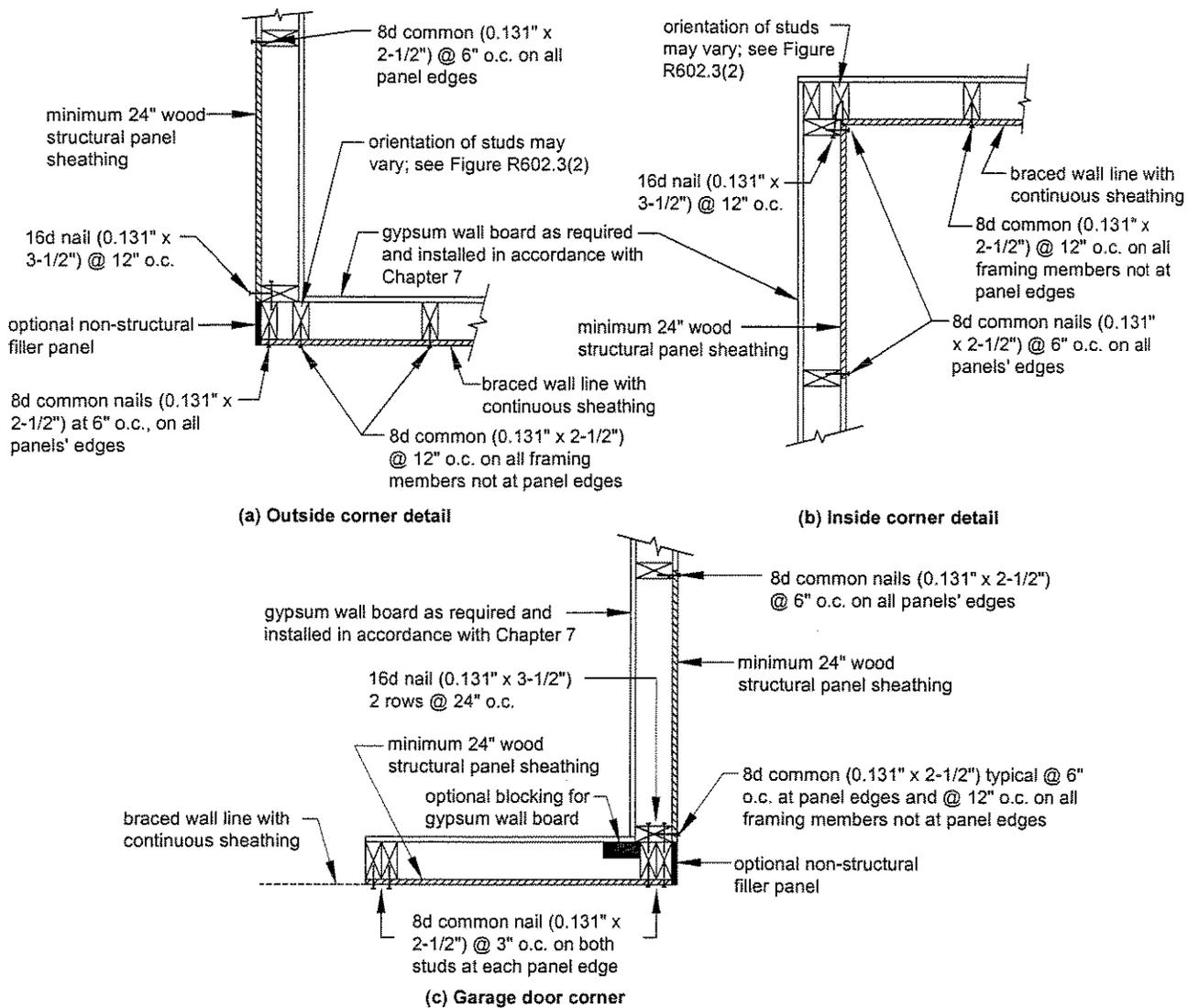
b. Applies to one wall of a garage only.

R602.10.4.1.2 Braced wall panel location and corner construction. A braced wall panel shall be located at each end of a braced wall line with continuous sheathing. Full-height wall panels complying with the length requirements of Table R602.10.4.1.1 shall be located at least every 25 feet (7620 mm) on center.

A minimum 24-inch wood structural panel corner return shall be provided at both ends of a braced wall line with continuous sheathing in accordance with Figures R602.10.4.1.2 (1) and R602.10.4.1.2(2). In lieu of the corner return, a tie-down device with a minimum uplift design value of 800 lb (3560 N) shall be fastened to the corner stud and to the foundation or framing below in accordance with Figure R602.10.4.1.2(3).

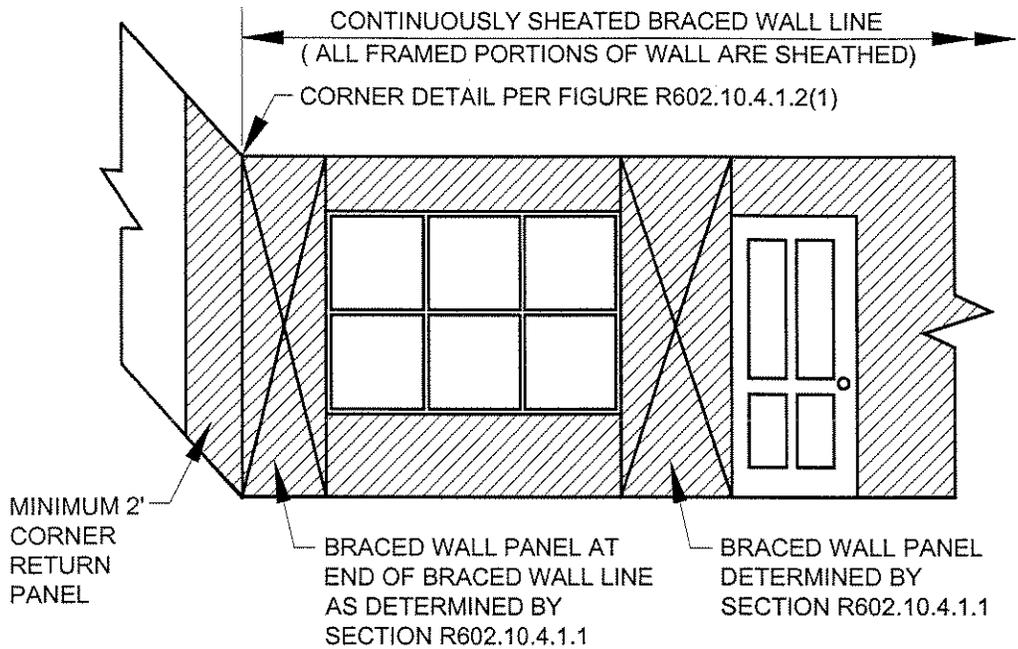
Exception: The first braced wall panel shall be permitted to begin 12.5 feet from each end of the braced wall line provided one of the following is satisfied:

