

STATE BUILDING CODE TECHNICAL REVIEW BOARD  
MEETING  
June 20, 2008  
RICHMOND, VIRGINIA

Members Present

Mr. Michael A. Conner, Sr., CBO, Chairman  
Mr. J. Robert Allen, CBO, Vice-Chairman  
Mr. John W. Ainslie, Jr.  
Mr. Matthew Arnold  
Mr. J. Daniel Crigler  
Mr. James N. Lowe  
Ms. Joanne D. Monday  
Ms. Patricia S. O'Bannon  
Mr. R. Schaefer Oglesby  
Mr. Bruin Richardson

Members Absent

Mr. John H. Epperson  
Mr. J. C. Hawkins (Resigned)  
Mr. Joseph A. Kessler, III  
Mr. Gregory H. Revels, CBO (Resigned)

Call to Order

The meeting of the State Building Code Technical Review Board ("Review Board") was called to order by the Chairman at approximately 10:00 a.m.

Roll Call

The attendance was established by Mr. Vernon W. Hodge, Secretary, and constituted a quorum. Messrs. Eric Gregory and Tom Nesbitt, Assistant Attorneys General from the Office of the Attorney General, were also present.

Approval of Minutes

Mr. Oglesby moved to approve the minutes of the February 15, 2008 meeting as presented in the Review Board members' agenda package with the correction that the attorney present in the Madison appeal was legal counsel for Loudoun County, not Fairfax County. The motion was seconded by Mr. Lowe and passed unanimously with Ms. O'Bannon and Mr. Richardson abstaining from the vote.

Final Order

Appeal of Milari Madison; Appeal No. 07-10:

Mr. Oglesby moved to approve the final order as presented in the Review Board members' agenda package. The motion was seconded by Mr. Crigler and passed unanimously with Ms. O'Bannon and Mr. Richardson abstaining from the vote.

New Business

Mr. Hodge reported that the appeal case styled Appeal of Cora Tucker, Appeal No. 06-12 was continued to the July 18, 2008 meeting by agreement of the parties.

Legal Counsel Report

Mr. Gregory reported that he would be moving to a new section in the Attorney General's Office and introduced Mr. Nesbitt who would be assuming the duties of legal counsel for the Review Board.

Review Board members expressed appreciation for the representation of the Board by Mr. Gregory and congratulations on his new position. Mr. Nesbitt advised that it would be a pleasure to serve the Review Board as he had worked with Mr. Gregory on some of the Review Board appeal cases which had been further appealed to the courts and found them interesting.

Mr. Gregory provided the Review Board members with an update on those appeal cases which were being considered by the courts and there was general discussion concerning the cases.

Interpretations

An interpretation request from the City of Winchester was considered. After discussion, Mr. Oglesby moved to issue the following interpretation:

Question: Is it the intent of Section 1008.1.3.4 to prohibit the installation of access control devices at the entrance door(s) to a means of egress in a Group I-2 occupancy?

Answer: No. While this section does not apply to Group I-2, the code generally does not prohibit ingress control provided all applicable means of egress provisions are met.

The motion was seconded by Mr. Allen and passed unanimously. The interpretation will be numbered 1/2006.

Next, an interpretation request from the County of Spotsylvania was considered. After discussion, Mr. Allen moved to issue the following interpretation:

Question: In jurisdictions which have not elected to enforce the Virginia Maintenance Code, does the third paragraph of Section 104.1 give authority to investigate complaints of immediate and imminent threats to the health and safety from any complainant rather than just complaints by a tenant of a residential rental unit that is the subject of such complaint?

Answer: No. This provision would only apply to enforcement action under the previous paragraph unless the locality has elected to enforce the Virginia Maintenance Code.

The motion was seconded by Mr. Arnold and passed unanimously. The interpretation will be numbered 2/2006.

Secretary's Report

Mr. Emory Rodgers, Deputy Director of the Division of Building and Fire Regulation, addressed the Review Board members discussing potential legislation concerning the Virginia Maintenance Code for geographical enforcement, activities of the Virginia Housing Commission, Review Board appointments and future energy conservation training and workshops the Department would be developing.

Mr. Hodge discussed the code change update training being offered for the 2006 editions of the Department's building and fire regulations and updated the Review Board members on current appeals and activity by staff.

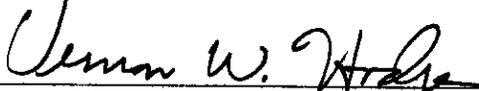
Adjournment

There being no further business, the meeting was adjourned by motion of Mr. Lowe and second by Mr. Crigler at approximately 12:05 p.m.

Approved: July 18, 2008



Chairman, State Building Code Technical Review Board



Secretary, State Building Code Technical Review Board

VIRGINIA STATE BUILDING CODE TECHNICAL REVIEW BOARD

I N T E R P R E T A T I O N

Interpretation Number: 1/2006

Code: USBC, Part I, Virginia Construction Code

Section No(s): 1008.1.3.4

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**QUESTION:** Is it the intent of Section 1008.1.3.4 to prohibit the installation of access control devices at the entrance door(s) to a means of egress in a Group I-2 occupancy?

**ANSWER:** No. While this section does not apply to Group I-2, the code generally does not prohibit ingress control provided all applicable means of egress provisions are met.

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This Official Interpretation was issued by the State Building Code Technical Review Board at its meeting of June 20, 2008.

*Michael A. Conner, Sr.*

Chairman, State Building Code Technical Review Board

VIRGINIA STATE BUILDING CODE TECHNICAL REVIEW BOARD

I N T E R P R E T A T I O N

Interpretation Number: 2/2006

Code: USBC, Part I, Virginia Construction Code

Section No(s): 104.1

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**QUESTION:** In jurisdictions which have not elected to enforce the Virginia Maintenance Code, does the third paragraph of Section 104.1 give authority to investigate complaints of immediate and imminent threats to the health and safety from any complainant rather than just complaints by a tenant of a residential rental unit that is the subject of such complaint?

**ANSWER:** No. This provision would only apply to enforcement action under the previous paragraph unless the locality has elected to enforce the Virginia Maintenance Code.

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*Michael A. Tomner, Sr.*

Chairman, State Building Code Technical Review Board