

DHCD, DBFR 2009 Code Change Process

Results of the March 19, 2009 Workgroup 2 Meeting

Administrative and Selected Technical Issues for the USBC, SFPC, MHSR, IBSR, VADR and VCS Regulations

2009 Virginia Certification Standards (VCS):

May need coordination code changes with VUSBC and VADR regulations on CEU's. The VCS isn't exempt from the full APA process so will be sent through OAG, DPB, SOCT, Governor's Office. Discussion only. (no handout)

DHCD staff will have draft regulations for the April 30th meeting.

2009 Industrialized Building Safety Regulations (IBSR):

1. 13VAC5-91-10 CAA: amend to comport with 36.71.1 and clarify charging of fees per module. Consensus to move forward? (pages 11 - 23)
2. 13VAC5-91-40 Inspection and enforcement: Clarifies that staff can issue correction reports/violations in the plant or building site the same as local building official or compliance assurance agency (CAA). Consensus to move forward? (pages 11 - 23)
3. 13VAC5-91-70 Appeals: In VUSBC, owner can appeal decisions over interpretation and application, but not in the IBSR as they aren't an aggrieved party per law and are not involved in the design and construction. Unless the state administrator agrees with the owner, the only recourse is civil action or the state administrator issues a violation and the regulant appeals. Discussion only. (pages 11 - 23)
4. 13VAC5-91-100A-1, A-2 and B Data plate: Clarifies can ask for more details on plans whether it is under IBSR or USBC. Consensus to move forward? (pages 11 - 23)
5. 113VAC5-91-115 Change of Occupancy: Discussion on further clarifications. (pages 11 - 23)
6. 13VAC5-91-120 A, B and C-2 Unregistered Industrialized Buildings: Are pods, sheds, and containers IBSR or USBC? Can they be USBC moved buildings? Do we need law changed or just the regulations and how? Should an exception be added to B for sheds or containers? TRB has ruled containers are not under the USBC. Discussions only. (pages 11 - 23)
7. 13VAC5-91-120 C-3: Should the state administrator, BO or RDP be allowed to do approvals without CAA involvement? Discussion only. (pages 11 - 23)
8. 13VAC5-91-160 Use of Model Codes and Standards: Why have different effective date than other regulations? Discussion only. (pages 11 - 23)

9. 13VAC5-91-180 CAA: Change to delete under oath. Consensus to move forward? (pages 11 - 23)
10. 13VAC5-91-200 Information Required by the Administrator: Certification CAA - can it be ICC or standard? Discussion only. (pages 11 - 23)
11. 13VAC5-91-210 CAA Certification Label: Review only. (pages 11 - 23)
12. 13VAC5-91-220 Mounting of Label: If CAA only inspects once a week or month, how does this section work? Discussion only. (pages 11 - 23)
13. 13VAC5-91-245 Manufacturer's Data Plate: Review. (pages 11 - 23)
14. 13VAC5-91-260 Registration Seal for Industrialized Buildings: Increases seal fees and explains new fees per modular of a finished building. Necessary to have self-funded program. Last fees raised in 1995. Consensus to move forward? (pages 11 - 23)
15. 13VAC5-91-270 Manufacturer's Installation Instructions and Responsibility of Installers: Mandates inspections including bolting of units. One of the biggest enforcement issues and field problems. Consensus to move forward? (pages 11 - 23)
16. IBSR and USBC 421: Better coordinate the two in required inspections by building officials and installers. (page 24)

DHCD staff will put all changes on code change forms. Items 1, 2, 4, 6, 9, 10, 11, 12, 13, 14 and 16 below will move forward and will not be brought back to the workgroup.

In summary, the new changes will exempt pods and shipping containers; site work will now be covered under the USBC and the state administrator will address factory problems.

Remaining issues are sheds; whether warning signs in unregistered units should be checked by locals or state (§ 120B); how should change of occupancy be handled (§ 120C); and is the new module fee language clear (§ 260C).

