

AGENDA
DHCD Workgroup #1
December 13, 2012 - 9:30 a.m. - 3:30 p.m.
Location: Virginia Housing Center, 4224 Cox Rd., Glen Allen

Lunch Provided by Reservation Only:
Contact Janice Firestone at janice.firestone@dhcd.virginia.gov or 804-371-7150

Introductions

Meeting Agenda:

1. SFPC code changes submitted or being considered for submittal:

<u>Proposal</u>	<u>Description of Change</u>	<u>Page</u>
103.2	Amendments	1
106.4	Inspections (Carried over from 9/13 WG 1)	7
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111.1.1	Notice of right of appeal	18
202	Definitions – Blaster, Pyrotechnician	19
202	Recreational Fire	20

2. Review the Workgroup 2 approvals for rainwater/gray water/reclaimed water, marinas and pools.
NOTE: Rainwater/gray water reclaimed proposal was consensus at the November 8th Workgroup 2 meeting (with minor changes).

<u>Proposal</u>	<u>Description of Change</u>	<u>Page</u>
103.14	Marina Regulations	21
VCC IBC 3109.1	Swimming pools	24
VCC IBC 303.6	A-5 Swimming pools	25
VCC ISPSC 410.2	Showers	26
VCC IPC Chapter 13	Gray water, rainwater and reclaimed water	28

3. VBCOA USBC administrative committee, VAIA and other code changes along with carry over items from September 13th meeting:

<u>Proposal</u>	<u>Description of Change</u>	<u>Page</u>
VCC 101.6	Order of precedence	41
VCC 102.3	Storage/shipping containers	43
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VCC 110.4	Preliminary meeting	57
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IBC 3412.2.2	Exception – partial change of occupancy	70
IRC 103.3	Move alterations to VRC	71
VRC 101.2	Incorporation by reference	85
VRC 202	Existing building	86
VMC 104.5.3	Third party inspections (Carried over from 9/13 WG 1)	87
VMC 602.2	Heating and cooling dates (Carried over from 9/13 WG 1)	89
VPC 403.3.2	Public toilets – cemetery properties	90
IEBC 912.4.1	Exception #1	92

4. USBC and IBSR coordination code changes for consensus on the regulation for BHCD's CSC December 20th meeting list.

<u>Proposal</u>	<u>Description of Change</u>	<u>Page</u>
13VAC-91	Industrialized Building Safety Regulations	93
VCC 107.1.1	Exception – permit fees	105
VCC (IBC) 424.7	Change of occupancy	106

5. USBC and MHSR coordination for consensus list changes December 20th BHCD's CSC meeting

<u>Proposal</u>	<u>Description of Change</u>	<u>Page</u>
13VAC-91	Manufactured Home Safety Regulations	107

6. VCS certification and individual academy regulations list changes.

7. Approve VADR code changes. Will be on the December 20th BHCD's CSC meeting agenda.

<u>Proposal</u>	<u>Description of Change</u>	<u>Page</u>
Sections 20 and 75E	Certificate of inspection	113
Section 30	Devices covered and exempt	121
Section 75A	Fees	123
Sections 75D, 200 and 210	Permit duration	124
Section 75J	DGS	126
Section 75J	Violations	127

Next meeting March 12, 2013 finalize all regulations and code changes into consensus and non-consensus for April proposed regulations.

Adjournment

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: Robby Dawson

Representing: Fire Services Board Code Committee

Mailing Address: 1005 Technology Park Drive, Glen Allen, VA 23059

Email Address: dawsonj@chesterfield.gov

Telephone Number: 804-748-1426

Proposal Information

Code(s) and Section(s): Statewide Fire Prevention Code – various sections as listed below

Proposed Change (including all relevant section numbers, if multiple sections):

103.2. Amendments: All requirements of the referenced codes and standards that relate to fees, permits, unsafe notices, disputes, condemnation, inspections, ~~scope of enforcement~~ and all other procedural, and administrative matters are deleted and replaced by the provisions of Chapter 1 of the SFPC.

**Table 107.2
Operational Permit Requirements (to be filled in by local jurisdiction)**

Description	Permit Required (yes or no)	Permit Fee	Inspection Fee																
Battery systems. A permit is required to install stationary lead-acid battery systems having a liquid capacity of more than 50 gallons (189 L).																			
<p>Compressed gas. An operational permit is required for the storage, use or handling at normal temperature and pressure (NTP) of compressed gases in excess of the amounts listed below.</p> <p>Exception: Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.</p> <p style="text-align: center;">PERMIT AMOUNTS FOR COMPRESSED GASES</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">TYPE OF GAS</th> <th style="text-align: center;">AMOUNT (cubic feet at NTP)</th> </tr> </thead> <tbody> <tr> <td>Corrosive</td> <td style="text-align: center;">200</td> </tr> <tr> <td>Flammable (except cryogenic fluids and liquefied petroleum gases)</td> <td style="text-align: center;">200</td> </tr> <tr> <td>Highly toxic</td> <td style="text-align: center;">Any amount</td> </tr> <tr> <td>Inert and simple asphyxiant</td> <td style="text-align: center;">6,000</td> </tr> <tr> <td>Oxidizing (including oxygen)</td> <td style="text-align: center;">504</td> </tr> <tr> <td><u>Pyrophoric</u></td> <td style="text-align: center;"><u>Any amount</u></td> </tr> <tr> <td>Toxic</td> <td style="text-align: center;">Any amount</td> </tr> </tbody> </table> <p><small>For SI: 1 cubic foot = 0.02832 m³</small></p>	TYPE OF GAS	AMOUNT (cubic feet at NTP)	Corrosive	200	Flammable (except cryogenic fluids and liquefied petroleum gases)	200	Highly toxic	Any amount	Inert and simple asphyxiant	6,000	Oxidizing (including oxygen)	504	<u>Pyrophoric</u>	<u>Any amount</u>	Toxic	Any amount			
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<p>Covered and open mall buildings. An operational permit is required for:</p> <p>1. The placement of retail fixtures and displays, concession equipment, displays of</p>																			

<p>highly combustible goods and similar items in the mall.</p> <p>2. The display of liquid- or gas-fired equipment in the mall.</p> <p>3. The use of open-flame or flame-producing equipment in the mall.</p>					
<p>LP-gas. An operational permit is required for:</p> <p>1. Storage and use of LP-gas.</p> <p>Exception: A permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less or <u>multiple container systems having an aggregate quantity not exceeding 500 gallons (1893 L)</u>, serving occupancies in Group R-3.</p> <p>2. Operation of cargo tankers that transport LP-gas.</p>					
<p>Cryogenic fluids. An operational permit is required to produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed below. Exception: Operational permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.</p>					
<p>Explosives, fireworks and pyrotechnics. An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosive, explosive materials, fireworks, or pyrotechnic special effects, or <u>pyrotechnic special effects material</u> within the scope of Chapter 3356.</p> <p>Exception: Storage in Group R-3 or R-5 occupancies of <u>smokeless propellant, black powder and small arms primers for personal use, not for resale and in accordance with the quantity limitations and conditions set forth in Section 5601.1, exceptions 4 and 12.</u></p>					
Type of Cryogenic Fluid	Inside Building (gallons)	Outside Building (gallons)			
Flammable	More than 1	60			
Inert	60	500			
Oxidizing (includes oxygen)	10	50			
Physical or health hazard not indicated above	Any amount	Any amount			
			For SI: 1 gallon = 3.785 L.		
<p>Fumigation, and thermal and insecticidal fogging. An operational permit is required to operate a business of fumigation, or thermal <u>or</u> insecticidal fogging and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used.</p>					
<p>Hazardous materials. An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the following amounts:</p>					
Type of material		Amount			
Combustible liquids		See Flammable and Combustible Liquids			
Corrosive materials					
Gases		See Compressed Gases			
Liquids		55 gallons			
Solids		1000 pounds			
Explosive materials		See Explosives			
Flammable materials					
Gases		See Compressed Gases			
Liquids		See Flammable and Combustible Liquids			
Solids		100 pounds			
Highly toxic materials					
Gases		See Compressed Gases			
Liquids		Any amount			
Solids		Any amount			
Oxidizing materials					
Gases		See Compressed Gases			
Liquids					
Class 4		Any amount			
Class 3		1 gallon ^a			
Class 2		10 gallons			
Class 1		55 gallons			

<p>Solids</p> <p>Class 4</p> <p>Class 3</p> <p>Class 2</p> <p>Class 1</p>	<p>Any amount</p> <p>10 pounds^b</p> <p>100 pounds</p> <p>500 pounds</p>			
<p>Organic peroxides</p> <p>Liquids</p> <p>Class I</p> <p>Class II</p> <p>Class III</p> <p>Class IV</p> <p>Class V</p> <p>Solids</p> <p>Class I</p> <p>Class II</p> <p>Class III</p> <p>Class IV</p> <p>Class V</p>	<p>Any amount</p> <p>Any amount</p> <p>1 gallon</p> <p>2 gallons</p> <p>No permit required</p> <p>Any amount</p> <p>Any amount</p> <p>10 pounds</p> <p>20 pounds</p> <p>No permit required</p>			
<p>Pyrophoric materials</p> <p>Gases</p> <p>Liquids</p> <p>Solids</p>	<p>See Compressed Gases</p> <p>Any amount</p> <p>Any amount</p>			
<p>Toxic materials</p> <p>Gases</p> <p>Liquids</p> <p>Solids</p>	<p>See Compressed Gases</p> <p>10 gallons</p> <p>100 pounds</p>			
<p>Unstable (reactive) materials</p> <p>Liquids</p> <p>Class 4</p> <p>Class 3</p> <p>Class 2</p> <p>Class 1</p> <p>Solids</p> <p>Class 4</p> <p>Class 3</p> <p>Class 2</p> <p>Class 1</p>	<p>Any amount</p> <p>Any amount</p> <p>5 gallons</p> <p>10 gallons</p> <p>Any amount</p> <p>Any amount</p> <p>50 pounds</p> <p>100 pounds</p>			
<p>Water-reactive Materials</p> <p>Liquids</p> <p>Class 3</p> <p>Class 2</p> <p>Class 1</p> <p>Solids</p> <p>Class 3</p> <p>Class 2</p> <p>Class 1</p>	<p>Any amount</p> <p>5 gallons</p> <p>55 gallons</p> <p>Any amount</p> <p>50 pounds</p> <p>500 pounds</p>			
<p>a. 20 gallons when Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 20 gallons or less.</p> <p>b. 20 pounds when Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 200 pounds or less.</p>				
<p>Open flames and candles. An operational permit is required to remove paint with a torch; use a torch or open flame device in a hazardous fire area; or to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments.</p>				
<p>Open flames and torches. An operational permit is required to remove paint with a torch; or to use a torch or open-flame device in a wildfire risk area.</p>				
<p>Places of Assembly/educational. An operational permit is required to operate a place of assembly/educational occupancy.</p>				
<p>For SI: 1 cubic foot = 0.02832 m³, 1 gallon = 3.785 L, 1 pound = 0.454 kg.</p>				

301.2 Permits. Permits shall be required as set forth in Section ~~105.6~~107.2 for the activities or uses regulated by Sections 306, 307, 308 and 315.

307.2 Permit required. A permit shall be obtained from the *fire code official* in accordance with Section ~~105.6~~107.2 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such approval shall only be presented by and permits issued to the *owner* of the land upon which the fire is to be kindled.

308.2 Permits required. Permits shall be obtained from the *fire code official* in accordance with Section ~~105.6~~107.2 prior to engaging in the following activities involving open flame, fire and burning:

1. Use of a torch or flame-producing device to remove paint from a structure.
2. Use of open flame, fire or burning in connection with Group A or E occupancies.
3. Use or operation of torches and other devices, machines or processes liable to start or cause fire in or upon wildfire risk areas.

315.2 Permit required. A permit for miscellaneous combustible storage shall be required as set forth in Section ~~105.6~~107.2.

501.2 Permits. A permit shall be required as set forth in Sections ~~105.6~~107.2 and ~~105.7~~.

601.2 Permits. Permits shall be obtained for refrigeration systems, battery systems and solar photovoltaic power systems as set forth in Sections ~~105.6~~107.2 and ~~105.7~~.

901.2 Construction documents. The *fire code official* shall have the authority to require and receive copies of construction documents and calculations for all *fire protection systems* ~~and to require permits be issued for the installation, rehabilitation or modification of any fire protection system to be installed, rehabilitated or modified.~~ *Construction documents for fire protection systems* shall be submitted for review and approval prior to system installation.

901.3 Permits. Permits shall be required as set forth in Sections ~~105.6~~107.2 and ~~105.7~~.

2001.3 Permits. For permits to operate aircraft-refueling vehicles, application of flammable or combustible finishes and hot work, see Section ~~105.6~~107.2.

2101.2 Permit required. Permits shall be required as set forth in Section ~~105.6~~107.2.

2201.2 Permits. Permits shall be required for *combustible dust*-producing operations as set forth in Section ~~105.6~~107.2.

2301.2 Permits. Permits shall be required as set forth in Section ~~105.6~~107.2.

2401.3 Permits. Permits shall be required as set forth in Sections ~~105.6~~107.2 and ~~105.7~~.

2501.2 Permits. Permits shall be required as set forth in Section ~~105.6~~107.2.

2601.2 Permits. Permits shall be required as set forth in Section ~~105.6~~107.2.

2701.5 Permits. Permits shall be required as set forth in Section ~~105.6~~107.2.

2801.2 Permit. Permits shall be required as set forth in Section ~~105.6~~107.2.

2901.2 Permits. Permits shall be required as set forth in Section ~~105.6~~107.2.

3001.2 Permits. Permits shall be required as set forth in Sections ~~105.6~~107.2 and ~~105.7~~.

3103.4 Permits. Permits shall be required as set forth in Sections ~~105.6~~107.2 and ~~105.7~~.

3201.2 Permits. A permit shall be required as set forth in Section ~~105.6~~107.2.

3401.2 Permit required. Permits shall be required as set forth in Section ~~105.6~~107.2.

5001.5 Permits. Permits shall be required as set forth in Sections ~~105.6~~107.2 and ~~105.7~~.

5101.2 Permit required. Permits shall be required as set forth in Section ~~105.6~~107.2.

5201.3 Permits. Permits shall be required as set forth in Section ~~105.6~~107.2.

5301.2 Permits. Permits shall be required as set forth in Section ~~105.6~~107.2.

5401.2 Permits. Permits shall be required as set forth in Section ~~105.6~~107.2.

5501.2 Permits. Permits shall be required as set forth in Section ~~105.6~~107.2.

5601.2 Permit required. Permits shall be required as set forth in Section ~~105.6~~107.2 and regulated in accordance with this section.

5701.4 Permits. Permits shall be required as set forth in Sections ~~105.6~~107.2 and ~~105.7~~.

5801.2 Permits. Permits shall be required as set forth in Section ~~105.6~~107.2.

5901.2 Permits. Permits shall be required as set forth in Section ~~105.6~~107.2.

6001.2 Permits. Permits shall be required as set forth in Section ~~105.6~~107.2.

6201.2 Permits. Permits shall be required for organic peroxides as set forth in Section ~~105.6~~107.2.

6301.2 Permits. Permits shall be required as set forth in Section ~~105.6~~107.2.

6401.2 Permits. Permits shall be required as set forth in Section ~~105.6~~107.2.

6501.2 Permits. Permits shall be required as set forth in Section ~~105.6~~107.2.

6601.2 Permits. Permits shall be required as set forth in Section ~~105.6~~107.2.

Supporting Statement (including intent, need, and impact of the proposal):

The overall objective for this proposed change is to ensure the proper and accurate coordination of the code's permit provisions and to clearly identify how reference standards are to be applied and when.

1. Section 103.2 amends by eliminating "permits" and "scope of enforcement" from this section. The corrected sections of the SFPC now correctly identify what section of the SFPC (107.2) identifies which operational permits are required. If the term "permits" remains, confusion is created that the permitting requirements in the explosives chapter are not enforceable. But with the proper reference to 107.2, it becomes clear that not only are permits potentially required, they are referenced back to the proper administrative provisions of chapter 1.

The "scope of enforcement" is also removed to clearly indicate those referenced standards (like NFPA) do have limitations on their scope. Without the deletion of this section, one could argue the door is left wide open to take the standard out of context or there is no basis for the standard to be used. The SFPC already has a catch all provision in 102.4 that clearly states any conflict between the SFPC and a reference standard – such as differences in scope – that the SFPC prevails.

2. References to the permit section of Chapter 1 are often encountered in the technical chapters of the code. When encountered in a technical chapter, this proposed change will provide for the proper and accurate reference of the Chapter 1 permit provisions.

3. The changes to Table 107.2 are intended to incorporate the changes found in the 2012 edition of the IFC with the following notable differences:

a. An operational permit requirement for battery systems was deleted from the IFC in October 2004 through action by the ICC Code Correlation Committee (CCC). The stated reason for the CCC action was,

"Section 105.6.5 is the only section in 105.6 that contains the word "install", which clearly indicates that the permit requirement is one of construction, not operation.

Section 105.6.5 was added to the code by code change F203-99 (AM). It originally said "...install or operate..." but the modification deleted the phrase "...or operate...". At that time, there was only one section, 105.6, that

regulated all permits.

In the same code change cycle, code change F46-99 (AM) divided Section 105.6 into the current separate Required Operational Permits Section 105.6 and Required Construction Permits Section 105.7.

Since both code changes F46-99 and F203-99 were approved simultaneously, relocating the new construction-oriented permit requirements created by F203-99 for the installation of battery systems from Section 105.6 to the new Section 105.7 should have been accomplished as a correlation change prior to publication of the 2000 edition, however it was overlooked. This correlation change will place the permit requirement for installation of battery systems into the proper section."

(The ICC references to Section 105.6 equate to SFPC Section 107.2.)

- b. For fumigation, thermal and insecticidal fogging, the model code deleted the reference to "thermal" treatment but its felt this treatment must be retained. To produce high temperatures (thermal) within a building or space may still be a viable method for treating bed bug infestations. One of the methods of thermal pest control is the use of propane. If propane is used to treat bed bug infestations, then a permit may have to be obtained through or coordinated with other chapters of the code such as Chapter 61, Liquefied Petroleum Gas. The changes shown are for the benefit of clarity and distinction for the 3 methods of treatment; fumigation, thermal and fogging.
 - c. The SI units of measurement are relocated to the end of the table as opposed to repeating them in multiple locations. The units of measurement would still be applicable throughout the table.
 - d. Through an omission, the '09 edition of the SFPC did not have notes "a" and "b" as they relate to liquid and solid oxidizing hazardous materials. This change properly puts those notes back into the table.
 - e. As a statewide minimum, the added language regarding explosives, display fireworks and pyrotechnics reflects the combining of separate IFC model code lines and its list of required operational permits. This produces no fundamental or significant operational changes within or for the SFPC and **does not** impact "permissible fireworks".
 - f. The exception for the line for explosives is a reiteration for propellants and primers found in Chapter 56 and those contained in previous editions of the SFPC. There's no attempt to change those SFPC exceptions.
 - g. As a point of information, no edition of the referenced IFC model code has had educational occupancy listed for operational permits, hence the reason for deleting the reference for educational occupancies. The option to amend the code to include Group E is still available at the local level.
4. The change to Section 901.2 allows the fire official to require and receive copies of construction documents related to the installation, rehabilitation or modification of fire protections systems. It is those documents that establish the benchmark for which a level protection or performance is to be maintain for the life of the building and its systems.

Submittal Information

Date Submitted: 12/5/12

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)

Main Street Centre
600 E. Main St., Ste. 300
Richmond, VA 23219

Email Address: tsu@dhcd.virginia.gov

Fax Number: (804) 371-7092

Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): X Individual Government Entity Company

Name: John Catlett

Representing: VBCOA Administration Committee

Mailing Address: 301 King Street, Alexandria, Virginia 22314

Email Address: john.catlett@alexandriava.gov

Telephone Number: 703.746.4182

Proposal Information

Code(s) and Section(s): Virginia Statewide Fire Prevention Code

Section No(s): SFPC 106.4

Proposed Change (including all relevant section numbers, if multiple sections):

Proposed Change: Modify 106.3, create new section 106.4, and renumber existing sections 106.4, 106.5, 106.7

106.3 Inspections. The fire official is authorized to conduct such inspections as are deemed necessary to determine the extent of compliance with the provisions of this code. The fire official shall have a written policy to approve reports of inspections by approved 3rd party agencies and individuals. The approved 3rd party agencies and individuals shall submit and to approve reports of inspection by approved agencies or individuals, all such inspection reports to the fire official of such inspections by approved agencies or individuals that are prepared and submitted in writing for review and approval. Inspection reports shall be certified by a responsible officer of such approved agency or by the responsible individual. The fire official is authorized to engage such expert opinion as deemed necessary to report upon unusual, detailed or complex technical issues in accordance with local policies.

106.3.1 **Observations** When, during an inspection, the fire official or authorized representative observes an apparent or actual violation of another law, ordinance or code not within the official's authority to enforce, such official shall report the findings to the official having jurisdiction in order that such official may institute the necessary measures.

~~106.4 (New) Approved inspection agencies and individuals. The fire official may accept reports of inspections or tests from individuals or inspection agencies approved in accordance with the fire official's written policy required by Section 106.4.1. The individual or inspection agency shall meet the qualifications and reliability requirements established by the written policy. Reports of inspections by approved individuals or agencies shall be in writing, shall indicate if compliance with the applicable provisions of the SFPC have been met and shall be certified by the individual inspector or by the responsible officer when the report is from an agency. The fire official shall review and approve the report unless there is cause to reject it. Failure to approve a report shall be in writing within two days of receiving it stating the reasons for rejection.~~

~~106.4.1 (New) Third-party inspectors. Each fire official charged with the enforcement of the SFPC 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 preapproval requirements before conducting a third-party inspection and any other requirements and procedures established by the fire official.~~

~~106.4.2 (New) Qualifications. In determining third-party qualifications, the fire official may consider such items as DHCD inspector certification, other state or national certifications, state professional registrations, related experience, education and any other factors that would demonstrate competency and reliability to conduct inspections.~~

~~106.4 106.5 Alternatives~~

~~106.5 106.6 Modifications.....~~

Supporting Statement (including intent, need, and impact of the proposal):

There has been an indication that the administrative provisions of the Statewide Fire Prevention Code did not permit the acceptance of third party inspection reports from approved agencies or individuals. This change would align the SFPC with the USBC in requiring a written policy that describes the minimum qualifications and requirements for third-party inspectors or agencies. **There is not consensus from the fire service community on this proposal.**

Submittal Information

Date Submitted: August 2, 2012

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: taso@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: Ed Altizer

Representing: State Fire Marshal's Office

Mailing Address: 1005 Technology Park Drive, Glen Allen, VA 23059

Email Address: ed.altizer@vdfp.virginia.gov

Telephone Number: 804-371-0220

Proposal Information

Code(s) and Section(s): SFPC Sections 107.6 and 107.14

Proposed Change (including all relevant section numbers, if multiple sections):

107.6 State Fire Marshal: Permits will not be required by the State Fire Marshal except those permits listed in Section 107.13 and the levy of annual compliance inspection fees listed in Section 107.14 of this code.

Exception: Such permits shall not be required for the storage of explosives or blasting agents by the Virginia Department of State Police provided notification to the State Fire Marshal is made annually by the Chief Arson Investigator listing all storage locations within areas where enforcement is provided by the State Fire Marshal's office.

107.14 State annual compliance inspection permit fees. ~~Annual fees for compliance inspections permits issued/performed by the State Fire Marshal's Office for the inspection of buildings shall be as follows:~~

1. Night clubs
 - 1.1. \$350 for occupant load of 100 or less.
 - 1.2. \$450 for occupant load of 101 to 200.
 - 1.3. \$500 for occupant load of 201 to 300.
 - 1.4. \$500 plus \$50 for each 100 occupants where occupant load exceed 300.
2. Private college dormitories with or without assembly areas. If containing assembly areas, such assembly areas are not included in the computation of square footage.
 - 2.1. \$150 for 3,500 square feet (325.15 m²) or less.
 - 2.2. \$200 for greater than 3,500 square feet (325.15 m²) up to 7,000 square feet (650 m²).
 - 2.3. \$250 for greater that 7,000 square feet (650 m²) up to 10,000 square feet (929 m²).
 - 2.4. \$250 plus \$50 for each additional 3,000 square feet (278 m²) where square footage exceeds 10,000 (929 m²).
3. Assembly areas that are part of private college dormitories.
 - 3.1. \$50 for 10,000 square feet (929 m²) or less provided the assembly area is within or attached to a dormitory building.
 - 3.2. \$100 for greater than 10,000 square feet (929 m²) up to 25,000 square feet (2322.5 m²) provided the assembly

area is within or attached to a dormitory building, such as gymnasiums, auditoriums or cafeterias.

3.3. \$100 for up to 25,000 square feet (2322.5 m²) provided the assembly area is in a separate or separate buildings such as gymnasiums, auditoriums or cafeterias.

3.4. \$150 for greater than 25,000 square feet (2322.5 m²) for assembly areas within or attached to a dormitory building or in a separate or separate buildings such as gymnasiums, auditoriums or cafeterias.

4. Hospitals.

4.1. \$300 for 1 to 50 beds.

4.2. \$400 for 51 to 100 beds.

4.3. \$500 for 101 to 150 beds.

4.4. \$600 for 151 to 200 beds.

4.5. \$600 plus \$100 for each additional 100 beds where the number of beds exceeds 200.

5. Child day centers, assisted living facilities and adult day care centers licensed by the Virginia Department of Social Services based on licensed capacity as follow:

5.1. \$50 for 1 to 8.

5.2. \$75 for 9 to 20.

5.3. \$100 for 21 to 50.

5.4. \$200 for 51 to 100.

5.5. \$400 for 101 or more.

Exception: Annual compliance inspection permits fees for any building or groups of buildings on the same site may not exceed \$2500.

6. Registered complaints.

1st Visit (initial complaint) hourly rate per SFMO staff person - \$0.00

2nd Visit (follow-up on initial complaint) hourly rate per SFMO staff person - \$0.00

3rd Visit (additional follow-up on initial complaint and any resulting summons) hourly rate per SFMO staff person - \$51.00

7. Storage/Retail Display of permissible fireworks.

9.1 Temporary Structures or Stands – 60 day period	\$100.00
9.2 Permanent Structure – 60 day period	\$190.00
9.3 Permanent Structure – year-round	\$240.00

Supporting Statement (including intent, need, and impact of the proposal):

The change to Section 107.6 is a coordinated change to what is proposed for Section 107.14.

The changes to Section 107.14 is based upon the statutory authority granted in § 27-98 of the Code of Virginia allowing the SFMO charge a fee to recover the actual cost of administering and enforcing the SFPC in jurisdictions for which the office serves as the enforcing authority.

The compliance inspections undertaken for the occupancies listed in Section 107.14, Items 6 and 7 are essentially for the same reasons inspections are performed in the occupancies listed in items 1 through 5; to ensure continued compliance.

Response to complaints results in inspections to ensure all required built-in fire safety features that were required by the USBC at the time of design and construction are properly maintained, including any retrofitting provisions required within the USBC, and that any conditions related to the storage, handling, and use of substances, materials and devices remain in compliance with the provision established in the

SFPC.

Whether intentional or not, illegal fireworks are often found at retail outlets, and sometimes *under the counter*. The inspection related to permissible fireworks is a means to ensure illegal fireworks are not mixed into the retail stream and only permissible fireworks are available to the public.

Submittal Information

Date Submitted: _____

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)

Main Street Centre
600 E. Main St., Ste. 300
Richmond, VA 23219

Email Address: tsu@dhcd.virginia.gov

Fax Number: (804) 371-7092

Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: Robby Dawson

Representing: Fire Services Board Code Committee

Mailing Address: 1005 Technology Park Drive, Glen Allen, VA 23059

Email Address: dawsonj@chesterfield.gov

Telephone Number: 804-748-1426

Proposal Information

Code(s) and Section(s): SFPC Section 107.11

Proposed Change (including all relevant section numbers, if multiple sections):

~~**107.11 Revocation of permit.** The fire official may revoke a permit or approval issued under the SFPC if conditions of the permit have been violated, or if the approved application, data or plans contain misrepresentation as to material fact.~~

Supporting Statement (including intent, need, and impact of the proposal):

This section is effectively redundant to SFPC Section 108.4 which is the more comprehensive section.

108.4 replicated here for reference:

108.4 Revocation. The fire official is authorized to revoke an operational permit issued under the provisions of this code when it is found by inspection or otherwise that the has been a false statement or misrepresentation as to the material facts in the application or document on which the permit or approval was based including but not limited to, any of the following:

1. The permit is issued for a location or establishment other than that for which it was issued.
2. The permit is issued for a condition or activity other than that listed on the permit.
3. Conditions and limitations set forth in the permit have been violated.
4. Inclusion of any false statement or misrepresentation as to the material fact in the application for permit or plans submitted or a condition of the permit.
5. The permit is used by a different person or firm than the person or firm for which it was issued.
6. The permittee failed, refused or neglected to comply with orders or notices duly served in accordance with the provisions of this code within the time provided therein.
7. The permit was issued in error or in violation of an ordinance, regulation or this code.

Submittal Information

Date Submitted: 12/7/12 _____

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)

Main Street Centre

600 E. Main St., Ste. 300

Richmond, VA 23219

Email Address: tsu@dhcd.virginia.gov

Fax Number: (804) 371-7092

Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: Ed Altizer

Representing: State Fire Marshal's Office

Mailing Address: 1005 Technology Park Drive, Glen Allen, VA 23059

Email Address: ed.altizer@vdfp.virginia.gov

Telephone Number: 804-371-0220

Proposal Information

Code(s) and Section(s): SFPC Sections 107.6, 107.13 and 107.14

Proposed Change (including all relevant section numbers, if multiple sections):

107.13. State explosives, blasting agents, theatrical flame effects and firework permit fees: Except as modified herein, Applications for firework or pyrotechnic displays shall be submitted to and received by the State Fire Marshal's Office not less than 15 days prior to the planned event. Fees for permits issued by the State Fire Marshal's office for the storage, use, sale or manufacture of explosives or blasting agents, and for the display of fireworks and flame effects on state-owned property shall be as follows:

1. \$125 per year per magazine to store explosives and blasting agents.
2. \$200 per year per city or county to use explosives and blasting agents.
3. \$150 per year to sell explosives and blasting agents.
4. \$200 per year to manufacture explosives, blasting agents and fireworks.
5. \$350 the first day of fireworks, pyrotechnics or proximate audience displays conducted in any state-owned building and \$150 per day for each consecutive day for identical multi-day events. If an application is received by the SFMO less than 15 days prior to the planned event, the permit fee shall be ~~\$450~~ per \$550 the first day and \$150 per day for each consecutive day for identical multi-day events. If an application is received by the SFMO less than 7 days prior to the planned event, the permit fee shall be ~~\$550~~ per \$650 the first day and \$150 per day for each consecutive day for identical multi-day events.
6. \$250 the first day of fireworks, pyrotechnics or proximate audience displays conducted out-of-doors on any state-owned property and \$150 per day for each consecutive day for identical multi-day events. If an application is received by the SFMO less than 15 days prior to the planned event, the permit fee shall be ~~\$450~~ per \$550 the first day and \$150 per day for each consecutive day for identical multi-day events. If an application is received by the SFMO less than 7 days prior to the planned event, the permit fee shall be ~~\$550~~ per \$650 the first day and \$150 per day for each consecutive day for identical multi-day events.
7. \$100 per event for the use of explosives in special operations or emergency conditions.
8. \$300 the first day for flame effects conducted in accordance with Section 308.3.6 indoors of any state-owned building or outdoors on state-owned property and \$150 per day for each consecutive day for identical multi-day events, or, if conducted as part of a firework (pyrotechnic) display, \$100 the first day and \$75 per day for each consecutive day for identical multi-day events. If an application for flame effects is received by the SFMO less than 15 days prior to the planned event, the permit fee shall be ~~\$450~~ per \$550 the first day and \$150 per day for each consecutive day for identical multi-day events or, if conducted as part of a firework (pyrotechnic) display, \$200 the

2012 SFPC change to Section 107 13 and 170 14 for CURRENT SFMO permit fees.doc

first day and \$100 per day for each consecutive day for identical multi-day events.. If an application is received by the SFMO less than 7 days prior to the planned event, the permit fee shall be \$550 per 650 the first day and \$150 per day for each consecutive day for identical multi-day events or, if conducted as part of a firework (pyrotechnic) display, \$300 the first day and \$125 per day for each consecutive day for identical multi-day events..