1. A minimum 2-foot-long, full-height wood structural panel is provided at both sides of a corner constructed in accordance with Figures R602.10.4.1.2(1) and R602.10.4.1.2(4), or
2. The braced wall panel closest to the corner shall have a tie-down device with a minimum uplift design value of 800 lb (3560 N) fastened to the stud at the edge of the braced wall panel closest to the corner and to the foundation or framing below in accordance with Figure R602.10.4.1.2(5).



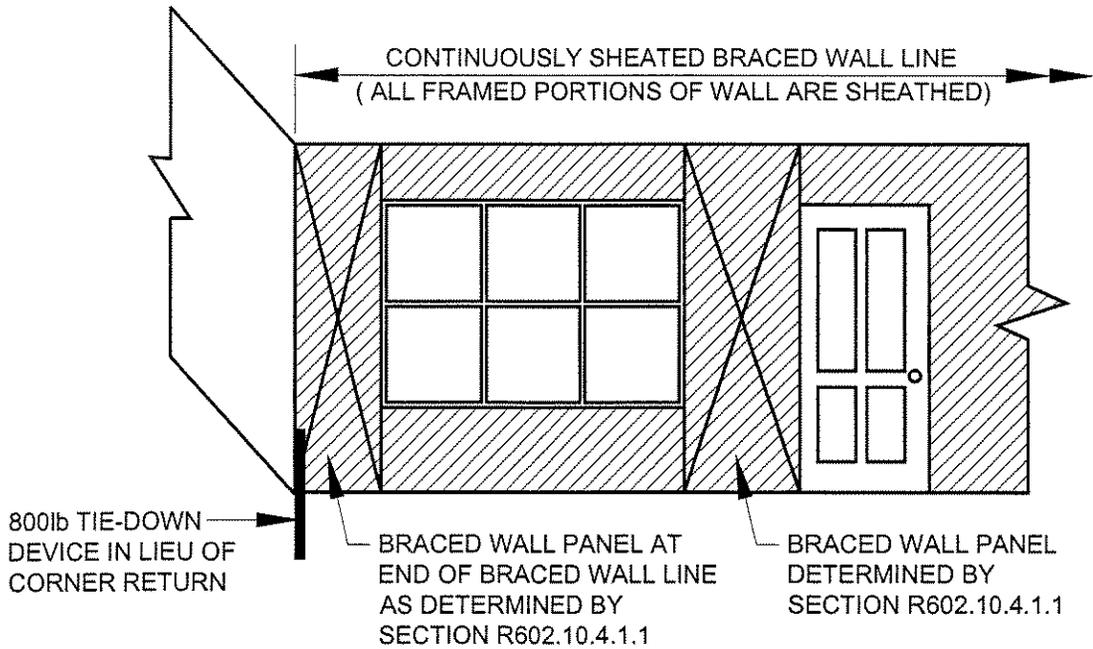
For SI: 1 inch = 25.4 mm, 1 foot = 305 mm