2009 Virginia Manufactured Housing Safety Regulation (VMSR):

1. 5-95-10 Definitions: Need to expand for new installer inspection, certification and call for inspections requirements from "federal standards". Consensus to move forward? (pages 25 - 31)
2. 5-95-20 D, E and F Application and Enforcement: Clarifies and makes anchoring a MHSR and not USBC requirement. F adds new installer requirements. Consensus to move forward for MHSR and replicate in USBC 421? (pages 25 - 31)

3. 5-95-60 Installations: Review. (pages 25 - 31)
4. 5-95-90 B, C, D and F Consumer Complaints: Review. (pages 25 - 31)
5. 5-95-100 Violation, Appeal, Penalty: BO issue violation too? Consensus to move forward? (pages 25 - 31)
6. USBC 421: Delete NCSBCS standard. Add 421.2.1 specific requirements for installers including shall call for inspections of each area using the USBC 113 sections and 421.2.2 for MHSR inspections replicating HUD installation standards in both regulations. Consensus to move forward revised regulations in 421? (page 32)

DHCD staff will submit proposed changes to these regulations for the full regulatory process as they are not exempt from review. Most changes are to bring the regulation in line with federal standards. Fast track process may be used if possible once review takes place.

2009 Virginia Amusement Device Regulation: ADTAC will be reviewing each of these items for recommendations and approval of code changes.

1. Amusement device- “Open to the public” and “conveyed in an unusual manner for diversion” are used to define amusement devices. Inflatable’s are amusement devices but are they when erected at private events such as birthday parties, clubs, associations, etc? Discussion only to better clarify seems necessary? (page 35)
2. 5-31-20 Definitions: Should trains in malls or zip lines be deemed amusement devices? Under what standards? USBC or SFPC can apply to mall trains. Discussion only. (no handouts)
3. 5-31-20 Definitions: Define “kiddie ride”. Will use descriptors in regulations. OAG recommendation. Consensus to move forward? (pages 38 - 46)
4. 5-31-75C Local Building Department: Clarify insurance as aggregate and not per device. Consensus to move forward? (pages 38 - 46)
5. 5-31-85: Accidents Involving Serious Injury or Death: Should accident reports be sent to DHCD on annual basis? Most states do require state to maintain this data to determine frequency and types of accidents and equipment involved. Consensus to move forward as mandate? (pages 38 - 46)
6. 5-31-200 General Requirements: Increase from 150 square feet permit exemption for inflatables to some greater footage or width/height? Consensus to keep? Consensus to increase to what and move forward? (pages 38 - 46)

7. 5-31-210 General Requirements: Rock-climbing walls - change inspection frequency to once or twice per year instead of every 90 days? Consensus to move forward as is or new frequency? Should rock-climbing walls in gyms be a separate section with different standards? Discussion only. (pages 38 - 46)

DHCD staff will request clarification from AG's office on whether regulation can delineate devices which do or don't qualify under the definition.

Mall trains and zip lines will not be brought back to the group unless code change proposals are submitted.

Kiddie ride language to move forward as only editorial.

Consensus to move forward on ADTAC recommendations for insurance clarification and yearly report on serious accidents. ADTAC will put on code change proposal forms.

DHCD staff will contact rock climbing wall and inflatable groups for submittal of any code change proposals for next meeting if possible and be present to discuss.

Generator fees and whether VADR or USBC governs will be discussed at next meeting.

E-85 fuel and dispensers USBC 2206.7.1:

1. DHCD is considering issuance of a sample modification for E-85 dispensers until such time listing is available and until the 2012 ICC codes can include them into the IFC. If changes are desired then need to coordinate VUSBC and VFPC and IFC 2206.7.1. Discussion only. IF code changes then Consensus to move forward new standard and any technical changes? Albemarle approved 1st fueling station for public. (pages 47 - 56)

Will not be brought back to workgroup unless code change is submitted. DHCD staff will contact advocates. No position taken by building officials. Fire officials raised questions about DHCD staff draft memo on modifications; no memo was ever sent out, but an approval was issued by a locality based on discussions at a fall 2008 meeting with stakeholders and some of the conditions discussed at the meeting were reflected in the draft memo.