Supporting Statement (including intent, need, and impact of the proposal):

The increases for Section 107.13, Items 5, 6 and 8 are to strengthen the incentive for submitting applications at least 15 days prior to planned events.

Submittal Information

Date Submitted: _____

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
Main Street Centre
600 E. Main St., Ste. 300
Richmond, VA 23219

Email Address: tsu@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: Robby Dawson

Representing: Fire Services Board Code Committee

Mailing Address: 1005 Technology Park Drive, Glen Allen, VA 23059

Email Address: dawsonj@chesterfield.gov

Telephone Number: 804-748-1426

Proposal Information

Code(s) and Section(s): Statewide Fire Prevention Code Section 108.1.2

Proposed Change (including all relevant section numbers, if multiple sections):

108.1.2 Types of permits. There shall be two types of permits as follows:

1. Operational permit. An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Section 108.1.1 for either:
 - 1.1. A prescribed period.
 - 1.2. Until renewed, suspended, or revoked.

Supporting Statement (including intent, need, and impact of the proposal):

The ability to suspend a permit currently exists in 107.10. This change is in coordination with Section 107.10.

Submittal Information

Date Submitted: 12/7/12

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
Main Street Centre
600 E. Main St., Ste. 300
Richmond, VA 23219

Email Address: tsu@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: Robby Dawson

Representing: Fire Services Board Code Committee

Mailing Address: 1005 Technology Park Drive, Glen Allen, VA 23059

Email Address: dawsonj@chesterfield.gov

Telephone Number: 804-748-1426

Proposal Information

Code(s) and Section(s): SFPC Section 108.3.7

Proposed Change (including all relevant section numbers, if multiple sections):

108.3.7 Information on the permit. The *fire official* shall issue all operational permits required by this code on an *approved* form furnished for that purpose. The operational permit shall contain a general description of the operation or occupancy and its location and any other information required by the *fire official*. Issued permits shall bear the original or electronic signature of the *fire official* or other designee approved by the *fire official*.

Supporting Statement (including intent, need, and impact of the proposal)

This change provides the means by which a fire official may approve permits using electronic signatures or other technologies for conveying approval. This also allows those technical assistants under the direction of a fire official to issue permits if designated by the fire official.

Submittal Information

Date Submitted: 12/7/12

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
Main Street Centre
600 E. Main St., Ste. 300
Richmond, VA 23219

Email Address: tsu@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2009 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: James Dawson

Representing: Virginia Fire Services Board Code Committee

Mailing Address: PO Box 40, Chesterfield, VA 23832

Email Address: dawsonj@chesterfield.gov

Telephone Number: 804-717-6838

Proposal Information

Code(s) and Section(s): SFPC New 111.1.1

Proposed Change (including all relevant section numbers, if multiple sections):

Add new section 111.1.1

111.1.1 Right of Appeal. Notices of Violation issued under 111.1 shall indicate the right of appeal by referencing the appeals section of this code.

Exceptions:

1. Summons issued in lieu of a notice of violation in accordance with 111.5 of this code.
2. Documents reflecting un-corrected violations in subsequent inspections to verify compliance.

Supporting Statement (including intent, need, and impact of the proposal):

There has been much debate over the inclusion of such language on notices of violation issued by fire officials. Presently, a number of local fire officials and the State Fire Marshals' notices include language meeting this requirement, and this is consistent with the USBC language for notices of violation.

When fire code violations are of such a risk, or violations have gone uncorrected and the fire official issues a summons to the property owner or responsible party, the immediate course of appeal is with the general district court in the jurisdiction served at the time of adjudication of the charge. Additional appeals within the scope of the courts is also available, but outside the scope of the SFPC and are subsequent to the findings of the initial hearing of the summons.

Re-inspection documents that reflect the original and on-going violation where the right of appeal has been provided does not require the explicit documentation of the appeals process as noted in the original notice of violation.

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: _____

Representing: _____

Mailing Address: _____

Email Address: _____

Telephone Number: _____

Proposal Information

Code(s) and Section(s): SFPC Section 202

Proposed Change (including all relevant section numbers, if multiple sections):

Change the following definitions in Section 202 to read:

BLASTER, RESTRICTED. Any person engaging in the use of explosives or blasting agents utilizing five pounds (2.25 kg) or less per blasting operation and using instantaneous detonators. A certified restricted blaster can fulfill the role of a designated individual on an application for permit to manufacture, use, handle, store, or sell explosive materials and shall demonstrate the capability to effectively communicate safety messages verbally and in writing in the English language.

BLASTER, UNRESTRICTED. Any person engaging in the use of explosives or blasting agents without limit to the amount of explosives or blasting agents or type of detonator. A certified unrestricted blaster can fulfill the role of a designated individual on an application for permit to manufacture, use, handle, store, or sell explosive materials and shall demonstrate the capability to effectively communicate safety messages verbally and in writing in the English language.

PYROTECHNICIAN (FIREWORK OPERATOR). Any person supervising or engaged in the design, setup or conducting of any fireworks display, either inside a building or outdoors. A certified pyrotechnician can fulfill the role of a designated individual on an application for permit for a fireworks display and shall demonstrate the capability to effectively communicate safety messages verbally and in writing in the English language.

Supporting Statement (including intent, need, and impact of the proposal):

The proposed language already resides within the definition of a "designated individual".

While a certified person is always to be present at the scene of a blasting operation or fireworks display, the certified person may not have been the one who signed or acted as the designated individual when signing an application for permit. Therefore there's a gap to be closed as it relates to the certified individual that's on-site and their need to convey safety messages. This change closes that gap by replicating the language from "designated individual" into the definition of those certified persons.

Submittal Information

2012 SFPC change to Section 202 and the definition of certified blaster and pyrotechnician for English language requirement.doc

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: _____

Representing: _____

Mailing Address: _____

Email Address: _____

Telephone Number: _____

Proposal Information

Code(s) and Section(s): SFPC Section 202 and 307.1

Proposed Change (including all relevant section numbers, if multiple sections):

Add the following definition to Section 202 to read:

RECREATIONAL FIRE. An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height, and includes unmanned aerial hot air balloons, used or burned for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

Change Section 307.1 to read:

307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning, or utilize any unmanned aerial hot air balloon, unless conducted and *approved* in accordance with Sections 307.1.1 through 307.5.

Supporting Statement (including intent, need, and impact of the proposal):

This change is to provide specificity based on TRB interpretation.

Submittal Information

Date Submitted: _____

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR SBCO (State Building Codes Office)
600 East Main Street
Suite 300

Email Address: Vernon.hodge@dhcd.virginia.gov
Fax Number: (804) 371-7092

2012 SFPC change to Section 202 and 307 1 on Sky Lanterns.doc

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual X Government Entity Company

Name: Skip Harper, Preston Smith, Dwayne Roadcamp

Representing: Louisa County/VDH

Mailing Address: PO Box 160 Louisa, Va. 23093

Email Address: sharper@louisa.org

Telephone Number: 540-967-3414

Proposal Information

Code(s) and Section(s): Add new scoping statement and definitions to Chapter 1 of the USBC

Proposed Change (including all relevant section numbers, if multiple sections):

103.14 Marina Regulations. This section establishes the application for Boating Access Facilities, Marinas, places where boats are moored and dry storage facilities. All applicants shall obtain a construction permit in accordance with the Marina Regulations promulgated by the Virginia Department of Health. For the purpose of this section the definitions below apply.

Boating Access Facility. Means any installation operating under public or private ownership that provides a boat launching ramp and has 50 or more parking spaces for boat trailers.

Marina. Means any installation operating under public or private ownership which provides dockage or moorage for boats, other than paddle or rowboats and provides through sale, rental, fee, or free basis any equipment, supply, or service, including fuel, electricity, or water for the convenience of the public or the lessee, renters, or users of the facilities.

Other places where boats are moored. Means any installation operating under public or private ownership, which provides dockage, or moorage for boats, other than paddle or rowboats either on a free, rental or fee basis or for the convenience of the boater.

Slip. Means a berth or space where a boat may be secured to a fixed or floating structure, including a dock, finger pier, boat lift, or mooring buoy.

Supporting Statement (including intent, need, and impact of the proposal):

Trying to incorporate marina fixture counts into the USBC. We think it is important to have the scoping requirement here in Chapter 1 as well as the definitions. The definitions should also be put in to the plumbing code and possibly chapter 2 of the VCC. We feel it is important that the definitions are here so everyone knows this is new to the USBC and will continue looking for the new fixture table.

Definitions-to be added to Virginia Plumbing Code chapter 2 and Virginia Construction Code

Boating Access Facility. Means any installation operating under public or private ownership that provides a boat launching ramp and has 50 or more parking spaces for boat trailers.

Marina. Means any installation operating under public or private ownership which provides dockage or moorage for boats, other than paddle or rowboats and provides through sale, rental, fee, or free basis any equipment, supply, or service, including fuel, electricity, or water for the convenience of the public or the lessee, renters, or users of the facilities. .

Other places where boats are moored. Means any installation operating under public or private ownership, which provides dockage, or moorage for boats, other than paddle or rowboats either on a free, rental or fee basis or for the convenience of the boater.

Slip. Means a berth or space where a boat may be secured to a fixed or floating structure, including a dock, finger pier, boat lift, or mooring buoy.

Add Table 403.1(1) to VPC and Table 2902.1(1) to VCC

Marinas and other places where boats are moored Table 403.1(1)

Number of Slips	Plumbing Fixtures					
	Water Closets (Urinals see section 419.2)		Lavatories		Showers	
	Male	Female	Male	Female	Male	Female
1-24	1	1	1	1	1	1
25 - 49	2	2	2	2	1	1
50 - 99	3	3	2	2	1	1
100 - 149	4	4	3	3	2	2
150 - 199	5	5	4	4	2	2
200 - 249	6	6	5	5	3	3

- a) When the number of slips exceeds those prescribed by Table 1, the owner shall provide additional fixtures. The owner shall provide one water closet, lavatory and shower for each gender for each 100

additional slips.

- b) Owners shall conveniently locate their plumbing fixtures within 500 feet walking distance from the shore end of any dock they are intended to serve. On a case by case basis The Virginia Department of Health may approve a greater distance if unusual circumstances such as topography or resource protection areas prevent compliance with this requirement.

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: DHCD Workgroup 4, sub-workgroup 2 (pools and marinas)

Proposal Information

Code(s) and Section(s): VCC (IBC and IRC)

Proposed Change (including all relevant section numbers, if multiple sections):

In Chapter 2 of the IBC, change the following definition to read as follows:

Swimming pool. An aquatic vessel as defined in the International Swimming Pool and Spa Code. Where the use of the term is indicative of a specific type of aquatic vessel, such as a public swimming pool or a residential swimming pool, then the term may be deemed to mean that specific type of aquatic vessel.

Change the title of Section 3109 of the IBC to read as follows and replace the text of Section 3109 with the following:

Section 3109
Swimming Pools, Swimming Pool Enclosures and Aquatic Recreational Facilities

3109.1 General. Swimming pools, swimming pool enclosures and aquatic recreational facilities, as that term is defined in the International Swimming Pool and Spa Code, shall comply with applicable provisions of the International Swimming Pool and Spa Code.

Change Items 27 and 28 of Section 310.6 of the VCC(IBC) to read as follows:

27. Add Section R325 ~~Swimming Pools, Spas and Hot Tubs.~~

28. Add Section R325.1 to read:

~~R325.1 Use of Appendix G for swimming~~ Swimming pools, spas and hot tubs. In addition to other applicable provisions of this code, ~~swimming pools, spas and hot tubs as defined in the Virginia Construction Code,~~ swimming pools, spas and hot tubs as defined in the Virginia Construction Code, shall comply with the ~~applicable provisions of Appendix G~~ the International Swimming Pool and Spa Code.

Supporting Statement (including intent, need, and impact of the proposal):

This proposal will incorporate the International Swimming Pool and Spa Code (ISPSC) for the construction of aquatic vessels, as defined by the ISPSC, which includes both residential and public swimming pools, spas and hot tubs. This proposal would also have the ISPSC apply to the construction of new aquatic recreational facilities, such as wave pools or lazy rivers. The existing exception for when a permit is needed for a pool is left intact, however the threshold for what constitutes a pool under the ISPSC is different than what is currently under the IBC, reducing the depth of water from 24 inches to 12 inches, but not applying unless the aquatic vessel is designed to have a circulating system.

Submittal Information

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: DHCD Workgroup 4, sub-workgroup 2 (pools and marinas)

Proposal Information

Code(s) and Section(s): VCC (IBC and IPC)

Proposed Change (including all relevant section numbers, if multiple sections):

Change Section 303.6 of the IBC as shown:

303.6 Assembly Group A-5. Assembly used intended for participation in or viewing outdoor activities including, but not limited to:

- Amusement park structures
- Bleachers
- Grandstands
- Stadiums
- Swimming pools

Change the Group A-5 row of Table 403.1 of the IPC and Table 2902.1 of the IBC and add a new footnote "h" as shown:

OCCUPANCY	DESCRIPTION	(remainder unchanged)
A-5	Stadiums, amusement parks, <u>pools</u> , bleachers and grandstands for outdoor sporting events and activities ^h	(remainder unchanged)

h. The occupant load for pools shall be in accordance with the "Skating rinks, swimming pools" category of Table 1004.1.2 of the International Building Code (of "this code" for the IBC table).

Supporting Statement (including intent, need, and impact of the proposal):

This proposal is to set minimum plumbing fixture requirements for bathrooms at outdoor swimming pools to correlate with requirements of the Virginia Department of Health (VDH) for fixtures at swimming pools under their authority as a matter of functional design and to permit VDH to delete the requirements in their regulations since they could be perceived as "building regulations" which would be superseded by the USBC.

Submittal Information

Date Submitted: _____

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Organization

Name: J. Kenneth Payne, Jr., AIA

Representing: VSAIA

Mailing Address: 3200 Norfolk Street, Richmond, VA 23230

Email Address: kpayne@moseleyarchitects.com

Telephone Number: 804.794.7555

Proposal Information

Code(s) and Section(s): 2012 ISPSC, Table of Contents, and Sections 410 and 609.3.1

Proposed Change (including all relevant section numbers, if multiple sections):

Revise Table of Contents, as follows:

CHAPTER 6 AQUATIC RECREATION FACILITIES

609 ~~Toilet Rooms and Bathrooms~~ Dressing and Sanitary Facilities

Add new Section 410.2, as follows:

410.2 Showers. Showers shall be in accordance with Sections 410.2.1 through 410.2.5.

410.2.1 Deck hand shower or shower spray unit. Not less than one and not greater than half of the total number of showers required by Section 410.1 shall be a hand shower or spray shower unit located on the deck of or at the entrance of each pool.

410.2.2 Anti-scald device. Where heated water is provided to the showers, the shower water supply shall be controlled by an anti-scald device.

410.2.3 Water heater and mixing valve. Bather access to water heaters and thermostatically controlled mixing valves for showers shall be prohibited.

410.2.4 Flow rate. Each showerhead shall have a water flow of not less than 2 gallons per minute (7.6 lpm).

410.2.5 Temperature. At each showerhead, the heated shower water temperature shall not exceed 120°F (49°C) and shall not be less than 90°F (32°C).

Revise title of Section 609, as follows:

SECTION 609
~~TOILET ROOMS AND BATHROOMS~~ DRESSING AND SANITARY FACILITIES

Revise Section 609.3.1, as follows:

609.3.1 Deck hand shower or shower spray unit. Not less than one ~~shower~~ and not greater than half of the total number of showers required by Section 609.2 shall be a hand shower or shower spray unit located on the deck of or at the entrance of each pool.

Supporting Statement (including intent, need, and impact of the proposal):

Revised the title of Section 609 to be the same as Section 410, and because Section 609.3.1 includes showers that are required on the pool deck, which is not a part of a *toilet room* or *bathroom* – but are a part of *sanitary facilities*. In this case, the term “sanitary facilities” is more inclusive than the terms “toilet room” or “bathroom” when it comes to a showerhead on a pool deck.

The Sub-workgroup 2 ISPSC Committee felt public swimming pools (or anything governed by Chapter 4) should also have a showerhead facility on the pool deck. The language is duplicated from Section 609.3.

The terms “hand shower” (term used by ICC A117.1) and “shower spray unit” (term used by the 2004 ADAAG) are substituted for the term “shower(s)” to avoid the interpretation that full-size transfer and/or roll-in type showers would need to be provided to meet the accessibility requirements for “showers” (which include grab bars, seats, dispensers, etc.). By using the terms “hand shower” and “shower spray unit,” it is clear the intent is not to provide a transfer and/or roll-in type shower with grab bars or seats, but merely a showerhead with controls that must meet the accessibility requirements for a hand-held showerhead.

Submittal Information

Date Submitted: August 16, 2012

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: taso@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information (Check one):

Individual Government Entity Company

Name: Workgroup 4, Subgroup 1

Representing:

Proposal Information

Code(s) and Section(s): VCC, International Plumbing Code, Chapter 13

Proposed Change (including all relevant section numbers, if multiple sections):

See attached.

Supporting Statement (including intent, need, and cost impact of the proposal):

This proposal to add provisions for gray water, rainwater and reclaimed water for non-potable use was a collaborative effort of stakeholders forming a subworkgroup from DHCD's Workgroup 4 for trade code issues. Many state agencies participated including the Virginia Department of Environmental Quality and the Virginia Department of Health. Also participating were the Virginia Building and Code Officials Association and the Virginia Plumbing and Mechanical Inspectors Association as well as independent consultants and companies involved in designing such systems. The Virginia Society of the American Institute of Architects also participated.

Submittal Information

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR SBCO (State Building Codes Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: Vernon.hodge@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7150



Chapter 2 Definitions - Add new terms as follows:

Non-potable water systems. Water systems for the collection, treatment, storage, distribution and use or reuse of non-potable water. Non-potable systems include reclaimed water, rainwater and gray water systems.

Reclaimed water. Reclaimed water means water resulting from the treatment of domestic, municipal or industrial wastewater that is suitable for a water reuse that would not otherwise occur. Specifically excluded from this definition is "gray water."

Rainwater. Natural precipitation, including snow melt, from roof surfaces only.

Gray Water . Water discharged from lavatories, bathtubs, showers, clothes washers and laundry trays

Non-Potable fixtures and outlets. Fixtures and outlets that are not dependent on potable water for the safe operation to perform their intended use. Such fixtures and outlets may include, but are not limited to, water closets, urinals, irrigation, mechanical equipment and hose connections to perform operations, such as vehicle washing and lawn maintenance.

Stormwater. Precipitation that is discharged across the land surface or through conveyances to one or more waterways and that may include stormwater runoff, snow melt runoff, and surface runoff and drainage.

Modify and add new sections to existing text in the Sections below as follows

IPC 301.3 - Exception: Bathtubs, showers, lavatories, clothes washers and laundry trays shall not be required to discharge to the sanitary drainage system where such fixtures discharge to an approved non-potable gray water system in accordance with applicable provisions of Chapter 13.

(Add new section as follows) IPC 602.2.1. Non-potable fixtures and outlets. Non-potable water shall be permitted to serve non-potable type fixtures and outlets in accordance with Chapter 13.

IPC 1101.2. Where required. To remain unchanged
(Add new exception as follows) Exception: Rainwater non-potable water systems shall be permitted in accordance with Chapter 13.

Add new Chapter 13 Non-Potable Water Systems

1301 General

1302 Gray Water Systems

1303 Rainwater Water Systems

1304 Reclaimed Water Systems

CHAPTER 13

NON-POTABLE WATER SYSTEMS

SECTION 1301

GENERAL

1301.1 Scope. The provisions of Chapter 13 shall govern the materials, design, construction and installation of non-potable water systems subject to this code. In addition to the applicable provision of this Section, Reclaimed water shall comply with the requirements of Section 1304.

1301.1.1 Design of non-potable water systems. All portions of non-potable water systems subject to this code shall be constructed using the same standards and requirements for the potable water systems or drainage systems as provided for in this code unless otherwise specified in this Chapter.

1301.2 Makeup water. Makeup water shall be provided for all non potable water supply systems. The makeup water system shall be designed and installed to provide supply of water in the amounts and at the pressures specified in this code. The makeup water supply shall be potable and be protected against backflow in accordance with the applicable requirements of Section 608.

1301.2.1 Makeup water Sources. Potable water shall be provided as makeup water for reclaimed water systems. Non potable water shall be permitted to serve as make up water for gray water and rainwater systems.

1301.2.2 Makeup water supply valve. A full-open valve shall be provided on the makeup water supply line.

1301.2.3 Control valve alarm. Makeup water systems shall be fitted with a warning mechanism that alerts the user to a failure of the inlet control valve to close correctly. The alarm shall activate before the water within the storage tank begins to discharge into the overflow system.

1301.3 Sizing. Non potable water distribution systems shall be designed and sized for peak demand in accordance with approved engineering practice methods that comply with the applicable provisions of Chapter 6.

1301.4 Signage required. All non-potable water outlets, other than water closets and urinals, such as hose connections, open ended pipes, and faucets shall be identified at the point of use for each outlet with signage that reads as follows: "Non-potable water is utilized for [application name]. Caution: non-potable water. DO NOT DRINK." The words shall be legibly and indelibly printed on a tag or sign constructed of corrosion-resistant waterproof material or shall be indelibly printed on the fixture. The letters of the words shall be not less than 0.5 inches in height and in colors in contrast to the background on which they are applied. The pictograph shown in Figure 1301.4 shall appear on the signage required by this section.

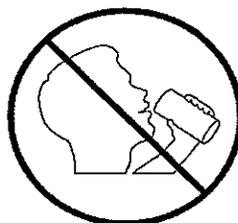


Figure 1301.4 – Pictograph DO NOT DRINK

1301.5 Potable water supply system connections. Where a *potable* water supply system is connected to a non-potable water system, the *potable* water supply shall be protected against backflow in accordance with the applicable provisions of Section 608.

1301.6 Non-potable water system connections. Where a non-potable water system is connected and supplies water to another non-potable water system, the non-potable water system that supplies water shall be protected against backflow in accordance with the applicable provisions of Section 608.

1301.7 Approved components and materials. Piping, plumbing components, and materials used in the non-potable water drainage and distribution systems shall be *approved* for the intended application and compatible with the water and any disinfection or treatment systems used.

1301.8 Insect and vermin control. Non-potable water systems shall be protected to prevent the entrance of insects and vermin into storage and piping systems. Screen materials shall be compatible with system material and shall not promote corrosion of system components.

1301.9 Freeze protection. Non-potable water systems shall be protected from freezing in accordance with the applicable provisions of Chapter 3.

1301.10 Non-potable water storage tanks. Non-potable water storage tanks shall be approved for the intended application and comply with Sections 1301.10.1 through 1301.10.12.

1301.10.1 Sizing. The holding capacity of storage tanks shall be sized for the intended use.

1301.10.2 Inlets. *Storage tank* inlets shall be designed to introduce water into the tank and avoid agitating the contents of the *storage tank*. The water supply to *storage tanks* shall be controlled by fill valves or other automatic supply valves designed to stop the flow of incoming water before the tank contents reach the overflow pipes.

1301.10.3 Outlets. Outlets shall be located at least 4 inches (102 mm) above the bottom of the *storage tank*, and shall not skim water from the surface.

1301.10.4 Materials and Location. Storage tanks shall be constructed of material compatible with treatment systems used to treat water. Above grade storage vessels shall be constructed using opaque, UV-resistant materials such as tinted plastic, lined metal, concrete, wood, or painted to prevent algae growth. Above grade storage tanks shall be protected from direct sunlight unless their design specifically incorporates the use of the sunlight heat transfer. Wooden storage tanks shall be provided with a flexible liner. Storage tanks and their manholes shall not be located directly under soil or waste piping or sources of contamination.

1301.10.5 Foundation and supports. Storage tanks shall be supported on a firm base capable of withstanding the storage tank's weight when filled to capacity. Storage tanks shall be supported in accordance with the applicable provisions of the *International Building Code*.

1301.10.5.1 Ballast. Where the soil can become saturated, an underground storage tank shall be ballasted, or otherwise secured, to prevent the effects of buoyancy. The combined weight of the tank and hold down ballast shall meet or exceed the buoyancy force of the tank. Where the installation requires a foundation, the foundation shall be flat and shall be designed to support the storage tank weight when full, consistent with the bearing capability of adjacent soil.

1301.10.5.2 Structural support. Where installed below grade, storage tank installations shall be designed to withstand earth and surface structural loads without damage.

1301.10.6 Overflow. The storage tank shall be equipped with an overflow pipe having a diameter not less than that shown in Table 606.5.4. The overflow outlet shall discharge at a point not less than 6 inches (152 mm) above the roof or roof drain; floor or floor drain; or over an open water-supplied fixture. The overflow outlet shall terminate through a check valve. Overflow pipes shall not be directed on walkways. The overflow drain shall not be equipped with a shutoff valve. A minimum of one cleanout shall be provided on each overflow pipe in accordance with the applicable provisions of Section 708.

1301.10.7 Access. A minimum of one access opening shall be provided to allow inspection and cleaning of the tank interior. Access openings shall have an approved locking device or other approved method of securing access. Below grade storage tanks, located outside of the building, shall be provided with either a manhole not less than 24 inches (610 mm) square or a manhole with an inside diameter not less than 24 inches (610 mm). The design and installation of access openings shall prohibit surface water from entering the tank. Each manhole cover shall have an approved locking device or other approved method of securing access.

Exception: Storage tanks under 800 gallons in volume installed below grade shall not be required to be equipped with a manhole, but shall have an access opening not less than 8 inches (203 mm) in diameter to allow inspection and cleaning of the tank interior.

1301.10.8 Venting. Storage tanks shall be vented. Vents shall not be connected to sanitary drainage system. Vents shall be at least equal in size to the internal diameter of the drainage inlet pipe(s) connected to the tank. Where installed at grade, vents shall be protected from contamination by means of a U-bend installed with the opening directed downward. Vent outlets shall extend a minimum of 12" above grade, or as necessary to prevent surface water from entering the storage tank. Vent openings shall be protected against the entrance of vermin and insects. Vents serving gray water tanks shall terminate in accordance with the applicable provisions of Section 903 and 1301.8.

1301.10.9 Drain. Where drains are provided they shall be located at the lowest point of the *storage tank*. The tank drain pipe shall discharge as required for overflow pipes and shall not be smaller in size than specified in Table 606.5.7. A minimum of one cleanout shall be provided on each drain pipe in accordance with Section 708.

1301.10.10 Labeling and signage. Each non-potable water *storage tank* shall be *labeled* with its rated capacity and the location of the upstream bypass valve. Underground and otherwise concealed storage tanks shall be labeled at all access points. The label shall read "CAUTION: NON-POTABLE WATER – DO NOT DRINK". Where an opening is provided that could allow the entry of personnel, the opening shall be marked with the words, "DANGER – CONFINED SPACE." Markings shall be indelibly printed on a tag or sign constructed of corrosion-resistant waterproof material mounted on the tank or shall be indelibly printed on the tank. The letters of the words shall be not less than 0.5 inches in height and shall be of a color in contrast with the background on which they are applied.

1301.10.11 Storage tank tests. *Storage tanks* shall be tested in accordance with the following:

1. *Storage tanks* shall be filled with water to the overflow line prior to and during inspection. All seams and joints shall be left exposed and the tank shall remain water tight without leakage for a period of 24 hours.
2. After 24 hours, supplemental water shall be introduced for a period of 15 minutes to verify proper drainage of the overflow system and verify that there are no leaks.
3. Following a successful test of the overflow, the water level in the tank shall be reduced to a level that is at 2 inches below the makeup water off set point. The tank drain shall be observed for proper operation. The makeup water system shall be observed for proper operation, and successful automatic shutoff of the system at the refill threshold shall be verified. Water shall not be drained from the overflow at any time during the refill test.
4. Air tests shall be permitted in lieu of water testing as recommended by the tank manufacturer or the tank standard.

1301.10.12 Structural strength. *Storage tanks* shall meet the applicable structural strength requirements of the International Building Code.

1301.11 Trenching requirements for non-potable water system piping. Underground non-potable water system piping shall be horizontally separated from the *building sewer* and *potable water piping* by 5 feet (1524 mm) of undisturbed or compacted earth. Non-potable water system piping shall not be located in, under or above sewage systems cesspools, septic tanks, septic tank drainage fields or seepage pits. Buried non-potable system piping shall comply with the requirements of this code for the piping material installed.

Exceptions:

1. The required separation distance shall not apply where the bottom of the non-potable water pipe within 5 feet (1524 mm) of the sewer is equal or greater than 12 inches (305 mm) above the top of the highest point of the sewer and the pipe materials conforms to Table 702.3.
2. The required separation distance shall not apply where the bottom of the potable water service pipe within 5 feet (1524 mm) of the non-potable water pipe is a minimum of 12 inches (305 mm) above the top of the highest point of the non-potable water pipe and the pipe materials comply with the requirements of Table 605.4
3. Non-potable water pipe is permitted to be located in the same trench with building sewer piping, provided that such sewer piping is constructed of materials that comply with the requirements of Table 702.2.
4. The required separation distance shall not apply where a non-potable water pipe crosses a sewer pipe, provided that the pipe is sleeved to at least 5 feet (1524 mm) horizontally from the sewer pipe centerline on both sides of such crossing with pipe materials that comply with Table 702.2.
5. The required separation distance shall not apply where a potable water service pipe crosses a non-potable water pipe provided that the potable water service pipe is sleeved for a distance of at least 5 feet (1524 mm) horizontally from the centerline of the non-potable pipe on both sides of such crossing with pipe materials that comply with Table 702.2.

1301.12 Outdoor outlet access. Sillcocks, hose bibs, wall hydrants, yard hydrants, and other outdoor outlets that are supplied by non-potable water shall be located in a locked vault or shall be operable only by means of a removable key.

1301.13 Drainage and vent piping and fittings. Non-potable drainage and vent pipe and fittings shall comply with the applicable material standards and installation requirements in accordance with provisions of Chapter 7.

1301.14.1. Labeling and marking. Identification of non-potable drainage and vent piping shall not be required.

1301.14 Pumping and control system. Mechanical equipment including pumps, valves and filters shall be accessible and removable in order to perform repair, maintenance and cleaning. The minimum flow rate and flow pressure delivered by the pumping system shall be designed for the intended application in accordance with the applicable provisions of Section 604.

1301.15 Water-pressure reducing valve or regulator. Where the water pressure supplied by the pumping system exceeds 80 psi (552 kPa) static, a pressure-reducing valve shall be installed to reduce the pressure in the non-potable water distribution system piping to 80 psi (552 kPa) static or less. Pressure-reducing valves shall be specified and installed in accordance with the applicable provisions of Section 604.8.

1301.16 Distribution pipe. Distribution piping utilized in non-potable water stems shall comply with Sections 1301.16.1 through 1301.16.4.

1301.16.1 Materials, joints and connections. Distribution piping and fittings shall comply with the applicable material standards and installation requirements in accordance with applicable provisions of Chapter 6.

1302.16.2 Design. Distribution piping shall be designed and sized in accordance with the applicable provisions of Chapter 6.

1302.16.3 Labeling and marking. Distribution piping labeling and marking shall comply with Section 608.8.

1301.16.4 Backflow prevention. Backflow preventers shall be installed in accordance with the applicable provisions of Section 608.

1301.17 Tests and inspections. Tests and inspections shall be performed in accordance with Sections 1301.17.1 through 1301.17.6.