FIGURE R602.10.4.1.2(1)
TYPICAL EXTERIOR CORNER FRAMING FOR CONTINUOUS STRUCTURAL



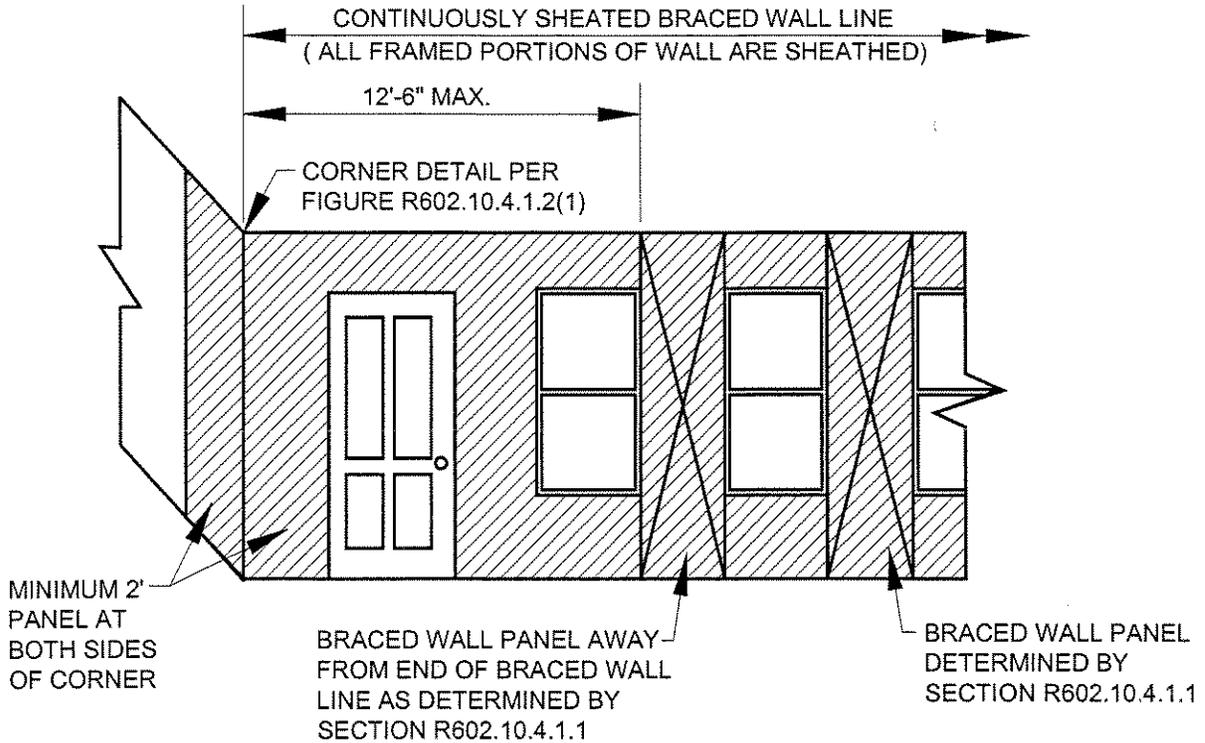
For SI: 1 foot = 305 mm

FIGURE R602.10.4.1.2 (2)
BRACED WALL LINE WITH CONTINUOUS SHEATHING
WITH CORNER RETURN PANEL



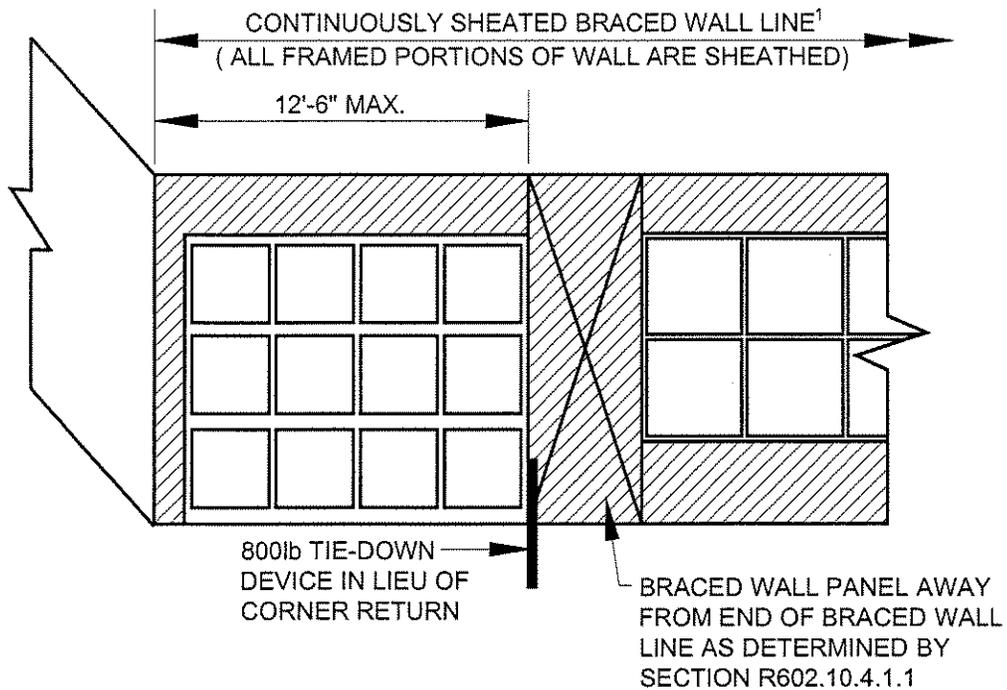
For SI: 1 foot = 305 mm, 1 pound = 4.45 N

FIGURE R602.10.4.1.2(3)
BRACED WALL LINE WITH CONTINUOUS SHEATHING
WITHOUT CORNER RETURN PANEL



For SI: 1 foot = 305 mm

FIGURE R602.10.4.1.2 (4)
BRACED WALL LINE WITH CONTINUOUS SHEATHING – FIRST BRACED WALL
PANEL AWAY FROM END OF WALL LINE WITHOUT TIE DOWN



For SI: 1 foot = 305 mm, 1 pound = 4.45 N

FIGURE R602.10.4.1.2(5)
BRACED WALL LINE WITH CONTINUOUS SHEATHING – FIRST BRACED
WALL PANEL AWAY FROM END OF WALL LINE WITH TIE-DOWN

R602.10.4.2 Portal frame braced wall panel used with continuous sheathing. Portal frame braced wall panels constructed in accordance with Figure R602.10.4.2 are permitted in a braced wall line with continuous sheathing. Each panel shall have a length and height in accordance with Table R602.10.4.2. Wall height shall be measured from the top of the header to the bottom of the wall segment bottom plate.