Virginia Fire Prevention Code:

1. T107.2, IFC 2403.2: 900 square feet is permit exemption but IFC 2403.2 has 200 square feet VFPC administrative provisions always override those in the I-codes. USBC 101.4/101.7 has provisions that state clearly hierarchy of regulations and codes/standards. Consensus to place these into VFPA for clarity and avoid misapplication? Sections 105.3.3 and 105.4: Certification and CEU changes coordinate with the USBC. (no handout)

The 200 square foot requirement in IFC § 2403.2 will be deleted in the proposed regulation as it is in conflict with Chapter 1 of the SFPC and in conflict with the code change approved by BHCD in the 2006 code change cycle.

DHCD staff will draft a code change for the SFPC for the next meeting similar to the provisions used in the USBC for correlating the administrative provisions, definitions and technical amendments.

2. Section 108.1.2 to 109.5: VUSB construction permits could be construed as under the fire official even though in the F102.6 and 108.5 say they are not. VUSB doesn't replicate operational permits. Consensus to delete or retain? (no handout)

The Fire Service Board Code Committee is reviewing this issue and may submit a code change proposal to delete the construction permit provisions.

3. Section 107: SFMO any need to make clarifications on fees or raise them? Discussion only. (pages 57 - 58)

Will not be retained for next meeting, however, it was noted that if any changes are contemplated, the code change proposal should be submitted for inclusion in the proposed regulations to assure stakeholders can review and make comments.

4. VSFPC/VUSB VFPC110.4, IFC311.5 and USBC 118.4: Placarding new requirements in IFC. Need to allow use in USBC as placarding now done under USBC. Current USBC language is very flexible while IFC is more prescriptive. Discussion only on how to move forward and with what requirements? (no handout)

DHCD staff will draft a code change to eliminate the conflict between the USBC and the SFPC.

5. VSFPC Sections 111 and 112: NOV should indicate appeals section even when there are immediate unsafe conditions the same as the USBC. Fire officials, like the other code officials, can still take corrective action and seek court action upon conferring with local commonwealth attorney for imminent dangers requiring abatement/emergency repairs. Discussion and staff can draft the same or appropriate language for the VFPC. Consensus to move forward? (no handout)

Fire officials voiced opposition due to process for issuing summons. Will be off table for April 30th until there are series of complaints from citizens.

6. VSFPC and IFC 2703.3: Reported is a fire official issuing summons/NOV under utility section even when there has been a Ms. Utility marking and there is an accidental breakage of a gas line. Need code change language to clarify IFC 2703.3 and consensus to move forward to avoid legislative bill being introduced? Tidewater fire officials worked out for now. (no handout)

Will not be retained for next meeting unless a code change proposal is received.

7. VSFPC 405.4: Glitch to fix with word “not” left out to reinsert. Consensus to move forward with fix? (no handout)

Problem was only in the printed codes, not in the official regulation. The error is noted in an errata on the DHCD website.

8. VSFPC: Contact information for the SFMO at VDFP to be inserted. FYI. (no handout)

This is a preface issue only, not a regulatory issue, and will be fixed for the 2009 printing of the SFPC

9. VSFPA Definitions, IFC 401.1 and VUSC: Amend to include R-5 as a licensed occupancy. Catlett to submit code change. Consensus to move forward and correct in all places noted? (page 59)

Code change proposal will be submitted by VBCOA to change the definition of SRCF to match the definition in the USBC.

10. VSFPC/IFC 304.3.2: Delete as now in 2009 IFC. Consensus to delete? (no handout)

DHCD staff will compare the 2009 IFC provision to the SFPC language as part of the development of the proposed regulation. If not exact, will have workgroup review at next meeting.

11. IFC 307.4.3: Approved that portable outdoor fire places need to be 15 feet from combustibles or per manufactured instructions. Implication and enforcement issues at homes versus R-1 or R-2? Discussion only. Any amendments with consensus to move forward? (pages 60 - 63)

Will continue discussion at next meeting; Spotsylvania County had concerns with use at restaurants; is SFPC applicable to use in residential yards?

12. SFPC/USBC/IFC 315.3.1: Any need to clarify sprinklers to protect eaves? PWC attorney felt clarification was necessary. STRB has request. (page 64)

STRB issued an interpretation; will have workgroup review interpretation at next meeting to determine whether to submit code change proposal.