1301.17.1 Drainage and vent pipe test. Drain, waste and vent piping used for gray water and rainwater non-potable water systems shall be tested in accordance with the applicable provisions of Section 312.

1301.17.2 Storage tank test. Storage tanks shall be tested in accordance with the Section 1301.10.11.

1301.17.3 Water supply system test. Non-potable distribution piping shall be tested in accordance with Section 312.5.

1301.17.4 Inspection and testing of backflow prevention assemblies. The testing of backflow preventers and backwater valves shall be conducted in accordance with Section 312.10.

1301.17.5 Inspection of vermin and insect protection. Inlets and vent terminations shall be visually inspected to verify that each termination is installed in accordance with Section 1301.10.8.

1301.18 Operation and maintenance manuals. Operations and maintenance materials for non-potable water systems shall be provided as prescribed by the system component manufacturers, and supplied to the owner to be kept in a readily accessible location.

SECTION 1302

GRAY WATER NON-POTABLE WATER SYSTEMS

1302.1 Gray water non-potable water systems. This code is applicable to the plumbing fixtures, piping or piping systems, storage tanks, drains, appurtenances and appliances which are part of the distribution system for gray water within buildings and to storage tanks and associated piping which are part of the distribution system for gray water outside of buildings. This code does not regulate equipment used for, or the methods of, processing.

filtering or treating gray water, which may be regulated by the Virginia Department of Health or Virginia Department of Environmental Quality.

1302.1.1 Separate systems. Gray water non-potable water systems, unless approved otherwise under the permit from the Virginia Department of Health, shall be separate from the potable water system of a building with no cross connections between the two systems except as permitted by the Virginia Department of Health.

1302.2 Water quality. Each application of gray water reuse shall meet the minimum water quality requirements set forth in 1302.2.1 through 1302.2.4 unless otherwise superseded by other state agencies.

1302.2.1 Disinfection. Where the intended use or reuse application for non-potable water requires disinfection or other treatment or both, it shall be disinfected as needed to ensure that the required water quality is delivered at the point of use or reuse.

1302.2.2 Residual disinfectants. Where chlorine is used for disinfection, the non-potable water shall contain not more than 4.0 mg/L of free chlorine, combined chlorine or total chlorine. Where ozone is used for disinfection, the non-potable water shall not exceed 0.1 ppm (by volume) of ozone at the point of use.

1302.2.3 Filtration. Water collected for reuse shall be filtered as required for the intended end use. Filters shall be accessible for inspection and maintenance. Filters shall utilize a pressure gage or other approved method to indicate when a filter requires servicing or replacement. Shutoff valves installed immediately upstream and downstream of the filter shall be included to allow for isolation during maintenance

1302.2.4 Filtration required. Gray water utilized for water closet and urinal flushing applications shall be filtered by a 100 micron or finer filter. .

1302.3 Storage tanks. Storage tanks utilized in gray water non-potable water systems shall comply with Section 1301.10.

1302.4 Retention Time Limits – Untreated gray water shall be retained in storage tanks for a maximum of 24 hours.

1302.5 Tank Location. Storage tanks shall be located with a minimum horizontal distance between various elements as indicated in Table 1302.5.1.

**TABLE 1302.5.1
LOCATION OF NON-POTABLE GRAY WATER REUSE STORAGE TANKS**

<u>Element</u>	<u>Minimum Horizontal Distance from Storage Tank (feet)</u>
<u>Lot line adjoining private lots</u>	<u>5</u>
<u>Sewage systems</u>	<u>5</u>
<u>Septic tanks</u>	<u>5</u>

<u>Element</u>	<u>Minimum Horizontal Distance from Storage Tank (feet)</u>
<u>Water wells</u>	<u>50</u>
<u>Streams and lakes</u>	<u>50</u>
<u>Water service</u>	<u>5</u>
<u>Public water main</u>	<u>10</u>

1302.6 Valves. Valves shall be supplied on gray water non-potable water drainage systems in accordance with Sections 1302.6.1 and 1302.6.2.

1302.6.1 Bypass valve. One three-way diverter valve certified to NSF 50 or other approved device shall be installed on collection piping upstream of each storage tank, or drainfield, as applicable, to divert untreated gray water to the sanitary sewer to allow servicing and inspection of the system. Bypass valves shall be installed downstream of fixture traps and vent connections. Bypass valves shall be labeled to indicate the direction of flow, connection and storage tank or drainfield connection. Bypass valves shall be provided with access for operation and maintenance. Two shutoff valves shall not be installed to serve as a bypass valve.

1302.6.2 Backwater valve. Backwater valves shall be installed on each overflow and tank drain pipe to prevent unwanted water from draining back into the storage tank. If the overflow and drain piping arrangement is installed to physically not allow water to drain back into the tank, such as the form of an air gap, backwater valves shall not be required. Backwater valves shall be constructed and installed in accordance with Section 715.

SECTION 1303

RAINWATER NON-POTABLE WATER SYSTEMS

1303.1 General. The provisions of Section 1303 shall govern the design, construction, installation, alteration, and repair of rainwater non-potable water systems for the collection, storage, treatment and distribution of rainwater for non-potable applications, as permitted in accordance with Section 1301.3.

1303.2 Water quality. Each application of rainwater reuse shall meet the minimum water quality requirements set forth in 1303.2.1 through 1303.2.4 unless otherwise superseded by other state agencies.

1303.2.1 Disinfection. Where the intended use or reuse application for non-potable water requires disinfection or other treatment or both, it shall be disinfected as needed to ensure that the required water quality is delivered at the point of use or reuse.

1303.2.2 Residual disinfectants. Where chlorine is used for disinfection, the non-potable water shall contain not more than 4.0 mg/L of free chlorine, combined chlorine or total chlorine. Where ozone is used for disinfection, the non-potable water shall not exceed 0.1 ppm (by volume) of ozone at the point of use.

1303.2.3 Filtration. Water collected for reuse shall be filtered as required for the intended end use. Filters shall be accessible for inspection and maintenance. Filters shall utilize a pressure gage or other approved method to indicate when a filter requires servicing or replacement. Shutoff valves installed immediately upstream and downstream of the filter shall be included to allow for isolation during maintenance

1303.2.4 Filtration required. Rainwater utilized for water closet and urinal flushing applications shall be filtered by a 100 micron or finer filter.

1303.3 Collection surface. Rainwater shall be collected only from above-ground impervious roofing surfaces constructed from approved materials. Overflow or discharge piping from appliances/equipment including but not limited to evaporative coolers, water heaters, and solar water heaters shall not discharge onto rainwater collection surfaces.

1303.4 Collection surface diversion. At a minimum, the first 0.04" of each rain event (25 gallons per 1000 sq. ft.) shall be diverted from the storage tank, by automatic means and not require the operation of manually operated valves or devices. Diverted water shall not drain onto other collection surfaces that are discharging to the rainwater system or to the sanitary sewer. Such water shall be diverted from the storage tank and discharged in an approved location.

1303.5 Pretank filtration. Downspouts, conductors and leaders shall be connected to a pretank filtration device. The filtration device shall not permit materials larger than 0.4 mm.

1303.6 Roof gutters and downspouts. Gutters and downspouts shall be constructed of materials that are compatible with the collection surface and the rainwater quality for the desired end use. Joints shall be made water-tight.

1303.6.1 Slope. Roof gutters, leaders, and rainwater collection piping shall slope continuously toward collection inlets. Gutters and downspouts shall have a slope of not less than 1/8 inch per foot along their entire length, and shall not permit the collection or pooling of water at any point.

Exception: Siphonic roof drainage systems installed in accordance with Chapter 11 shall not be required to have slope.

1303.6.2 Size. Gutters and downspouts shall be installed and sized in accordance with Section 1106.6 and local rainfall rates.

1303.6.3 Cleanouts. Cleanouts or other approved openings shall be provided to permit access to all filters, flushes, pipes and downspouts.

1303.7 Storage tanks. Storage tanks utilized in rainwater non-potable water systems shall comply with Section 1301.10.

1303.8 Location. Storage tanks shall be located with a minimum horizontal distance between various elements as indicated in Table 1303.9.1.

TABLE 1303.8.1
LOCATION OF RAINWATER STORAGE TANKS

Element	Minimum Horizontal Distance from Storage Tank (feet)
Lot line adjoining private lots	5
Sewage Systems	5
Septic tanks	5

1303.9 Valves. Valves shall be installed in collection and conveyance drainage piping of rainwater non-potable water systems in accordance with Sections 1303.9.1 and 1303.9.2.

1303.9.1 Influent Diversion. A means shall be provided to divert storage tank influent to allow maintenance and repair of the storage tank system.

1303.9.2 Backwater valve. Backwater valves shall be installed on each overflow and tank drain pipe to prevent unwanted water from draining back into the storage tank. If the overflow and drain piping arrangement is installed to physically not allow water to drain back into the tank, such as the form of an air gap, backwater valves shall not be required. Backwater valves shall be constructed and installed in accordance with Section 715.

1303.10 Tests and inspections. Tests and inspections shall be performed in accordance with Sections 1303.10.1 through 1303.10.2.

1303.10.1 Roof gutter inspection and test. Roof gutters shall be inspected to verify that the installation and slope is in accordance with Section 1303.6.1. Gutters shall be tested by pouring a minimum of one gallon of water into the end of the gutter opposite the collection point. The gutter being tested shall not leak and shall not retain standing water.

1303.10.2 Collection surface diversion test. A collection surface diversion test shall be performed by introducing water into the gutters or onto the collection surface area. Diversion of the first quantity of water in accordance with the requirements of Section 1303.4 shall be verified.

SECTION 1304

RECLAIMED WATER SYSTEMS

1304.1 General. Reclaimed water, water reclamation systems, reclaimed water distribution systems and allowable non-potable reuses of reclaimed water are as defined or specified in and governed by the Virginia Water Reclamation and Reuse Regulation (9 VAC 25-740). Permits from the Virginia State Water Control Board are required for such systems and reuses. The provisions of Section 1304 shall govern the design, construction, installation, alterations, and repair of plumbing fixtures, piping or piping systems, storage tanks, drains, appurtenances and appliances which are part of the distribution system for reclaimed water

within buildings and to storage tanks for reclaimed water as defined in the Water Reclamation and Reuse Regulation (9VAC25-740) and associated piping outside of buildings that deliver reclaimed water into buildings. Where conflicts occur between this code and 9 VAC25-740, the provisions of 9 VAC25-740 shall apply unless determined otherwise by the Virginia State Water Control Board and the Board of Housing and Community Development through a memorandum of agreement.

1304.2 Design of reclaimed water systems. The design of reclaimed water systems shall conform to applicable requirements of Section 1301.

Exceptions:

The design of reclaimed water systems shall conform to applicable requirements of the Water Reclamation and Reuse Regulation (9VAC25-740) for the following:

1. Identification, labeling and posting of signage for reclaimed water systems in lieu of signage requirements described in Section 1301.4.
2. Sizing of system storage as defined in the Water Reclamation and Reuse Regulation (9VAC25-740), in addition to storage sizing requirements described in Section 1301.10.1.
3. Signage and labeling for reclaimed water storage in addition to labeling and signage requirements described in Section 1301.10.10.
4. Minimum separation distances and configurations for in-ground reclaimed water distribution piping in lieu of trenching requirements for non-potable water systems described in Section 1301.11.

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Organization

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Proposal Information

Code(s) and Section(s): 2012 VCC and VRC, Section 101.6 (of both)

Proposed Change (including all relevant section numbers, if multiple sections):

Change Section 101.6 of the VCC to read as follows:

101.6 Order of precedence. The provisions of this code shall be used as follows:

1. The provisions of Chapter 1 of this code supersede any conflicting provisions of Chapters 2–35 of the IBC that address the same subject matter and impose differing requirements.
2. The provisions of Chapter 1 of this code supersede and any conflicting provisions of the codes and standards referenced in the IBC that address the same subject matter and impose differing requirements.
3. In addition, the state amendments to the IBC supersede any conflicting provisions of Chapters 2–35 of the IBC that address the same subject matter and impose differing requirements.
4. The state amendments to the IBC supersede and any conflicting provisions of the codes and standards referenced in the IBC that address the same subject matter and impose differing requirements.
5. Further, the provisions of Chapters 2–35 of the IBC supersede any conflicting provisions of the codes and standards referenced in the IBC that address the same subject matter and impose differing requirements.

Change Section 101.6 of the VRC to read as follows:

101.6 Order of precedence. The provisions of this code shall be used as follows:

1. The provisions of Chapter 1 of this code supersede any conflicting provisions of Chapters 2–15 16 of the IEBC that address the same subject matter and impose differing requirements.
2. The provisions of Chapter 1 of this code supersede and any conflicting provisions of the codes and standards referenced in the IEBC that address the same subject matter and impose differing requirements.
3. In addition, the state amendments to the IEBC supersede any conflicting provisions of Chapters 2–15 16 of the IBC that address the same subject matter and impose differing requirements.
4. The state amendments to the IEBC supersede and any conflicting provisions of the codes and standards referenced in the IEBC that address the same subject matter and impose differing requirements.
5. Further, the provisions of Chapters 2–15 16 of the IEBC supersede any conflicting provisions of the codes and standards referenced in the IEBC that address the same subject matter and impose differing requirements.

Supporting Statement (including intent, need, and cost impact of the proposal):

The changes use the same terminology and logic as VCC 101.7 ("that address the same subject matter and impose differing requirements"), which is more encompassing than the term "conflicting." If a "conflict" does not exist, would VCC or VRC 101.6 still apply? The change ensures that VCC and VRC 101.6 remain in effect whether a "conflict" exists or not.

The reformatting is suggested to avoid run-on sentences, and provide clarity considering the duplicated text in each sentence or portion thereof.

Submittal Information

Date Submitted: September 28, 2012

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: taso@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: State Building Code Technical Review Board

Representing: _____

Mailing Address: _____

Email Address: _____

Telephone Number: _____

Proposal Information

Code(s) and Section(s): Virginia Construction Code, Section 102.3 (Exemptions from code)

Proposed Change (including all relevant section numbers, if multiple sections):

Add a new Item 8 to Section 102.3 to read as follows:

8. Storage or shipping containers which are not constructed or altered on site and which are not subject to the change of occupancy provisions.

Supporting Statement (including intent, need, and impact of the proposal):

The Review Board issued Interpretation No. 2/03 clarifying that shipping or storage containers are not regulated unless they are constructed on site or subject to the change of occupancy provisions. The reasoning behind the interpretation was that scope of the code is only for the construction of buildings and structures. The term "construction" is defined as "construction, reconstruction, alteration, repair or conversion of buildings and structures;" therefore, if no construction is taking place, the containers are not subject to the code. This proposal adds an exemption to the code for such storage containers or shipping containers unless construction is taking place. Under the Review Board's statutory authority, interpretations issued by the Review Board, when deemed appropriate by the Review Board members, are forwarded to the Board of Housing and Community Development as recommendations for future amendments to the code.

Submittal Information

Date Submitted: March 16, 2012



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Organization

Name: J. Kenneth Payne, Jr., AIA

Representing: VSAIA

Mailing Address: 3200 Norfolk Street, Richmond, VA 23230

Email Address: kpayne@moseleyarchitects.com

Telephone Number: 804.794.7555

Proposal Information

Code(s) and Section(s): 2012 VCC, Section 103.4

Proposed Change (including all relevant section numbers, if multiple sections):

Add exception to 103.4 as follows:

103.4 Additions. Additions to buildings and structures shall comply with the requirements of this code for new construction and an existing building or structure plus additions shall comply with the height and area provisions of Chapter 5. Further, this code shall not require changes to the design or construction of any portions of the building or structure not altered or affected by an addition, unless the addition has the effect of lowering the current level of safety.

Exceptions:

1. This section shall not be construed to permit noncompliance with any applicable flood load or floodresistant construction requirements of this code.
2. Existing structural elements carrying gravity loads shall comply with Section 3403.3 of the IBC, or Section 1003 of the IEBC.

Supporting Statement (including intent, need, and impact of the proposal):

The IBC and IEBC both allow some flexibility when it comes to structural loads on an existing building imposed by an addition (the 5% rule). However, the VCC appears to have deleted this flexibility due to its wording in Section 103.4 ("effect of lowering the current level of safety" - which is not defined and is completely subjective and up to interpretation); and its deletion of Section 3403 in its entirety.

Thus, a building official could interpret any load imposed on the existing structure – even 0.000000000001% - could require the existing structure to be upgraded and to fully comply with the IBC. However, IBC Section 3403.3 and IEBC Section 1003 both allow more flexibility than what appears to be allowed under the VCC, and in this matter, interpretation and subjectivity are not issues in the IBC or IEBC.

IEBC Section 1003 allows some flexibility, but also references the IBC. However, the IBC Section 3403 reference to "Additions" was deleted by the VCC, thus creating what appears to be an ambiguity. Therefore, it appears we are left with Chapter 16, et. al. to deal with the *existing* structural elements – not just the *new* structural elements. Thus, it appears we have lost whatever flexibility the IEBC afforded prior to the VCC amendments.

This code change proposal attempts to bring back the flexibility originally intended by both the IBC and the IEBC when it comes to structural loads on *existing* elements due to an *addition*.

If it is true, that if one uses the VRC for compliance and its reference to the IBC remains valid as originally written, and not as amended by the VCC – then this code change could be withdrawn. However, such interpretation does not appear to exist in the VCC where it states when one I-code references another I-code, the USBC amendments are null and void (refer to 2012 VCC Section 103.10).

Submittal Information

Date Submitted: August 3, 2012

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: taso@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: Michael Redifer

Representing: City of Newport News

Mailing Address: 2400 Washington Avenue 3rd flr Newport News, VA 23607

Email Address: mredifer@nngov.com

Telephone Number: 757-926-8861

Proposal Information

Code(s) and Section(s): Virginia Construction Code Section 103.10

Proposed Change (including all relevant section numbers, if multiple sections):

Add Item 7 to 103.10 as follows (no changes to existing text)

7. Sections C101.4 and C101.5 of the IECC

Supporting Statement (including intent, need, and cost impact of the proposal):

Section 101.7 deletes administrative provisions of the referenced model codes in order to reduce potential conflict with Chapter 1 of the VCC. Specific administrative and testing provisions contained within the model codes are incorporated by reference through Section 103.10. Important scoping provisions are contained within Chapter 1 of the IECC. Among them are exemptions for historic and low energy buildings. Without this proposed change, applying these exemptions is questionable and without the exemptions the VCC becomes significantly more restrictive than the model code and results in increased costs.

NOTE:

Although referencing only the section numbers of the IECC is in keeping with the structure of VCC 103.10, the following full text from IECC Sections C101.4 and C101.5 is provided in an effort to eliminate the need to refer to another document while considering this proposal.

C101.4 Applicability. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between the general requirement and a specific requirement, the specific requirement shall govern.

C101.4.1 Existing buildings. Except as specified in this chapter, this code shall not be used to require the removal, *alteration* or abandonment of, nor prevent the continued use and maintenance of, an existing building or building system lawfully in existence at the time of adoption of this code. 46

C101.4.2 Historic buildings. Any building or structure that is listed in the State or National Register of Historic Places; designated as a historic property under local or state designation law or survey; certified as a contributing resource with a National Register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Registers of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer or Keeper of the National Register of Historic Places, are exempt from this code.

C101.4.3 Additions, alterations, renovations or repairs. Additions, alterations, renovations or repairs to an existing building, building system or portion thereof shall conform to the provisions of this code as they relate to new construction without requiring the unaltered portion(s) of the existing building or building system to comply with this code. Additions, alterations, renovations or repairs shall not create an unsafe or hazardous condition or overload existing building systems. An addition shall be deemed to comply with this code if the addition alone complies or if the existing building and addition comply with this code as a single building.

Exception: The following need not comply provided the energy use of the building is not increased:

1. Storm windows installed over existing fenestration.
2. Glass only replacements in an existing sash and frame.
3. Existing ceiling, wall or floor cavities exposed during construction provided that these cavities are filled with insulation.
4. Construction where the existing roof, wall or floor cavity is not exposed.
5. Reroofing for roofs where neither the sheathing nor the insulation is exposed. Roofs without insulation in the cavity and where the sheathing or insulation is exposed during reroofing shall be insulated either above or below the sheathing.
6. Replacement of existing doors that separate *conditioned space* from the exterior shall not require the installation of a vestibule or revolving door, provided, however, that an existing vestibule that separates a *conditioned space* from the exterior shall not be removed.
7. Alterations that replace less than 50 percent of the luminaires in a space, provided that such alterations do not increase the installed interior lighting power.
8. Alterations that replace only the bulb and ballast within existing luminaires in a space provided that the *alteration* does not increase the installed interior lighting power.

C101.4.4 Change in occupancy or use. Spaces undergoing a change in occupancy that would result in an increase in demand for either fossil fuel or electrical energy shall comply with this code. Where the use in a space changes from one use in Table C405.5.2 (1) or (2) to another use in Table C405.5.2 (1) or (2), the installed lighting wattage shall comply with Section C405.5.

C101.4.5 Change in space conditioning. Any nonconditioned space that is altered to become *conditioned* space shall be required to be brought into full compliance with this code.

C101.4.6 Mixed occupancy. Where a building includes both *residential* and *commercial* occupancies, each occupancy shall be separately considered and meet the applicable provisions of IECC – Commercial Provisions or IECC – Residential Provisions.

C101.5 Compliance. *Residential buildings* shall meet the provisions of IECC – Residential Provisions. *Commercial buildings* shall meet the provisions of IECC – Commercial Provisions.

C101.5.1 Compliance materials. The *code official* shall be permitted to approve specific computer software, working sheets, compliance manuals and other similar materials that meet the intent of this code.

C101.5.2 Low energy buildings. The following buildings, or portions thereof, separated from the remainder of 47

the building by *building thermal envelope* assemblies complying with this code shall be exempt from the *building thermal envelope* provisions of this code:

1. Those with a peak design rate of energy usage less than 3.4 Btu/h-ft² (10.7 W/m²) or 1.0 watt/ft² (10.7 W/m²) of floor area for space conditioning purposes.
2. Those that do not contain *conditioned space*.

Submittal Information

Date Submitted: November 29, 2012

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR SBCO (State Building Codes Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: Vernon.hodge@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information (Check one): Individual Government Entity Company

Name: John Catlett Representing: VBCOA Administration Committee

Mailing Address: 301 King Street, Alexandria, Virginia 22314

Email Address: john.catlett@alexandriava.gov Telephone Number: 703.746.4182

Proposal Information

Code(s) and Section(s): 108.2 Exemptions from Permit (Revised 9/27/120)

Proposed Change (including all relevant section numbers, if multiple sections):

108.2 Exemptions from application for permit. . . .

2. One story detached accessory structures used as tool and storage sheds, playhouses or similar uses, provided the floor building area does not exceed ~~200~~ 256 square feet (18 m²) and the structures are not classified as a Group F-1 or H occupancy.

(No other changes)

Supporting Statement (including intent, need, and impact of the proposal):

This change would provide consistency with the provisions for the permanent foundation requirement threshold of 256 square feet found in the IBC; additionally, the word "accessory" is proposed for removal so that this exception can apply to tool and storage buildings that are not accessory to a specific building. An example would be a stand-alone storage shed at a park or cemetery. This only exempts the structure from building permit, not compliance with the VCC or local zoning requirements. This provides consistency with the model codes. **There is consensus within the VBCOA Administration Committee on this Code change.**

Submittal Information

Date Submitted: August 1, 2012

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: taso@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: Chuck Bajnai

Representing: self

Mailing Address: 9800 Government Center Parkway, Chesterfield, VA 23832

Email Address: bajnaic@chesterfield.gov

Telephone Number: 804-717-6428

Proposal Information

Code(s) and Section(s): R502.5 and R602.7.4

Proposed Change (including all relevant section numbers, if multiple sections):

Insert the following item into the list:

108.2 Exemption from application for permitting....

1. Installation of wiring....

2. Group R-5 decks that comply with all of the following:

2.1 do not exceed 256 square feet in area.

2.2 are not more than 24 inches above grade.

2.3 are free standing, and

2.4 do not serve the exit door required by Section R311.4

2.5 are not in a flood plain.

2.3. One story detached accessory structures...

Renumber the others accordingly.

Submittal Information

Supporting Statement (including intent, need, and impact of the proposal):

A similar provision was put in the 2009 IRC (and carried forward in the 2012 IRC). It was automatically deleted by the deletion of chapter 1 by the VCC.

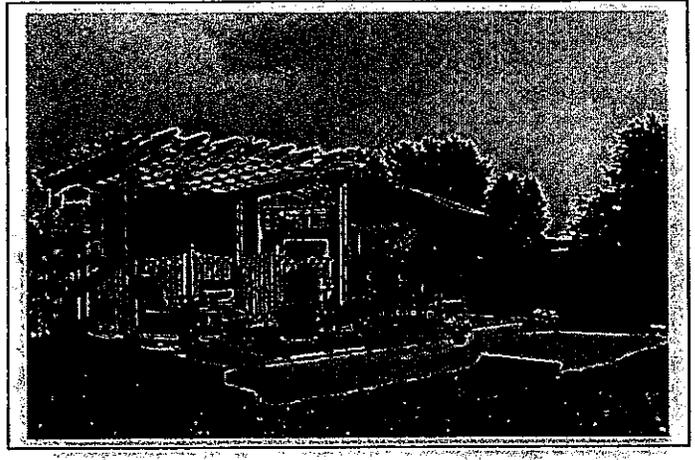
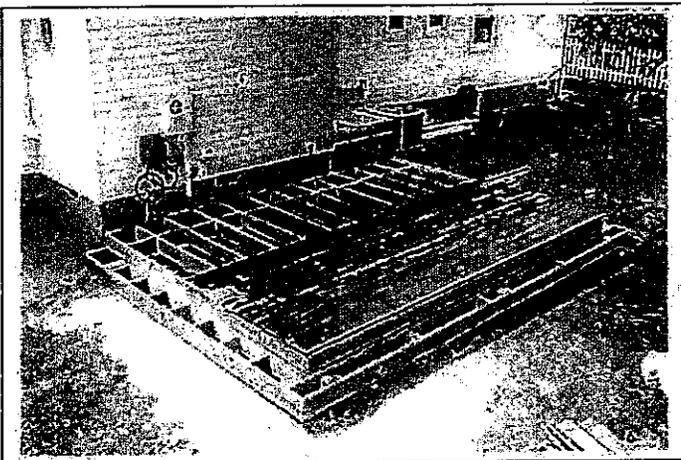
The VBCOA – IRC committee vetted this code change and most agreed that this code change had merit, but there were not enough participants for me to feel comfortable to submit it under the auspices of the VBCOA-IRC committee, hence I am submitting it on my own behalf.

Several changes were made above and beyond the 2009 IRC:

1. format was changed to enumerate that ALL of these provisions have to apply
2. I changed the allowance up to 256 sqft to agree with the proposed change forthcoming regarding sheds and accessory structures.
3. I lowered the height down to 24" to basically say not more than 3 risers high...no guardrails or handrails would be required.
4. I added a flood plain requirement to be sure that these decks were not going to become floating platforms in case of a big flood.

This is a very good change and will make life easier for lots of folks, and many may even save a few dollars. It says that a permit is not required, but does not say that it is excluded from the requirements of the IRC – decks would still need to comply with the requirements for deck footings, joist sizes, etc.

Date Submitted: 9-18-2012



The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: DRAFT

Proponent Information

(Check one): Individual Government Entity Company

Name: John Catlett

Representing: VBCOA Administration Committee

Mailing Address: 301 King Street, Alexandria, Virginia 22314

Email Address: john.catlett@alexandriava.gov

Telephone Number: 703.746.4182

Proposal Information

Code(s) and Section(s): VCC Section 108.2

Proposed Change (including all relevant section numbers, if multiple sections):

108.2 Exemptions from application for permit. Notwithstanding the requirements of Section 108.1, application for a permit and any related inspections shall not be required for the following; however, this section shall not be construed to exempt such activities from other applicable requirements of this code. In addition, when an owner or an owner's agent requests that a permit be issued for any of the following, then a permit shall be issued and any related inspections shall be required.

1 through 4 no change.

5. Fences of any height unless required for pedestrian safety as provided for by Section 3306 or of that form the barrier for a swimming pool.

6. Concrete or masonry walls, provided such walls do not exceed six feet in height above the finished grade. Ornamental column caps shall not be considered to contribute to the height of the wall and shall be permitted to extend above the six feet height measurement.

Supporting Statement (including intent, need, and impact of the proposal):

No technical provisions are provided in the building codes regardless of their height. The requirement that fences less than 6' contain less of a hazard than fences over that height has no technical support in the building code. Fences, regardless of height, receive no footing inspection nor are there technical standards for fences over 6 feet. This code change proposes removing all light weight material fences from a permit requirement. The provision retains that concrete and masonry walls do have a greater hazard and must support their weight on a proper foundation. In addition, the provision still requires a permit for any pool barrier and now adds pedestrian safety barriers for construction sites adjacent to public pedestrian ways.

Submittal Information

Date Submitted: August 2, 2012

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Firestone, Janice (DHCD)

From: Rodgers, Emory (DHCD)
Sent: Wednesday, November 28, 2012 4:13 PM
To: Payne, Kenney; Hodge, Vernon (DHCD); Davis, Cindy (DHCD)
Cc: john.catlett@alexandriava.gov; Firestone, Janice (DHCD)
Subject: RE: Workgroup 1 agenda

Ken, will put into handout for meeting

From: Payne, Kenney [<mailto:kpayne@moseleyarchitects.com>]
Sent: Wednesday, November 28, 2012 4:10 PM
To: Rodgers, Emory (DHCD); Hodge, Vernon (DHCD); Davis, Cindy (DHCD)
Cc: john.catlett@alexandriava.gov
Subject: Workgroup 1 agenda

Regarding John's proposed code change, the VSAIA would suggest consideration be given to the following revisions:

VCC Section 108.2

Delete No.5 in its entirety and substitute the following:

5. Fences of any height constructed of any material except concrete or masonry that are not part of a building or structure, are not required for pedestrian safety as provided for by Section 3306, or do not form the barrier for a swimming pool.

Add new #6 and renumber subsequent list as required:

6. Privacy walls not exceeding six feet in height above finished grade that are not part of a building or structure, are not required for pedestrian safety as provided for by Section 3306, or do not form the barrier for a swimming pool. Ornamental post caps shall not be considered to contribute to the height of the privacy wall and shall be permitted to extend above the six foot height measurement.

The above reads more clearly and treats fences and walls as two separate entities under two separate headings/numbers. Therefore, if in the future, one wants to change just fences or just walls, they can do so without potentially jeopardizing the content of the other or having a run-on sentence with ten commas and semi-colons –all of which, can lead to confusion and the potential for misinterpretations.

J. Kenneth Payne, Jr., AIA
Quality Control, Risk Management, and Training
Vice President
LEED AP BD+C

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VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information (Check one): X Individual Government Entity Company

Name: John Catlett Representing: VBCOA Administration Committee

Mailing Address: 301 King Street, Alexandria, Virginia 22314

Email Address: john.catlett@alexandriava.gov Telephone Number: 703.746.4182

Proposal Information

Code(s) and Section(s): 108.2 Exemptions from Permit

Proposed Change (including all relevant section numbers, if multiple sections):

108.2 Exemptions from application for permit. . . .

6. Retaining walls supporting less than ~~two~~ three feet of unbalanced fill which are not constructed for the purpose of . ~~This exemption shall not apply to any wall impounding class I, II or III-A liquids or supporting a surcharge other than ordinary unbalanced fill.~~

(No other changes)

Supporting Statement (including intent, need, and impact of the proposal):

It is generally felt throughout the construction community and code administrators alike that the current language is too restrictive and requires small area retaining walls around plantings and minor changes in grade to obtain a permit. The risk at 2' is negligible unless supporting a surcharge which is addressed in the code. The current requirement for flammable and combustible liquid enclosures would remain.