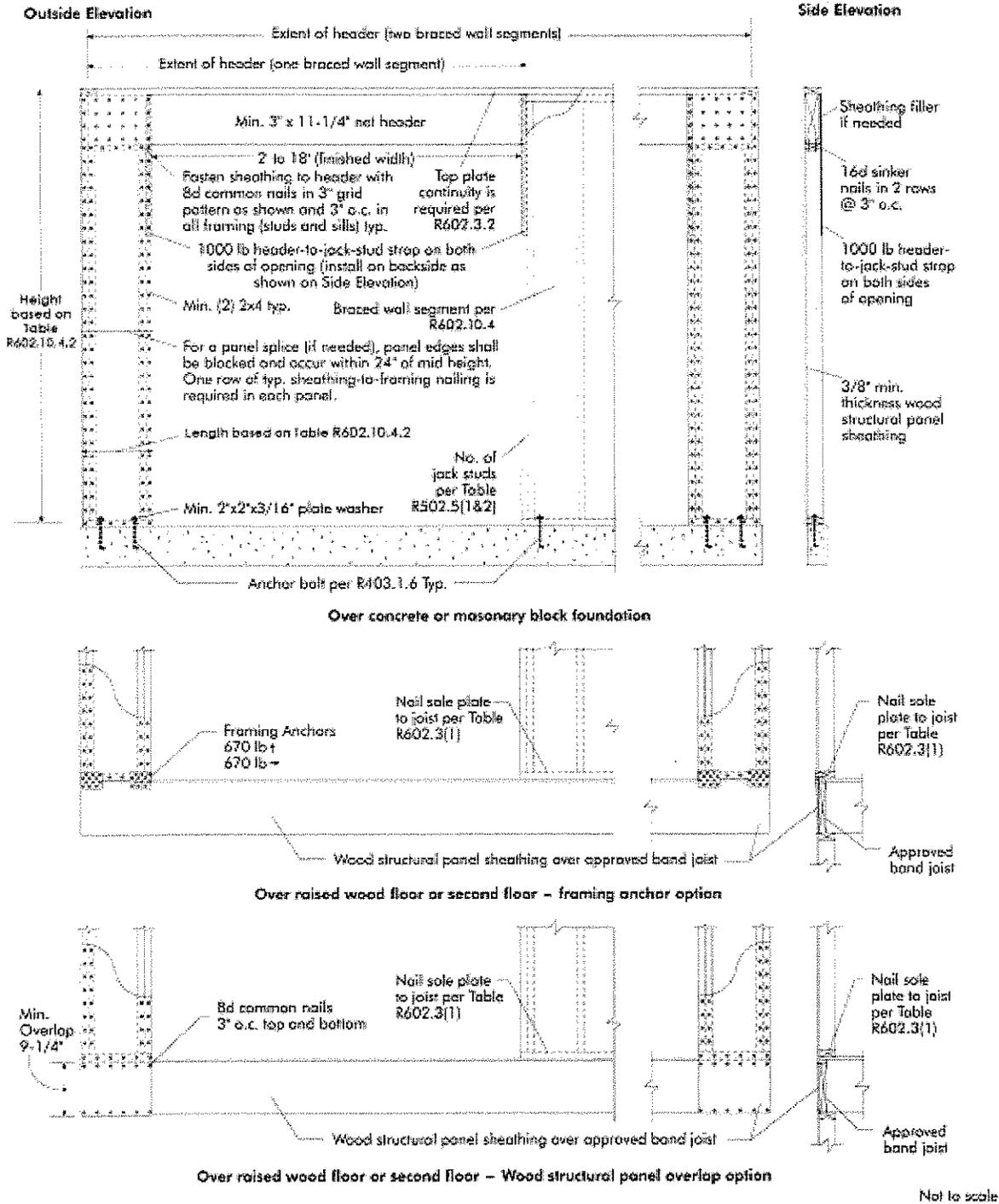
For purposes of determining compliance with the percentage of panel bracing required by Table R602.10.1.2, the length of the full height sheathing segment shall be equal to actual length of the panel when it is greater than or equal to the required length in Table R602.10.4.2.

**TABLE R602.10.4.2
LENGTH OF PORTAL FRAME BRACED WALL PANEL
FOR CONTINUOUS SHEATHING ^a**

	WALL HEIGHT				
	8'	9'	10'	11'	12'
LENGTH OF PORTAL FRAME BRACED WALL PANEL	16"	18"	20"	22"	24"

For SI: 1 inch = 25.4 mm, 1 foot = 305 mm

a. Interpolation shall be permitted.



For SI: 1 inch = 25.4 mm, 1 foot = 305 mm, 1 pound = 4.45 N

FIGURE R602.10.4.2
PORTAL FRAMED BRACED WALL PANELS WITH CONTINUOUS SHEATHING

R602.10.5 Braced wall panel support. Braced wall panels shall be supported on floor framing or foundation as follows:

1. Where joists are perpendicular to braced wall lines above or below, blocking shall be provided between the joists at braced wall panel locations to permit fastening of wall plates in accordance with Table R602.3(1).
2. Where joists are parallel to braced wall lines above or below, a rim joist or other parallel framing member shall be provided at the wall to permit fastening of wall plates per Table R602.3(1).

3. Braced wall panels shall be permitted to be supported on cantilevered floor joists meeting the cantilever limits of Section R502.3.3 provided joists are blocked at the nearest bearing wall location
4. Elevated post or pier foundations supporting braced wall panels shall be designed in accordance with accepted engineering practice.
5. Interior braced wall lines shall be treated as load bearing walls and supported in accordance with Section R502.4.

R602.10.6 Panel joints. All vertical joints of braced wall panel sheathing shall occur over, and be fastened to common studs. Horizontal joints in braced wall panels shall occur over, and be fastened to common blocking of a minimum 1-1/2 inch (38 mm) thickness.

Exception: Where the bracing percentage provided is at least twice the minimum percentage required by Table R602.10.1(1) blocking at horizontal joints shall not be required in braced wall panels constructed using Methods 3, 4, 5, 6, or 8.

R602.10.7 Cripple wall bracing. Cripple walls shall be braced with a percentage and type of bracing as required for the wall above in accordance with Table R602.10.1.2 with the following modifications for cripple wall bracing:

1. The bracing percentage as determined from Table R602.10.1.2 shall be multiplied by a factor of 1.15, and
2. The wall panel spacing shall be decreased to 18 feet (5486 mm) instead of 25 feet (7620 mm).

Cripple walls shall be permitted to be redesignated as the first story walls for purposes of determining wall bracing requirements. If the cripple walls are redesignated, the stories above the redesignated story shall be counted as the second and third stories respectively.