13. IFC 403.3: Crowd managers required over 1,000 occupants with one cm for 250 occupants unless fire official reduces with sprinklers and the event. Since most all new A occupancies have sprinklers, should there be another number of occupants set instead it being up to the fire official? Discussion and consensus to change number without sprinklers or where sprinkled and without alcohol as another factor? Consensus to move forward as is or changed and to what? (pages 65 - 66)

Will continue discussion at next meeting and invite stakeholders affected.

14. IFC 405.2.1, 408.5.4, 408.5.5, T405.2: Fire drills for R-4, I-1, I-4 and high-rises need to be coordinated and reconsider full evacuations of residents 6 times per year. VUSBC and ICC will be changing scope of these occupancies and passive construction/compartmentalization requirements. Need to allow assembly within designated interior protected compartment. High-rises as now written preempts Table 405.2 so I-1 high-rise only needs fire drills for staff? Discussion and fixes seem necessary. Consensus to move forward changes and to do so based on compartmentalization construction for these occupancies for licensed facilities. (pages 66 - 68)

Being considered by Fire Services Board Code Committee. There is a conflict between the SFPC provision required by state law and the IFC.

15. IFC 404.3.3: Approved new lockdown requirements. Not to conflict with other sections of the code. Implication and coordination with police and VUSBC as should be done at time of construction if alarm systems, communication systems and egress door locking systems are part of the plan. Discussion only. Consensus to move forward as is or with changes in the VFPC and/or the VUSBC? (pages 69 and 76)

Will not be retained as workgroup issue unless DHCD staff identifies a conflict with the USBC access control provisions.

16. IFC 501: Approved as modified new building information sign that includes occupancy, construction type, fire systems, hazards, tactical and sign maintenance. Discussion about sign, what do fire department now have in own records, already require forms for hazardous materials and how much information can get on a sign about the items in 3 for structural members? Consensus to move forward with or without changes? (pages 70 - 75)

Will not be retained as workgroup issue unless a code change proposal is received.

17. IFC 503.2.1: Fire access road width excludes shoulders. Just a classification. Discussion only. (pages 77 - 79)

Will not be retained as workgroup issue. New language just adds clarification.

18. IFC 509.1: Increases fire control room size. Need to do in the VUSC and Work Group 3. Should present size of 96 square feet. be increased to 250 square feet and what data to support? Should it be larger for only super high-rises over 420 feet and so many occupants? Consensus to move forward as is or changes or leave at 96 square feet? (page 79)

Identified as a USBC issue. Increases fire command room from 96 to 250 square feet for all high rise buildings, but not for non-high rise buildings. Fire services support. Impacted stakeholders not in attendance and will advise to attend next workgroup meeting. Building officials in attendance didn't comment even though they approve these rooms and the equipment located in these rooms. Perhaps a

room plan with required equipment shown might be a good way to really see what are the problems to be addressed? What is the cost? High rise buildings have excellent fire records so how many times would this larger space be used? What are the operational issues being resolved when many fire departments have their own field command posts for larger incidents?

19. IFC 511.1: Approved modified emergency communication system for all buildings other than IRC and is similar to code change offered in the 2003 USBC back failed to lack of consensus to the one approved for the 2006 VUSBC/VFPC. The section supposedly doesn't apply if the local signal to the new and existing building isn't at 95dBa? Requires interior cables, amplification equipment, antennas and if local system changes update those existing systems. No cost data was presented. Consensus to move forward, change or delete leaving the 2006 VUSBC version in tact? (pages 80 - 87)

DHCD staff will modify IFC in the development of the proposed regulations to retain the current SFPC provisions for emergency communication and delete any conflicts in the IFC.

Will invite members of the ad hoc committee for emergency communications to the next workgroup meeting for discussion of whether to submit code changes to expand the SFPC emergency communication provisions and whether there is a need to reestablish the committee.