Submittal Information

Date Submitted: August 1, 2012

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
600 East Main Street

Email Address: taso@dhcd.virginia.gov

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: Skip Harper

Representing: Louisa County

Mailing Address: PO Box 160 Louisa, Va. 23093

Email Address: sharper@louisa.org

Telephone Number: 540-967-3414

Proposal Information

Code(s) and Section(s): 2012 USBC Section 108.2

Proposed Change (including all relevant section numbers, if multiple sections):

10.2. Replacement of plumbing fixtures and well pumps in all groups without alteration of the water supply and distribution systems, sanitary drainage systems or vent systems.

Supporting Statement (including intent, need, and impact of the proposal):
In my opinion a well pump is part of the water supply system definition in both the IRC and IPC. This is no different than changing out electric hot water heaters or (10.4) replacement of mechanical appliances (electric), both which are currently exempt from permits.

No cost impact

Submittal Information

Date Submitted: 8/12/12

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: taso@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name _____

Representing: _____

Mailing Address: _____

Email Address: _____

Telephone Number: _____

Proposal Information

Code(s) and Section(s): VCC section 108.2

Proposed Change (including all relevant section numbers, if multiple sections):

Add new exemption #11 VCC section 108.2 Exemptions from application.

#11. Crypts, mausoleums, and columbaria structures not exceeding 1500 square feet in area if the building or structure is non-occupiable and used solely for the interment of human or animal remains unless such structure is subject to special inspections.

Supporting Statement (including intent, need, and impact of the proposal):

Submittal Information

Date Submitted: _____

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
The Jackson Center
501 N. 2nd Street
Richmond, VA 23219-1321

Email Address: taso@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Organization

Name: J. Kenneth Payne, Jr., AIA

Representing: VSAIA

Mailing Address: 3200 Norfolk Street, Richmond, VA 23230

Email Address: kpayne@moseleyarchitects.com

Telephone Number: 804.794.7555

Proposal Information

Code(s) and Section(s): 2012 VCC, Section 110.4

Proposed Change (including all relevant section numbers, if multiple sections):

110.4 Fire apparatus access road requirements. The permit applicant shall be informed of any requirements for providing or maintaining fire apparatus access roads prior to the issuance of a building permit.

110.4.1 Preliminary meeting. When requested by a prospective permit applicant or when determined necessary by the code official or fire official, the code official and fire official shall meet with the prospective permit applicant prior to the application for a permit to discuss plans for the need of a fire apparatus access road or similar access in order to establish the specific applicability of the provisions of this requirement.

Supporting Statement (including intent, need, and impact of the proposal):

Oftentimes, the submittal of construction documents with the application for a building permit is usually the first time a building and/or fire official have an opportunity to provide comments and/or direction to an applicant, and in this case, specifically regarding fire apparatus access roads. However, learning about the need for a fire apparatus access road upon the return of construction documents during the permit review process is too late for such comments and/or requirements. The receipt of a comment to "provide fire apparatus access road" can lead to delays in the issuance of building permit, increased construction costs (due to missed windows of opportunity), and/or redesigns and resubmittals.

There should be a mechanism to convey such access road requirements during earlier phases of design, such as the "preliminary meeting" requirements of the 2009 VRC, Section 103.1.2. Therefore, this code change proposal simply mimics the preliminary meeting "option" which would offer the permit applicant, owner, designer, et. al., an opportunity to learn about the need for a fire apparatus access road or similar requirements during design, which should avoid such potential delays in the permitting process and/or potential increased costs due to missed bidding windows.

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: State Building Code Technical Review Board

Representing: _____

Email Address: _____

Telephone Number: _____

Proposal Information

Code(s) and Section(s): Virginia Construction Code, Section 112.1

Proposed Change (including all relevant section numbers, if multiple sections):

Change Section 112.1 as shown below:

112.1 General. It shall be the duty of any person performing work covered by this code to comply with all applicable provisions of this code and to perform and complete such work so as to secure the results intended by the USBC. Damage to regulated building components caused by violations of this code or by the use of faulty materials or installations shall be considered as separate violations of this code and shall be subject to the applicable provisions of Section 115.

Supporting Statement (including intent, need, and impact of the proposal):

Arising as an issue in a appeal, the Review Board recommends that the above language be added to the code to clarify that damage to regulated components of a building caused by violations of the code or by faulty construction or installations are considered in and of themselves to be violations of the code. The reference to Section 115 is to reflect that, as with other violations of the code, the violations must be discovered within the statute of limitations period in order to compel correction, or would only be documented as violations if discovered after the statute of limitations period.

Submittal Information

Date Submitted: March 16, 2012



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: State Building Code Technical Review Board

Representing: _____

Email Address: _____

Telephone Number: _____

Proposal Information

Code(s) and Section(s): Virginia Construction Code, Section 113.6

Proposed Change (including all relevant section numbers, if multiple sections):

Change Section 113.6 as shown below:

113.6 Approval or notice of defective work. The building official shall either approve the work in writing or give written notice of defective work to the permit holder. Upon request of the permit holder, the notice shall reference the USBC section that serves as the basis for the defects and such defects shall be corrected and reinspected before any work proceeds that would conceal such defects. A record of all reports of inspections, tests, examinations, discrepancies and approvals issued shall be maintained by the building official and shall be communicated promptly in writing to the permit holder. Approval issued under this section may be revoked whenever it is discovered that such approval was issued in error or on the basis of incorrect information, or where there are repeated violations of the USBC. Notices issued pursuant to this section shall be permitted to be communicated electronically provided the notice is reasonably calculated to get to the permit holder as determined by the locality's legal counsel.

Supporting Statement (including intent, need, and impact of the proposal):

The Review Board issued Interpretation No. 6/06 clarifying that notices may be issued electronically provided reasonable steps were taken to assure they would be received by the permit holder. Under the Review Board's statutory authority, interpretations issued by the Review Board, when deemed appropriate by the Review Board members, are forwarded to the Board of Housing and Community Development as recommendations for future amendments to the code.

Submittal Information

Date Submitted: March 16, 2012



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: State Building Code Technical Review Board Representing: _____

Email Address: _____ Telephone Number: _____

Proposal Information

Code(s) and Section(s): Virginia Construction Code, Section 113.8

Proposed Change (including all relevant section numbers, if multiple sections):

Change Section 113.8 as shown below:

113.8 Final inspection. Upon completion of a building or structure and before the issuance of a certificate of occupancy, a final inspection shall be conducted to ensure that any defective work has been corrected and that all work complies with the USBC and has been approved, including any work associated with modifications under Section 106.3. The building official shall be permitted to require the electrical service to a building or structure to be energized prior to conducting the final inspection. The approval of a final inspection shall be permitted to serve as the new certificate of occupancy required by Section 116.1 in the case of additions or alterations to existing buildings or structures that already have a certificate of occupancy.

Supporting Statement (including intent, need, and impact of the proposal):

The Review Board issued Interpretation No. 7/90 clarifying that the building official has the authority to require the building electrical system to be energized prior to the final inspection. Under the Review Board's statutory authority, interpretations issued by the Review Board, when deemed appropriate by the Review Board members, are forwarded to the Board of Housing and Community Development as recommendations for future amendments to the code.

Submittal Information

Date Submitted: March 16, 2012



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: John Catlett

Representing: VBCOA Administration Committee

Mailing Address: 301 King Street, Alexandria, Virginia 22314

Email Address: john.catlett@alexandriava.gov

Telephone Number: 703.746.4182

Proposal Information

Code(s) and Section(s): 117.1 Temporary Buildings, Structures and Uses

Proposed Change (including all relevant section numbers, if multiple sections):

117.1 Temporary building and, structures. The building official is authorized to issue a permit for temporary buildings or structures, and. Such permits shall be limited as to time of service, but shall not be permitted for more than one year, except that upon the permit holder's written request, the building official may grant one or more extensions of time, not to exceed one year per extension. The building official is authorized to terminate the approval and order the demolition, removal of temporary buildings or structures during the period authorized by the permit when determined necessary.

117.1.1 Temporary uses within existing buildings and structures. The building official shall review and may approve conditions or modifications for temporary uses, including hypothermia and hyperthermia shelters, that may be necessary as long as the use meets the spirit and functional intent intended by this code. The building official is authorized to terminate the approval and order the discontinuance of the temporary use during the period authorized by the permit when determined necessary. The building official shall notify the appropriate fire official or fire chief of the approved temporary use.

Supporting Statement (including intent, need, and impact of the proposal):

It has been identified that some localities have not allowed temporary uses such as shelters and other uses except in buildings meeting all of the requirements for the proposed uses. The proposed changes will clearly allow the building officials to consider alternatives and approve them for temporary uses. This will allow consideration of the risk vs. benefit associated with short term temporary uses. This can provide flexibility to consider temporary uses for things such as hyper/hypothermia shelters, overnight events such as Club or youth group overnight events at churches, fundraising events of very limited duration while considering alternatives such as fire watches, occupancy limitations, single station smoke detection, etc.

Submittal Information

Date Submitted: August 21, 2012 (Revised November 27, 2012)

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): X Individual Government Entity Company

Name: John Catlett

Representing: VBCOA Administration Committee

Mailing Address: 301 King Street, Alexandria, Virginia 22314

Email Address: john.catlett@alexandriava.gov

Telephone Number: 703.746.4182

Proposal Information

Code(s) and Section(s): VCC Section 118 Unsafe Buildings (Revised September 17, 2012)

Proposed Change (including all relevant section numbers, if multiple sections):

Proposed VCC definition of unsafe structure

UNSAFE BUILDINGS AND STRUCTURES. Any building or structure that is under construction and has not received a permanent certificate of occupancy, final inspection, or in which a permit was never issued or has expired and has been determined by the building official to be of faulty construction that is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation that partial or complete collapse is likely; or any unfinished construction that does not have a valid permit or the permit has been revoked, and the condition of the unfinished construction presents an immediate serious and imminent threat to the life and safety of the occupants or the public.

Proposed Revision to 118 of the VCC:

SECTION 118

BUILDINGS AND STRUCTURES BECOMING UNSAFE DURING CONSTRUCTION

118.1 Applicability. This section applies to buildings and structures ~~for which a construction permit has been issued under this code and construction has not been completed or a certificate of occupancy has not been issued, or both~~ defined as an unsafe building or structure by the VCC. In addition, this section applies to any building or structure that is under construction regardless of permit activity status or that was constructed without obtaining the required permits under this edition or any edition of the USBC.

Note: Existing buildings and structures other than those under construction or subject to this section are subject to the Virginia Maintenance Code that also has requirements for unsafe conditions.

118.2 Repair or removal of unsafe buildings or structures. Any building or structure subject to this section ~~that is either deteriorated, improperly maintained, of faulty construction, deficient in adequate exit facilities, a fire hazard or dangerous to life or the public welfare, or both, or any combination of the foregoing, is an unsafe building or structure~~ and shall be made safe through compliance with this code or shall be taken down and removed if determined necessary by the building official.

118.3 Inspection report and notice of unsafe building or structure. The building official shall inspect any building or structure reported to be unsafe and shall prepare a report to be filed in the records of the local building department. In addition to a description of any unsafe conditions found, the report shall include the occupancy classification of the building or structure and the nature and extent of any damages caused by collapse or failure of any building components. ~~If the building or structure is determined by the building official to be unsafe, a notice of unsafe building or structure shall be issued in person to the owner and any permit holder. The notice shall describe any unsafe conditions and specify any repairs or improvements necessary to make the building or structure safe, or alternatively, when determined necessary by the building official, require the unsafe building or structure, or any portion of it, to be taken down and removed.~~

~~The notice of an unsafe building or structure shall stipulate a time period for the repair or demolition of the unsafe building or structure and contain a statement requiring the person receiving the notice to determine whether to accept or reject the terms of the notice. If any persons to which the notice of unsafe building or structure is to be issued cannot be found after diligent search, as equivalent service, the notice shall be sent by registered or certified mail to the last known address of such persons and a copy of the notice posted in a conspicuous place on the premises.~~

118.4 Vacating the unsafe building or structure. ~~If any portion of an unsafe building or structure has collapsed or fallen, or if the building official determines there is actual and immediate danger of any portion collapsing or falling, and when life is endangered by the occupancy of the unsafe building or structure, the building official shall be authorized to order the occupants to immediately vacate the unsafe building or structure. When an unsafe building or structure is ordered to be vacated, the building official shall post a notice at each entrance that reads as follows:~~

~~“This Building (or Structure) is Unsafe and its Occupancy (or Use) is Prohibited by the Building Official.”~~
~~After posting, occupancy or use of the unsafe structure shall be prohibited except when authorized to enter to conduct inspections, make required repairs or as necessary to demolish the building or structure.~~

118.5 Emergency repairs and demolition. ~~To the extent permitted by the locality, the building official may authorize emergency repairs to unsafe buildings or structures when it is determined that there is an immediate danger of any portion of the unsafe building or structure collapsing or falling and when life is endangered. Emergency repairs may also be authorized when there is a code violation resulting in the immediate, serious and imminent threat to the life and safety of the occupants. The building official shall be permitted to authorize the necessary work to make the building or structure temporarily safe whether or not legal action to compel compliance has been instituted.~~

~~In addition, whenever an owner of an unsafe building or structure fails to comply with a notice to demolish issued under Section 118.3 in the time period stipulated, the building official shall be permitted to cause the unsafe building or structure to be demolished. In accordance with Sections 15.2-906 and 15.2-1115 of the Code of Virginia, the legal counsel of the locality may be requested to institute appropriate action against the property owner to recover the costs associated with any such emergency repairs or demolition and every such charge that remains unpaid shall constitute a lien against the property on which the emergency repairs or demolition were made and shall be enforceable in the same manner as provided in Articles 3 (Section 58.1-3940 et seq.) and 4 (Section 58.1-3965 et seq.) of Chapter 39 of Title 58.1 of the Code of Virginia.~~

~~**Note:** Building officials and local governing bodies should be aware that other statutes and court decisions may impact on matters relating to demolition, in particular whether newspaper publication is required if the owner cannot be located and whether the demolition order must be delayed until the owner has been given the opportunity for a hearing.~~

118.4 Notice of unsafe building or structure. When a building or structure is determined to be unsafe by the building official, a written notice of unsafe structure shall be issued by personal service to the owner, the owner’s agent or the person in control of such structure. The notice shall specify the corrections necessary to

comply with this code, or if the structure is required to be demolished, the notice shall specify the time period within which the repairs or demolition must occur. Requirements in Section 115 for notices of violation are also applicable to notices issued under this section to the extent that any such requirements are not in conflict with the requirements of this section.

Note: Whenever possible, the notice should also be given to any tenants or occupants of the affected structure.

118.4.1 Vacating unsafe structure. If the building official determines there is actual and immediate danger to the occupants or public, or when life is endangered by the occupancy of an unsafe structure, the building official shall be authorized to order the occupants to immediately vacate the unsafe structure. When an unsafe structure is ordered to be vacated, the building official shall post a notice with the following wording at each entrance: “THIS STRUCTURE IS UNSAFE AND ITS OCCUPANCY (OR USE) IS PROHIBITED BY THE BUILDING OFFICIAL.” After posting, occupancy or use of the unsafe structure shall be prohibited except when authorized to enter to conduct inspections, make required repairs or as necessary to demolish the structure.

118.5 Posting of notice. If the notice is unable to be issued by personal service as required by Section 118.4, then the notice shall be sent by registered or certified mail to the last known address of the responsible party and a copy of the notice shall be posted in a conspicuous place on the premises.

118.6 Posting of placard. In the case of an unsafe building or structure, if the notice is not complied with, a placard with the following wording shall be posted at the entrance to the structure: “THIS STRUCTURE IS UNFIT FOR HABITATION AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED BY THE BUILDING OFFICIAL.” After a structure is placarded, entering the structure shall be prohibited except as authorized by the building official to make inspections, to perform required repairs or to demolish the structure. In addition, the placard shall not be removed until the structure is determined by the building official to be safe to occupy, nor shall the placard be defaced.

118.7 Emergency repairs and demolition. To the extent permitted by the locality, the building official may authorize emergency repairs to unsafe buildings or structures when it is determined that there is an immediate danger of any portion of the unsafe structure or structure unfit for human habitation collapsing or falling and when life is endangered. Emergency repairs may also be authorized where there is a code violation resulting in a serious and imminent threat to the life and safety of the occupants or public.

The building official shall be permitted to authorize the necessary work to make the structure temporarily safe whether or not legal action to compel compliance has been instituted. In addition, whenever an owner of an unsafe structure or structure unfit for human habitation fails to comply with a notice to demolish issued under Section 118.4 in the time period stipulated, the building official shall be permitted to cause the structure to be demolished. In accordance with Sections 15.2-906 and 15.2-1115 of the Code of Virginia, the legal counsel of the locality may be requested to institute appropriate action against the property owner to recover the costs associated with any such emergency repairs or demolition and every such charge that remains unpaid shall constitute a lien against the property on which the emergency repairs or demolition were made and shall be enforceable in the same manner as provided in Articles 3 (Section 58.1-3490 et seq.) and 4 (Section 58.1-3965 et seq.) of Chapter 39 of Title 58.1 of the Code of Virginia.

Note: Building officials and local governing bodies should be aware that other statutes and court decisions may impact on matters relating to demolition, in particular whether newspaper publication is required if the owner cannot be located and whether the demolition order must be delayed until the owner has been given the opportunity for a hearing.

118.8 Closing of streets. When necessary for public safety, the building official shall be permitted to order the temporary closing of sidewalks, streets, public ways or premises adjacent to unsafe or unfit structures and prohibit the use of such spaces.

Supporting Statement (including intent, need, and impact of the proposal):

During the last economic downturn, several localities were left with construction projects that occasionally exceeded the norm when it comes to health and safety, especially in established neighborhoods. Some localities looked at spot blight provisions and some utilized the Virginia Maintenance Code to address the concerns. However the Virginia Maintenance Code is intended to address buildings and structures that either currently and legally exist, or have completed the construction process through the VCC and received an occupancy permit or final inspection.

It is generally felt that the provisions of the VMC were adequate to address those few situations that result in imminent danger to the health and safety of the community. This code change takes defining an unsafe structure out of Section 118 and places it in the definition provisions of the code. It further proposes duplicated processes and procedures from the VMC that not only provide consistency, a proven track record, and predictability, but it also provides a clear path to administrative appeals that spot blight does not allow.

These provisions are comprehensive enough to deal with any unsafe provision while requiring the building official to provide multiple levels of notification and documentation which protect the property rights of the building owner.

There is consensus within the VBCOA Administration Committee on this code change.

Submittal Information

Date Submitted: August 21, 2012 (Revised November 17, 2012)

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: taso@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: Joseph Moncrief

Representing: Chesterfield County

Mailing Address: 9800 Government Center Parkway P.O. Box 40 Chesterfield, VA 23832

Email Address: moncriefj@chesterfield.gov

Telephone Number: (804) 317-3038

Proposal Information Draft code change #1

Code(s) and Section(s): USBC part 1 section 118.3

Proposed Change (including all relevant section numbers, if multiple sections):

Amend section 118.3 to state:

118.3 Inspection report and notice of unsafe building or structure. The building official shall inspect any building or structure reported to be unsafe and shall prepare a report to be filed in the records of the local building department. In addition to a description of any unsafe conditions found, the report shall include the occupancy classification of the building or structure and the nature and extent of any damages caused by collapse or failure of any building components. If the building or structure is determined by the building official to be unsafe, a notice of unsafe building or structure shall be issued in person to the owner and any permit holder. The notice shall describe any unsafe conditions and specify any repairs or improvements necessary to make the building or structure safe, or alternatively, when determined necessary by the building official, require the unsafe building or structure, or any portion of it, to be taken down and removed. The notice shall stipulate a time period for the repair or demolition of the unsafe building or structure ~~and contain a statement requiring the person receiving the notice to determine whether to accept or reject the terms of the notice.~~ If any persons to which the notice of unsafe building or structure is to be issued cannot be found after diligent search, as equivalent service, the notice shall be sent by registered or certified mail to the last known address of such persons and a copy of the notice posted in a conspicuous place on the premises.

Supporting Statement (including intent, need, and impact of the proposal):

The section currently requires a person receiving a Notice of Unsafe Structure to either accept or reject the terms of the notice. The acceptance or rejection of the terms of the notice has no effect of the notice and does not require the responsible party to appeal the action if they reject the terms. The rejection of the terms has no meaningful purpose. The rejection does not stop enforcement simply because there is a disagreement. This requirement is unnecessary because a statement of the right to appeal a Notice of Unsafe Structure is already required in the notice. Further, this same requirement was removed from the 2009 Virginia Maintenance Code (USBC part 3). The removal of this requirement will make both parts of the USBC consistent in the requirements for the Notice of Unsafe Structure. **There is consensus within the VBCOA Administration Committee to support this change regardless of the outcome of the unsafe**

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: John Catlett

Representing: VBCOA Administrative Committee

Mailing Address: 301 King Street, Room 4200 Alexandria Va. 22314

Email Address: john.catlett@alexandriava.gov

Telephone Number: 703.746.4182

Proposal Information

Code(s) and Section(s): VUSBC Section 119.2

Proposed Change (including all relevant section numbers, if multiple sections):

119.1 Establishment of appeals board. In accordance with Section 36-105 of the Code of Virginia, there shall be established within each local building department a LBBCA. Whenever a county or a municipality does not have such a LBBCA, the local governing body shall enter into an agreement with the local governing body of another county or municipality or with some other agency, or a state agency approved by DHCD for such appeals resulting therefrom. Fees may be levied by the local governing body in order to defray the cost of such appeals. In addition, as an authorization in this code, separate LBBCAs may be established to hear appeals of different enforcement areas such as electrical, plumbing or mechanical requirements. Each such LBBCA shall comply with the requirements of this section. The locality is responsible for maintaining a duly constituted LBBCA(s) prepared to hear appeals within the time limits established in this section. The LBBCA shall meet as necessary to assure a duly constituted board, appoint officers as necessary, and receive such training on the code as may be appropriate or necessary from staff of the locality.

B. Section 119.2 Membership of board. The LBBCA shall consist of at least five members appointed by the locality for a specific term of office established by written policy. Alternate members may be appointed to serve in the absence of any regular members and as such, shall have the full power and authority of the regular members. Regular and alternate members may be reappointed. Written records of current membership, including a record of the current chairman and secretary shall be maintained in the office of the locality. In order to provide continuity, the terms of the members may be of different length so that less than half will expire in any one-year period. ~~The LBBCA shall meet at least once annually to assure a duly constituted board, appoint officers as necessary, and receive such training on the code as may be appropriate or necessary from staff of the locality.~~

Supporting Statement (including intent, need, and impact of the proposal):

A meeting of an appeals board requires the locality to incur some costs. The current provisions require an annual meeting even though they may not have any appeals to hear. The code change recognizes that it is not necessary for the board to meet annually just to receive proper training or to select officers. This can be accomplished electronically or through other means such as attendance at code modules. It is important to point out that there is currently no training programs developed by DHCD specifically on appeals processes. Since many localities do not have many appeals, there may not be someone in the locality to properly train the appeals board. In addition, there should be consideration regarding the possible perception of favoritism from the board if the code official provides the boards training. The board may want to consider directing DHCD staff to prepare an online program for local appeals board members use which could serve as the necessary training. **There is consensus within the VBCOA Administration Committee on this Code change.**

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: John Catlett

Representing: VBCOA Admin Committee

Mailing Address: 301 King Street, Room 4200 Alexandria Va 22314

Email Address: john.catlett@ alexandriava.gov

Telephone Number: 703.746.4182

Proposal Information

Code(s) and Section(s): Virginia Construction Code and Virginia Maintenance Code (119.6 and 106.6)

Proposed Change (including all relevant section numbers, if multiple sections):

Change Section 119.6 of the VCC and Section 106.6 of the VMC to read as shown:

The LBBCA shall meet within 30 calendar days after the date of receipt of the application for appeal, except that a period of up to 45 calendar days shall be permitted where the LBBCA has regularly scheduled monthly meetings. A longer time period shall be permitted if agreed to by all the parties involved in the appeal. (Remainder of sections unchanged)

Supporting Statement (including intent, need, and impact of the proposal):

This change takes into consideration a local board which has established monthly meetings to permit enough time for an appeal to be processed if it comes in too close to a regularly scheduled meeting. It adds an additional 15 days to allow for the 14 day notification to be published. This avoids a potential additional meeting and cost to the locality while providing a reasonable time for the appeal to be heard.

Submittal Information

Date Submitted: August 1, 2012

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: taso@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: Frank Castelvechi, III PE

Representing: County of Henrico Building Inspections

Mailing Address: PO Box 90775, Henrico VA 23273

Email Address: cas13@co.henrico.va.us

Telephone Number: 804 501 4375

Proposal Information

Code(s) and Section(s): IBC and IFC [F] 907.2.3

Proposed Change (including all relevant section numbers, if multiple sections):

[F] 907.2.3 Group E.

A manual fire alarm system that ~~initiates~~ activates the occupant notification ~~signal utilizing an emergency voice/ alarm communication~~ system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E occupancies. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

Exceptions:

1. A manual fire alarm system is not required in Group E occupancies with an *occupant load* of ~~30~~ 50 or less.
2. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:
 - 2.1. Interior *corridors* are protected by smoke detectors.
 - 2.2. Auditoriums, cafeterias, gymnasiums and similar areas are protected by *heat detectors* or other *approved* detection devices.
 - 2.3. Shops and laboratories involving dusts or vapors are protected by *heat detectors* or other *approved* detection devices.
3. Manual fire alarm boxes shall not be required in Group E occupancies where the building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1, the ~~emergency voice/ alarm communication~~ occupant notification system will activate on sprinkler water flow and manual activation is provided from a normally occupied location.

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Organization

Name: J. Kenneth Payne, Jr., AIA

Representing: VSAIA

Mailing Address: 3200 Norfolk Street, Richmond, VA 23230

Email Address: kpayne@moseleyarchitects.com

Telephone Number: 804.794.7555

Proposal Information

Code(s) and Section(s): 2012 IBC, Section 3412.2.2

Proposed Change (including all relevant section numbers, if multiple sections):

Add an exception to Section 3412.2.2 of the IBC to read:

Exception: Plumbing, mechanical and electrical systems in buildings undergoing a partial change of occupancy shall be subject to any applicable requirements of Section 103.3 of this code.

Supporting Statement (including intent, need, and impact of the proposal):

This exception was added to Section 3412.2.1 for a change of occupancy as part of the VCC. It would appear the same exception should also be considered for a *partial* change of occupancy if it is allowed for a *complete* change of occupancy.

Although one may suggest a *partial* change of occupancy is still a change of occupancy and therefore, is already covered by Section 3412.2.1, this proposed code change would, in that case, clarify the same exception would apply to just a *partial* change of occupancy and there would be no ambiguity as to its enforcement or interpretation. However, if it was the intent that Section 3412.2.1 also covers Section 3412.2.2, then Section 3412.2.2 should be renumbered 3412.2.1.1 – thus becoming a subsection of Section 3412.2.1. If this were renumbered, then this code change could be modified as such and the existing exception would then clearly apply to both a complete or *partial* change in occupancy.

Submittal Information

Date Submitted: August 3, 2012

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: taso@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: DRAFT

Proponent Information (Check one): Individual Government Entity Company

Name: John Catlett Representing: VBCOA Administration Committee

Mailing Address: 301 King Street, Alexandria, Virginia 22314

Email Address: john.catlett@alexandriava.gov Telephone Number: 703.746.4182

Proposal Information

Code(s) and Section(s): VCC Section 103 Change of Occupancy, alterations, repairs, renovations and additions deleted and replaced with the Virginia Rehabilitation code except for IRC regulated buildings.

Proposed Change (including all relevant section numbers, if multiple sections):

Changes to the VCC:

**SECTION 103
APPLICATION OF CODE**

103.1 General. In accordance with Section 36-99 of the Code of Virginia, the USBC shall prescribe building regulations to be complied with in the construction and rehabilitation of buildings and structures, and the equipment therein.

103.2 When applicable to new construction. Construction for which a permit application is submitted to the local building department after the effective date of the 2009 edition of the code shall comply with the provisions of this code, except for permit applications submitted during a one-year period after the effective date of the 2009 edition of the code.

The applicant for a permit during such one-year period shall be permitted to choose whether to comply with the provisions of this code or the provisions of the edition of the code in effect immediately prior to the 2009 edition. This provision shall also apply to subsequent amendments to this code based on the effective date of such amendments. In addition, when a permit has been properly issued under a previous edition of this code, this code shall not require changes to the approved construction documents, design or construction of such a building or structure, provided the permit has not been suspended or revoked.

103.3 Change of occupancy. No change of occupancy shall be made in any structure when the current USBC requires a greater degree of accessibility, structural strength, fire protection, means of egress, ventilation or sanitation. When such a greater degree is required, the owner or the owner's agent shall ~~make written application to the local building department for a new certificate of occupancy and shall obtain the new certificate of occupancy prior to the new use of the structure.~~ shall meet the provisions of the Virginia Rehabilitation Code (VRC) for change of occupancy.

~~When impractical to achieve compliance with this code for the new occupancy classification, the building official shall consider modifications upon application and as provided for in Section 106.3.~~

~~Exception: This section shall not be construed to permit noncompliance with any applicable flood load or floodresistant construction requirements of this code.~~

103.4 Additions. Additions to buildings and structures shall comply with the requirements of this code for new construction or the provisions of the VRC. ~~and~~ An existing building or structure plus additions shall comply with the height and area provisions of Chapter 5 and the applicable provisions of Chapter 9. Further, this code shall not require changes to the design or construction of any portions of the building or structure not altered or affected by an addition, unless the addition has the effect of lowering the current level of safety.

Exception: This section shall not be construed to permit noncompliance with any applicable flood load or flood-resistant construction requirements of this code.

103.5 Reconstruction, alteration or repair for buildings subject to the International Residential Code. The following criteria is applicable to reconstruction, alteration or repair of buildings or structures for buildings subject to the International Residential Code:

1. Any reconstruction, alteration or repair shall not adversely affect the performance of the building or structure, or cause the building or structure to become unsafe or lower existing levels of health and safety.
2. Parts of the building or structure not being reconstructed, altered or repaired shall not be required to comply with the requirements of this code applicable to newly constructed buildings or structures.
3. The installation of material or equipment, or both, that is neither required nor prohibited shall only be required to comply with the provisions of this code relating to the safe installation of such material or equipment.
4. Material or equipment, or both, may be replaced in the same location with material or equipment of a similar kind or capacity.
5. Any reconstruction, alteration or repair may utilize the provisions of this code or the VRC at the owner's or owner's agent discretion.

Exceptions:

1. This section shall not be construed to permit noncompliance with any applicable flood load or flood-resistant construction requirements of this code.
2. Reconstructed decks, balconies, porches and similar structures located 30 inches (762 mm) or more above grade shall meet the current code provisions for structural loading capacity, connections and structural attachment. This requirement excludes the configuration and height of handrails and guardrails.

103.5.1 Equipment changes. Upon the replacement or new installation of any fuel-burning appliances or equipment in existing buildings, an inspection or inspections shall be conducted to ensure that the connected vent or chimney systems comply with the following:

1. Vent or chimney systems are sized in accordance with either the International Residential Code, the International Mechanical Code or the International Fuel Gas Code, depending on which is applicable based on the fuel source and the occupancy classification of the structure.
2. Vent or chimney systems are clean, free of any obstruction or blockages, defects or deterioration and are in operable condition. Where not inspected by the local building department, persons performing such changes or installations shall certify to the building official that the requirements of Items 1 and 2 of this section are met.

103.6 Use of rehabilitation code. Reconstruction, alteration, change of use or repair for buildings subject to the International Building Code, Reconstruction, alteration, change of use, or repair of buildings or structures subject to the International Building Code shall compliance with Part II of the Virginia Uniform Statewide Building Code, also known as the "Virginia Rehabilitation Code," shall be an acceptable alternative to compliance with this code for the rehabilitation of such existing buildings and structures within the scope of that code. For the purposes of this section, the term "rehabilitation" shall be as defined in the Virginia Rehabilitation Code. Chapter 34 of the IBC shall be deleted.