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM
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Address to submit to: DHCD, the Jackson Center 501 North Second Street Richmond, VA 23219-1321 Tel. No. (804) 371 – 7150 Fax No. (804) 371 – 7092 Email: bhcd@dhcd.state.va.us	1/16/07	Document No. _____ Committee Action: _____ BHCD Action: _____
Submitted by: Guy Tomberlin, Fairfax County Representing: VA Building and Code Officials Association (VBCOA) and VA Plumbing and Mechanical Inspectors Association (VPMIA) Address: 12055 Government Center Pkwy., Suite 630 Fairfax, VA 22030 Phone No.: 703-324-1611 Regulation Title: Part I Construction USBC Section No(s): Mechanical Code (IMC) Technical Amendments		
<p>507.2.2. Type II hoods. Type II hoods shall be installed where cooking or dishwashing appliances produce heat, steam, or products of combustion and do not produce grease or smoke, such as steamers, kettles, pasta cookers and dishwashing machines.</p> <p>Exceptions:</p> <ol style="list-style-type: none"> 1. Under-counter-type commercial dishwashing machines. 2. A Type II hood is not required for dishwashers and potwashers that are provided with heat and water vapor exhaust systems that are supplied by the appliance manufacturer and are installed in accordance with the manufacturer's instructions. 3. A single light-duty electric convection, bread, retherm or microwave oven <u>designed for counter top installation</u>. The additional heat and moisture loads generated by such appliances shall be accounted for in the design of the HVAC system. 4. A Type II hood is not required for the following electrically heated appliances: toasters, steam tables, popcorn poppers, hot dog cookers, coffee makers, rice cookers, egg cookers, holding/warming/<u>retherm</u> ovens. The additional heat and moisture loads generated by such appliances shall be accounted for in the design of the HVAC system. 		

Supporting Information

This is a clarification of this exceptions original intent. The existing item number 3 was added a two code cycles ago with the intent to only cover counter mounted equipment. However the IMC committee deleted the language "counter mounted" because of the lack of a clear definition as to what exactly is counter mounted. Designers and installers are abusing this section to promote the installation of large cabinet floor mounted bread and convection ovens without any type of hood. That was never the intent of item number 3. You not only have to consider the heat and moisture of these appliances generate but you must also take into account the heat that these food emit into the kitchen environment after they are removed from the appliance. Depending on the appliance size an additional load of 3 or 4 tons of cooling may be necessary for an average size kitchen utilizing this exception for a free standing or floor mounted appliance. Unfortunately, the designers who are taking advantage of this exception are not adding the required additional AC loads. The intent of number 3 was more to the effect what the new number 4 reflects. You will notice all of the items listed are typically small in size and low heat producing equipment. A five feet tall bread or convection oven is not any where near the same application as a toaster or a hot dog cooker.

In the ROH the committee stated that appliance size need not be an issue. Are Type II hoods needed or not, that is the question that needs to be answered? This proposal answers that important question, yes! If the HVAC system can always be sized to eliminate the Type II hood requirements than the code should say so. It's just not the case, Type II hoods are necessary in some applications. VA submitted this code text to the IMC more than two cycles ago to add the exception number 2. The proposal was and is intended to give small type embellishments relief from type II hood requirements when a small adjustment is performed on the HVAC calculation. Unfortunately the committee removed the term "counter" before appliances (because lack of definition) and this section is now being abused and used as justification for huge heat and steam producing equipment to not require hoods. The unfortunate reality is HVAC systems are not being adjusted and these small establishments are not suitable for the employee or customer comfort. Heat, steam, and particulate matter are being recirculated throughout these spaces and creates the potential for unhealthy condition for anyone who occupies the space.

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<p>Address to submit to:</p> <p>DHCD, the Jackson Center 501 North Second Street Richmond, VA 23219-1321</p> <p>Tel. No. (804) 371 - 7150 Fax No. (804) 371 - 7092 Email: bhcd@dhcd.state.va.us</p>	<p>4/16/07</p>	<p>Document No. _____</p> <p>Committee Action: _____</p> <p>BHCD Action: _____</p>
<p>Submitted by: Guy Tomberlin, Fairfax County Representing: VA Building and Code Officials Association (VBCOA) and VA Plumbing and Mechanical Inspectors Association (VPMIA)</p> <p>Address: 12055 Government Center Pkwy., Suite 630 Fairfax, VA 22030 Phone No.: 703-324-1611</p> <p>Regulation Title: Part I USBC Construction</p> <p>Section No(s): Technical Amendments to the International Plumbing Code IPC</p>		
<p>Proposed Change:</p> <p>701.9 Drainage piping in food service areas. Exposed soil or waste piping shall not be installed above any working, storage or eating surfaces in food service establishments.</p>		

Supporting Statement:

The ROP states that the committee believed removal of these provisions will lessen the protection of health that the plumbing code provides. This is not the case. This section currently prohibits exposed piping above working, storage, or eating surface in food service establishments. However, several fundamental flaws exist with this text. First of all there is no definition of the term "exposed." If a pipe is painted does that mean that is isn't exposed anymore? Are we to believe that a painted waste line is more protective to health than an unpainted waste line? Next the plumbing code does not define the term "food service establishments." What are "storage" areas? The text also never describes what "above" these spaces means. What if a waste line is installed above a cooking area but it is 20 feet to one side or another. Isn't this still above the surface? What possible increased health effect would the installation of a ceiling do in this example? The result is inconsistent enforcement actions are routinely occurring. Open ceilings have become increasingly popular in the restaurant industry today. These overly restrictive requirements are an unnecessary prohibition that restrains new innovative designs that the design community has been embracing for quite sometime with no negative health impact. Piping systems are not installed with the intent that they are going to leak. That's exactly why the code provides specific types of piping materials and joints and connections and supporting provisions to maintain the systems longevity. This code section assumes that a waste line is going to leak and cause an unsanitary condition no matter what. But one must ask how does the installation of gypsum or ceiling tile under a waste line create a safer environment? The reality is if a waste line does happen to leak, and gypsum is installed underneath, the leak may occur for an extended period of time before it leaks through and someone notices it. Concealing the pipe just causes it to take longer to notice and creates more damage in the meantime. The accumulation of excessive molds and bacteria for an extended period of time is the result of a leaking pipe that remains unnoticed. This situation may adversely impact people who visit these establishments and they will not even be aware of it until they see it leaking through the material below. The net effect is a leak will occur for a longer period of time before someone notices the problem area and sets up the condition for more damage to occur.