20. VSFPC/IFC 603.7: Never used and can do without note. Many localities do own boiler inspections under the USBC VMC such as Arlington, Fairfax, Roanoke, Alexandria, Norfolk besides ones done by DLI for insurance purposes. Consensus to delete or leave? (no handout)

Was originally put in the 2003 SFPC from a proposal by William (Billy) Smith and Fire Services Board Code Committee. Will provide history of proposal for next meeting to see if still necessary; Fire Services Board Code Committee may review.

21. VSFPC/IFC 604.6: Why not get into ICC for annual testing of these battery exit signs? Who is doing this? Consensus to retain or delete? (no handout)

Will not be retained as work group issue; but if no proposal to national level, may consider for deletion in 2012 code cycle.

22. IFC 605.4: There are some who are enforcing and citing violations for what has been deemed by the STRB as acceptable to use. Should this section be clarified at ICC, NEC or the VUSBC/VFPC to ensure uniform enforcement? Consensus to leave as is or modify? (no handout)

Multi-plug adaptor issue from appeal case; will not be retained as work group issue unless a code change proposal is received.

23. IFC 703.1: Approved to require annual inspection; there are no holes or damage to fire rated construction. Assumes there is record or documentation and some issue noted with use of being accessible. USBC VMC already requires maintenance of such assemblies. Consensus to move forward as is, change or delete? (pages 88 - 89)

DHCD staff will notify affected client groups to seek further input for the April 30th meeting.

24. IFC 807.1 Exceptions 1 and 2, 807.4.3.2: Similar to VSFPC on decorative materials, but not as definitive. Consensus to keep VSFPC text and delete IFC text or go with IFC text? Next question is why not do something similar for corridors? Discussion only. (pages 90 - 91)
25. IFC 902/VFPC: Fire extinguisher system - delete VFPC if 2009 IFC fixes. Consensus to delete and use IFC? (no handout)
26. IF/VSFPC Chapter 24: Consensus to delete tent and canopy changes as 2009 IFC fixes? (no handout)
27. IFC/VSPC 2703.3.1.4: Did 2009 IFC fix cleanup costs? Consensus to keep or delete? (no handout)

Items 24, 25, 26 and 27 above: DHCD staff will review the 2009 IFC provisions as soon as the 2009 IFC is available and determine whether they are a close enough match to the state amendments to permit the deletion of the state amendments. Will report back at April 30th meeting.

28. IFC/VSFPC/HB1353 Fireworks Chapter 33: Should the agreement on storage or supervision at M occupancies be inserted into the VFPC/IFC/VUSBC as technical amendment to ensure statewide uniformity despite some issues with what the current law or the VUSBC defines as hazardous limits and “permissible fireworks” being redefined by law out of these hazardous limits? Should there be any links between our different Virginia definitions and federal law? Discussion only. Consensus to add some clarifying language for M occupancies for storage to avoid the same issue from reoccurring elsewhere? (pages 92 - 100)

Issues are amount of permissible fireworks allowed in retail establishments and which code governs, USBC or SFPC and correlation changes to SFPC. Fireworks industry may submit code change proposals for April 30th meeting.

29. IFC 3307.4: Dominion Power cleans stacks and boilers at night not daytime. Current text does permit that where approved by the fire officials. Do we need to have an exception? Discussion only for possible exception as consensus to move forward? (no handout)

Will not be retained as a workgroup issue. Modifications are being granted.

30. IFC Appendices B fire flow, C hydrants and D access roads: Should these appendices be adopted in the VSFPC related to Chapter 5 or as appendices just put into the VFPC whereby

localities can adopt more stringent provisions? Also, as part of discussions on the IRC sprinklers there is an option of putting some of these provisions into the IRC as incentives for mandating sprinklers or as an option to use with incentives. The VUSBC and VSFPC didn't include any appendices not adopted in the text of the codes. Found not many localities that had adopted any of three appendices as required to us. These appendices in many ICC codes are readily available and can be written into local ordinance as some localities maybe even different from the appendices. (pages 101 - 107)

The issue of having the appendices available in the ICC version of the SFPC is resolved; appendices will be included, but staff will add language to clearly indicate that the appendices not part of the SFPC. Second issue is whether any of the appendices should be made part of the SFPC as baseline. Will have further discussion on that issue at April 30th meeting.