103.107 Use of certain provisions of referenced codes. The following provisions of the IBC and of other indicated codes or standards are to be considered valid provisions of this code. Where any such provisions have been modified by the state amendments to the IBC, then the modified provisions apply.

1. Special inspection requirements in Chapters 2–35.
- ~~2. Chapter 34, Existing Structures, except that Section 3412, Compliance Alternatives, shall not be used to comply with the retrofit requirements identified in Section 103.7 and shall not be construed to permit noncompliance with any applicable flood load or flood-resistant construction requirements of this code.~~
- 3 2. Testing requirements and requirements for the submittal of construction documents in any of the ICC codes referenced in Chapter 35 and in the IRC.
- 4 3 Section R301.2 of the International Residential Code authorizing localities to determine climatic and geographic design criteria.

5.4. Flood load or flood-resistant construction requirements in the IBC or the International Residential Code, including, but not limited to, any such provisions pertaining to flood elevation certificates that are located in Chapter 1 of those codes. Any required flood elevation certificate pursuant to such provisions shall be prepared by a land surveyor licensed in Virginia or an RDP.

6. Section R101.2 of the IRC.

103.7.8 Retrofit requirements. The local building department shall enforce the provisions of ~~Section 3413 VRC Appendix D,~~ which require certain existing buildings to be retrofitted with fire protection systems and other safety equipment. Retroactive fire protection system requirements contained in the International Fire Code shall not be applicable unless required for compliance with the provisions of ~~Section 3413 VRC Appendix D.~~

103.8 Nonrequired equipment. The following criteria for nonrequired equipment is in accordance with ~~Section 36-103 of the Code of Virginia.~~ Building owners may elect to install partial or full fire alarms or other safety equipment that was not required by the edition of the USBC in effect at the time a building was constructed without meeting current requirements of the code, provided the installation does not create a hazardous condition. Permits for installation shall be obtained in accordance with this code. In addition, as a requirement of this code, when such nonrequired equipment is to be installed, the building official shall notify the appropriate fire official or fire chief.

103.8.1 Reduction in function or discontinuance of nonrequired fire protection systems. When a nonrequired fire protection system is to be reduced in function or discontinued, it shall be done in such a manner so as not to create a false sense of protection. Generally, in such cases, any features visible from interior areas shall be removed, such as sprinkler heads, smoke detectors or alarm panels or devices, but any wiring or piping hidden within the construction of the building may remain. Approval of the proposed method of reduction or discontinuance shall be obtained from the building official.

103.9 Equipment changes. Upon the replacement or new installation of any fuel burning appliances or equipment in existing buildings, an inspection or inspections shall be conducted to ensure that the connected vent or chimney systems comply with the following:

1. Vent or chimney systems are sized in accordance with either the International Residential Code, the International Mechanical Code or the International Fuel Gas Code, depending on which is applicable based on the fuel source and the occupancy classification of the structure.

2. Vent or chimney systems are clean, free of any obstruction or blockages, defects or deterioration and are in operable condition. Where not inspected by the local building department, persons performing such changes or installations shall certify to the building official that the requirements of Items 1 and 2 of this section are met.

CHAPTER 34 EXISTING STRUCTURES

3401.1 Scope. The provisions of this chapter and the applicable requirements of Chapter 1 shall control the alteration, repair, addition and change of occupancy of existing structures.

Delete IBC Sections 3401.2, 3401.3, 3401.4, and 3401.5.

Delete IBC Sections 3403, 3404, 3405, and 3406.

Change Section 3407.1 of the IBC to read:

3407.1 Standards for replacement glass. In accordance with ~~Section 36-99.2 of the Code of Virginia,~~ any replacement glass installed in buildings constructed prior to the first edition of the USBC shall meet the quality and installation standards for glass installed in new buildings as are in effect at the time of installation. In addition, as a requirement of this code, the installation or replacement of glass in buildings constructed under any edition of the USBC shall be as required for new installations.

Delete IBC Section 3408.

Delete IBC Section 3410.

Change Section 3412.2 of the IBC to read:

3412.2 Applicability. When specifically requested by an owner or an owner's agent in structures where there is work involving additions, alterations or changes of occupancy, the provisions in Sections 3412.2.1 through 3412.2.5 shall apply to existing

occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.

Add an exception to Section 3412.2.1 of the IBC to read:

Exception: Plumbing, mechanical and electrical systems in buildings undergoing a change of occupancy shall be subject to any applicable requirements of Section 103.3 of this code.

Change Section 3412.2.5 of the IBC to read:

3412.2.5 Accessibility requirements. All portions of the buildings proposed for change of occupancy and all alterations to existing buildings shall conform to the applicable accessibility provisions of Section 3411.

Add IBC Section 3413 Retrofit Requirements.

Add Section 3413.1 to the IBC to read:

3413.1 Scope. In accordance with Section 103.7 and as set out herein, the following buildings are required to be provided with certain fire protection equipment or systems or other retrofitted components.

Add Section 3413.2 to the IBC to read:

3413.2 Smoke detectors in colleges and universities. In accordance with Section 36-99.3 of the Code of Virginia, college and university buildings containing dormitories for sleeping purposes shall be provided with battery powered or AC powered smoke detector devices installed therein in accordance with this code in effect on July 1, 1982. All public and private college and university dormitories shall have installed such detectors regardless of when the building was constructed. The chief administrative officer of the college or university shall obtain a certificate of compliance with the provisions of this subsection from the building official of the locality in which the college or university is located or in the case of state owned buildings, from the Director of the Virginia Department of General Services. The provisions of this section shall not apply to any dormitory at a state supported military college or university which is patrolled 24 hours a day by military guards.

Add Section 3413.3 to the IBC to read:

3413.3 Smoke detectors in certain juvenile care facilities. In accordance with Section 36-99.4 of the Code of Virginia, battery powered or AC powered smoke detectors shall be installed in all local and regional detention homes, group homes, and other residential care facilities for children and juveniles which are operated by or under the auspices of the Virginia Department of Juvenile Justice, regardless of when the building was constructed, by July 1, 1986, in accordance with the provisions of this code that were in effect on July 1, 1984. Administrators of such homes and facilities shall be responsible for the installation of the smoke detector devices.

Add Section 3413.4 to the IBC to read:

3413.4 Smoke detectors for the deaf and hearing impaired. In accordance with Section 36-99.5 of the Code of Virginia, smoke detectors providing an effective intensity of not less than 100 candela to warn a deaf or hearing impaired individual shall be provided, upon request by the occupant to the landlord or proprietor, to any deaf or hearing impaired occupant of any of the following occupancies, regardless of when constructed:

1. All dormitory buildings arranged for the shelter and sleeping accommodations of more than 20 individuals;
2. All multiple family dwellings having more than two dwelling units, including all dormitories, boarding and lodging houses arranged for shelter and sleeping accommodations of more than five individuals; or
3. All buildings arranged for use of one family or two family dwelling units.

A tenant shall be responsible for the maintenance and operation of the smoke detector in the tenant's unit.

A hotel or motel shall have available no fewer than one such smoke detector for each 70 units or portion thereof, except that this requirement shall not apply to any hotel or motel with fewer than 35 units. The proprietor of the hotel or motel shall post in a conspicuous place at the registration desk or counter a permanent sign stating the availability of smoke detectors for the hearing impaired. Visual detectors shall be provided for all meeting rooms for which an advance request has been made.

Add Sections 3413.5, 3413.5.1, and 3413.5.2 to the IBC to read:

3413.5 Assisted living facilities (formerly known as adult care residences or homes for adults). Existing assisted living facilities licensed by the Virginia Department of Social Services shall comply with this section.

3413.5.1 Fire protective signaling system and fire detection system. A fire protective signaling system and an automatic fire detection system meeting the requirements of the USBC, Volume I, 1987 Edition, Third Amendment, shall be installed in assisted living facilities by August 1, 1994.

Exception: Assisted living facilities that are equipped throughout with a fire protective signaling system and an automatic fire detection system.

3413.5.2 Single and multiple station smoke detectors. Battery or AC powered single and multiple station smoke detectors meeting the requirements of the USBC, Volume I, 1987 Edition, Third Amendment, shall be installed in assisted living facilities by August 1, 1994.

Exception: Assisted living facilities that are equipped throughout with single and multiple station smoke detectors.

Add Section 3413.6 to the IBC to read:

3413.6 Smoke detectors in buildings containing dwelling units. AC powered smoke detectors with battery backup or an equivalent device shall be required to be installed to replace a defective or inoperative battery powered smoke detector located in buildings containing one or more dwelling units or rooming houses offering to rent overnight sleeping accommodations, when it is determined by the building official that the responsible party of such building or dwelling unit fails to maintain battery powered smoke detectors in working condition.

Add Section 3413.7 to the IBC to read:

3413.7 Fire suppression, fire alarm and fire detection systems in nursing homes and facilities. Fire suppression systems as required by the edition of this code in effect on October 1, 1990, shall be installed in all nursing facilities licensed by the Virginia Department of Health by January 1, 1993, regardless of when such facilities or institutions were constructed. Units consisting of certified long term care beds located on the ground floor of general hospitals shall be exempt from the requirements of this section.

Fire alarm or fire detector systems, or both, as required by the edition of this code in effect on October 1, 1990, shall be installed in all nursing homes and nursing facilities licensed by the Virginia Department of Health by August 1, 1994.

Add Section 3413.8 to the IBC to read:

3413.8 Fire suppression systems in hospitals. Fire suppression systems shall be installed in all hospitals licensed by the Virginia Department of Health as required by the edition of this code in effect on October 1, 1995, regardless of when such facilities were constructed.

Add Section 3413.9 to the IBC to read:

3413.9 Identification of handicapped parking spaces by above grade signs. All parking spaces reserved for the use of handicapped persons shall be identified by above grade signs, regardless of whether identification of such spaces by above grade signs was required when any particular space was reserved for the use of handicapped persons. A sign or symbol painted or otherwise displayed on the pavement of a parking space shall not constitute an above grade sign.

Any parking space not identified by an above grade sign shall not be a parking space reserved for the handicapped within the meaning of this section. All above grade handicapped parking space signs shall have the bottom edge of the sign no lower than four feet (1219 mm) nor higher than seven feet (2133 mm) above the parking surface. Such signs shall be designed and constructed in accordance with the provisions of Chapter 11 of this code. All disabled parking signs shall include the following language: PENALTY, \$100-500 Fine, TOW AWAY ZONE. Such language may be placed on a separate sign and attached below existing above grade disabled parking signs, provided that the bottom edge of the attached sign is no lower than four feet above the parking surface.

Add Section 3413.10 to the IBC to read:

3413.10 Smoke detectors in hotels and motels. Smoke detectors shall be installed in hotels and motels as required by the edition of VR 394-01-22, USBC, Volume II, in effect on March 1, 1990, by the dates indicated, regardless of when constructed.

Add Section 3413.11 to the IBC to read:

3413.11 Sprinkler systems in hotel and motels. By September 1, 1997, an automatic sprinkler system shall be installed in hotels and motels as required by the edition of VR 394-01-22, USBC, Volume II, in effect on March 1, 1990, regardless of when constructed.

Add Section 3413.12 to the IBC to read:

3413.12 Fire suppression systems in dormitories. An automatic fire suppression system shall be provided throughout all buildings having a Group R-2 fire area which are more than 75 feet (22,860 mm) or six stories above the lowest level of exit discharge and which are used, in whole or in part, as a dormitory to house students by any public or private institution of higher education, regardless of when such buildings were constructed, in accordance with the edition of this code in effect on August 20, 1997, and the requirements for sprinkler systems under the edition of the NFPA-13 standard referenced by that code. The automatic fire suppression system shall be installed by September 1, 1999. The chief administrative office of the college or university shall obtain a certificate of compliance from the building official of the locality in which the college or university is located or in the case of state-owned buildings, from the Director of the Virginia Department of General Services.

Exceptions:

1. Buildings equipped with an automatic fire suppression system in accordance with Section 903.3.1.1 or the 1983 or later editions of NFPA 13.

2. Any dormitory at a state-supported military college or university which is patrolled 24 hours a day by military guards.

3. Application of the requirements of this section shall be modified in accordance with the following:

3.1. Building systems, equipment or components other than the fire suppression system shall not be required to be added or upgraded except as necessary for the installation of the fire suppression system and shall only be required to be added or upgraded where the installation of the fire suppression system creates an unsafe condition.

3.2. Residential sprinklers shall be used in all sleeping rooms. Other sprinklers shall be quick response or residential unless deemed unsuitable for a space. Standard response sprinklers shall be used in elevator hoist ways and machine rooms.

3.3. Sprinklers shall not be required in wardrobes in sleeping rooms that are considered part of the building construction or in closets in sleeping rooms, when such wardrobes or closets (i) do not exceed 24 square feet (2.23 m²) in area, (ii) have the smallest dimension less than 36 inches (914 mm), and (iii) comply with all of the following:

3.3.1. A single station smoke detector monitored by the building fire alarm system is installed in the room containing the wardrobe or closet that will activate the general alarm for the building if the single station smoke detector is not cleared within five minutes after activation.

3.3.2. The minimum number of sprinklers required for calculating the hydraulic demand of the system for the room shall be increased by two and the two additional sprinklers shall be corridor sprinklers where the wardrobe or closet is used to divide the room. Rooms divided by a wardrobe or closet shall be considered one room for the purpose of this requirement. 3.3.3. The ceiling of the wardrobe, closet or room shall have a fire-resistance rating of not less than 1/2 hour.

3.4. Not more than one sprinkler shall be required in bathrooms within sleeping rooms or suites having a floor area between 55 square feet (5.12 m²) and 120 square feet (11.16 m²) provided the sprinkler is located to protect the lavatory area and the plumbing fixtures are of a noncombustible material.

3.5. Existing standpipe residual pressure shall be permitted to be reduced when the standpipe serves as the water supply for the fire suppression system provided the water supply requirements of NFPA 13-94 are met.

3.6. Limited service controllers shall be permitted for fire pumps when used in accordance with their listing.

3.7. Where a standby power system is required, a source of power in accordance with Section 701-11 (d) or 701-11 (e) of NFPA 70-96 shall be permitted.

Add Section 3413.13 to the IBC to read:

3413.13 Fire extinguishers and smoke detectors in SRCF's. SRCF's shall be provided with at least one approved type ABC portable fire extinguisher with a minimum rating of 2-A:10-B:C installed in each kitchen. In addition, SRCF's shall provide at least one approved and properly installed battery-operated smoke detector outside of each sleeping area in the vicinity of bedrooms and bedroom hallways and on each additional floor.

Add Section 3413.14 to the IBC to read:

3413.14 Smoke detectors in adult day care centers. Battery powered or AC powered smoke detector devices shall be installed in all adult day care centers licensed by the Virginia Department of Social Services, regardless of when the building was constructed. The location and installation of the smoke detectors shall be determined by the provisions of this code in effect on

~~October 1, 1990. The licensee shall obtain a certificate of compliance from the building official of the locality in which the center is located, or in the case of state owned buildings, from the Director of the Virginia Department of General Services.~~

~~Add Section 3413.15 to the IBC to read:~~

~~**3413.15 Posting of occupant load.** Every room or space that is an assembly occupancy, and where the occupant load of that room or space is 50 or more, shall have the occupant load of the room or space as determined by the building official posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent.~~

~~Add Section 3413.16 to the IBC to read:~~

~~**3413.16 ALFSTs.** Existing ALFSTs, regardless of when constructed, shall, by October 1, 2011, meet the applicable requirements of API 653 and TPI RMIP for suitability for service and inspections and shall provide a secondary containment system complying with Section 425.3.~~

117.2 Moved buildings and structures. Any building or structure moved into a locality or moved to a new location within a locality shall not be occupied or used until a certification of occupancy is issued for the new location. Such moved buildings or structures shall be required to comply with the requirements of this code for a newly constructed building or structure unless meeting all of the following requirements relative to the new location:

1. There is no change in the occupancy classification from its previous location.
2. The building or structure was in compliance with all state and local requirements applicable to it in its previous location and is in compliance with all state and local requirements applicable if originally constructed in the new location.
3. The building or structure did not become unsafe during the moving process due to structural damage or for other reasons.
4. Any alterations, reconstruction, renovations or repairs made pursuant to the move are in compliance with applicable requirements ~~of this code of the VRC.~~

Changes to the VRC:

Chapter 1 ADMINISTRATION

SECTION 101 GENERAL

101.1 Short title. The Virginia Uniform Statewide Building Code, Part II, Rehabilitation, may be cited as the Virginia Rehabilitation Code.

101.2 Incorporation by reference. Chapters 2–15 of the 2009 International Existing Building Code, published by the International Code Council, Inc., are adopted and incorporated by reference to be an enforceable part of the Virginia Rehabilitation Code. The term “IEBC” means the 2009 International Existing Building Code, published by the International Code Council, Inc. Any codes and standards referenced in the IEBC are also considered to be part of the incorporation by reference, except that such codes and standards are used only to the prescribed extent of each such reference.

101.3 Numbering system. A dual numbering system is used in the Virginia Rehabilitation Code to correlate the numbering system of the Virginia Administrative Code with the numbering system of the IEBC. IEBC numbering system designations are provided in the catch-lines of the Virginia Administrative Code sections and cross references between sections or chapters of the Virginia Rehabilitation Code use only the IEBC numbering system designations. The term “chapter” is used in the context of the numbering system of the IEBC and may mean a chapter in the Virginia Rehabilitation Code, a chapter in the IEBC or a chapter in a referenced code or standard, depending on the context of the use of the term. The term “chapter” is not used to designate a chapter of the Virginia Administrative Code, unless clearly indicated.

101.4 Arrangement of code provisions. The Virginia Rehabilitation Code is comprised of the combination of (i) the provisions of Chapter 1, Administration, which are established herein, (ii) Chapters 2–15 of the IEBC, which are incorporated by reference in Section 101.2, and (iii) the changes to the text of the incorporated chapters of the IEBC that are specifically identified. The terminology “changes to the text of the incorporated chapters of the IEBC that are specifically identified” shall also be referred to as the “state amendments to the IEBC.” Such state amendments to the IEBC are set out using corresponding chapter and section

numbers of the IEBC numbering system. In addition, since Chapter 1 of the IEBC is not incorporated as part of the Virginia Rehabilitation Code, any reference to a provision of Chapter 1 of the IEBC in the provisions of Chapters 2–15 of the IEBC is generally invalid. However, where the purpose of such a reference would clearly correspond to a provision of Chapter 1 established herein, then the reference may be construed to be a valid reference to such corresponding Chapter 1 provision.

101.5 Use of terminology and notes. The term “this code,” or “the code,” where used in the provisions of Chapter 1, in Chapters 2–15 of the IEBC or in the state amendments to the IEBC means the Virginia Rehabilitation Code, unless the context clearly indicates otherwise. The term “this code,” or “the code,” where used in a code or standard referenced in the IEBC means that code or standard, unless the context clearly indicates otherwise. The term “USBC” where used in this code means Part I of the Virginia Uniform Statewide Building Code, also known as the “Virginia Construction Code,” unless the context clearly indicates otherwise. In addition, where the phrase “of the International Building Code under which the building was constructed” is used in the IEBC, it shall be construed to mean the USBC or other code that was in effect when the building was built. Further, the use of notes in Chapter 1 is to provide information only and shall not be construed as changing the meaning of any code provision. Notes in the IEBC, in the codes and standards referenced in the IEBC and in the state amendments to the IEBC may modify the content of a related provision and shall be considered to be a valid part of the provision, unless the context clearly indicates otherwise.

101.6 Order of precedence. The provisions of Chapter 1 of this code supersede any conflicting provisions of Chapters 2–15 of the IEBC and any conflicting provisions of the codes and standards referenced in the IEBC. In addition, the state amendments to the IEBC supersede any conflicting provisions of Chapters 2–15 of the IEBC and any conflicting provisions of the codes and standards referenced in the IEBC. Further, the provisions of Chapters 2–15 of the IEBC supersede any conflicting provisions of the codes and standards referenced in the IEBC.

101.7 Administrative provisions. The provisions of Chapter 1 establish administrative requirements, which include but are not limited to provisions relating to the scope and enforcement of the code. Any provisions of Chapters 2–15 of the IEBC or any provisions of the codes and standards referenced in the IEBC that address the same subject matter to a lesser or greater extent are deleted and replaced by the provisions of Chapter 1. Further, any administrative requirements contained in the state amendments to the IEBC shall be given the same precedence as the provisions of Chapter 1. Notwithstanding the above, where administrative requirements of Chapters 2–15 of the IEBC or of the codes and standards referenced in the IEBC are specifically identified as valid administrative requirements in Chapter 1 of this code or in the state amendments to the IEBC, then such requirements are not deleted and replaced.

Note: The purpose of this provision is to eliminate overlap, conflicts and duplication by providing a single standard for administrative, procedural and enforcement requirements of this code.

101.8 Definitions. The definitions of terms used in this code are contained in Chapter 2 along with specific provisions addressing the use of definitions. Terms may be defined in other chapters or provisions of the code and such definitions are also valid.

SECTION 102 PURPOSE AND SCOPE

102.1 Purpose. In accordance with Section 36-99.01 of the Code of Virginia, the General Assembly of Virginia has declared that (i) there is an urgent need to improve the housing conditions of low and moderate income individuals and families, many of whom live in substandard housing, particularly in the older cities of the Commonwealth; (ii) there are large numbers of older residential buildings in the Commonwealth, both occupied and vacant, which are in urgent need of rehabilitation and which must be rehabilitated if the State's citizens are to be housed in decent, sound, and sanitary conditions; and (iii) the application of those building code requirements currently in force to housing rehabilitation has sometimes led to the imposition of costly and time-consuming requirements that result in a significant reduction in the amount of rehabilitation activity taking place.

The General Assembly further declares that (i) there is an urgent need to improve the existing condition of many of the Commonwealth's stock of commercial properties, particularly in older cities; (ii) there are large numbers of older commercial buildings in the Commonwealth, both occupied and vacant, that are in urgent need of rehabilitation and that must be rehabilitated if the citizens of the Commonwealth are to be provided with decent, sound and sanitary work spaces; and (iii) the application of the existing building code to such rehabilitation has sometimes led to the imposition of costly and time-consuming requirements that result in a significant reduction in the amount of rehabilitation activity taking place.

102.2 Scope. Reconstruction, alteration, change of use, or repair of buildings or structures subject to the International Building Code shall comply with the Virginia Rehabilitation Code. For the purposes of this section, the term “rehabilitation” shall be as defined in the Virginia Rehabilitation Code

102.2.1 In accordance with Section 103-6 5of the USBC, this code shall be an acceptable alternative to compliance with the Virginia Construction Code for the rehabilitation of existing buildings and structures subject to the IRC code provisions.

SECTION 103 APPLICATION OF CODE

103.1 General. The provisions of this code shall control the rehabilitation, alteration, repair, addition and change of occupancy of existing buildings and structures when this code is chosen as an alternative to compliance with the Virginia Construction Code for buildings subject to the provisions of the International Residential Code (IRC). Buildings subject to the International Building Code (IBC) shall be subject to these requirements All administrative provisions of the Virginia Construction Code, including but not limited to, requirements for permits, inspections and approvals by the local building department, provisions for appeals from decisions of the local building department and the issuance of modifications, are applicable to the use of this code, except where this code sets out differing requirements. Where there is a conflict between a general requirement and a specific requirement in the IEBC, the specific requirement shall govern.

Exception: The use of this code shall not be permitted for change of occupancy involving Group I-2 or Group I-3.

103.1.1 Use of performance code. Compliance with the provisions of a nationally recognized performance code when approved as a modification shall be considered to constitute compliance with this code. All documents submitted as part of such consideration shall be retained in the permanent records of the local building department.

103.1.2 Preliminary meeting. When requested by a prospective permit applicant or when determined necessary by the code official, the code official shall meet with the prospective permit applicant prior to the application for a permit to discuss plans for the proposed work or change of occupancy in order to establish the specific applicability of the provisions of this code.

103.2 Requirements relating to maintenance. Any requirements of the IEBC requiring the maintenance of existing buildings or structures are invalid.

Note: Requirements for the maintenance of existing buildings and structures and for unsafe conditions are contained in Part III of the Virginia Uniform Statewide Building Code, also known as the "Virginia Maintenance Code."

103.3 Use of Appendix A. Appendix A of the IEBC provides guidelines for the seismic retrofit of existing buildings. The use of this appendix is not mandatory but shall be permitted to be utilized at the option of an owner, the owner's agent or the RDP involved in a rehabilitation project. However, in no case shall the use of Appendix A be construed to authorize the lowering of existing levels of health or safety in buildings or structures being rehabilitated.

103.4 Use of Appendix B. Appendix B of the IEBC provides supplementary accessibility requirements for existing buildings and facilities. All applicable requirements of Appendix B shall be met in buildings and structures being rehabilitated.

103.5 Use of Resource A. Resource A of the IEBC provides guidelines for the evaluation of fire resistance ratings of archaic materials and may be used in conjunction with rehabilitation projects.

103.6 Change of occupancy. No change of occupancy shall be made in any structure when the current USBC requires a greater degree of accessibility, structural strength, fire protection, means of egress, ventilation or sanitation. When such a greater degree is required, the owner or the owner's agent shall make written application to the local building department for a new certificate of occupancy and shall obtain the new certificate of occupancy prior to the new use of the structure.

When impractical to achieve compliance with this code for the new occupancy classification, the building official shall consider modifications upon application and as provided for in Section 106.3.

Exception: This section shall not be construed to permit noncompliance with any applicable flood load or floodresistant construction requirements of this code.

103.6 Retrofit requirements. The local building department shall enforce the provisions of Appendix D, which require certain existing buildings to be retrofitted with fire protection systems and other safety equipment. Retroactive fire protection system requirements contained in the International Fire Code shall not be applicable unless required for compliance with the provisions of Appendix D.

103.7 Nonrequired equipment. The following criteria for nonrequired equipment is in accordance with Section 36-103 of the Code of Virginia. Building owners may elect to install partial or full fire alarms or other safety equipment that was not required by the edition of the USBC in effect at the time a building was constructed without meeting current requirements of the code, provided the installation does not create a hazardous condition. Permits for installation shall be obtained in accordance with this code. In addition, as a requirement of this code, when such nonrequired equipment is to be installed, the building official shall notify the appropriate fire official or fire chief.

103.7.1 Reduction in function or discontinuance of nonrequired fire protection systems. When a nonrequired fire protection system is to be reduced in function or discontinued, it shall be done in such a manner so as not to create a false sense of protection. Generally, in such cases, any features visible from interior areas shall be removed, such as sprinkler heads, smoke detectors or alarm panels or devices, but any wiring or piping hidden within the construction of the building may remain. Approval of the proposed method of reduction or discontinuance shall be obtained from the building official.

103.8 Equipment changes. Upon the replacement or new installation of any fuel-burning appliances or equipment in existing buildings, an inspection or inspections shall be conducted to ensure that the connected vent or chimney systems comply with the following:

1. Vent or chimney systems are sized in accordance with either the International Residential Code, the International Mechanical Code or the International Fuel Gas Code, depending on which is applicable based on the fuel source and the occupancy classification of the structure.

2. Vent or chimney systems are clean, free of any obstruction or blockages, defects or deterioration and are in operable condition. Where not inspected by the local building department, persons performing such changes or installations shall certify to the building official that the requirements of Items 1 and 2 of this section are met.

CHAPTER 2 DEFINITIONS

Change Section 201.3 of the IEBC to read:

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the other International Codes, such terms shall have the meanings ascribed to them in those codes, except that terms that are not defined in this code and that are defined in the Virginia Construction Code shall take precedence over other definitions.

Change the following definition in Section 202 of the IEBC to read:

Existing building. A building for which a legal certificate of occupancy has been issued under any edition of the USBC and that has been occupied for its intended use; or, a building built prior to the initial edition of the USBC.

CHAPTER 7 ALTERATIONS—LEVEL 2

Change Exception 2 of Section 705.2 to read:

2. Means of egress conforming to the requirements of the building code under which the building was constructed shall be considered compliant means of egress.

Change Item 7 of Section 705.3.1.1 of the IEBC to read:

7. In Group R-2, H-4, H-5 and I occupancies and in rooming houses and childcare centers, a single exit is permitted in a one-story building with a maximum occupant load of 10 and the exit access travel distance does not exceed 75 feet (22 860 mm). In dwelling units within Group R-2 buildings, an occupant load of 12 shall be permitted to be substituted for the occupant load established above and, in addition, staff of such family day homes shall not be counted for the purposes of establishing occupant loads.

CHAPTER 11 HISTORIC BUILDINGS

Change Section 1101.2 of the IEBC to read:

1101.2 Report. The code official shall be permitted to require that an historic building undergoing repair, alteration or change of occupancy be investigated and evaluated by an RDP or other qualified person or agency as a condition of determining compliance with this code.

CHAPTER 13 PERFORMANCE COMPLIANCE METHODS

Change Section 1301.2 of the IEBC to read:

1301.2 Applicability. Work involving rehabilitation, additions, alterations or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of Chapters 4 through 12. The provisions in Sections 1301.2.1 through 1301.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.

Add an exception to Section 1301.2.1 of the IEBC to read:

Exception: Plumbing, mechanical and electrical systems in buildings undergoing a change of occupancy shall be subject to any applicable requirements of Section 103.3 of the Virginia Construction Code.

Change Section 1301.2.5 of the IEBC to read:

1301.2.5 Accessibility requirements. All portions of the buildings proposed for change of occupancy and all alterations to existing buildings shall conform to the applicable accessibility provisions of Section 310.

Chapter 17 Retrofit Requirements

1701 Scope. In accordance with Section 103.6 and as set out herein, the following buildings are required to be provided with certain fire protection equipment or systems or other retrofitted components.

1702 Smoke detectors in colleges and universities. In accordance with Section 36-99.3 of the Code of Virginia, college and university buildings containing dormitories for sleeping purposes shall be provided with battery-powered or AC-powered smoke detector devices installed therein in accordance with this code in effect on July 1, 1982. All public and private college and university dormitories shall have installed such detectors regardless of when the building was constructed. The chief administrative office of the college or university shall obtain a certificate of compliance with the provisions of this subsection from the building official of the locality in which the college or university is located or in the case of state-owned buildings, from the Director of the Virginia Department of General Services. The provisions of this section shall not apply to any dormitory at a state-supported military college or university which is patrolled 24 hours a day by military guards.

1703 Smoke detectors in certain juvenile care facilities. In accordance with Section 36-99.4 of the Code of Virginia, battery-powered or AC-powered smoke detectors shall be installed in all local and regional detention homes, group homes, and other residential care facilities for children and juveniles which are operated by or under the auspices of the Virginia Department of Juvenile Justice, regardless of when the building was constructed, by July 1, 1986, in accordance with the provisions of this code that were in effect on July 1, 1984. Administrators of such homes and facilities shall be responsible for the installation of the smoke detector devices.

1704 Smoke detectors for the deaf and hearing-impaired. In accordance with Section 36-99.5 of the Code of Virginia, smoke detectors providing an effective intensity of not less than 100 candela to warn a deaf or hearing impaired individual shall be provided, upon request by the occupant to the landlord or proprietor, to any deaf or hearing-impaired occupant of any of the following occupancies, regardless of when constructed:

1. All dormitory buildings arranged for the shelter and sleeping accommodations of more than 20 individuals;
2. All multiple-family dwellings having more than two dwelling units, including all dormitories, boarding and lodging houses arranged for shelter and sleeping accommodations of more than five individuals; or
3. All buildings arranged for use of one-family or two-family dwelling units.

A tenant shall be responsible for the maintenance and operation of the smoke detector in the tenant's unit. A hotel or motel shall have available no fewer than one such smoke detector for each 70 units or portion thereof, except that this requirement shall not apply to any hotel or motel with fewer than 35 units. The proprietor of the hotel or motel shall post in a conspicuous place at the registration desk or counter a permanent sign stating the availability of smoke detectors for the hearing impaired. Visual detectors shall be provided for all meeting rooms for which an advance request has been made.