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<p>Address to submit to:</p> <p>DHCD, the Jackson Center 501 North Second Street Richmond, VA 23219-1321</p> <p>Tel. No. (804) 371 – 7150 Fax No. (804) 371 – 7092 Email: bhcd@dhcd.state.va.us</p>		<p>Document No. _____</p> <p>Committee Action: _____</p> <p>BHCD Action: _____</p>
<p>Submitted by: <u>William J. Hall</u> Representing: VA Building and Code Officials Association</p> <p>Address: <u>P.O. Box 12164 Richmond VA 23241</u> Phone No.: <u>804-649-8471</u></p> <p>Regulation Title: VA Uniform Statewide Building Code_ Section No(s): <u>IBC 3109, Chapter 35</u></p>		

Proposed Change:

SECTION 3109
SWIMMING POOLS, SWIMMING-POOL ENCLOSURES AND SAFETY DEVICES

3109.1 General. Swimming pools shall comply with the requirements of this section and other applicable sections of this code.

3109.2 Definition. The following word and term shall, for the purposes of this section and as used elsewhere in this code, have the meaning shown herein.

SWIMMING POOLS. Any structure intended for swimming, recreational bathing or wading that contains water over 24 inches (610 mm) deep. This includes in-ground, above-ground and on-ground pools; hot tubs; spas and fixed-in-place wading pools.

3109.3 Public swimming pools. Public swimming pools shall be completely enclosed by a fence at least 4 feet (1290 mm) in height or a screen enclosure. Openings in the fence shall not permit the passage of a 4-inch-diameter (102 mm) sphere. The fence or screen enclosure shall be equipped with self-closing and self-latching gates.

3109.3.1 Design. Design and construction of public swimming pools shall be in accordance with 3109.3.1.1 through 3109.3.1.2

3109.3.1.1 Public swimming pools. Public swimming pools shall be designed and constructed in conformance with ANSI/NSPI-1 as listed in Chapter 35

3109.3.1.2 Public Spas. Permanently installed public spas shall be designed and constructed in conformance with ANSI/NSPI-2 as listed in Chapter 35

Remainder un-changed

Chapter 35
Referenced Standards

<u>ANSI/NSPI-1 - 2003</u>	<u>Public Swimming Pools</u>	<u>3109.3.1.1</u>
<u>ANSI/NSPI-2 – 2003</u>	<u>Public Spas</u>	<u>3109.3.1.2</u>

Supporting Statement:

Currently the building code does not give guidance or refer to a standard for the design and construction of Public swimming pools. This proposal attempts to provide that guidance by referencing the applicable standards. These standards are currently being used in the International Residential Code for design and construction.

This issue will be addressed in the next cycle of code development at the National level.

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM

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Submitted by: DHCD Staff (Administrative and Technical Support Office) Representing: _____

Regulation Title: 2003 SFPC Section No(s): 102.5 through 102.8 and 104.2

Proposed Change:

~~102.5. Subsequent alteration. Subsequent alteration, enlargement, repair, or conversion of the occupancy classification of structures shall be subject to the current USBC.~~

~~102.6. State 102.5. State-owned buildings and structures. The SFPC shall be applicable to all state-owned buildings and structures in the manner and extent described in Section 27-99 of the Code of Virginia, and the State Fire Marshal shall have the authority to enforce this code in state-owned buildings and structures as is prescribed in Sections 27-98 and 27-99 of the Code of Virginia.~~

~~102.7. 102.6. Relationship to USBC. In accordance with Sections 27-34.4, 36-105.1 and 36-119.1 of the Code of Virginia, the USBC does not supersede the provisions of this code that prescribe standards to be complied with in existing buildings and structures, provided that this code shall not impose requirements that are more restrictive than those of the USBC under which the buildings or structures were constructed. Subsequent alteration, enlargement, rehabilitation, repair or conversion of the occupancy classification of such buildings and structures shall be subject to the construction and rehabilitation provisions of the USBC. Construction inspections of structures, inspection of buildings other than state-owned structures, buildings under construction and the review and approval of their construction documents building plans for these structures for enforcement of the USBC shall be the sole responsibility of the appropriate local building department inspectors.~~

~~102.8. Existing structures. Upon the completion of such structures, responsibility for fire safety protection shall pass to the local fire official marshal or official designated by the locality to enforce this code in those localities which enforce the SFPC or to the State Fire Marshal, who shall also have the authority, in cooperation with any local governing body, to enforce this code. The State Fire Marshal shall also have authority to enforce this code in those jurisdictions in localities which the local governments do not enforce this code.~~

(Renumber existing Section 102.9 as Section 102.7)

~~104.2. State enforcement. The State Fire Marshal shall have the authority to enforce the SFPC as follows:~~

- ~~1. In cooperation with any local governing body;~~
- ~~2. In those jurisdictions in which the local governments do not enforce the SFPC; and~~
- ~~3. In all state-owned buildings and structures In accordance with Section 27-98 of the Code of Virginia, the State Fire Marshal shall also have the authority, in cooperation with any local governing body, to enforce the SFPC. The State Fire Marshal shall also have authority to enforce the SFPC in those jurisdictions in which the local governments do not enforce the SFPC and may establish such procedures or requirements as may be necessary for the administration and enforcement of the SFPC in such jurisdictions.~~

Supporting Statement:

This change combines provisions to match the arrangement of the subject matter in state law and provides a reference to, and the use of, the legislative language.

**DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE
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Submitted by: State Fire Marshal's Office (SFMO) Representing: _____
Address: _____ Phone No.: _____
Regulation Title: 2006 Va. Statewide Fire Prevention Code Section No(s): 107.13

Proposed Change:

107.13. State explosives, blasting agents and fireworks permit fees. (change Items 5 and 6 as shown below)

- 5. ~~\$250~~ \$300 per day for fireworks, pyrotechnics or proximate audience displays conducted ~~indoor of~~ in any state-owned buildings building and ~~\$75~~ \$150 per day for each subsequent day.
- 6. ~~\$150~~ \$200 per day for fireworks, pyrotechnics or proximate audience displays conducted out-of-doors on any state-owned property and ~~\$75~~ \$150 per day for each subsequent day.

Supporting Statement:

The current fee schedule was developed based on estimated times for staff to receive and review applications for fireworks, visit sites and approve plans. The estimated costs include travel time, administrative support and other non-personnel services as well as salaries. Our current average estimated cost for one technical staff with administrative support exceeds \$300 per day. At the minimum, even a small display will consume most of one person's time for a day. Larger outdoor and indoor displays require two or, at times, three staff to inspect. Also, currently more than one person is required for some of the very large outside displays and for most indoor displays. With the increased fees, we will still only recover a portion of our costs. Surveys of several local governments indicate fees range from \$50 to \$450 per day with a few having no charge. The SFMO issued 23 permits in calendar year 2006. For the last quarter of calendar year 2006, there were six permits, one of which was a multi-day event. We received fees of \$1,450. Our estimated minimum cost for these events for one person would be \$2,800. The proposed fees would be \$2,100, which would still not cover costs. Clients are primarily state colleges and universities and large fireworks/pyrotechnic companies which will be contacted to let them know of our proposal and to receive feedback.

Vernon Hodge

From: Jay Hall
Sent: Thursday, October 26, 2006 11:30 AM
To: bhcd@dhcd.state.va.us
Cc: Ron Reynolds; 'Art Tate'; 'Bo Bohannon'; Cathy Cook; Charles Vernon; David Ansel; dselph@co.middlesex.va.us; Ed Altizer; Emory Rodgers; Glenn Dean; gregoryc@chesterfield.gov; halls@chesterfield.gov; jjmessersmith@comcast.net; jmessersmith@portcement.org; Joe Honbarrier (honbarrierjb@ci.waynesboro.va.us); 'Justin Biller'; Lou Marks; Lucas, Walter; 'Paul Snyder'; R.E. "Bob" Pittenger Sr.; rebartell@co.hanover.va.us; 'Stills, Harold A.'; 'Todd Stoudt'; Tom Coghill; vernon.hodge@dhcd.virginia.gov; William King
Subject: Night Club Definition

Attached are code proposals to change the definitions of Nightclubs in the USBC and SFPC. I think this is a good start, however I fully expect some comments since this is a tough issue to nail down.

For simplicity I will paste it below.

Replace the following definition

~~**NIGHTCLUB.** Any building in which the main use is a place of public assembly that provides exhibition, performance or other forms of entertainment; serves alcoholic beverages; and provides music and space for dancing.~~
-
-

NIGHT CLUB. A Group A-2 occupancy where (i) exhibitions, performances or other forms of entertainment are provided, (ii) alcoholic beverages are available for purchase, and (iii) music and space for dancing are provided.
-

Supporting Statement:

To accurately define a public Night Club, we feel that the parameters of this definition should be adjusted to exclude occupancies that are used as banquet halls and Moose Clubs as well as some A-3 establishments which would have met the current definition, such as large concerts and other spectator events. "Alcoholic beverages are available for purchase" exclude those occupancies where the occupants bring there own alcohol. In addition, the current definition can be interpreted to exclude night clubs located in a motel. The main use of a motel would be an R-1, while the night club portion would be viewed as accessory or not the main use.

Jay Hall
Fire Protection Engineer
State Fire Marshal's Office
804-371-7157 Office
804-371-7092 Fax
jay.hall@dhcd.virginia.gov

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM
 (Use this form to submit changes to building and fire codes)

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Submitted by: <u>State Fire Marshal's Office</u> Representing: _____ Address: _____ Phone No.: _____ Regulation Title: <u>2006 Va. Statewide Fire Prevention Code</u> Section No(s): <u>901.6 and 901.10</u>		
Proposed Change: 13 VAC 5-51-135. IFC Chapter 9. Fire Protection Systems. A. Change Section 901.4.2 to read: (no change to remainder) B. Delete Section 901.4.3. (no change to remainder) C. Change Section 901.6 to read: 901.6. Inspection, testing and maintenance. To the extent that equipment, systems, devices, and safeguards, such as fire detection, alarm and extinguishing systems, which were provided and approved by the building official when constructed, shall be maintained in an operative condition at all times. And where such equipment, systems, devices, and safeguards are found not to be in an operative condition, the fire official shall order all such equipment to be rendered safe in accordance with the USBC. Exception: <u>D. Add Section 901.10 to read:</u> <u>901.10. Defective equipment.</u> When the fire official determines through investigation or testing or reports by a nationally recognized testing agency that specific, required water sprinkler or water-spray extinguishing equipment has been identified as failing to perform or operate through not less than 30 randomly selected sprinkler heads at four or more building sites anywhere in the nation, the fire official shall order all such equipment to be rendered safe. D- <u>E.</u> Change the following definition in Section 902 to read: (no change to remainder) E- <u>F.</u> Change item 1 in Section 906.1 to read: (no change to remainder) F- <u>G.</u> Add a note to Section 906.1 to read: (no change to remainder) G- <u>H.</u> Change Section 906.2 to read: (no change to remainder) H- <u>I.</u> Change Section 907.20.2 to read: (no change to remainder)		
Supporting Statement: This change moves the existing provision permitting the fire official to require the replacement of defective sprinkler heads to follow a new section in the 2006 International Fire Code addressing recalls under federal law (IFC Section 901.9) as both provisions are closely related.		

HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM

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<p>Submitted by: John Holland Representing: Virginia Propane Gas Association</p> <p>Address: Heritage Propane/ VA Propane, Fredericksburg, VA Phone No.: 336-659-0424</p> <p>Regulation Title: SFPC 3806.4 Section No(s):</p>		
<p>Proposed Change:</p> <p>3806.4. DOT cylinders filled on site. DOT cylinders in stationary service that are filled on site and therefore are not under the jurisdiction of DOT either shall be requalified in accordance with DOT requirements or shall be visually inspected within 12 years of the date of manufacture <u>or within five years from the effective date of this code, whichever is later</u>, and within every five years thereafter, in accordance with the following:</p> <p>(remainder of section unchanged)</p>		
<p>Supporting Statement:</p> <p>The need for this code change arises from the coming adoption of NFPA 58 2004 edition through the IFGC and SFPC. Once adopted, propane companies are out of compliance under Section 5.2.3.1.</p> <p>Propane companies have tens of thousands of DOT cylinders in stationary service that by NFPA 58 2004 Section 5.2.3.1 are out of compliance. In order to comply with the code adding a one-time extension of 5 years from the point in which the code is adopted is necessary to allow companies time to comply with the code with finite resources in manpower.</p>		

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Submitted by: Ron Clements
 Representing: VBCOA and the Amusement Device Technical Advisory Committee (ADTAC)
 Address: 9800 Government Center Pkwy Phone No.: (804) 751-4163

Regulation Title: Virginia Amusement Device Regulations Section No(s): 13 VAC 5-31-30

Proposed Change:

Change Section 30 to read as follows:

13 VAC 5-31-30. Exemptions.

The following equipment or devices shall not be considered amusement devices subject to this chapter:

1. Nonmechanized Non-mechanized playground or recreational equipment such as swing sets, sliding boards, climbing bars, jungle gyms, skateboard ramps, and similar equipment where no admission fee is charged for its use or for admittance to areas where the equipment is located and
2. Three or less passenger-, Coin-operated rides designed to accommodate three or less passengers, shall not be amusement devices subject to this chapter .
3. Water slides or similar equipment used in community association, community club or community organization swimming pools.

Supporting Statement:

This code change proposal and its companion change to the Virginia Uniform Statewide Building Code correlate the exemption in both regulations for playground and recreation equipment. In addition, this proposal adds an exemption for water slides at swimming pools in community clubs. This change is to clarify that the VADR does not apply to these situations because community clubs are not open to the public and therefore do not fall with the statutory definition of an amusement device.

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Submitted by: Amusement Device Technical Advisory Committee Representing: _____

Address: _____ Phone No.: _____

Regulation Title: Virginia Amusement Device Regulations Section No(s): 13 VAC 5-31-80

Proposed Change:

Change Section 80 (3) to read as follows:

3. Submitting to the responsible local building department before or with the application for a permit to operate, or renewal of a permit to operate, proof of liability insurance of an amount not less than ~~\$500,000 per occurrence~~ \$100,000 per person and \$1,000,000 in the aggregate for each amusement device insuring the owner or operator against liability for injury suffered by persons riding the amusement device or by persons in, on, under or near the amusement device; or proof of equivalent financial responsibility and notifying the responsible local building department promptly of any change in the liability insurance or financial responsibility status during the period of operation to be, or which is, authorized by the permit;

Supporting Statement:

This code change from the Amusement Device Technical Advisory Committee changes the regulation to match accepted practice for the minimum amount and type of insurance associated with amusement devices.

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<p>Submitted by: <u>Amusement Device Technical Advisory Committee</u> Representing: _____</p> <p>Address: _____ Phone No.: _____</p> <p>Regulation Title: <u>Virginia Amusement Device Regulations</u> Section No(s): <u>13 VAC 5-31-110</u></p>		
<p>Proposed Change:</p> <p>Change Section 110 (2) to read as follows:</p> <p>2. When a certificate of inspection is sought by the owner or operator, conducting an inspection to assure compliance with this chapter unless the owner or operator is providing an approved private inspector. <u>It shall be the responsibility of the local building department to verify that the private inspector possesses a valid certificate of competence as an amusement device inspector from the Virginia Board of Housing and Community Development.</u> If the owner or operator has given reasonable notice that a certificate of inspection is sought and designated a specific day for the inspection, then the inspection shall be conducted on that day;</p>		
<p>Supporting Statement:</p> <p>This code change from the Amusement Device Technical Advisory Committee clarifies that the local building department is to verify that third party amusement device inspectors are properly certified.</p>		

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<p>Submitted by: <u>Amusement Device Technical Advisory Committee</u> Representing: _____</p> <p>Address: _____ Phone No.: _____</p> <p>Regulation Title: <u>Virginia Amusement Device Regulations</u> Section No(s): <u>13 VAC 5-31-210</u></p>		
<p>Proposed Change:</p> <p>Change Section 210 to read as follows:</p> <p>13 VAC 5-31-210. General Requirements.</p> <p>In addition to other applicable requirements of this chapter, artificial climbing walls shall be operated, maintained and inspected in accordance with ASTM F1159.</p> <p><u>Notwithstanding any requirements of this chapter to the contrary, an artificial climbing wall may be moved, setup and operated without obtaining a permit provided the wall has a valid certificate of inspections issued by a local building department in the Commonwealth within the prior 90 days.</u></p>		
<p>Supporting Statement:</p> <p>This code change from the Amusement Device Technical Advisory Committee permits artificial climbing walls to be moved and set up without obtaining a new permit provided they has been inspected by a local building department within the past 90 days. This will ensure that the cabling systems are in compliance with the ASTM standards, yet permit the weekend use of these highly mobile devices.</p>		