31. IFC 4006 and 4006.1 and 6.2: Approved for R occupancies to have no smoking signs and premise sign that there is oxygen in use for each dwelling unit. Not in IRC so homes out unless licensed. Would cover R-1, R-2, R-3 and R-4. R-4 is licensed facilities, but how enforce in R-1, R-2 and R-3? The premise sign is option but then becomes a uniformity issue too? Do you really need a no-smoking sign in each dwelling room or does the tank come with its own sign as the person moves from room to room? Consensus to move forward as is or with changes? (pages 108 - 110)

Will have further discussion at April 30th meeting of whether a state amendment is necessary to correlate with dwelling units being exempt from routine inspections in SFPC.

32. IFC USBC 1027.17.2: Requires retrofit existing I-2 in patient rooms of certain size. Discussion. (no handout)
33. SFPC and STRB: Propane trucks parking: Fairfax now local ordinance to prohibit, but prior to that interpretation on NFPA means by "congested areas" and can local fire ordinances be enforced retroactively? What is application of provisions to new or existing propane parking and does application mean there has to be a NOV issues 1st or a written response on the applicable sections? (no handout)

Items 32 and 33 above will not be retained as workgroup issues based on discussions at March 19, 2009 meeting.

2009 VUSBC:

1. Section 102.3 #1 and 202: Are telephone poles/transmission towers covered as structure or exempted as public utilities? Should they be covered, then does it make sense to have permit exemption and what scope? Should state law be changed? Discussion only. (pages 111 - 114)

Most building officials felt power and telephone poles were not covered by USBC. Will retain issue for April 30th meeting to discuss possible amendment to clarify.

2. Section 102.3 #5: Pods, containers and sheds USBC or IBSR? IBSR change to say not covered unless has interior walls not just open framing members? Discussion only and need fix consensus to move forward regulations/legislation? (pages 111 - 114)

Pods and containers will not be retained as workgroup issues due to Review Board interpretation. Will retain pre-built storage shed issue for April 30th meeting.

3. Section 102.3 #6: Farm buildings still an issue with new uses such as churches, breweries, assembly events. Discussion only. (page 115)

Will not be retained as workgroup issue; more of a legislative issue.

4. Section 102.3: Portable stages covered by the USBC? Yes? Discussion only. (page 115)

Will not be retained as workgroup issue unless code change proposal received.

5. USBC 103.2: Effective date of codes 1 year from regulation's effective date? (page 121)

Discussion of submitted code change proposal not supportive; will retain for April 30th meeting as opportunity for proponent and for continued discussion.

6. Section 103.5 #4: Should this section be deleted for energy or other requirements like done last cycle for decks and impact on IEBC? Discussion only, code changes and consensus to move forward? (no handout)

Energy code issues moved to Workgroup 1; DHCD staff will develop code change proposal for accessibility for April 30th meeting.

7. Section 104.1 and 36-105(C)2 and 3: Need to coordinate in the VCC and VMC for inspection warrants for unsafe conditions. Consensus in concept to move forward code change? (page 123)

DHCD staff as part of the USBC base document will move this paragraph of Section 104.1 of VCC to VMC based on Review Board interpretation.

8. Section 108.2: Exemption for replacement of HVAC systems to now require a permit? (no handout)

Will continue discussion at April 30th meeting and invite proponent to attend.

9. Section 115.2: Keystone Builders code change. Not sure stated intent is accomplished as written. Can this already be done by current, more flexible language since most permits are

taken out by builders, contractors and tenants; so, violations go to them first and not always to the owners? (no handout)

Issue of grading of lots. Will be retained for April 30th meeting to give proponent an opportunity to comment. Will also be discussed in Workgroup 4 (IRC).

10. F203: fire pump and electrical rooms where NEC has construction requirements used for decades. IBC no requirements so clarify in USBC that those NEC construction requirements for ratings, exits and widths are permissible to use. Consensus to move forward to avoid interpretation issues? (no handout)

Will be retained as workgroup issue as discussion on both sides. Need a code change proposal to clarify.