1705 Assisted living facilities (formerly known as adult care residences or homes for adults). Existing assisted living facilities licensed by the Virginia Department of Social Services shall comply with this section.

1706 Fire protective signaling system and fire detection system. A fire protective signaling system and an automatic fire detection system meeting the requirements of the USBC, Volume I, 1987 Edition, Third Amendment, shall be installed in assisted living facilities by August 1, 1994.

Exception: Assisted living facilities that are equipped throughout with a fire protective signaling system and an automatic fire detection system.

1707 Single and multiple station smoke detectors. Battery or AC-powered single and multiple station smoke detectors meeting the requirements of the USBC, Volume I, 1987 Edition, Third Amendment, shall be installed in assisted living facilities by August 1, 1994.

Exception: Assisted living facilities that are equipped throughout with single and multiple station smoke detectors. Add Section 3413.6 to the IBC to read:

1708 Smoke detectors in buildings containing dwelling units. AC-powered smoke detectors with battery backup or an equivalent device shall be required to be installed to replace a defective or inoperative battery-powered smoke detector located in buildings containing one or more dwelling units or rooming houses offering to rent overnight sleeping accommodations, when it is determined by the building official that the responsible party of such building or dwelling unit fails to maintain battery-powered smoke detectors in working condition.

1709 Fire suppression, fire alarm and fire detection systems in nursing homes and facilities. Fire suppression systems as required by the edition of this code in effect on October 1, 1990, shall be installed in all nursing facilities licensed by the Virginia Department of Health by January 1, 1993, regardless of when such facilities or institutions were constructed. Units consisting of certified long-term care beds located on the ground floor of general hospitals shall be exempt from the requirements of this section.

Fire alarm or fire detector systems, or both, as required by the edition of this code in effect on October 1, 1990, shall be installed in all nursing homes and nursing facilities licensed by the Virginia Department of Health by August 1, 1994.

1710 Fire suppression systems in hospitals. Fire suppression systems shall be installed in all hospitals licensed by the Virginia Department of Health as required by the edition of this code in effect on October 1, 1995, regardless of when such facilities were constructed.

1711 Identification of handicapped parking spaces by above grade signs. All parking spaces reserved for the use of handicapped persons shall be identified by above grade signs, regardless of whether identification of such spaces by above grade signs was required when any particular space was reserved for the use of handicapped persons. A sign or symbol painted or otherwise displayed on the pavement of a parking space shall not constitute an above grade sign.

Any parking space not identified by an above grade sign shall not be a parking space reserved for the handicapped within the meaning of this section. All above grade handicapped parking space signs shall have the bottom edge of the sign no lower than four feet (1219 mm) nor higher than seven feet (2133 mm) above the parking surface. Such signs shall be designed and constructed in accordance with the provisions of Chapter 11 of this code. All disabled parking signs shall include the following language: PENALTY, \$100-500 Fine, TOW-AWAY ZONE. Such language may be placed on a separate sign and attached below existing above grade disabled parking signs, provided that the bottom edge of the attached sign is no lower than four feet above the parking surface.

1712 Smoke detectors in hotels and motels. Smoke detectors shall be installed in hotels and motels as required by the edition of VR 394-01-22, USBC, Volume II, in effect on March 1, 1990, by the dates indicated, regardless of when constructed.

1713 Sprinkler systems in hotel and motels. By September 1, 1997, an automatic sprinkler system shall be installed in hotels and motels as required by the edition of VR 394-01-22, USBC, Volume II, in effect on March 1, 1990, regardless of when constructed.

1714 Fire suppression systems in dormitories. An automatic fire suppression system shall be provided throughout all buildings having a Group R-2 fire area which are more than 75 feet (22,860 mm) or six stories above the lowest level of exit discharge and which are used, in whole or in part, as a dormitory to house students by any public or private institution of higher education, regardless of when such buildings were constructed, in accordance with the edition of this code in effect on August 20, 1997, and the requirements for sprinkler systems under the edition of the NFPA 13 standard referenced by that code. The automatic fire suppression system shall be installed by September 1, 1999. The chief administrative office of the college or university shall obtain a certificate of compliance from the building official of the locality in which the college or university is located or in the case of state-owned buildings, from the Director of the Virginia Department of General Services.

Exceptions:

1. Buildings equipped with an automatic fire suppression system in accordance with Section 903.3.1.1 or the 1983 or later editions of NFPA 13.

2. Any dormitory at a state-supported military college or university which is patrolled 24 hours a day by military guards.

3. Application of the requirements of this section shall be modified in accordance with the following:

3.1. Building systems, equipment or components other than the fire suppression system shall not be required to be added or upgraded except as necessary for the installation of the fire suppression system and shall only be required to be added or upgraded where the installation of the fire suppression system creates an unsafe condition.

3.2. Residential sprinklers shall be used in all sleeping rooms. Other sprinklers shall be quick response or residential unless deemed unsuitable for a space. Standard response sprinklers shall be used in elevator hoist ways and machine rooms.

3.3. Sprinklers shall not be required in wardrobes in sleeping rooms that are considered part of the building construction or in closets in sleeping rooms, when such wardrobes or closets (i) do not exceed 24 square feet (2.23 m²) in area, (ii) have the smallest dimension less than 36 inches (914 mm), and (iii) comply with all of the following:

3.3.1. A single station smoke detector monitored by the building fire alarm system is installed in the room containing the wardrobe or closet that will activate the general alarm for the building if the single station smoke detector is not cleared within five minutes after activation.

3.3.2. The minimum number of sprinklers required for calculating the hydraulic demand of the system for the room shall be increased by two and the two additional sprinklers shall be corridor sprinklers where the wardrobe or closet is used to divide the room. Rooms divided by a wardrobe or closet shall be considered one room for the purpose of this requirement.

3.3.3. The ceiling of the wardrobe, closet or room shall have a fire resistance rating of not less than 1/2 hour.

3.4. Not more than one sprinkler shall be required in bathrooms within sleeping rooms or suites having a floor area between 55 square feet (5.12 m²) and 120 square feet (11.16 m²) provided the sprinkler is located to protect the lavatory area and the plumbing fixtures are of a noncombustible material.

3.5. Existing standpipe residual pressure shall be permitted to be reduced when the standpipe serves as the water supply for the fire suppression system provided the water supply requirements of NFPA 13-94 are met.

3.6. Limited service controllers shall be permitted for fire pumps when used in accordance with their listing.

3.7. Where a standby power system is required, a source of power in accordance with Section 701-11 (d) or 701-11 (e) of NFPA 70—96 shall be permitted.

1715 Fire extinguishers and smoke detectors in State Regulated Care Facilities (RCF). SRCF's shall be provided with at least one approved type ABC portable fire extinguisher with a minimum rating of 2-A:10-B:C installed in each kitchen. In addition, SRCF's shall provide at least one approved and properly installed battery operated smoke detector outside of each sleeping area in the vicinity of bedrooms and bedroom hallways and on each additional floor.

1716 Smoke detectors in adult day care centers. Battery-powered or AC-powered smoke detector devices shall be installed in all adult day care centers licensed by the Virginia Department of Social Services, regardless of when the building was constructed. The location and installation of the smoke detectors shall be determined by the provisions of this code in effect on October 1, 1990. The licensee shall obtain a certificate of compliance from the building official of the locality in which the center is located, or in the case of state-owned buildings from the Director of the Virginia Department of General Services.

1717 Posting of occupant load. Every room or space that is an assembly occupancy, and where the occupant load of that room or space is 50 or more, shall have the occupant load of the room or space as determined by the building official posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent.

1718 Above ground Liquid Fertilizer Storage Tanks (ALFST) . Existing ALFSTs, regardless of when constructed, shall, by October 1, 2011, meet the applicable requirements of API 653 and TFI RMIP for suitability for service and inspections and shall provide a secondary containment system complying with Section 425.3.

1719 Standards for replacement glass. In accordance with Section 36-99.2 of the Code of Virginia, any replacement glass installed in buildings constructed prior to the first edition of the USBC shall meet the quality and installation standards for glass installed in new buildings as are in effect at the time of installation. In addition, as a requirement of this code, the installation or replacement of glass in buildings constructed under any edition of the USBC shall be as required for new installations.

Supporting Statement (including intent, need, and impact of the proposal):

The 2015 International Code Council series of codes will delete chapter 34 of the IBC and require all change of use, alteration, repair, and renovations to be covered under the International Existing Building Code. This proposed change will make this occur for the 2012 Virginia Uniform Statewide Building Code for all buildings subject to the IBC as identified by use group. Those buildings that are constructed under the IRC will continue to address alterations, repairs, and renovations as they currently are addressed in the VCC.

Since the 2006 version of the IEBC, it has contained a new chapter (Chapter 3) that provide a prescriptive requirements for compliance when a change of use, alteration, reconstruction or repair is undertaken. The current IEBC provides approaches for a prescriptive method, repair, performance, level of alteration, change of use component approach, and a scoring method. Every possible approach to existing building construction activity that was previously addressed in the VCC is now provided for in the IEBC in some form. Having all of the requirements in one document will remove confusion and encourage the use and acceptance of alternative approaches that may encourage creative uses and cost savings. The proposed text, with some additional Virginia modifications, will send all users to one document for these activities without requiring a change to the intended outcome.

An example of where cost savings occurs can be found when meeting the structural loading requirements for a change of use. Currently, the 2009 IBC Chapter 34 requires that the provisions of chapter 16 (structural requirements) be met for a new use. However, the prescriptive method found in Chapter 3 of the IEBC allows an existing condition to remain as long as it does not require greater than a 5% increase over the table values. This could benefit house to office conversions and similar changes where exiting structural capacities are close to the structural live load table values.

There is general consensus within the VBCOA Administration Committee on this code change. However, work is continuing to make sure that all previous IBC Chapter 34 provisions are covered in this proposed change.

Submittal Information

Date Submitted: November 27, 2012

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: taso@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Organization

Name: J. Kenneth Payne, Jr., AIA

Representing: VSAIA

Mailing Address: 3200 Norfolk Street, Richmond, VA 23230

Email Address: kpayne@moseleyarchitects.com

Telephone Number: 804.794.7555

Proposal Information

Code(s) and Section(s): 2012 VRC, Section 101.2

Proposed Change (including all relevant section numbers, if multiple sections):

B. Section 101.2 Incorporation by reference. Chapters 2 – 16 of the 2012 International Existing Building Code, published by the International Code Council, Inc., are adopted and incorporated by reference to be an enforceable part of the Virginia Rehabilitation Code. The term "IEBC" means the 2012 International Existing Building Code, published by the International Code Council, Inc. Any codes and standards referenced in the IEBC are also considered to be part of the incorporation by reference, except that such codes and standards are used only to the prescribed extent of each such reference.

Note: Where the IEBC references the International Building Code or other International Codes, the references are to the International Codes as published by the International Code Council and should not be confused with the use of the International Codes as amended and used in the Virginia Construction Code.

Supporting Statement (including intent, need, and impact of the proposal):

Clarification is needed to ensure the referenced I-Codes are understood to be "as written" and not "as amended" by the VCC or SFPC.

Submittal Information

Date Submitted: ~~August 3, 2012~~ August 9, 2012

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: taso@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Organization

Name: J. Kenneth Payne, Jr., AIA

Representing: VSAIA

Mailing Address: 3200 Norfolk Street, Richmond, VA 23230

Email Address: kpayne@moseleyarchitects.com

Telephone Number: 804.794.7555

Proposal Information

Code(s) and Section(s): 2012 VRC, Section 202

Proposed Change (including all relevant section numbers, if multiple sections):

Existing building. A building for which a legal certificate of occupancy has been issued under any edition of the USBC and that has been occupied for its intended use; or, a building built prior to the initial edition of the 1973 USBC.

Supporting Statement (including intent, need, and impact of the proposal):

Assuming the "initial edition of the USBC" never changes, the actual date of the edition should be indicated to prevent a guessing game as to what edition of the USBC would be considered the "initial" edition, or prevent the need to reference the "Related Laws Package."

Submittal Information

Date Submitted: August 3, 2012

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: taso@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): X Individual Government Entity Company

Name: John Catlett

Representing: VBCOA Administration Committee

Mailing Address: 301 King Street, Alexandria, Virginia 22314

Email Address: john.catlett@alexandriava.gov

Telephone Number: 703.746.4182

Proposal Information

Code(s) and Section(s): Regulation Title: Virginia Maintenance Code Section No(s): VMC 104.5.3
Inspections.

Proposed Change (including all relevant section numbers, if multiple sections):

Proposed Change: Modify 104.5.3, create remaining.

104.5.3 Inspections. The code official may inspect buildings or structures to determine compliance with this code and shall carry proper credentials when performing such inspections. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual, detailed or complex technical issues in accordance with local policies.

104.5.3.1 (New) Observations When, during an inspection, the maintenance code official or authorized representative observes an apparent or actual violation of another law, ordinance or code not within the official's authority to enforce, such official shall report the findings to the official having jurisdiction in order that such official may institute the necessary measures.

104.5.3.2 (New) Approved inspection agencies and Individuals. The code official may accept reports of inspections or tests from individuals or inspection agencies approved in accordance with the code official's written policy required by Section 104.5.3.3. The individual or inspection agency shall meet the qualifications and reliability requirements established by the written policy. Reports of inspections by approved individuals or agencies shall be in writing, shall indicate if compliance with the applicable provisions of the VMC have been met and shall be certified by the individual inspector or by the responsible officer when the report is from an agency. The code official shall review and approve the report unless there is cause to reject it. Failure to approve a report shall be in writing within two days of receiving it stating the reasons for rejection.

104.5.3.3 (New) Third-party inspectors. Each code official charged with the enforcement of the VMC 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 preapproval requirements before conducting a third-party inspection and any other requirements and procedures established by the code official.

104.5.3.4 (New) Qualifications In determining third-party qualifications, the code official may consider such items as DHCD inspector certification, other state or national certifications, state professional registrations, related experience, education and any other factors that would demonstrate competency and reliability to conduct inspections.

Supporting Statement (including intent, need, and impact of the proposal):

Supporting Statement:

There has been an indication that the administrative provisions of the Virginia Maintenance Code did not permit the acceptance of third party inspection reports from approved agencies or individuals. This change would align the VMC with the USBC in requiring a written policy that describes the minimum qualifications and requirements for third-party inspectors or agencies. **There is consensus from the maintenance code enforcement community on this change.**

Submittal Information

Date Submitted: August 2, 2012

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: taso@dhd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: DRAFT

Proponent Information (Check one): Individual Government Entity Company

Name: John Catlett Representing: VBCOA Administration Committee

Mailing Address: 301 King Street, Alexandria, Virginia 22314

Email Address: john.catlett@alexandriava.gov Telephone Number: 703.746.4182

Proposal Information

Code(s) and Section(s): VMC602.2 and VMC 602.4 Dates for heating and cooling.

Proposed Change (including all relevant section numbers, if multiple sections):

~~602.2 Heat supply. Every owner and operator of any building~~ Every owner and operator of a Group R-2 apartment building or other residential dwelling who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 15 to May 1 to maintain a temperature of not less than 65°F (18°C) in all habitable rooms, bathrooms, and toilet rooms. The code official may consider modifications as provided in Section 104.5.2 when requested for unusual circumstances or may issue notice approving building owners to convert shared heating and cooling piping HVAC systems 14 calendar days before or after the established dates when extended periods of unusual temperatures merit modifying these dates.

(Remainder unchanged)

602.4 Cooling supply. Every owner and operator of a Group R-2 apartment building who rents, leases or lets one or more dwelling units, rooming units or guestrooms on terms, either expressed or implied, to furnish cooling to the occupants thereof shall supply cooling during the period from May 15 to October 1 to maintain a temperature of not more than 80°F (27°C) in all habitable rooms. The code official may also consider modifications as provided in Section 104.5.2 when requested for unusual circumstances or may issue notice approving building owners to convert shared heating and cooling piping HVAC systems 14 calendar days before or after the established dates when extended periods of unusual temperatures merit modifying these dates.

Supporting Statement (including intent, need, and impact of the proposal):

The temperature differences throughout the state should be considered when establishing switch over dates between heating and cooling seasons. To assume that the Tidewater area and Northern Shenandoah Valley have the same climatic experiences each year would be incorrect. The provision allows for local official to have latitude based on local experience. The revised language also serves to remind the code official that modifications can be considered and granted during periods of extreme temperature changes from the normal.

The problem arises in older apartment buildings when a physical switch between heating and cooling must occur. The process can take several days and also serves as down time for maintenance. Making the switch back to the previous condition is time consuming. The unusual conditions such as they occurred in the late winter and spring of 2012 served as verification that firm dates may sometimes prove impractical.

The addition of Group R2 apartment buildings to VMC 602.2 will take away the long term confusion of if these provisions should apply to R2 condominium buildings where renting is not the primary purpose. **There is consensus within the**

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: _____

Representing: Virginia Cemetery Association

Mailing Address: _____

Email Address: _____

Telephone Number: _____

Proposal Information

Code(s) and Section(s): VPC Section 403.3.2

Proposed Change (including all relevant section numbers, if multiple sections):

Add new text into existing exception.

Section 403.3.2 Section to remain unchanged but Add new number to existing Exception as #1 and add new exception #2 with text as follows.

403.3.2 Location of public toilet facilities in occupancies other than covered malls. In occupancies other than covered mall buildings, the required public and employee toilet facilities shall be located not more than one story above or below the space required to be provided with toilet facilities, and the path of travel to such facilities shall not exceed a distance of 500 feet.

Exception:

1. The location and maximum travel distances to the required employee facilities in factory and industrial occupancies are permitted to exceed that required by this section, provided that the location and maximum travel distance are approved.
2. The location and maximum travel distances to the required public facilities located on property licensed by the state and designated a cemetery property are permitted to exceed that required by this section, provided that the location and maximum travel distance are located on the same property and approved.

Supporting Statement (including intent, need, and impact of the proposal):

Submittal Information

Date Submitted: _____

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Supporting Statement (including intent, need, and impact of the proposal):

This proposed change is to maintain the requirements currently in the 2009 USBC for educational occupancies. Requiring a voice alarm system for educational uses will impose significant unnecessary costs to daycares and school systems that are already short of funds. Most schools already have public address systems that can be used for emergency notification. No other occupancy requires voice alarms until you reach 1000 occupants or a high rise building.

Changing the threshold from 50 to 30 would impose this requirement on most school trailers and small daycare centers by moving the classroom size from 1000 sq ft to 600 sq ft. Requiring an expensive voice alarm system in a school trailer or small storefront daycare center is a ludicrous imposition of significant costs to schools and small businesses.

There is no record of fire deaths and injuries in these occupancies to justify these added expenses. The children in these occupancies are required to be under competent adult supervision.

Submittal Information

Date Submitted: 9/28/12

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR SBCO (State Building Codes Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: Vernon.hodge@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Organization

Name: J. Kenneth Payne, Jr., AIA

Representing: VSAIA

Mailing Address: 3200 Norfolk Street, Richmond, VA 23230

Email Address: kpayne@moseleyarchitects.com

Telephone Number: 804.794.7555

Proposal Information

Code(s) and Section(s): 2009 IEBC, Section 912.4.1, Exception 1

Proposed Change (including all relevant section numbers, if multiple sections):

Add the following to Exception 1 as follows:

1. Stairways shall be enclosed in compliance with the applicable provisions of Section 803.1 for stairways not otherwise addressed in Section 912.7.2.

Supporting Statement (including intent, need, and impact of the proposal):

There appears to be a conflict between Section 912.4.1, Exception 1 – which sends you to Section 803.1 – and Section 912.7.2. Both sections are applicable when a change of occupancy is made to a higher hazard category, and both sections apply to stairways and their enclosure. However, Section 912.7.2 allows exceptions to the enclosure of interior stairways, whereas Section 803.1 has no such enclosure exceptions.

The code change proposal would clarify that Section 912.7.2 applies to *interior* stairways, and Section 803.1 would apply to *all other* stairways – as it appears the code intended.

Submittal Information

Date Submitted: August 3, 2012

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: taso@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



Virginia Industrialized Building Safety Regulations

Staff Recommendation for Proposed Regulations for the 2012 Code Change Cycle

13VAC5-91-10. Definitions.

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

“Administrator” means the Director of DHCD or his designee.

“Approved” as applied to a material, device, method of construction, registered building, or as otherwise used in this chapter means approved by the administrator.

“Building official” means the officer or other designated authority charged with the administration and enforcement of the USBC, or duly authorized representative.

“Compliance assurance agency” means an architect or professional engineer registered in Virginia, or an organization, determined by DHCD to be specially qualified by reason of facilities, personnel, experience, and demonstrated reliability, to investigate, test and evaluate industrialized buildings; to list such buildings complying with standards at least equal to this chapter; to provide adequate follow-up services at the point of manufacture to ensure that production units are in full compliance; and to provide a label as evidence of compliance on each manufactured section or module.

“DHCD” means the Virginia Department of Housing and Community Development.

“ICC” means the International Code Council, Inc.

“Industrialized building” means a combination of one or more sections or modules, subject to state regulations and including the necessary electrical, plumbing, heating, ventilating, and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, to comprise a finished building. Manufactured homes defined in § 36-85.3 of the Code of Virginia and certified under the provisions of the National Manufactured Housing Construction and Safety Standards Act (42 USC § 5401 et seq.) shall not be considered industrialized buildings for the purpose of this law.

“Label,” “certification label” or “compliance assurance agency certification label” means the label required by 13VAC5-91-210.

“Model” means a specific design of an industrialized building designated by the producer of the building including production buildings with variations and options that do not affect compliance with the standards governing structural, plumbing, mechanical, or electrical systems or any other items governed by this chapter.

“Registered” means an industrialized building which displays a registration seal issued by DHCD in accordance with this chapter.

“Seal,” “registration seal” or “Virginia registration seal” means the seal required by 13VAC5-91-260.

~~"SBCAO"~~ "SBCO" means the State Building Code Administrative Codes Office within DHCD.

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

"This law" means the Virginia Industrialized Building Safety Law as embraced in Chapter 4 (§ 36-70 et seq.) of Title 36 of the Code of Virginia.

"USBC" means the Virginia Uniform Statewide Building Code (13VAC5-63).

13VAC5-91-20. Application and compliance.

A. In accordance with § 36-81 of the Code of Virginia, registered industrialized buildings shall be acceptable in all localities as meeting the requirements of the Industrialized Building Safety Law (Chapter 4 (§ 36-70 et seq.) of Title 36 of the Code of Virginia), which shall supersede the building codes and regulations of the counties, municipalities and state agencies. Local requirements affecting industrialized buildings, including zoning, utility connections, preparation of the site and maintenance of the unit shall remain in full force and effect. All building officials are authorized to and shall enforce the provisions of the Industrialized Building Safety Law (Chapter 4 (§ 36-70 et seq.) of Title 36 of the Code of Virginia) and this chapter.

B. In accordance with § 36-78 of the Code of Virginia, no person, firm or corporation shall offer for sale or rental, or sell or rent, any industrialized building subject to any provisions of this chapter unless it conforms with the applicable provisions of this chapter.

Further, any industrialized building constructed before January 1, 1972, shall remain subject to the ordinances, laws or regulations in effect at the time such industrialized building was constructed. Additionally, as a requirement of this chapter, any industrialized building bearing the label of a compliance assurance agency shall remain subject to the provisions of this chapter that were effective when such building was constructed, regardless of whether the building has been relocated.

C. In accordance with § 36-99 of the Code of Virginia and in accordance with the USBC, the installation or erection of industrialized buildings and alterations, additions, or repairs to industrialized buildings are regulated by the USBC and not this chapter. The USBC provides for administrative requirements for permits, inspections, and certificates of occupancy for such work.

D. Shipping containers and portable on-demand storage (PODS) containers are not subject to this chapter.

13VAC5-91-30. Purpose.

The purpose of this chapter is to ensure safety to life, health, and property through compliance with uniform statewide construction standards for industrialized buildings.

13VAC5-91-40. Inspection and enforcement by administrator.

A. The ~~SBCAO~~ SBCO is designated as the administrator's representative for the enforcement of this chapter and shall act as the building official for registered industrialized buildings. It shall have authority to make inspections during reasonable hours at the manufacturing facilities and at building

sites where industrialized buildings are being installed. The SBCAO SBCO shall have authority to issue inspection reports for correction of violations caused by the manufacturer and to take such other actions as are required to enforce this chapter.

B. The SBCAO SBCO will maintain a list of approved compliance assurance agencies. Each manufacturer producing registered industrialized buildings will contract with one or more compliance assurance agencies for required evaluation, monitoring and inspection services. The contract will delineate the services to be provided by the compliance assurance agency. The compliance assurance agency will notify the SBCAO SBCO within 30 days of signing a new contract or terminating an existing contract with any manufacturer.

13VAC5-91-50. Right of entry and examination by administrator.

In accordance with § 36-82 of the Code of Virginia, the administrator shall have the right, at all reasonable hours, to enter into any industrialized building upon permission of any person who has authority or shares the use, access, or control over the building, or upon request from local officials having jurisdiction, for examination as to compliance with this chapter.

13VAC5-91-60. Notice of violation from administrator.

In accordance with § 36-82 of the Code of Virginia, whenever the administrator shall find any violation of this chapter, he shall order the person responsible therefor to bring the building into compliance within a reasonable time, to be fixed in the order. In addition, as a requirement of this chapter, the administrator may request assistance from the building official for enforcement of this section. Any order issued by the administrator pursuant to this section shall contain a statement explaining the right of appeal of the order.

13VAC5-91-70. Appeals.

Any person aggrieved by DHCD's application of this chapter shall be heard by the State Review Board established by § 36-108 of the Code of Virginia. Such appeal shall be submitted within 21 calendar days of receipt of DHCD's decision. A copy of the decision of DHCD to be appealed shall be submitted with the application for appeal. Failure to submit an application for appeal within the time limit established by this section shall constitute acceptance of DHCD's decision.

13VAC5-91-80. Limitation of manufacturer's liability.

The manufacturer of a registered industrialized building shall not be required to remedy violations caused by on-site work by others not under his control or violations involving components and materials furnished by others and not included with the registered industrialized building.

13VAC5-91-90. Penalty for violation.

In accordance with § 36-83 of the Code of Virginia, any person, firm or corporation violating any provisions of this chapter shall be considered guilty of a Class 1 misdemeanor and, upon conviction, shall be fined not more than \$1,000.

13VAC5-91-100. Duties and responsibilities of building officials in the installation or erection of a registered industrialized building.

A. All building officials are authorized by § 36-81 of the Code of Virginia to enforce the provisions of this chapter and shall be responsible for and authorized to do the following:

1. Verify through inspection that the registered industrialized building displays the required state registration seal and the proper label of the compliance assurance agency.
2. Verify through inspection that the registered industrialized building has not been damaged in transit to a degree that would render it unsafe. If the building has been damaged, then the building official is authorized to require tests for tightness of plumbing systems and gas piping and an operational test to ensure that all luminaries and receptacles are operable.
3. ~~Prevent the use or occupancy of a registered industrialized building that in the opinion of the building official contains a serious defect or imminent safety hazard and notify the SBCAO immediately.~~ If warranted due to the nature of any violations discovered, the building official shall be permitted to require the correction of any violations of this chapter before occupancy of the registered industrialized building is permitted.
4. Notify the ~~SBCAO~~ SBCO of any apparent violations of this chapter ~~to include defects and noncompliance.~~

B. In accordance with § 36-99 of the Code of Virginia and the USBC, all site work associated with the installation or erection of an industrialized building is subject to the USBC. In addition, under the USBC, all administrative requirements for permits, inspections, and certificates of occupancy are also applicable.

13VAC5-91-115. Change of occupancy classification.

When the occupancy classification of a registered industrialized building is proposed to be changed, a compliance assurance agency shall inspect the building, including any disassembly necessary, to determine whether compliance may be achieved for a change of occupancy classification in accordance with ~~the USBC~~ this chapter. If factory plans are available, then disassembly is not required to the extent that the factory plans can be reasonably verified to reflect the actual construction. Once any necessary work is completed, the compliance assurance agency shall prepare a report documenting the method utilized for the change of occupancy and any alterations to the building to achieve compliance. When the report is complete, the compliance assurance agency shall (i) mark the building with a new compliance assurance agency label in accordance with 13VAC5-91-210, which replaces the existing label; (ii) place a new manufacturer's data plate on the building in accordance with 13VAC5-91-245, which replaces the existing manufacturer's data plate and reflects the new occupancy classification; and (iii) forward a copy of the report and new data plate to the ~~SBCAO~~ SBCO.

13VAC5-91-120. Unregistered industrialized buildings.

A. The building official shall determine whether any unregistered industrialized building complies with this chapter and shall require any noncomplying unregistered building to be brought into compliance with this chapter. The building official shall enforce all applicable requirements of this chapter including those relating to the sale, rental and disposition of noncomplying buildings. The building official may require submission of full plans and specifications for each building. Concealed parts of the building may be exposed to the extent necessary to permit inspection to determine

compliance with the applicable requirements. The building official may also accept reports of inspections and tests from individuals or agencies deemed acceptable to the building official.

~~B. Unregistered industrialized buildings offered for sale in this Commonwealth shall be marked by a warning sign to prospective purchasers that the building is not registered in accordance with this chapter and must be inspected and approved by the building official. The sign shall be of a size and form approved by the administrator and shall be conspicuously posted on the exterior of the unit near the main entrance door. This requirement shall not apply to residential accessory buildings.~~

~~C. An existing unregistered industrialized building may be registered in accordance with one of the following:~~

1. Where an unregistered building was constructed under an industrialized building program of another state and approved under such program, a compliance assurance agency shall prepare a report based on review of the plans and specifications and inspection of the building to determine whether there is compliance with the construction requirements of this chapter that were in effect on the date of manufacture of the building. If compliance is determined, the compliance assurance agency shall (i) mark the building with a compliance assurance agency label in accordance with 13VAC5-91-210, (ii) place a new manufacturer's data plate on the building in accordance with 13VAC5-91-245, (iii) mark the building with a registration seal in accordance with 13VAC5-91-260, and (iv) forward a copy of the report and new data plate to the ~~SBCAO~~ SBCO.

2. Where an unregistered building was not approved under an industrialized building program of another state and the date of manufacture can be verified, the compliance assurance agency shall inspect the building, including any disassembly necessary, to determine whether there is compliance with the construction requirements of this chapter that were in effect on the date of manufacture of the building. When factory plans are available, then disassembly is not required to the extent that the factory plans can be verified to reflect the actual construction of the building. When compliance with the construction requirements of this chapter that were in effect on the date of manufacture of the building is achieved, the compliance assurance agency shall prepare a report documenting compliance, outlining any changes made to the building, and certifying the building in accordance with clauses (i) through (iv) of subdivision 1 of this subsection.

3. When the date of manufacture of the existing unregistered building cannot be verified, the building shall be evaluated for compliance with the codes and standards specified in 13VAC5-91-160. The compliance assurance agency shall inspect the building, including any disassembly necessary, to determine whether there is compliance with these construction requirements. If compliance is achieved, the compliance assurance agency shall prepare a report documenting compliance, outlining any changes made to the building, and certifying the building in accordance with clauses (i) through (iv) of subdivision 1 of this subsection.

~~13VAC5-91-130. Disposition of noncomplying building. (Repealed.)~~

~~When a building is found to be in violation of this chapter, the building official may require the violations to be corrected before occupancy of the building is permitted.~~

~~13VAC5-91-140. Report to the ~~SBCAO~~ SBCO.~~

If the building is moved from the jurisdiction before the violations have been corrected, the building official shall make a prompt report of the circumstances to the ~~SBCAO~~ SBCO. The report shall include all of the following:

1. A list of the uncorrected violations.
2. All information contained on the label pertinent to the identification of the building, the manufacturer and the compliance assurance agency.
3. The number of the Virginia registration seal.
4. The new destination of the building, if known.
5. The party responsible for moving the building.

13VAC5-91-150. When modification may be granted.

~~A. The administrator shall have the power upon request in specific cases to authorize modification of this chapter so as to permit certain specified alternatives where the objectives of this law can still be fulfilled. Such request shall be in writing and shall be accompanied by the plans, specifications and other information necessary for an adequate evaluation of the modification requested.~~

~~B. Before a modification is authorized, the building official may be afforded an opportunity to present his views and recommendations.~~

13VAC5-91-160. Use of model codes and standards.

A. Industrialized buildings produced after the effective date of the ~~2009~~ 2012 edition of this chapter shall comply with all applicable requirements of the codes and standards listed in subsection B of this section except that the following codes and standards may be used for ~~90 days~~ one year after the effective date of the ~~2009~~ 2012 edition of this chapter:

1. ICC International Building Code – ~~2006~~ 2009 Edition
2. ICC International Plumbing Code – ~~2006~~ 2009 Edition
3. ICC International Mechanical Code – ~~2006~~ 2009 Edition
4. National Fire Protection Association Standard Number 70 (National Electrical Code) – ~~2005~~ 2008 Edition
5. ICC International Fuel Gas Code – 2009 Edition
6. ICC International Energy Conservation Code – 2009 Edition
7. ICC International Residential Code – ~~2006~~ 2009 Edition

B. The following documents are adopted and incorporated by reference to be an enforceable part of this chapter:

1. ICC International Building Code – 2009 2012 Edition
2. ICC International Plumbing Code – 2009 2012 Edition
3. ICC International Mechanical Code – 2009 2012 Edition
4. National Electrical Code – 2008 2011 Edition
5. ICC International Fuel Gas Code – 2012 Edition
6. ICC International Energy Conservation Code – 2012 Edition
7. ICC International Residential Code – 2009 2012 Edition

Note: As the 2009 2012 editions of the International Codes are incorporated by reference as the construction standards for use with these regulations, this chapter is also referred to as the 2009 2012 edition of the Virginia Industrialized Building Safety Regulations or the 2009 2012 edition of this chapter.

The codes and standards referenced above may be procured from:

International Code Council, Inc.
 500 New Jersey Avenue, NW, 6th Floor
 Washington, DC 20001-2070

13VAC5-91-170. Amendments to codes and standards.

A. All requirements of the referenced model codes and standards that relate to fees, permits, certificates of use and occupancy, approval of plans and specifications, and other procedural, administrative and enforcement matters are deleted and replaced by the procedural, administrative and enforcement provisions of this chapter and the applicable provisions of Chapter 1 of the USBC.

B. The referenced codes and standards are amended as set forth in the USBC.

13VAC5-91-180. Compliance assurance agencies.

A. Application may shall be made to the SBCAO SBCO for acceptance as a compliance assurance agency. Application shall be made under oath and shall be accompanied by information and evidence that is adequate for the SBCAO SBCO to determine whether the applicant is specially qualified by reason of facilities, personnel, experience and demonstrated reliability to investigate, test and evaluate industrialized buildings for compliance with this chapter, and to provide adequate follow-up and compliance assurance services at the point of manufacture.

B. Following a determination by the SBCO that an application is complete, the information contained in the application and any other information deemed necessary by the SBCO will be reviewed for approval or disapproval. If the application is approved, the applicant will be notified with an approval letter for a two-year period from the date of the approval letter. If the application is disapproved, the applicant will be notified in writing of the reasons for the disapproval. The applicant may then

resubmit the application within 30 days of the receipt of the notification of disapproval for reconsideration of approval.

C. Compliance assurance agencies which are already approved by the SBCO at the time of the effective date of this provision shall have 90 days from the effective date of this provision to apply for re-approval in accordance with subsections A and B of this section. Such agencies shall continue to be approved while the SBCO evaluates the reapplication. Compliance assurance agencies receiving an approval letter from the SBCO after the effective date of this provision shall apply for re-approval within 90 days prior to the expiration of the two-year approval period if continued approval as a compliance assurance agency is desired.

D. The SBCO may suspend or revoke the approval of a compliance assurance agency upon a determination that (i) approval or re-approval was based upon fraudulent or inaccurate information, (ii) a change in facts or circumstances renders the agency incapable of meeting its duties and responsibilities as a compliance assurance agency in a satisfactory manner, or (iii) the agency failed to discharge its duties and responsibilities as a compliance assurance agency in a satisfactory manner. In such cases, the SBCO will issue a suspension or revocation notice to the agency outlining the reasons for the actions and the terms, if any, for reinstatement.

13VAC5-91-190. Freedom from conflict of interest.

A compliance assurance agency shall not be affiliated with, nor influenced or controlled by, producers, suppliers or vendors of products in any manner which might affect its capacity to render reports of findings objectively and without bias. A compliance assurance agency is judged to be free of such affiliation, influence and control if it complies with all of the following conditions:

1. The agency has no managerial affiliation with producers, suppliers or vendors and is not engaged in the sale or promotion of any product or material.
2. The results of the agency's work accrue no financial benefits to the agency through stock ownership of, or other similar affiliation to, any producer, supplier or vendor of the product involved.
3. The agency's directors and other management personnel in their job capacities receive no stock option or other financial benefit from any producer, supplier or vendor of the product involved.
4. The agency has sufficient interest or activity that the loss or award of a specific contract to determine compliance of a producer's, supplier's or vendor's product with this chapter would not be a determining factor in its financial well-being.
5. The employment security status of the agency's personnel is free of influence or control by producers, suppliers or vendors.

13VAC5-91-200. Information required by the administrator.

All of the following information and criteria will be considered by the administrator in designating compliance assurance agencies:

1. Names of officers and location of offices.

2. Specification and description of services proposed to be furnished under this chapter.
3. Description of qualifications of personnel and their responsibilities, including an assurance that personnel involved in system analysis, design and plans review, compliance assurance inspections, and their supervisors comply with the requirements of the American Society for Testing and Material (ASTM) Standard Number E541-08 - Standard Specification for Agencies Engaged in System Analysis and Compliance Assurance for Manufactured Building or shall obtain ICC or DHCD certifications in the appropriate subject area within 18 months of employment and maintain such certifications in an active status.
4. Summary of experience within the organization.
5. General description of procedures and facilities to be used in proposed services, including evaluation of the model, factory follow-up, quality assurance, labeling of production buildings, and specific information to be furnished on or with labels.
6. Procedures to deal with any defective buildings resulting from oversight.
7. Acceptance of these services by independent accrediting organizations and by other jurisdictions.
8. Proof of independence and absence of conflict of interest.

The ASTM Standard Number E541-08 may be procured from:

American Society for Testing and Materials
100 Barr Harbor Drive
West Conshohocken, PA 19428-2959

13VAC5-91-210. Compliance assurance agency certification label.

~~Every manufactured section or module of a registered~~ A. Registered industrialized building buildings shall be marked with a label certification labels supplied by the compliance assurance agency that includes the name and address of the compliance assurance agency and the certification label number. The labels shall be applied to registered industrialized buildings intended for sale or use in Virginia and shall be applied prior to the shipment of the building from the place of manufacture. The labels shall be applied by the compliance assurance agency or by the manufacturer when so authorized by the compliance assurance agency.

B. Registered industrialized buildings shall bear one certification label on each manufactured section or module, or as an alternative, the certification label for each manufactured section or module may be placed in one location in the completed building.

13VAC5-91-220. Mounting of compliance assurance agency certification label.

To the extent practicable, the certification label shall be installed so that it cannot be removed without destroying it. The label shall be applied in the vicinity of the electrical distribution panel or in another location that is readily accessible for inspection and shall be installed near the registration seal. When a

building is comprised of more than one section or module, the required label may be furnished as a single label for the entire building provided each section or module is marked by the compliance assurance agency in a clearly identifiable manner provided with or on the label.

13VAC5-91-240. ~~Label control~~ Control of compliance assurance agency certification label.

The labels shall be under direct control of the compliance assurance agency until applied by the manufacturer to buildings that comply fully with this chapter. The manufacturer shall place its order for labels with the compliance assurance agency. The manufacturer is not permitted to acquire labels from any other source. Each compliance assurance agency shall keep a list of the serial numbers of labels issued to each manufacturer's plant in such manner that a copy of the record can be submitted to the administrator upon request.

13VAC5-91-245. Manufacturer's data plate.

A. All of the following information shall be placed on a permanent manufacturer's data plate in the vicinity of the electrical distribution panel or in some other location that is readily accessible for inspection. The compliance assurance agency shall approve the form and location of the data plate and shall ensure that the data plate is complete:

1. Manufacturer's name and address.
2. Compliance assurance agency certification number.
3. Serial number of each module of the building.
4. Serial number of the Virginia registration seal.
5. Date of manufacture of the building.
6. List of codes and standards under which the building was evaluated and constructed and the type of construction and occupancy classification under those codes and standards.
7. Design live roof load, design floor live load, design wind speed, and design ground snow load.
8. Thermal resistance ("R") values.
9. Special conditions or limitations concerning the use of the building under the codes and standards applicable to the building; however, a list of such conditions or limitations that are furnished separately with the building shall satisfy this requirement.
10. Special instructions for handling, installation and erection of the building; however, a list of such instructions that are furnished separately with the building shall satisfy this requirement.
11. Designation of electrical service ratings, directions for water and drain connections and, where applicable, identification of permissible type of gas for appliances.
12. Name of manufacturer and model designation of major factory installed appliances.

B. The manufacturer shall maintain copies of the data plate and reports of inspection, tests and any corrective action taken for a minimum period of 10 years from the date of manufacture of the building.

13VAC5-91-250. Industrialized buildings eligible for registration.

Any industrialized building must meet all of the following requirements to be registered and eligible for a Virginia registration seal:

1. The design of the building has been found by a compliance assurance agency to be in full compliance with this chapter. Approved designs shall be evidenced by the stamp and date of approval on each design sheet by the compliance assurance agency.
2. The compliance assurance agency has conducted any necessary testing and evaluation of the building and its component parts.
3. The compliance assurance agency has provided the required inspections and other quality assurance follow-up services at the point of manufacture to assure the building complies with this chapter.
4. The building contains the appropriate evidence of such compliance through a label permanently affixed by the compliance assurance agency.

13VAC5-91-260. Registration seal for industrialized buildings.

A. Registered industrialized buildings shall be marked with approved registration seals issued by the ~~SBCAO~~ SBCO. The seals shall be applied by the manufacturer to a registered industrialized building intended for sale or use in Virginia prior to the shipment of the building from the place of manufacture. The seals shall be applied by the compliance assurance agency or by the manufacturer when authorized to do so by the compliance assurance agency.

B. Registered industrialized buildings shall bear one registration seal on each manufactured section or module, or, as an alternative, the registration seal for each manufactured section or module may be placed in one location in the completed building.

C. Approved registration seals ~~may~~ shall be purchased from the ~~SBCAO~~ SBCO in advance of use. The fee for each registration seal shall be \$75, except that the fee for each registration seal for buildings constructed as Group R-5 under Part I of the USBC shall be \$50. Fees shall be submitted by checks made payable to "Treasurer of Virginia" or shall be submitted by electronic means. Payment for the seals must be received by the ~~SBCAO~~ SBCO before the seals can be sent to the user.

D. To the extent practicable, the registration seal shall be installed so that it cannot be removed without destroying it. The seal shall be applied in the vicinity of the electrical distribution panel or in another location that is readily accessible for inspection and shall be installed near the certification label applied by the compliance assurance agency.

E. The compliance assurance agency or the manufacturer under the supervision of the compliance assurance agency shall maintain permanent records of the disposition of all Virginia registration seals obtained by the compliance assurance agency or manufacturer.

F. Refunds of seals shall be in accordance with § 36-85.1 of the Code of Virginia. An administrative and processing fee of 25% of the amount of the refund due shall be deducted from the refund; however, such deduction shall not exceed \$250.00.

13VAC5-91-270. Manufacturer's installation instructions and responsibilities of installers.

A. The manufacturer of each industrialized building shall provide specifications or instructions, or both, with each building for handling, installing or erecting the building. Such instructions may be included as part of the label from the compliance assurance agency or may be furnished separately by the manufacturer of the building. The manufacturer shall not be required to provide the foundation and anchoring equipment for the industrialized building.

B. Persons or firms installing or erecting registered industrialized buildings shall install or erect the building in accordance with the manufacturer's instructions.

C. Where the installation or erection of an industrialized building utilizes components that are to be concealed, the installer shall notify and obtain approval from the building official prior to concealment of such components unless the building official has agreed to an alternative method of verification.

Note: The Virginia Department of Professional and Occupational Regulation's Board for Contractors requires licenses for certain activities related to the industrialized building industry. For more information, contact the Board for Contractors.

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: DHCD, State Building Codes Office

Representing: _____

Proposal Information

Code(s) and Section(s): VCC Section 107.1.1

Proposed Change (including all relevant section numbers, if multiple sections):

Add an exception to Section 107.1.1 as shown:

107.1.1 Fee schedule. The local governing body shall establish a fee schedule incorporating unit rates, which may be based on square footage, cubic footage, estimated cost of construction or other appropriate criteria. A permit or any amendments to an existing permit shall not be issued until the designated fees have been paid, except that the building official may authorize the delayed payment of fees.

Exception: Permits for the installation of manufactured homes and industrialized buildings shall be less than the fees for site-built buildings due to only having to inspect site work and verifying compliance with state regulations.

Supporting Statement (including intent, need, and impact of the proposal):

This proposal is to provide guidance to the local government in establishing fee schedules for permits under the VCC and to recognize that the fees for permits for industrialized buildings and manufactured homes would be less than those for buildings constructed on site as the role of the building departments is more limited due to the state oversight of the construction of such buildings.

Submittal Information

Date Submitted: _____

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR SBCO (State Building Codes Office)

600 East Main Street

Suite 300

Richmond, VA 23219

Email Address: Vernon.hodge@dhcd.virginia.gov

Fax Number: (804) 371-7092

Phone Numbers: (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: DHCD, State Building Codes Office

Representing: _____

Proposal Information

Code(s) and Section(s): VCC (IBC) Section 424.7

Proposed Change (including all relevant section numbers, if multiple sections):

Add new Section 424.7 as shown:

424.7 Change of occupancy of industrialized buildings. Change of occupancy of industrialized buildings is regulated by the Virginia Industrialized Building Safety Regulations (13VAC5-91). The administrative provisions of this code for the issuance of a new certificate of occupancy shall apply when such a change of occupancy is approved.

Supporting Statement (including intent, need, and impact of the proposal):

This proposal is to clarify the requirements for change of occupancy of industrialized buildings and provide a reference to the Industrialized Building Safety Regulations for such approval. It also clarifies the applicability of the administrative provisions of the VCC for issuing a new certificate of occupancy for the conversion.

Submittal Information

Date Submitted: _____

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR SBCO (State Building Codes Office)

600 East Main Street

Suite 300

Richmond, VA 23219

Email Address: Vernon.hodge@dhcd.virginia.gov

Fax Number: (804) 371-7092

Phone Numbers: (804) 371-7150



Virginia Manufactured Home Safety Regulations

Staff Recommendation for Proposed Regulations for the 2012 Code Change Cycle

13VAC5-95-10. Definitions.

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

~~“Act” or “the Act”~~ “Federal Act” means the National Manufactured Housing Construction and Safety Standards Act of 1974, Title VI of the Housing and Community Development Act of 1974 as amended (42 USC § 5401 et seq.).

“Administrator” means the Director of DHCD or his designee.

“DHCD” means the Virginia Department of Housing and Community Development.

“Dealer” means any person engaged in the sale, lease, or distribution of manufactured homes primarily to persons who in good faith purchase or lease a manufactured home for purposes other than resale.

“Defect” means a failure to comply with an applicable federal manufactured home construction and safety standard that renders the manufactured home or any part of the home unfit for the ordinary use of which it was intended, but does not result in an imminent risk of death or severe personal injury to occupants of the affected home.

“Distributor” means any person engaged in the sale and distribution of manufactured homes for resale.

“Federal installation standards” means the federal Model Manufactured Home Installation Standards (24 CFR Part 3285).

~~“Federal regulation”~~ “Federal regulations” means the federal Manufactured Home Procedural and Enforcement Regulations, enacted May 13, 1976, under authority granted by § 625 of the Act, and designated as Part 3282, Chapter XX, Title 24 of HUD’s regulations (24 CFR Part 3282). (Part 3282 consists of subparts A through L, with sections numbered 3282.1 through 3282.554, and has an effective date of June 15, 1976.)

“HUD” means the United States Department of Housing and Urban Development.

“Imminent safety hazard” means a hazard that presents an imminent and unreasonable risk of death or severe personal injury that may or may not be related to failure to comply with an applicable federal manufactured home construction or safety standard.

"Installation" means completion of work to include, but not be limited to, stabilizing, supporting, anchoring and closing-up a manufactured home and joining sections of a multi-section manufactured home, when any such work is governed by the federal installation standards.

"Installer" means the person or entity who is retained to engage in, or who engages in, the business of directing, supervising, controlling or correcting the initial installation of a manufactured home.

"Label" or "certification label" or "HUD label" means the approved form of certification label prescribed by the manufacturer that, under 24 CFR 3282.362(e)(2)(i) of the Manufactured Home Procedural and Enforcement Regulations, is permanently affixed to each transportable section of each manufactured home manufactured for sale to a purchaser in the United States federal standards.

"Local code building official" means the officer or other designated authority charged with the administration and enforcement of USBC, or duly authorized representative.

"Manufactured home" means a structure subject to federal regulation, which is transportable in one or more sections; is eight body feet or more in width and 40 body feet or more in length in the traveling mode, or is 320 or more square feet when erected on site; is built on a permanent chassis; is designed to be used as a single-family dwelling, with or without a permanent foundation, when connected to the required utilities; and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure.

"Manufacturer" means any person engaged in manufacturing or assembling manufactured homes, including any person engaged in importing manufactured homes.

"Noncompliance" means a failure of a manufactured home to comply with a federal manufactured home construction or safety standard that does not constitute a defect, serious defect, or imminent safety hazard.

"Purchaser" means the first person purchasing a manufactured home in good faith for purposes other than resale.

"Secretary" means the Secretary of HUD.

"Serious defect" means any failure to comply with an applicable federal manufactured home construction and safety standard that renders the manufactured home or any part thereof not fit for the ordinary use for which it was intended and which results in an unreasonable risk of injury or death to occupants of the affected manufactured home.

"Standards" or "federal standards" means the federal Manufactured Home Construction and Safety Standards (24 CFR Part 3280) adopted by HUD, in accordance with authority in the Act. The standards were enacted December 18, 1975, and amended May 11, 1976, to become effective June 15, 1976.

"State administrative agency" or "SAA" means DHCD which is responsible for the administration and enforcement of Chapter 4.1 (§ 36-85.2 et seq.) of Title 36 of the Code of Virginia throughout Virginia and of the plan authorized by § 36-85.5 of the Code of Virginia.

"USBC" means the Virginia Uniform Statewide Building Code (13VAC5-63).

B. Terms defined within the federal regulations and standards shall have the same meanings in this chapter.

13VAC5-95-20. Application and enforcement.

A. This chapter shall apply to manufactured homes as defined in 13VAC5-95-10 and ~~13VAC5-95-20 as set out in this section.~~

B. Enforcement of this chapter shall be in accordance with the federal ~~regulation~~ regulations.

C. Manufactured homes produced on or after June 15, 1976, shall conform to all the requirements of the federal standards, as amended.

D. DHCD is delegated all lawful authority for the enforcement of the federal standards pertaining to manufactured homes by the administrator according to § 36-85.5 of the Code of Virginia. The Division of Building and Fire Regulation of DHCD is designated as a state administrative agency in the HUD enforcement program, and shall act as an agent of HUD. The administrator is authorized to perform the activities required of an SAA by the HUD enforcement plan including, but not limited to, investigation, citation of violations, handling of complaints, conducting hearings, supervising remedial actions, monitoring, and making such reports as may be required and seeking enforcement of the civil and criminal penalties established by §36-85.12 of the Code of Virginia.

E. ~~All In accordance with § 36-85.11 of the Code of Virginia, all local code building officials are authorized by § 36-85.11 of the Code of Virginia to and shall enforce the provisions of this chapter within the limits of their jurisdiction. Such local code officials shall enforce this chapter, subject to the general oversight of the Division of Building and Fire Regulation and shall not permit the use of any manufactured home containing a serious defect or imminent safety hazard within their jurisdiction. and shall be responsible for the following:~~

1. Verify through inspection that a manufactured home displays the required HUD label and data plate;

2. Determine whether the manufactured home has been damaged during transit. If the manufactured home has been damaged, then the local code officials are authorized to require tests, in accordance with the federal standards, for tightness of plumbing systems, gas piping and an operational test to insure that all luminaries and receptacles are operable. If a manufactured home has sustained damage to the structural components, the local building official shall require the appropriate design approval primary inspection agency approval on any repairs or designs;

3. Prevent the use of a manufactured home that in the opinion of a local building official contains a serious defect or imminent safety hazard and notify the administrator immediately.

4. Notify the administrator of any apparent violations of this chapter, to include defects and noncompliance that occurred during the manufacturing process and any alterations that occurred during installation; and

5. Verify through inspection that the installation is in accordance with the federal installation standards. Where the local building official finds that the installation of the manufactured home is not in accordance with the federal installation standards, the local building official shall order the home to be brought into compliance within a reasonable time. If the order is not complied with then the local building official shall notify the administrator.

F. Mounting and anchoring In accordance with § 36-85.11 of the Code of Virginia, site preparation, utility connection and skirting installation of manufactured homes shall be in accordance with meet the applicable requirements of the USBC. In addition, as a requirement of this chapter and the USBC, administrative provisions of the USBC, such as requirements for permits, inspections and certificates of occupancy, shall also be applicable.

13VAC5-95-30. Effect of label.

~~A. In accordance with § 36-85.11 of the Code of Virginia, manufactured homes displaying the certification label as prescribed in the federal standards shall be accepted in all localities as meeting the requirements of the Manufactured Housing Construction and Safety Standards Law (Chapter 4.1 (§ 36-85.2 et seq.) of Title 36 of the Code of Virginia), which shall supersede the building codes of the counties, municipalities and state agencies. In addition, as a requirement of this chapter, local code officials shall carry out the following functions with respect to manufactured homes displaying the HUD label, provided such functions do not involve disassembly of the homes or parts of the homes, change of design, or result in the imposition of more stringent conditions than those required by the federal regulations.~~

~~1. Verify through inspection that the manufactured home has not been damaged in transit to a degree that would render it unsafe. If the manufactured home has been damaged, then the local code official is authorized to require tests for tightness of plumbing systems and gas piping, and electrical short circuits at meter connections.~~

~~2. Verify through inspection that (i) supplemental components required by the manufacturer's installation instructions or this chapter are properly provided, (ii) manufacturer's installation or erection instructions are followed, and (iii) any special conditions or limitations of use stipulated by the manufacturer's installation instructions or the label in accordance with the standards or this chapter are followed.~~

~~B. Local code officials are required by the USBC to enforce applicable requirements of the USBC for utility connections, site preparation, foundations, stoops, decks, porches, alterations and additions to existing manufactured homes, building permits, skirting, certificates of use and~~

occupancy, and all other applicable requirements, except those governing the design and construction of the labeled units. In addition, local code officials shall verify that a manufactured home displays the required HUD label.

13VAC5-95-40. Report to DHCD. (Repealed.)

~~Whenever any manufactured home is moved from a local jurisdiction before a noted violation has been corrected, the local code official shall make a prompt report of the circumstances to the administrator. The report shall include a list of uncorrected violations, all information pertinent to identification and manufacture of the home contained on the label and the data plate, the destination of the home if known, and the name of the party responsible for moving it.~~

13VAC5-95-50. Alterations.

A. No distributor, installer or dealer shall perform or cause to be performed any alteration affecting one or more requirements set forth in the federal standards, ~~except those alterations approved by the administrator unless the alteration is included in the manufacturer's design approval primary inspection agency's approved design and installation instructions.~~

B. ~~In handling and approving dealer requests for alterations, the administrator may be assisted by local code officials. The local code official shall report violations of subsection A of this section and failures to conform to the terms of their approval to the administrator. In accordance with § 36-99 of the Code of Virginia and the USBC, alterations, additions and repairs associated with existing manufactured homes are subject to Section 424 of the USBC and not this chapter.~~

13VAC5-95-60. Installations.

Distributors, installers or dealers installing or setting up a manufactured home shall perform such installation in accordance with the manufacturer's installation instructions ~~or other support and anchoring system approved by the local code official in accordance with the USBC.~~

13VAC5-95-70. Prohibited resale. (Repealed.)

~~No distributor or dealer shall offer for resale any manufactured home possessing a serious defect or imminent safety hazard.~~

13VAC5-95-80. Lot inspections.

At any time during regular business hours when a manufactured home is located on a dealer's or distributor's lot and offered for sale, the administrator shall have authority to inspect such home for transit damages, seal tampering, violations of the federal regulations and standards and the dealer's or distributor's compliance with applicable state and federal laws and regulations. The administrator shall give written notice to the dealer or distributor when any home inspected does not comply with the federal regulations and standards or this chapter.

13VAC5-95-90. Consumer complaints; on-site inspections.

A. The administrator shall receive all consumer complaints on manufactured homes reported to DHCD by owners, dealers, distributors, code local building officials, and other state or federal agencies. The administrator may request such reports all consumer complaints to be submitted by letter or on a report form supplied by DHCD or in another format acceptable by the administrator.

B. The administrator may conduct, or cause to be conducted, an on-site inspection of a manufactured home at the request of the owner reporting a complaint with the home or under the following conditions with the permission of the owner of the home:

1. The dealer, distributor or manufacturer requests an on-site inspection;
2. The reported complaint indicates extensive and serious noncompliances;
3. Consumer complaints lead the administrator to suspect that a class of homes may be similarly affected; or
4. Review of manufacturer's records, corrective action, and consumer complaint records leads the administrator to suspect secondary or associated noncompliances may also exist in a class of homes.

C. When conducting an on-site inspection of a home involving a consumer complaint, the administrator may request the dealer, distributor, installer and manufacturer of the home to have a representative present to coordinate the inspection and investigation of the consumer complaint.

D. After reviewing the complaint report or the on-site inspection of the home involved, the administrator shall, where possible, indicate the cause of any nonconformance and, where possible, indicate the responsibility of the manufacturer, dealer, distributor, or owner for the noncompliance and any corrective action necessary.

E. The administrator shall ~~refer to~~ notify the manufacturer of the home, in writing, of any consumer complaint concerning that home reported to the administrator. The administrator ~~may~~ shall refer any such reported complaint to HUD, to the SAA in the state where the manufacturer is located and, as necessary, to the inspection agency involved with certifying the home.

F. The administrator shall assist the owner, dealer, distributor, installer and manufacturer in resolving consumer complaints. ~~The administrator shall monitor the manufacturer's performance to assure compliance with Subpart I of the federal regulations for consumer complaint handling and shall take such actions as are necessary to assure compliance of all involved parties with applicable state and federal regulations.~~

G. The administrator shall monitor the manufacturer's performance to assure compliance with Subpart I of the federal regulations for consumer complaint handling and shall take such actions

as are necessary to assure compliance of all involved parties with applicable state and federal regulations.

13VAC5-95-100. Violation; appeal; penalty.

A. ~~Where the administrator finds any violation of the provisions of this chapter, a notice of violation shall be issued. This notice of violation shall order the party responsible to bring the unit into compliance, within a reasonable time.~~

B. ~~Parties aggrieved by the findings of the notice of violation may appeal to the State Building Code Technical Review Board, which shall act on the appeal in accordance with the provisions of the USBC. The aggrieved party shall file the appeal within 10 days of the receipt of the notice of violation. Unless the notice of violation is revoked by the review board, the aggrieved party must comply with the stipulations of the notice of violation.~~

C. ~~Any person, firm or corporation violating any provisions of this chapter shall, upon conviction, be considered guilty of a misdemeanor in accordance with § 36-85.12 of the Code of Virginia. In accordance with § 36-85.12 of the Code of Virginia, it shall be unlawful for any person, firm, or corporation, to violate any provisions of this law, the rules and regulations enacted under authority of this law, or the federal law and regulations. Any person, firm, or corporation violating any provision of said laws, rules, and regulations, or any final order issued there under, shall be liable for civil penalty not to exceed \$1,000 for each violation. Each violation shall constitute a separate violation with respect to each manufactured home or with respect to each failure or refusal to allow or to perform an act required by the legislation or regulations. The maximum civil penalty may not exceed one million dollars for any related series of violations occurring within one year from the date of the first violation.~~

An individual or a director, officer, or agent of a corporation who knowingly and willfully violates Section 610 of the National Manufactured Housing Construction and Safety Standards Act in a manner that threatens the health or safety of any purchaser shall be deemed guilty of a Class 1 misdemeanor and upon conviction fined not more than \$1,000 or imprisoned not more than one year, or both.

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: DHCD, State Building Codes Office

Representing: _____

Proposal Information

Code(s) and Section(s): VCC (IBC) Section 424.2

Proposed Change (including all relevant section numbers, if multiple sections):

Change Section 424.2 as shown:

424.2 Site work for manufactured homes. The aspects for the installation and set up of a new manufactured home covered by this code rather than the Virginia Manufactured Home Safety Regulations (13VAC5-95) include, but are not limited to, footings, foundations systems, anchoring of the home, exterior, interior close-up, and additions and alterations done during initial installation. Such aspects shall be subject to and shall comply with the manufacturer's installation instructions provided by the manufacturer of the home. To the extent that the manufacturer's installation instructions do not address any aspect enumerated above or when the manufacturer's installation instructions are not available, such aspects shall be subject to and comply with 24 CFR Part 3285 — Model Manufactured Home Installation Standards. To the extent that the manufacturer's installation instructions and 24 CFR Part 3285 do not address any aspect enumerated above, the installer must first attempt to obtain Design Approval Primary Inspection Agency (DAPIA) as defined in 24 CFR Part 3285.5, approved designs and instructions prepared by the manufacturer, or if designs and instructions are not available from the manufacturer, obtain an alternate design prepared and certified by an RDP that is consistent with the manufactured home design, conforms to the requirements of the Manufactured Housing Consensus Committee (MHCCS) as defined in 24 CFR Part 3285.5, and has been approved by the manufacturer and the DAPIA. Stoops, Footing design, basements, grading, drainage, decks, stoops and porches and used manufactured homes shall comply with the applicable provisions of this code, which shall include the option of using the IRC for the technical requirements for the installation and set up of the home and the use of Appendix E of the IRC for additions, alterations and repairs to the home. Additionally, all applicable provisions of Chapter 1 of this code, including but not limited to requirements for permits, inspections, certificates of occupancy and requiring compliance, are applicable to the installation and set up of a manufactured home. Where the installation or erection of a manufactured home utilizes components that are to be concealed, the installer shall notify the building official that an inspection is necessary and assure that an inspection is performed and approved prior to concealment of such components, unless the building official has agreed to an alternative method of verification.

424.2.1 Relocated manufactured homes. Installation, set up and site work for relocated manufactured homes shall comply with the provisions of this code and shall include the option of using the manufacturer's installations instructions or the federal Model Manufactured Home Installation Standards (24 CFR Part 3285) for the technical requirements.

424.2.2 Alterations and repairs to manufactured homes. Alterations and repairs to manufactured homes shall either be in accordance with federal Manufactured Home Construction and Safety Standards (24 CFR Part 3280) or in accordance with the alteration and repair provisions this code.

424.2.3 Additions to manufactured homes. Additions to manufactured homes shall comply with this code and shall be structurally independent of the manufactured home, or when not structurally independent, shall be evaluated by an RDP to determine that the addition does not cause the manufactured home to become out of compliance with federal Manufactured Home Construction and Safety Standards (24 CFR Part 3280)

Supporting Statement (including intent, need, and impact of the proposal):

This proposal is to correlate with changes which are proposed to the Manufactured Home Safety Regulations and to clarify the applicability of the VCC to the installation of manufactured homes and the role of the local building departments. New sections are added for relocation, alterations, repairs and additions to manufactured homes.