11. Sections 104, 109.3, 115.8.1 and 106.2 TRB Culpepper: Code change to avoid circumstances where local boards set the 3rd party policy for individuals/companies. Two possible code changes to consider reinforcing that local governing bodies cannot be altering the code or affecting construction except to the extent permitted by law and regulations. Consensus to move forward changes, amend or leave as is? (page 128)

Review Board decided on one recommendation (code change proposal); will include in April 30th meeting package for review.

12. Section 103.3, 3410.2.1, VRC: Change of occupancy to require trade work be brought up to new code? Fixed for compliance alternatives but less in VRC. Discussion only. (page 138)

Will not be retained as workgroup issue unless code change proposal received.

13. Section VCC105, VMC 104.4, VADR 5-31-50: Clarify and link 3 sections so it is clear 16 hours can be in any code areas in the policy regardless of certification such as amusement rides. Consensus to move forward with staff code change? (page 139)

Agreed to move DHCD staff proposal forward for proposed regulation for clarification of existing requirements.

14. Sections 105.1.4, 105.2.3, 105.1.4, 105.2.3, 113.7.2 and 202: Requires 3rd parties and contract employees to do the CEU's and periodic training. Now done by local policies. What are pluses and minus? What about IBSR inspectors? Time element of 12 or 18 months for contract employees is deleted. Need to amend the SFPC? Consensus to amend, move forward or delete? (page 140)

Will retain as workgroup issue for April 30th meeting with DHCD staff developing specific code change proposals.

15. Section 108.2.10.1: Exempts replacement of windows. Can permit be required for the emergency egress window? Is this emergency window part of the MOE thus not exempted? Discussion only. (no handout)

Will retain as workgroup issue for April 30th meeting to see if clarification to code language needed.

16. Section 108.2 #4: 2008 legislation introduced to increase exemption on tents from 900 square feet to say 1200 square feet. Discussion only. Will have proponent suggest a number. (page 141)

Will not be retained as workgroup issue unless code change proposal received.

17. Section 108.2 #8 and Appendix H101.2 sign size not needing permit? Discussion only. (no handout)

Will be retained as workgroup issue for April 30th meeting. VBCOA Admin. Committee will review.

18. SCRF and adult care should be included for up to 8 persons? Discussions only. (no handout)

Moved to Workgroup 3 (USBC/SFPC Technical Amendments).

19. 202 Building: Excludes VDOT bridges. Legislation to do same for private bridges. A former VDOT bridge given to landowner who then did work on it and local asked if could or must ask for a permit? Discussion only. Would need legislation. (no handout)

Will not be retained as workgroup issue based on discussions.

20. 202 emergency communication equipment: ICC has a code change so will need to keep or delete. ICC code change is more complex, stringent, costly and broader in scope. Consensus to keep USBC or go with IFC? (no handout)

As will be done with SFPC provisions, DHCD staff will review 2009 IBC in the development of the proposed regulations to assure new text does not conflict with the existing state amendments.

Will invite members of the ad hoc committee for emergency communications to the next workgroup meeting for discussion of whether to submit code changes to expand the SFPC and USBC emergency communication provisions and whether there is a need to reestablish the committee.

21. USBC 421 MHSR and IBSR: Revisions to clarify inspection duties and what falls under these two regulations and USBC. To prescribe in each regulation that installers shall contact BO for all inspections especially bolting and anchoring processes. Consensus to move amendment forward? (no handout)

BHCD approved amendments for immediate implementation (30 days after publishing final regulation) as change only to conform to new HUD requirements. Full review will be available in 2009 code change cycle.

22. Remove I-3 DOC changes approved. Only 1-2 failed. Consensus to delete and retain 1-2 that failed for this cycle? (no handout)

Will not be retained as workgroup issues; staff will correlate changes approved at ICC with existing state amendments for USBC base document.

23. Glitches: Correct fire alarm sections Sections 903.4.2 and 907.2.9 and tracer wire. Consensus to fix and move forward? (page 143)

DHCD staff will do code change proposal on fire alarm section as changes may not just be editorial and proposal will be given to BHCD for proposed regulations. The tracer wire provision was just an error in final regulation; staff will fix in USBC base document.