Submittal Information

Date Submitted: _____

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR SBCO (State Building Codes Office)

600 East Main Street

Suite 300

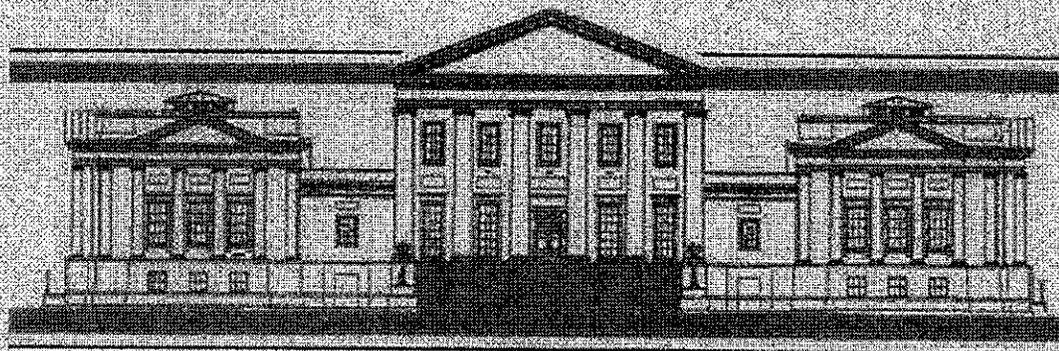
Richmond, VA 23219

Email Address: Vernon.hodge@dhcd.virginia.gov

Fax Number: (804) 371-7092

Phone Numbers: (804) 371-7150





VIRGINIA
CERTIFICATION
STANDARDS

2006

Effective May 1, 2008

2006 VIRGINIA CERTIFICATION STANDARDS – Effective May 1, 2008

13VAC521-10. 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.

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

"DFP" means the Virginia Department of Fire Programs.

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

"SFPC" means the Virginia Statewide Fire Prevention Code (13VAC5-51).

"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 (13VAC5-63).

"VADR" means the Virginia Amusement Device Regulations (13VAC5-31).

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.

13VAC5-21-20. Purpose.

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

13VAC5-21-31. Qualification and examination requirements

A. An applicant for a 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 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.

Comment [01]: Move qualifications out of USBC/SFPC and into VCS.

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B. An applicant for a 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 certificates shall provide proof of successful completion of approved examinations for each certificate sought, ~~except as provided for in 13VAC5-21-45, based on current certification examination requirements. Applications submitted with passing grades of approved examinations older than six years from date of passing will be denied.~~ The department shall maintain a list of approved testing agencies and examinations that meet nationally accepted standards for each certificate offered. For information on approved testing agencies and examinations contact the department's Technical Assistance Services Office, 501 N. 2nd St., Richmond, VA Division of Building and Fire Regulation, 600 E. Main Street, Richmond, VA 23219, telephone (804) 371-7180.

Comment [02]: Maintain training alternative but remove testing alternative

13VAC5-21-41. Certification categories and training requirements.

A. The department maintains a list of all certificates offered and the list sets out the required training necessary to attend and complete to obtain a certificate. ~~This section also contains specific training requirements for some certificates offered that may be duplicated on the list or that may be in addition to those on the list.~~ Alternatives to the training requirements set out in 13VAC5-21-45 shall be permitted (considered?) for all certificates offered except that no alternative shall be accepted for the code academy core module.

B. Applicants for certificates shall attend and complete the code academy core module. In addition to the completion of the core module, applicants ~~for the following certificates are~~ required to attend and complete the following code academy training as set out in the department's maintained list ~~except as provided for in 13VAC5-21-45. The completion of all required training submitted for certification application must not exceed six years from date of application. Applicants seeking certification must comply with the certification training requirements at the time of application.~~

CERTIFICATE	CODE ACADEMY TRAINING
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

Comment [03]: By removing from VCS and referring to the matrix we can update certification training requirements w/o seeking code change – consistent with C above

13VAC5-21-45. Alternatives to examination and training requirements.

A. An applicant for a certificate with the written endorsement or documentation required by 13VAC5-21-31 may submit a written request to the department to approve an equivalent examination by a testing agency not on the list of approved testing agencies to satisfy the examination requirements of 13VAC5-21-31. BCAAC may be consulted with in any such consideration.

Comment [04]: Maintain training alternative but remove testing alternative

~~B. A~~ Upon written request, alternative training or a combination of training, education or experience to satisfy the training requirements of 13VAC5-21-41 may be approved, provided that such alternatives or combinations are determined to be equivalent to that required. However, as provided in 13VAC5-21-41, no substitutions shall be approved for the code

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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. BCAAC may be consulted with in any such consideration.

13VAC5-21-51. Issuance of certificates.

A. Certificates will be issued when an applicant has complied with the current applicable requirements of this chapter. Certificate holders will be classified as active, or inactive, or lapsed. An active certificate holder is a person who is certified and who has attended all periodic training courses designated by the Department and complied with all continuing education requirements subsequent to becoming certified. An inactive certificate holder is a person who is certified but has not complied with one of the two applicable requirements, attended all such training courses. An inactive certificate holder may request reinstatement as an active certificate holder after completing make-up training courses authorized by the department. A lapsed certificate holder is a person who is certified but has not complied with both the periodic and the continuing education requirements within the time frame set by the department. A lapsed certificate holder may request reinstatement as an active certificate holder after completing make-up training courses authorized by the department. Provisional certificates may also be issued in accordance with subsection C of this section.

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

C. A provisional certificate may be issued to (i) a person who has been directed by the department to obtain a certificate; ~~(ii) an applicant requesting a certificate under the alternative examination of training provisions of 13VAC5-21-45; or (iii) an applicant when the required DHCD training has not been provided or offered; or (iv) to an inactive or lapsed certificate holder as determined by DHCD to warrant the issuance of a provisional certificate.~~

Comment [65]: Can remove completely as applicant has 12 - 18 months regardless to request the alternative training approval

Such a provisional certificate may be issued by the BHCD to a person who has submitted application to the BHCD to obtain a certificate and, due to extenuating and warranting circumstances either on behalf of the code academy or beyond the applicant's control, have not fully complied with the eligibility requirements of training, examination, and competency herein Such provisional certificate shall be issued upon approval of when the applicant has (i) provided the written endorsement or documentation required by 13VAC5-21-31, (ii) satisfactorily completed the code academy core module and (iii) completed any training through the code academy or through other providers determined 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 training has not been provided or offered.

13VAC5-21-61. 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 periodic training and continuing education training hours or testing requirements, a warning letter may be issued to the certificate holder or a certificate may be revoked or suspended by the BHCD. A non-compliance notice shall be issued to the certificate holder, and notification provided to employing locality or company, and shall be permanently maintained in the DHCD records for that certificate holder. Exceptions to the non-compliance notice may be considered for those individuals whose certifications lapse as a result of separation from employment by medical or military leave for 12 consecutive months or more during the two-year certification period. A record of any action taken pursuant to this section shall be retained in the training record of the certificate holder.

13VAC5-21-70. Appeal.

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

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Actions under this regulations 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.

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VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: Amusement Device Technical Advisory Comm. Representing: _____

Proposal Information

Code(s) and Section(s): VADR, Sections 20 and 75

Proposed Change (including all relevant section numbers, if multiple sections):

Change Section 13 VAC 5-31-20 by adding the following definition and Section 13 VAC 5-31-75 to read as follows:

13 VAC 5-31-20. Definitions.

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

"Certificate of inspection" means the certificate or sticker for amusement devices distributed by DHCD.

(Remainder of section unchanged)

13 VAC 5-31-75. Local building department.

(no change to subsections A – D)

E. Local building department personnel shall examine the permit application within five days and issue the permit if all requirements are met. A certificate of inspection for each amusement device shall be issued when the device has been found to comply with this chapter by a private inspector or by an inspector from the local building department. 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. In addition, local building department personnel shall be responsible for assuring that the certificate of inspection is posted or affixed on or in the vicinity of the device in a location visible to the public. Local building department personnel shall post or affix such certificates or permit the certificates to be posted or affixed by the private inspector. Permits shall indicate the length of time the device or devices will be operated at the site, clearly identify the device or devices to which it applies and the date of expiration of the permit. Permits shall not be valid for longer than one year.

(Remainder of section unchanged)

Supporting Statement (including intent, need, and impact of the proposal):

This proposal would require the use of the state sticker for amusement devices. In the existing regulation, the state sticker may be used or a locality may have their own sticker. In addition, the proposal clarifies that the local building department may allow the private inspector to post the sticker on the approved amusement device. The existing regulation permitted this practice, but only stated that the local department were to assure the certificate was posted on or near the device and didn't specifically address permitting the private inspectors to post the certificates, although it is common practice in many jurisdictions.

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: Amusement Device Technical Advisory Comm. Representing: _____

Mailing Address: _____

Email Address: _____ Telephone Number: _____

Proposal Information

Code(s) and Section(s): VADR, Section 30

Proposed Change (including all relevant section numbers, if multiple sections):

Change Section 13 VAC 5-31-30 to read as follows:

13 VAC 5-31-30. Exemptions Devices covered and exempt.

A. The following devices, identified by name or description, when open to the public, shall be considered amusement devices subject to this chapter. The list is intended only to clarify questionable devices, while the definition of an "amusement device" in 13 VAC 5-31-20 is generally used to determine the applicability of this chapter.

1. Devices known as water walking balls, euro bubbles or similar devices;
2. Inflatable amusement devices;
3. Mechanical bulls;
4. Devices known as mall trains, shopping mall trains or electric trackless trains for malls; and
5. Zip lines.

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

1. 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;
2. Coin-operated rides designed to accommodate three or less passengers; and
3. Water slides or similar equipment used in community association, community club or community organization swimming pools.

Supporting Statement (including intent, need, and impact of the proposal):

This proposal is to assist local building departments in the determination of whether certain devices are amusement devices and to achieve more uniformity in the application of the regulation.

Submittal Information

Date Submitted: _____

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)

600 East Main Street

Suite 300

Richmond, VA 23219

Email Address: taso@dhcd.virginia.gov

Fax Number: (804) 371-7092

Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: Amusement Device Technical Advisory Comm. Representing: _____

Mailing Address: _____

Email Address: _____ Telephone Number: _____

Proposal Information

Code(s) and Section(s): VADR, Section 75

Proposed Change (including all relevant section numbers, if multiple sections):

Change Section 13 VAC 5-31-75 to read as follows:

13 VAC 5-31-75. Local Building Department.

A. In accordance with §§ 36-98.3 and 36-105 of the Code of Virginia, the local building department shall be responsible for the enforcement of this chapter and may charge fees for such enforcement activity. The total amount charged for any one permit to operate an amusement device or devices or the renewal of such permit shall not exceed the following, except that when a private inspector is used, the fees shall be reduced by 50%:

1. \$25 for each kiddie ride covered by the permit;
2. \$35 for each circular ride or flat-ride less than 20 feet in height covered by the permit;
3. \$55 for each spectacular ride covered by the permit which cannot be inspected as a circular ride or flat-ride in subdivision 2 of this subsection due to complexity or height; and
4. \$150 for each coaster covered by the permit which exceeds 30 feet in height.

Notwithstanding the above, the local building department shall be permitted to increase the fees up to 50% when requested to perform weekend or after-hour inspections.

(Remainder of section unchanged)

Supporting Statement (including intent, need, and impact of the proposal):

Private inspectors are not always available to perform inspections on weekends and after hours, so if the owner or operator of an amusement device requests the local building department to do an after-hour or weekend inspection and the building department is willing to do so, they should be able to charge up to 50% more to offset the cost of paying the local inspector overtime wages.

Submittal Information

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: Amusement Device Technical Advisory Comm. Representing: _____

Mailing Address: _____

Email Address: _____ Telephone Number: _____

Proposal Information

Code(s) and Section(s): VADR, Sections 75D, 200 and 210

Proposed Change (including all relevant section numbers, if multiple sections):

Change Sections 13 VAC 5-31-75D, 200 and 210 as shown below:

13 VAC 5-31-75. Local Building Department.

(Subsections A – C unchanged)

D. Notwithstanding the provisions of subsection C of this section, a permit application is not required for a kiddie ride that has an ~~unexpired~~ a certificate of inspection issued by any local building department in this Commonwealth within a one year prior to the dates the kiddie ride is to be used. In such cases, the local building department shall be notified prior to the operation of the kiddie ride and the information required on a permit application as listed in subsection C of this section shall be provided to the local building department.

(Remainder of section unchanged)

13 VAC 5-31-200. General requirements.

In addition to other applicable requirements of this chapter, inflatable amusement devices shall be operated, maintained and inspected in accordance with ASTM F2374.

Notwithstanding any requirements of this chapter to the contrary, a permit to operate an inflatable amusement device that is less than 150 square feet and in which the height of the patron containment area is less than 10 feet need not be obtained if the device has an ~~unexpired~~ a certificate of inspection issued by a local building department in this Commonwealth within a one year period prior to the dates the inflatable amusement device is to be used, regardless of whether the device has been disassembled or moved to a new site.

13 VAC 5-31-210. General requirements.

In addition to other applicable requirements of this chapter, artificial climbing walls shall be operated, maintained and inspected in accordance with ASTM F1159.

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~~ valid certificate of inspection issued by a local building department in this Commonwealth within the prior 90 days and the expiration date of the wire ropes used with the device does not expire within that 90-day period.

Supporting Statement (including intent, need, and impact of the proposal):

The changes are to clarify that amusement devices using the kiddie ride, inflatable or rock-climbing wall permit exception must already have a certificate of inspection. The use of the words "unexpired" and "valid" in the existing regulation could be misleading since a certificate of inspection for a permitted amusement device does not automatically last for one year, but rather is only for the period of time the permit is issued (see 13 VAC 5-31-75E). The exceptions for kiddie rides, inflatables and rock-climbing walls are to allow a certificate to be extended for up to a year (or 90 days in the case of rock-climbing walls). The new language is just to clarify what the terms "unexpired" and "valid" really mean.

Submittal Information

Date Submitted: _____

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: taso@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: Amusement Device Technical Advisory Comm. Representing: _____

Proposal Information

Code(s) and Section(s): VADR, Section 75

Proposed Change (including all relevant section numbers, if multiple sections):

Add Subsection J to Section 13 VAC 5-75 to read as follows:

13 VAC 5-31-75. Local building department.

(no change to subsections A – I)

J. In accordance with Section 36-98.1 of the Code of Virginia, the Virginia Department of General Services (DGS) shall function as the local building department for the application of this chapter to amusement devices located on state-owned property. In accordance with Sections 36-98.2 and 36-114 of the Code of Virginia, appeals of the application of this chapter by the DGS shall be made directly to the State Building Code Technical Review Board (Technical Review Board), established under Section 36-108 of the Code of Virginia. Further, as a condition of this chapter, such appeals shall be filed within 14 calendar days after receipt of the decision of DGS.

Supporting Statement (including intent, need, and impact of the proposal):

This proposal is to clarify the application of the chapter to amusement devices operated on state-owned property.

Submittal Information

Date Submitted: _____

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: taso@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

Code Change Form for the 2012 Code Change Cycle

Code Change Number: _____

Proponent Information

(Check one): Individual Government Entity Company

Name: Amusement Device Technical Advisory Comm. Representing: _____

Mailing Address: _____

Email Address: _____ Telephone Number: _____

Proposal Information

Code(s) and Section(s): VADR, Section 75

Proposed Change (including all relevant section numbers, if multiple sections):

Add Subsection J to Section 13 VAC 5-75 to read as follows:

13 VAC 5-31-75. Local building department.

(no change to subsections A – I)

J. In accordance with Section 36-98.3 of the Code of Virginia and 13 VAC 5-31-10 B, the procedures for violations of this chapter shall be as prescribed in the USBC.

Supporting Statement (including intent, need, and impact of the proposal):

This proposal is to clarify the procedural requirements for handling violations of the VADR as state law provides that the USBC is applicable to the extent that the VADR does not set out differing requirements.

Submittal Information

Date Submitted: _____

The proposal may be submitted by email as an attachment, by fax, by mail, or by hand delivery.

Please submit the proposal to:

DHCD DBFR TASO (Technical Assistance and Services Office)
600 East Main Street
Suite 300
Richmond, VA 23219

Email Address: taso@dhcd.virginia.gov
Fax Number: (804) 371-7092
Phone Numbers: (804) 371-7140 or (804) 371-7150



Virginia Administrative Code

Database updated through June 15, 2012

SOLAR ENERGY CRITERIA FOR TAX EXEMPTION

Part I

Administration

13VAC5-200-10. Application.

Application for solar equipment tax exemption must be made to the local building department.

13VAC5-200-20. Plans and Specifications.

Complete plans and specifications of the solar energy equipment, facilities or devices must be submitted to the local building department for review.

13VAC5-200-30. Conformance.

The solar energy system must conform to the provisions of the Virginia Uniform Statewide Building Code.

13VAC5-200-40. Approval.

The applicant for tax exemption must demonstrate to the local building official that the proposed or existing solar system performs its intended function.

13VAC5-200-50. Certification.

If, after examination of such equipment, facility or device the local building department determines that the unit is designed and used primarily for the purpose of providing for the collection and use of incident solar energy for water heating, space heating or cooling or other application which would otherwise require a conventional source of energy, ~~and conforms~~ to the criteria set forth in this document, the local building department shall approve and certify such application. The local department shall forthwith transmit to the local assessing officer those applications properly

approved and certified by the local building department as meeting all requirements qualifying such equipment, facility or device for exemption from taxation.

13VAC5-200-60. Appeals.

Any person aggrieved by a decision of the local building department may appeal such decision to the local board of building code appeals, which may affirm or reverse such decision.

13VAC5-200-70. Assessment.

Upon receipt of the certificate from the local building department the local assessing officer shall, if such local ordinance be in effect, proceed to determine the value of such qualifying solar energy equipment, facilities or devices. The value of such qualifying solar energy equipment, facilities or devices shall not be less than the normal cost of purchasing and installing such equipment, facilities or devices.

13VAC5-200-80. Exemption.

The tax exemption shall be determined in accordance with § 58.1-3661 D of the Code of Virginia.

Part II

Definition

13VAC5-200-90. Solar energy equipment.

The purpose of this section is to define solar energy equipment in terms of its function, operation and components for the purpose of determining eligibility for personal or real property tax exemption. This section describes the majority of solar energy systems that are widely used today. This definition is not meant to be all inclusive and some solar energy systems may not be represented. Photovoltaic solar cells are not included in this section but do qualify as solar energy equipment. Any solar energy system submitted for tax exemption that is not covered in this document will be

considered on an individual basis for certification **by the State Office of Housing. (Is this Shea)?**

13VAC5-200-100. Functional description.

Solar heating and hot water system functional description is contained in HUD Intermediate Minimum Property Standards for Solar Heating and Domestic Hot Water Systems, NBSIR #77-1226.

Part III

Passive Solar Energy System

13VAC5-200-110. Passive solar energy system defined.

An assembly of natural and architectural components including collectors, thermal storage device or devices and transfer medium which converts solar energy into thermal energy in a controlled manner and in which no fans or pumps are necessary to accomplish the transfer of thermal energy. Fans may be used to assist the natural convective air flow in a passive air heating system. The prime element in a passive solar system is usually some form of thermal capacitance.

13VAC5-200-120. South facing windows used as solar collectors.

Glazing material used in windows on the designated solar surface of south facing walls when it is part of a sun tempered design for the purpose of collecting direct solar heat in the cold season shall be considered solar equipment eligible for tax exemption. The area of south facing glazing considered to be solar energy equipment eligible for tax exemption shall be calculated as follows:

$$X - Y = Z$$

"X" - Percentage of glazing contained within the designated solar surface of the south facing wall in respect to the area of that wall.

"Y" - Percentage of glazing on nonsolar surfaces (north, east, west walls, and non-solar south walls) in respect to the area of those walls.

"Z" - Percentage of glazing considered to be solar equipment

The percentage of glazing considered to be solar equipment (Z), is then multiplied by the total invoice cost of the glazing used on only the designated solar surfaces of the south facing walls. The product of these calculations will be the dollar value of glass to be considered as "equipment" in calculating the solar exemption.

Wall heights used in the above calculations shall be considered the distance parallel to the wall from finished floor level to finished ceiling level.

EXAMPLE: A residence is constructed with fifteen percent (15%) of the north, east and west walls consisting of glass. The south wall, however, is eighty-five percent (85%) glass. The total cost of the glass used on the south wall was one thousand (1,000) dollars. To determine the percentage of that cost which is eligible for solar tax exemption, you would perform the following calculations:

$$85\% - 15\% = 70\%$$

$$.70 \times \$1,000 = \$700$$

$$(70\% \text{ of } \$1,000 = \$700)$$

13VAC5-200-130. Trombe walls.

The Trombe Wall is a south facing wall of the building envelope composed of a mass wall and exterior glazing. The mass wall functions as a combination heat sink and exterior wall, while the glazing creates a "heat trap" for penetrating solar radiation.

Trombe walls shall be considered solar equipment and all equipment used in the Trombe Wall, such as but not limited to vents, fans, movable insulation, controls, mass wall, glazing, shading devices and any other equipment peculiar to the solar system shall be eligible for tax exemption.

13VAC5-200-140. Greenhouses.

Glass, fiberglass, or other glazing materials, framing members, and foundations used to enclose south facing areas such as patios, atriums, or greenhouses for purposes of entrapping solar heated air shall be considered solar energy equipment, provided that the warm air be circulated through the principal structure by use of a permanently installed air movement system (forced or convective) and that adequate provisions have been made to prevent nocturnal heat losses and cold weather heat losses through use of insulating devices. Fifty percent (50%) of the invoice cost of labor and materials used in constructing a greenhouse or similar type structure, are to be considered solar heating equipment. The greenhouse is serving two purposes: (1) that of a solar collector, and (2) as a means of growing flowers or other plants. Equipment such as ductwork and fans used in circulating solar heated air accumulated within enclosed south facing areas such as patios, atriums, or greenhouses shall be considered solar energy equipment up to the point where such a system is integrated with a conventional heating system. Full credit will be allowed for movable insulation used to reduce nocturnal and cold weather heat losses.

EXAMPLE: Mr. Jones enclosed his south facing patio with fiberglass panels and movable insulation for the purpose of entrapping warm air which accumulates beneath the glazing. The warm air is then circulated through the residence using permanently installed ductwork and fans independent of his conventional heating and cooling system. The fiberglass, movable insulation, fans and ductwork Mr. Jones used in his solar heating system are considered solar equipment and eligible for tax exemption.

13VAC5-200-150. Thermal storage.

Devices constructed for the primary purpose of storing thermal energy collected and converted by a solar heating system shall be considered solar energy equipment. In passive solar heating systems the thermal storage is often incorporated into the building

envelope in the form of thick concrete slab floors or masonry walls insulated on the exterior of the structure. If the thermal storage is serving a dual function as floor or wall of the structure, fifty percent (50%) of the cost of the floor or wall shall be considered solar energy equipment and eligible for tax exemption.

13VAC5-200-160. Movable insulation.

Movable insulation used to minimize heat loss largely caused by nocturnal radiation through areas used for direct solar heat gain during the daylight hours shall be considered solar energy equipment.

13VAC5-200-170. Shading device.

Any device designed primarily for shading a window or solar collector to prevent solar heat gain during the summer season shall be considered solar energy equipment.

Ok err
MEMORANDUM OF AGREEMENT
between the
Board of Housing and Community Development
and the
Virginia Department of Health

In accordance with § 36-97 *et seq.* and § 32.1-167 *et. seq.* of the *Code of Virginia*, the Virginia Department of Health (hereafter referred to as the "Department") and the Board of Housing and Community Development (hereafter referred to as the "BHCD") on this November 19, 2012, agrees to coordinate the Uniform Statewide Building Code (hereafter referred to as the "USBC") and the *Virginia Waterworks Regulations* (hereafter referred to as the "*Regulations*"). The USBC shall not supersede the *Regulations* as stated in § 36-98 of the *Code of Virginia*. The parties agree to the following.

1. That adoption and promulgation of the USBC is the responsibility of the BHCD; that enforcement of the USBC is the responsibility of the local building department; and that adoption, promulgation and enforcement of the *Regulations* is the responsibility of the Department.
2. That the jurisdiction of the USBC includes all buildings, structures, and equipment (as defined in § 36-97 of the *Code of Virginia*) up to the point of connection to the water meter; and that the jurisdiction of the *Regulations* includes the meter, all public water supply mains, treatment facilities, and raw water collection and transmission facilities. Where no meter is installed, the point of demarcation between the jurisdiction of the USBC and of the *Regulations* is the point of connection to the public water supply main; or, in the case of an owner of both public water supply system and the building served, the point of demarcation is the point of entry into the building.

Exception: Whenever a building or structure is utilized to house portions of a waterworks, as determined by the Department, the *Regulations* shall apply to all such water treatment, storage, and pumping facilities and the USBC shall apply to the building, structure, and equipment as defined in § 36-97 of the *Code of Virginia*.

3. That both the USBC and the *Regulations* will include a clear reference to jurisdiction of the other document.
4. That the *Regulations* require each waterworks owner to have a cross-connection control and backflow prevention program consistent with the *Regulations*, and that this program requires as a minimum, an approved containment device at each service connection consistent with any existing or potential health, pollution, or system hazard to the waterworks. Point-of-use isolation protection devices may be installed in place of service containment devices when in accordance with the waterworks' approved backflow prevention program. Point-of-use isolation devices shall comply with applicable standards of the USBC.

Memorandum of Agreement

Page 2 of 2

5. That the building official is required by the USBC to be assured that the water supply to a building is safe and of adequate capacity before issuing a building permit. Building permits involving a new water connection or extension of an existing connection to a public water supply main shall not be issued when the Department has notified the building official in writing that the water supply system is at or above its permitted capacity.
6. That appropriate amendments, additions, or deletions will be made to the Regulations and to the USBC to insure that there is no jurisdictional conflict between the two documents.
7. That it is the intention of both the BHCD and the Department to cooperate with each other in resolving any technical conflicts between the Regulations and the USBC, and in developing and implementing operational procedures to insure and promote a constructive working relationship between building and health officials.
8. That, except in matters of imminent danger to public health or safety, whenever conflicts or disagreements arise between the two agencies or their staffs, all appropriate regulatory procedures will be exhausted prior to any judicial action.
9. This Agreement may be amended or terminated by mutual consent of the parties.

The undersigned agree to the conditions of this Agreement.

William C. Shelton
Director,
Department of Housing and Community Development
for the Board of Housing and Community Development

Maureen E. Dempsey, MD, FAAP
Acting Commissioner,
Virginia Department of Health
for the Board of Health

MEMORANDUM OF AGREEMENT

<INSERT DATE>

Between the Virginia Department of Housing and Community Development (VDHCD)
and the Virginia Department of Health (VDH)

In accordance with Va. Code §§ 36-98 et seq., 32.1-12, and 32.1-163 et seq., the VDH and the VDHCD agree to coordinate jurisdictional responsibilities through the Virginia Uniform Statewide Building Code (13 VAC 5-62, the "building code") and applicable VDH regulations ("VDH regulations")¹ as follows:

Codes and Regulations: Adoption and Enforcement

1. VDHCD adopts and promulgates the building code. The local building department enforces the building code.
2. The Board of Health adopts and promulgates VDH regulations. The Board of Health and VDH jointly enforce VDH regulations.

Definitions:

"Alternative Discharging System" means a treatment works that requires a permit from VDH pursuant to 12 VAC5-640.

"Onsite Sewage System" means a conventional or alternative onsite sewage system as defined in Va. Code 32.1-163, which requires a permit from VDH pursuant to 12 VAC5-610 or 12 VAC5-613.

"Treatment works" means any device or system used in the storage, treatment, disposal or reclamation of sewage or combinations of sewage and industrial wastes, including but not limited to pumping, power and other equipment and appurtenances, septic tanks, and any works, including land, that are or will be (i) an integral part of the treatment process or (ii) used for ultimate disposal of residues or effluents resulting from such treatment.

"Graywater system" means treatment works that disperses untreated wastewater from bathtubs, showers, lavatory fixtures, wash basins, washing machines, and laundry tubs. A graywater system does not include wastewater from toilets, urinals, kitchen sinks, dishwashers, or laundry water from soiled diapers.

¹ VDH implements the Sewage Handling and Disposal Regulations (12 VAC 5-610); Alternative Discharging Sewage Treatment Regulations for Individual Single Family Dwellings (12 VAC 5-640); Regulations for Alternative Onsite Sewage systems (12 VAC5-613); Private Well Regulations (12 VAC5-630)

Treatment works applicability

1. The building code will apply to all internal service plumbing components of a treatment works up to the point of connection of the building drain to the building sewer.
2. The building code will apply to electrical and structural components of a treatment works, except as provided below.
 - a. The VDH regulations will apply to control panels for the treatment works and its functional treatment components, including electrical devices for pump stations, master disconnect switches, manual override switches, motor control panels, and separate motor control centers when specified by the designer or required by VDH.
 - b. VDH regulations and policies do not consider cord and plug connections associated with a treatment works. If allowed by the building code, cord and plug connections for the treatment works must be located in a weather proof box when outside of the wet well to prevent exposure to weather conditions.
3. The VDH regulations will apply to the treatment and functional components of a treatment works regardless of location (inside or outside of the building or structure), except as provided below.
 - a. The building code will apply to graywater systems not regulated by VDH, such as building or structures connected to a public sewer system.
4. The VDH regulations will apply to components of a treatment works that are external to the building or structure. External components include the septic tank, pump station, distribution box or mechanism, piping, or additional treatment devices such as blowers and associated electrical devices.

Reviews pursuant to Va. Code § 32.1-165

No county, city, town or employee thereof shall issue a building permit for the construction of a new building designed for human occupancy without the prior written notification of the State Health Commissioner or agent that safe, adequate, and proper sewage treatment is or will be made available to such building.

1. VDH approves a treatment works three ways: (1) a certification letter that recognizes a treatment works can be designed sometime in the future, which does not expire; (2) a subdivision letter that describes future treatment works for each subdivision lot, which also does not expire; and (3) a construction permit, which describes the actual construction of the treatment works and is valid for 18 months with one 18 month renewal under certain conditions.

2. The local building official may use the certification letter, subdivision letter, or construction permit to issue a building permit. The local building official understands that a treatment works cannot be constructed until the local health department issues a construction permit. The footprint of the building or structure cannot interfere with the setbacks required by the VDH regulations.
3. The local building official will contact the local health department as provided by local and routine processes, which might differ in various jurisdictions, upon finding that issuance of the building permit might have an impact on the function of an existing treatment works already installed. If VDH requests an application for review of the installed treatment works, then the application must be completed before VDH can determine whether the treatment works is acceptable.
 - a. If the wastewater flow, capacity, or effluent strength increases for the existing treatment works, then the building official must rely on a valid construction permit from VDH before issuing the building permit. A certification letter or subdivision approval will not be sufficient.
4. VDH will only approve a treatment works if it complies with VDH regulations and associated policies. VDH will notify the local building official as soon as practical whether a treatment works was installed correctly by issuance of an operation permit. The local building official will not issue a certificate of occupancy until after VDH has issued the operation permit.

Conflict Resolution

Both VDH and VDHCD will cooperate in resolving any technical conflicts between VDH regulations and the building code. The agencies will develop and implement procedures as needed to ensure collaboration between local building officials and local health departments. Appropriate amendments, edits, additions, or deletions will be made to the VDH regulations and the building code when necessary. When conflicts or disagreements arise between the two agencies or their staff, all appropriate regulatory procedures will be exhausted prior to any judicial action, except in cases of imminent danger.

This Agreement may be amended or terminated by mutual consent of the parties. The undersigned agree to the Conditions of this Agreement.

William, C. Shelton, Director
Department of Housing and
Community Development

Maureen Dempsey
Acting State Health Commissioner
Department of Health