24. Section 902: Fire extinguisher system can we delete as in the IBC/IFC? Consensus to delete? (no handout)

DHCD staff will review 2009 I-Code language against state amendment and delete state amendment if consistent.

25. Section 903.2.1.4: A-4 would now delete Exception would now do floor sprinklers based on there are other events. Need to hear from designers and owners and locals where there are problems/incidents? Fire data? Consensus to retain Exception or delete? (page 145)

Will retain for further discussion at April 30th meeting as significant change in IBC. Would need code change proposal to keep 2006 IBC language.

26. 903.2.2: E reduced from 20,000 to 12,000square feet. Impact on private schools? Most new public E's buildings. Additions? Input from school districts and state and private sector. Fire data need for Virginia. Consensus to change or leave as is? (no handout)

Will retain for further discussion at April 30th meeting as significant change in IBC. Would need code change proposal to keep 2006 IBC language.

27. Section 903.2.6: M took to zero upholstered stores from 12,000 square feet. Can be in S and not sprinkled. Based on Charleston incident. Impact on smaller stores with C of C? Consensus to keep or retain current 12,000square feet? (no handout)

Will retain for further discussion at April 30th meeting as significant change in IBC. Would need code change proposal to keep 2006 IBC language.

28. B occupancy upgraded Ambulatory Surgical Centers. Good change to come closer to CMS requirements. Discussion only. In Work Group 3. (no handout)

Will not be retained as issue for this workgroup. Is also in Workgroup 3 (USBC/SFPC Technical Amendments).

29. 1015.2.1 Exception 2: Can we delete? Consensus to delete if in IBC? (no handout)

30. USBC 407.8, IBC1008.1.8.6 E51: Does new I-2 special locking allow deletion of this state change? Consensus to go to new IBC or leave as is? Same for 407.9 for emergency power? (no handout)

For items 29 and 30 above, DHCD staff will review 2009 I-Code language against state amendments and delete state amendments if consistent.

31. USBC VMC 103.2 and 105.3, 105.3.1: Discuss unsafe not related to maintenance and faulty design, local codes pre-1972, pre-local codes/historic buildings, CO issued for older buildings not constructed under a local or state code. USBC 116.4 for CO issuance for existing buildings without a Company of which are very old built without codes. Do we need to clarify relationship of VMC and SFPC for a CO meaning only maintenance and not wholesale update to new codes or items not enforceable under the VMC and SFPC? Seems might want 116.4 in the VMC? (no handout)

Will be retained for further discussion at April 30th meeting and will be reviewed by VBCOA Property Maintenance Committee.

32. USBC VMC 404.5: Should there be an age for children exempted from the 50s.f when with one parent? (page 146)

Will be retained for further discussion at April 30th meeting and will be reviewed by VBCOA Property Maintenance Committee.

33. Appendix E adopt so can ensure USBC is approved by DOJ for safe harbor. Mailboxes, bank fixtures, text phones, etc not under USBC. Discussions. (no handout)

DHCD staff awaiting technical assistance from DOJ to determine is items outside the scope of the USBC will prevent getting USBC certified. DHCD staff may do code change proposal to bring in these ADA requirements as part of USBC.

34. Should the USBC consider universal design options? (no handout)

Will not be retained as workgroup issue unless code change proposal received.

35. CO alarms for IBC: SB853 failed to pass but in IRC. Should they be required for new R-occupancies or existing ones? Need code changes submitted. (page 148)

Will not be retained as issue for this workgroup. Is also in Workgroups 3 (USBC/SFPC Technical Amendments) and 4 (IRC).

36. MOA's DEQ, VDH, DOLI, FOG grease interceptors? (page 151)

Will be retained for further discussion at April 30th meeting and is also in Workgroup 3 (USBC/SFPC Technical Amendments).

37. 2009 Legislative review. (page 170)

Information only, will not be retained for April 30th meeting.

38. Errors review. (page 179)

DHCD staff will move all editorial changes as part of 2009 base documents.

***** Reminder*****

Next Work Group 2 meeting is April 30, 2009 at DHCD 1st floor Board Room commencing at 9:30a.m.